

the Committee on Economic and Educational Opportunities; the Committee on Government Reform and Oversight; the Committee on House Oversight; the Committee on the Judiciary; the Committee on National Security; the Committee on Resources; the Committee on Small Business; and the Permanent Select Committee on Intelligence.

Mr. Speaker, it is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mr. GILLMOR). Is there objection to the request of the gentleman from Florida?

Mr. VOLKMER. Reserving the right to object, Mr. Speaker, I thank the majority for consulting with the minority on this request, and the minority agrees with the request.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMERICAN OVERSEAS INTERESTS ACT OF 1995

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 155 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 155

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI or section 302(f), 303(a), 308(a), or 402(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule for an initial period of ten hours. After such initial period, amendments shall be debatable only as provided in clause 6 of rule XXIII or in section 2 of this resolution. Consideration for amendment may not continue beyond 2:30 p.m. on Thursday, May 25, 1995. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill modified by deleting section 2210. The committee amendment in the nature of a substitute as modified shall be considered as read. Points of order against the committee amendment in the nature of a substitute as modified for failure to comply

with clause 5(a) of rule XXI or section 302(f), 303(a), or 402(a) of the Congressional Budget Act of 1974 are waived. Other than pro forma amendments for the purpose of debate and amendments en bloc described in section 2 of this resolution, no amendment to the committee amendment in the nature of a substitute as modified shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute as modified. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time for the chairman of the Committee on International Relations or a designee to offer amendments en bloc consisting of amendments printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII or germane modifications of any such amendment. Amendments en bloc offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall not be subject to amendment or to a division of the question in the House or in the Committee of the Whole and shall be debatable for ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations or their designees. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

The SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. GOSS asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. GOSS. Mr. Speaker, I am pleased to bring to the House this rule for the consideration of H.R. 1561, the American Overseas Interests Act of 1995. Although this rule is somewhat complicated, it is a modified open rule that provides Members the widest possible latitude in directing the debate and offering amendments, while bringing consideration of this bill to closure at the end of this legislative week.

First, the nuts and bolts: This rule provides for 2 hours of general debate equally divided between the chairman and ranking member of the Committee

on International Relations and makes in order the committee amendment in the nature of a substitute as an original bill for the purpose of amendment. The rule provides that the committee amendment shall be considered as read and it allows for an open amendment process to last 10 hours, including voting time.

Because of the complexity of the subject, the rule requires that amendments be preprinted in the CONGRESSIONAL RECORD, so that the Committee on International Relations, and all Members of the House, may have sufficient time to review them. To facilitate maximum efficiency in the use of the amendment time, the rule allows the chairman of the International Relations Committee, or his designee, to offer amendments en bloc consisting of preprinted amendments and subject to 10 minutes of debate equally divided and controlled. Once the 10-hour period has concluded, additional amendments that have been preprinted may be considered with 10 minutes of debate time, equally divided, until 2:30 on Thursday afternoon. At that time certain, the amendment process will be concluded and the committee shall rise and report the bill to the House with such amendments as have been adopted.

The previous question shall be considered as ordered on the bill and amendments thereto to final passage. The rule does allow for one motion to recommit with or without instructions. Because of the reach and complexity of this bill, the rule includes a series of important waivers that Members should be aware of.

First, the rule waives the 3-day availability requirement for committee reports. The committee did file its report on Friday evening, which makes today the second legislative day that it was available. Although we generally do not like to provide this waiver, the Rules Committee felt that, given the rush of legislative business expected after the Memorial Day recess, it is necessary to conclude consideration of H.R. 1561 this week. Because we wanted to allow as much amendment time as possible within that constraint, this waiver is needed so we can get started today.

The rule also waives clause 5(a) of rule XXI, prohibiting appropriations on a legislative bill—a waiver that applies to technical language in 15 sections of this bill. The International Relations Committee has provided a list of the specific sections affected by this waiver, most of which deal with the transfer and reallocation of funds.

Finally, the rule provides several Budget Act waivers, all of which have been cleared by the Budget Committee. These waivers apply to sections 302(f), 303(a), 308(a), and 402(a) of the Budget Act.

Respectively, these waivers pertain to consideration of legislation providing new entitlement authority in excess of a committee's allocation, consideration of budgetary legislation prior to adoption of the budget resolution, the requirement of a CBO cost estimate in the committee report on legislation containing new entitlement

spending or budget authority, and inclusion of credit authority not subject to appropriations in advance.

I should note for Members' comfort level that the Budget Committee has scrutinized these waiver requests carefully to ensure that we do not end up creating a serious budget problem—in fact, one waiver requested by the International Relations Committee dealing with a lease-purchase agreement did raise red flags at the Budget Committee, and as a result this rule removes the offending section from the committee amendment.

I wish to commend Chairman GILMAN and his staff for meeting the Rules Committee's request for detailed and specific waiver descriptions. The result may be a more complicated rule, but it should provide Members with a much higher level of comfort than the blanket waivers of years passed.

All in all, Mr. Speaker, this is a very fair rule, in keeping with the tradition of this House when this type of important foreign policy legislation has been considered. I would like to address the concerns raised by my friend, the gentleman from Indiana [Mr. HAMILTON], the ranking member of the International Relations Committee, who suggested that allowing an open amendment process might lead to a

free-for-all and might end up shutting out important debate on certain issues if the time runs out. Instead, Mr. HAMILTON suggested that it would be better for the 13 members of the Rules Committee to pick the big issues and structure the debate.

Having lived through three previous Congresses as part of the minority—when the Rules Committee routinely made such executive decisions about which amendments would be considered and which would not—I have to disagree with my friend. I believe all 435 Members of this House were sent here to have a voice on important legislation and is should be up to the will of the House, with strong guidance by the floor managers and party leaders, to determine the path of the debate, within a reasonable allotment of time. Mr. Speaker, before I conclude, I must commend Chairman GILMAN and Ranking Member HAMILTON for their work in bringing forward this bill, which seeks to bring our Nation's foreign policy establishment into the 21st century.

By streamlining the Department of State, eliminating three agencies and re-defining our foreign aid priorities to meet the enormous budget constraints we face, H.R. 1561 shakes up the status quo and responds to the will of the American people.

I have long been frustrated that this Congress has failed to reauthorize our foreign aid policies since 1985—a failure that has meant piecemeal tinkering with our foreign policy priorities without the comprehensive restructuring that the changing times demand.

The American people must understand that this bill reflects a significant cut in foreign aid designed to put our foreign policy programs into full compliance with the balanced budget resolution the House passed just last week. With entire authorization for foreign aid totaling just over 1 percent of the total budget, the funding levels in this bill are nearly 10 percent below the President's request, and more than 5 percent below the current year's budget. I know foreign aid is not popular—and for the past 4 years I have voted against foreign aid appropriations, primarily because every year we kept spending money without completing the work of redirecting our priorities and fundamentally restructuring our policies. That is what H.R. 1561 does.

I look forward to a vibrant debate—and some important amendments on this landmark legislation. I urge support for this rule.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,¹ 103D CONGRESS V. 104TH CONGRESS

[As of May 22, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open ²	46	44	28	75
Modified Closed ³	49	47	9	25
Closed ⁴	9	9	0	0
Totals:	104	100	37	100

¹ This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

² An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

³ A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

⁴ A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of May 22, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350-71 (1/19/95)
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255-172 (1/25/95)
		H.J. Res. 1	Balanced Budget Amdt.	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95)
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95)
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif.	A: voice vote (2/1/95)
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95)
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95)
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95)
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95)
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95)
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95)
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229-100; A: 227-127 (2/15/95)
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230-191; A: 229-188 (2/21/95)
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95)
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282-144 (2/22/95)
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252-175 (2/23/95)
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253-165 (2/27/95)
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95)
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271-151 (3/2/95)
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95)
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 105 (3/6/95)	MO			A: 257-155 (3/7/95)
H. Res. 108 (3/7/95)	Debate			A: voice vote (3/8/95)
H. Res. 109 (3/8/95)	MC	H.R. 956	Product Liability Reform	PQ: 234-191; A: 247-181 (3/9/95)
H. Res. 115 (3/14/95)	MC	H.R. 1159	Making Emergency Supp. Appropr.	A: 242-190 (3/15/95)
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdmt. I	A: voice vote (3/28/95)
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95)
H. Res. 119 (3/21/95)	MC			A: 217-211 (3/22/95)
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423-1 (4/4/95)
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95)
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228-204 (4/5/95)
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253-172 (4/6/95)
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95)
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95)
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414-4 (5/10/95)
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95)

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95)
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95)
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252-170 A: 255-168 (5/17/95)
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. HALL of Ohio. Mr. Speaker, I rise in opposition to House Resolution 155, the rule limiting debate on the American Overseas Interests Act of 1995. As my colleague on the other side of the aisle well knows, this rule is a restrictive rule which governs a complicated and controversial bill. The bill before us today is a mixture of foreign policy initiatives and reorganizations that could change and weaken the conduct of U.S. foreign policy. In addition to radically altering the way we conduct foreign policy, the bill is being rushed through under a rule which allows only 10 hours for amendments and shuts off all consideration after 2:30 on Thursday.

Yesterday in the House Rules Committee, the ranking Democrat on the Committee on International Relations, Mr. HAMILTON, correctly pointed out that it is not uncommon to see 100 amendments on a foreign aid bill. Under this rule, we could be making substantive foreign policy decisions based on who is recognized before the time runs out. I was also concerned to hear that the minority only received the final committee report at 2 yesterday. Waivers for violations of House Rules and the Budget Act are needed in 21 areas. Mr. Speaker, this is no way to legislate, and I think the American people deserve more than this.

In addition to the obvious procedural problems, this bill itself is seriously flawed. The International Affairs budget represents only 1.3 percent of total Federal spending. It has already been cut by 40 percent since 1985. I am particularly troubled with the 34 percent cut in development assistance. While the bill earmarks \$280 million for the Child Survival Fund, the overall reduction squeezes necessary prevention efforts such as basic education, microenterprise programs and self-help initiatives that have been proven to work. It makes no sense to have the United States functioning as the world's ambulance when famine and disaster occur in developing countries, when we could have prevented them.

In addition to saving lives, development assistance enables many countries to become self-sufficient enough to buy U.S. exports. Between 1990 and 1993, U.S. exports to the developing countries grew by \$46 billion, creating

920,000 new jobs in this country. It is in our economic interests to continue meeting our foreign assistance obligations.

As a former Peace Corps volunteer in Thailand, I saw development assistance creating markets for American goods. The United States invested around a billion dollars' in development assistance in Thailand from 1953 to 1986. In return, Thailand bought nearly 8 billion dollars' worth of American products in just the past 2 years.

Another major problem with this legislation is its far-reaching scope which is not based on sound research. For example, this bill includes the elimination of three agencies: AID, the Arms Control and Disarmament Agency, and USIA. Yet no sound evidence exists to show this will save the taxpayers any money. The American people do not want us to be ramming bills through for the sake of reorganization without any kind of cost analysis.

Mr. Speaker, this bill has many, many other flaws. It essentially weakens the United States' leadership role in the world. Secretary of State Warren Christopher has written to the Speaker and indicated he will recommend a veto.

Mr. Speaker, I include at this point in the RECORD the letter from Secretary Christopher:

THE SECRETARY OF STATE,
Washington, DC, May 22, 1995.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: This week, the House of Representatives will consider legislation that could undermine this and every future President's ability to safeguard America's leadership in the world. The "American Overseas Interests Act," H.R. 1561, is deeply flawed. If this bill were presented to the President, I would have no choice but to recommend that the President veto it.

H.R. 1561 wages an extraordinary assault on this and every future President's constitutional authority to manage foreign policy. It contains numerous restraints and restrictions that would do immense harm to our nation's foreign policy. It drastically reduces our resources. And it mandates a costly and disruptive reorganization of the Executive Branch that will damage our ability to promote American interests worldwide.

On the most fundamental constitutional grounds, I am deeply opposed to the elaborate and unnecessary restraints that H.R. 1561 would impose. If enacted, they would compromise our ability to follow through on the North Korea Framework Agreement. They would undermine our effective participation and weaken our leverage in international organizations. They would compel changes in our refugee policy that could pose a serious threat to our borders, limiting the President's ability to respond to boat migration and possibly exacerbating the illegal smuggling of aliens into the United States. The bill would seriously impair the Presi-

dent's responsibility to manage our delicate relations with China at a time of its transition in leadership. Numerous conditions on our assistance to Russia and the other New Independent States could derail our steady support for democratic and market reform in a region that remains the site of tens of thousands of nuclear weapons. Other provisions of the bill would seriously disrupt our ability to move decisively when warranted by rapidly changing circumstances as well as our relations with a variety of countries.

These far-reaching restrictions, combined with the sharp reductions in resources for the International Affairs budget, would cripple our ability to respond to the complex opportunities and challenges of the post-Cold War world. At a time when American strength, vision, and leadership are essential, this legislation would force our unilateral retreat.

As you know, the International Affairs budget represents only 1.3% of total federal spending. It has absorbed substantial real cuts in recent years. The resources we are requesting, in my judgment, are the rock bottom minimum we need to advance our nation's vital interests.

The International Affairs budget has always been a prudent investment that produces clear benefits for the American people. It protects American lives by combating the spread of nuclear weapons, the scourge of drugs, and the threat of international terrorism. It has helped lead to the detargeting and dismantlement of missiles in the former Soviet Union and facilitated the departure of Russian troops from the Baltics. It has advanced peace in the Middle East. It has helped to end the violence in Northern Ireland and to assist the transition to democracy in South Africa. It has promoted free trade and U.S. exports, creating more than one million high-paying American jobs in the last two years alone. Whether in the case of South Korea or South America, our foreign assistance over the years has ultimately put more dollars in the pockets of the American taxpayer than it has ever taken out.

Moreover, the preventive diplomacy that the International Affairs budget funds is our first and least costly line of defense. Compare the cost of diplomatic action to stem proliferation to the price we would pay if rogue states obtained nuclear weapons. Compare the cost of promoting development to the price of coping with famine and refugees. If we gut our diplomatic readiness today, we will face much greater costs and crises down the line. H.R. 1561's cuts in Function 150 resource levels are flatly irresponsible.

H.R. 1561's elimination of ACDA, USIA, and AID, as well as cuts in the State Department's operating expenses, threatens our ability to achieve our foreign policy goals through effective international affairs agencies. The State Department, ACDA, AID, and USIA are all proceeding vigorously with their own streamlining efforts. Each is actively cutting costs, realigning resources to better match policy priorities, and updating communications and information technologies. Together, these measures are lowering costs and raising productivity in each of the international affairs agencies.

H.R. 1561 would disrupt and deflect these comprehensive efforts by abolishing ACDA,

AID, and USIA in name only and reassigning their functions to the State Department. The turmoil and inevitable dislocation could seriously undermine the conduct of U.S. foreign policy by hampering a flexible response to continually evolving world crises and opportunities. Like the Army, Navy, Air Force, and Marines, which operate under the overall direction of the Secretary of Defense, AID, ACDA, and USIA each has a distinct mission that can be best performed under the overall foreign policy guidance of the Secretary of State.

As the sole remaining superpower, we have an unprecedented opportunity to shape the world we seek—a world of open societies and open markets. Our nation's foreign policy cannot be supported on the cheap; we cannot protect our interests as the world's most powerful nation if we undermine the role of the President or if we do not marshal the resources to stand by our commitments. We

cannot lead if we do not have the tools of leadership at our disposal. This is equally true whichever party is in power at any given moment.

Last November's elections may have changed the balance of power between the parties. But they did not change—indeed, they enhanced—our responsibility to cooperate on a bipartisan basis in foreign affairs. The election was not a license to lose sight of our nation's global interests or to launch an assault on the President's constitutional responsibility to conduct foreign policy. I regret to conclude that this legislation would have us do both.

Sincerely,

WARREN CHRISTOPHER.

Mr. Speaker, according to Secretary Christopher, the bill includes unnecessary restraints that would compromise our ability to follow through on the North Korea Framework Agreement, as

well as weaken our leverage in international organizations. Numerous conditions on assistance to Russia and independent states could undermine our support for democratic and market reforms in a region that remains the site of tens of thousands of nuclear weapons.

In essence, Mr. Speaker, this bill forces our retreat into isolationism at a time when the United States should be leading the world. This bill ties the hands of the executive branch and weakens the United States ability to promote open societies and open markets. The bill, and the rule which governs it, should be voted down.

I urge my colleagues to join me in voting "no" on this restrictive rule.

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive: Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive: only certain substitutes	2R; 4D
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive: considered in House no amendments	N/A
H.R. 2*	Line Item Veto	H. Res. 55	Open: Pre-printing gets preference	N/A
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open: Pre-printing gets preference	N/A
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open: Pre-printing gets preference	N/A
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive: 10 hr. Time Cap on amendments	N/A
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open: Pre-printing gets preference; Contains self-executing provision	N/A
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive: brought up under UC with a 6 hr. time cap on amendments	N/A
S. 2	Senate Compliance	N/A	Closed; Put on suspension calendar over Democratic objection	None
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive: makes in order only the Gibbons amendment; waives all points of order; Contains self-executing provision.	1D
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive: makes in order only the Obey substitute	1D
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive: 10 hr. Time Cap on amendments	N/A
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive: 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive: 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive: 7 hr. time cap on amendments; Pre-printing gets preference	N/A
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive: makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive: Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive: Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive: Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments.	5D; 26R
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive: Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive: waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open: waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A
H.R. 961	Clean Water Act	H. Res. 140	Open: pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 1 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A
H.R. 584	Conveyance of the Fairport National Fish Hatchery of the State of Iowa	H. Res. 145	Open	N/A
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A,0
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive: Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D;1R
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive: Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A

* Contract Bills, 67% restrictive; 33% open. ** All legislation, 65% restrictive; 35% open. *** Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. **** Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

□ 1300

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GILMAN], chairman of the committee, who will, I believe, explain this bill more fully.

Mr. GILMAN. Mr. Speaker, I rise to support House Resolution 155, the rule under which it is proposed that the House consider H.R. 1561, the American Overseas Interests Act.

The Rules Committee, under the able chairmanship of the gentleman from New York [Mr. SOLOMON], has proposed a rule that provides an excellent framework for the House to consider and debate this very important bill.

I would like to thank my good friend, the distinguished chairman of the Rules Committee, the gentleman from New York, for his expeditious action in scheduling the Rules Committee for an early hearing to consider our request for a rule.

The proposed rule requires pre-printing of amendments in the RECORD and provides adequate time for full debate. I would urge my colleagues to bear in mind—however—that the leadership has set a requirement that all debate on H.R. 1561 end by 2:30 p.m. on Thursday, May 25.

H.R. 1561 is a complex bill, addressing the very fabric of our foreign affairs operations and foreign assistance programs, and many Members have indicated a desire to be hard on it.

This rule provides for an orderly process to enable those Members who wish to offer amendments to do so, while also ensuring that the House will be able to work its will on this measure in a timely fashion.

Mr. Speaker, H.R. 1561 is the first major challenge to the foreign policy status quo since the cold war began nearly 50 years ago—providing for the first major reorganization and consolidation of our foreign affairs apparatus in that period.

It also reauthorizes the foreign assistance programs of the United States while reducing funding by nearly \$1 billion below current levels in the first year so as to bring them into line with our overall budgetary needs, while redirecting and targeting our resources on high priority programs.

H.R. 1561 embodies three priorities to ensure that our Nation can meet the challenges and take advantage of the opportunities that await us in the post-cold-war world.

It defends our national security, supports our trade and economic interests and provides for those who have been hit by disaster and cannot provide for themselves—while cutting duplication and waste in dozens of programs.

Mr. Speaker, House Resolution 155 is a good rule under which to consider a most important bill, and I urge its adoption.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. SABO], the ranking mi-

nority member on the Committee on the Budget.

Mr. SABO. Mr. Speaker, I thank my colleague for yielding me this time.

Here we go again. Once more we have a major piece of legislation before us, and the Republican majority has structured a rule to get around all kinds of serious Budget Act violations.

The rule waives four separate sections of the Congressional Budget Act: The section prohibiting spending in excess of the committee's allocation, the section prohibiting consideration of direct spending bills before the budget resolution is in place, the section requiring lending programs be made subject to appropriations, and the section requiring new spending authority to be disclosed in the committee report.

These Budget Act violations are not minor. According to CBO, the bill increases direct spending by at least \$200 million in budget authority over 5 years. Let me be clear, these are new spending, of direct spending authority, not changes in authorization.

The reason we have a Budget Act is to help us think through the budget effects of legislation before we pass it. We should not be waiving the budget rules so cavalierly on such an important bill.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH], a distinguished member of the Committee on International Relations.

Mr. ROTH. Mr. Speaker, I thank the gentleman for yielding me this time.

This is the second step that we Republicans are taking to bring American foreign policy into line with the wishes of the American people. The first step was when we passed the National Security Revitalization Act, which was passed by the House in February, a part of the historic Contract With America.

This bill will be debated under an open rule allowing for any amendment to be offered. We have set aside nearly 3 days for consideration of this bill.

The rule provides for a full debate. This is in keeping with the principle of open debate which we have restored to this House, overturning years of gag rules imposed by the previous management.

We are confident that this legislation is what the American people want. Last November, our people spoke loud and clear. They want basic changes in our Government.

The bill today makes some of the basic changes. It abolishes three foreign policy agencies which are left over from the cold war and which have outlived their usefulness. This bill does not go far enough in cutting the State Department, which is costing \$2.5 billion a year to run, but at least it is a step in the right direction.

In today's world, with instant communications, we do not need 266 foreign missions, 266 foreign missions, which is what the State Department is currently running, and most important, this bill cuts some foreign aid.

There is one message that the average American wanted to send to Congress last November. It was: It is time to take care of our own people and our own problems first, for a change.

Last week this House adopted a balanced budget which will balance our budget by cutting spending, and, for the first time, we are starting to cut, I think, spending in foreign aid.

Somehow, the Clinton administration has not gotten the word, however, from the American people. Yesterday the Secretary of State sent us this letter, a 3-page letter, speaking out against this bill. The Secretary does not want any cuts in foreign aid, but he wants increases. The Secretary does not want any cuts in the State Department bureaucracy. He wants more bureaucrats spending more money overseas. The Secretary does not want the Congress involved in foreign policy.

Well, the Secretary of State is an honorable and decent man, but the Secretary of State is totally out of touch with the reality and with the American people. His views are out of date with the realities of today's world, and his policies are out of sync with even our closest allies around the globe.

The bottom line is the Clinton administration wants business as usual in foreign aid and in foreign policy, and we Republicans want change. This is what this legislation is all about, really. We Americans have listened to the American people; we Republicans also have listened to the American people.

The Clinton administration is still mired in the past, trying to keep the bureaucracy and its foreign aid programs on a lifeline support system.

I ask my colleagues to support this open rule so that we can have an open and free debate about the needs and about the changes in our foreign policy.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. VOLKMER].

(Mr. VOLKMER asked and was given permission to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, I thank the gentleman for yielding me this time.

I would just like to speak strongly in opposition to this rule for the simple reason that it is not an open or modified open rule, as described by the gentleman from Florida. It is actually a modified closed rule. Let us call it what it is.

We will find out, come 2:30, Thursday, how many amendments are still pending when the time comes. If we are all done, I will take my words back. But if there are amendments still pending, you know, people were here who wanted to offer their amendments, then they get 5 minutes on each side, then vote on it. That is not the way we do business in America's House of Representatives.

The other thing, as alluded to by the gentleman from Minnesota, they waived budget requirements, one of

which even put in the rules themselves. So we cannot even follow our own rules on the budget.

And the other, last thing I would like to say is the gentleman from Wisconsin just talked about how great a bill this was. It cuts back on us being able to continue democratization throughout this world. We have more democracies now than we ever had before. This bill takes us back to isolationism, except in one area, one big area. This bill will fund more abortions in foreign lands than we do right here in the United States. That is what this bill does. For some reason or other, this bill is great, they say, to provide the killing of babies out there in other lands. We do not even do it here in the United States.

I think that this rule should be defeated and we should go back and have an open rule so we can address all of the problems with this bill.

Mr. DIAZ-BALART. Mr. Speaker, I want to thank my distinguished colleague, the gentleman from Florida, for yielding me this time.

Chairman GILMAN has done an extraordinary job, along with the other members of the Committee on International Relations, and they should all be commended for this fine piece of legislation, as should Chairman SOLOMON and my colleagues on the Committee on Rules for bringing forth a fair rule, Mr. Speaker, a fair rule.

It permits any amendment that any Member may have to be brought to the floor. We have 2 hours of general debate after this hour on the rule, and then we have got another 10 hours for debating this bill.

This is an important bill, Mr. Speaker. You know, when you project it over the 7-year balanced budget glidepath, this bill is expected to save \$21 billion of taxpayer money at the same time that it lays forth the framework for continued American leadership in the world.

At this time, Mr. Speaker, when we are commencing the critical fiscal battle to save America's economic future by balancing the budget, this bill will prohibit foreign aid to countries that engage in intelligence activities within the United States, harmful to the national security of our country, that provide lethal military equipment to a country that has repeatedly provided support for acts of international terrorism or countries that consistently oppose the United States in the United Nations. I think it is about time we take these steps.

I want to commend Chairman GILMAN for including these important matters in this critical legislation.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. HAMILTON], former chairman of the committee, now ranking minority member.

Mr. HAMILTON. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to the rule. I, of course, will also oppose

the bill. I will say more about that in the course of the debate on the bill itself.

But let me just make a few comments with respect to the rule. I think all of us in this Chamber would agree that good procedure can enhance the legislative product that comes out of this Chamber. I do not think that this rule qualifies as good legislative procedure.

Imposing a time cap on debate for 10 hours, including voting time, with all of the amendments pending here, certainly we will have a number of votes, is going to restrict and constrain debate.

The first point, then, is simply that time is too short under this bill. It is an arbitrary time limit.

This bill generates a lot of amendments. In the last Congress, floor time on the State Department authorization bill and the foreign aid bill, excluding voting time, consumed nearly 20 hours. H.R. 1561 includes a new component, in addition to those two components, a radical reorganization of the U.S. foreign policy apparatus.

□ 1315

So time is very severely constrained here.

Second, this is really not an open rule, and it should not be so described. As an institution, the Committee on Rules in the House needs a rational mechanism to ensure that major questions are debated on this bill or any other bill. That outcome depends not on how we describe the rule, open, or modified, or whatever, but on whether the Committee on Rules makes sure that there is a process for thorough consideration of all of the major issues in the bill, and I think the job of the Committee on Rules is to identify the major policy issues presented by this or any other bill and then to permit adequate time for debate on each one of those major policy issues. That is the job of the Committee on Rules, and I do not think they have fulfilled that function here today.

Finally, Mr. Speaker, I think the rule creates a faulty process for consideration of the bill. I say, you have a 10-hour time cap, you throw the bill open for amendment at any point, and you create a kind of free-for-all, making the foreign policy of the United States, under this rule, dependent on who gets recognized first. Russia could be debated for 5 minutes; family planning for 5 hours. That's not the message that we want to send to the world about how the Congress of the United States makes foreign policy and shapes U.S. foreign policy.

Mr. Speaker, I just think we can do a lot better than this rule that we have today. We should reject it, and I urge a "no" vote on it.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to just briefly respond to the distinguished gentleman from Indiana [Mr. HAMIL-

TON], the ranking member of the Committee on International Relations, and say we tried very hard to have a balance between a free-for-all and the structured rule that gets the major debate, and we came to the conclusion that we provided the parameters, and we hope the floor managers will be able to lead the debate in a way that will get the major issues out there. Under the recognition system that we have, there is priority given to the members of the committee, as the gentleman well knows, and I know that if his side of the aisle holds him in as much respect that people on this side of the aisle do, that truly that they will listen to his governance as we go through this, and I know that the people on our side of the aisle have equal respect for our chairman. So I think we will have a good debate.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from San Dimas, CA [Mr. DREIER], an instrumental Member of this House and my leader in spirit on the Committee on Rules. (Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank the gentleman from Sanibel, the distinguished chairman of the Subcommittee on Legislative and Budget Process, for yielding me this time.

Mr. Speaker, I want to take just a few minutes to discuss the changes that have taken place in the procedure of bringing rules to this floor over years in the past. There is a fundamental disagreement that is being expressed today on the rule for this American Overseas Interest Act regarding the actual role of the Committee on Rules. We all recognize, we recognize that despite our support for the most open and fair process possible, scheduling constraints, when we are dealing with 435 Members, often require some kind of time limit, especially when we see the kinds of problems that have existed with the use of, quite frankly, a filibuster by amendment in the past. The most relevant standard that we should use when we look at rules that are considered is not purely the issue of openness, but in fact the question of fairness. It is disingenuous to claim that every single structured rule is equally onerous to the minority or to the process of representative democracy, and rhetorically I would like to pose the following question as we look at the consideration of these rules:

First, in the process of structuring floor consideration to permit the schedule to proceed; is the Committee on Rules structuring debate for mere political advantage? And obviously, in the case of this rule, the answer to that is no.

Are the rules being used arbitrarily to bring either political benefit or relief? And obviously the answer to that question is a resounding no.

There is a time limit on floor consideration of this bill restructuring the

foreign aid bureaucracy. That is unquestionably a restriction on open debate, but at the same time it is also a bill that could take weeks, and weeks, and weeks to conclude if there were no structure whatsoever to the debate.

My very good friend, the former chairman of the Committee on Foreign Affairs, the gentleman from Indiana [Mr. HAMILTON], as my friend from Florida has said, is one of the most highly respected Members of the House. He came to the Committee on Rules yesterday and opposed a time limit. He preferred a structured rule in which the Committee on Rules ensured adequate debate of the key foreign policy issues of the day.

The concern with time limits expressed by Members on both sides of the aisle has been that some amendments may not be able to be offered within the time cap. Under the regular rules of the House, Mr. Speaker, it is especially possible that amendments of Members not sitting on the committee of jurisdiction will not be offered. This is a very legitimate concern.

Time limit opponents, if they intend to contribute something relevant to these rule debates, must recognize that any limitation on debate has the potential, the potential for important amendments not being offered on the floor. The vehicle could be a time cap or the Committee on Rules listing which amendments are in order and, conversely, which are not.

The new majority, the new majority on the Committee on Rules, has reported a large number of rules in which a time cap has been used. The reason is very simple, Mr. Speaker. After years in the minority, during which time the 9-to-4 majority on the Committee on Rules structured rules to stack the deck politically for the majority, we learned how unfair highly structured rules can be.

Time limits, I will acknowledge, are not perfect. However, it is possible with time limits for the chairman and ranking member of a bill's committee of jurisdiction to minimize the drawbacks of those time limits. They are recognized for amendments before other Members. Through this authority a chairman and ranking member can ensure that the most important amendments are addressed first. In addition, Mr. Speaker, the rules of the House permit consent agreements limiting time for debate on amendments to avoid amendments consuming all of the time.

The choice is very simple. Give the authority to structure debate to the highly partisan Committee on Rules or permit the chairman and ranking member of the committees of jurisdiction to largely set the course of debate.

Now, Mr. Speaker, I think there is no question that the more fair way to set debate is to give both parties a chance to bring amendments to the floor without having the Committee on Rules block certain amendments simply because our leadership does not want to

vote on a certain issue. That is what often happens when a highly structured rule is used. We are trying desperately to minimize that procedure. So, if we will use the guide of fairness, rather than simply openness, I believe that we will be able to have virtually every public policy proposal considered.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Massachusetts [Mr. MOAKLEY], the former chairman of the Committee on Rules, now ranking minority member, and my good friend who is humorous and a great leader.

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from Ohio [Mr. HALL] for yielding this time to me, and I thank him for that outstanding introduction, but, Mr. Speaker, this bill has got a lot of problems:

It limits the President's authority, it restricts U.S. foreign policy options, and it weakens U.S. national security.

This bill also reorganizes the State Department. Now, that sounds like it could be a good thing. But, in this case, it is reorganizing for the sake of reorganization, it will actually increase the bureaucracy, double the number of employees, and triple the budget.

So why are Republicans doing this?

It cuts our foreign aid resources when the requirements for U.S. leadership are increasing.

It places constraints and earmarks on U.S. policy that will hinder this and any future President's ability to conduct foreign policy.

In this post-cold-war world, global realities are drastically shifting and American foreign policy should respond to those shifts. We should not be limiting our ability to create new markets and protect U.S. security interests.

Some of the most dangerous and short-sighted cuts are in development assistance. These projects help promote economic stability, create markets for American goods, and promote democracy and human rights abroad.

These programs enhance our security. They are the right thing to do and they should not be cut. So, Mr. Speaker, I urge my colleagues to oppose this gag rule. It is another in a long string of Republican broken promises. This rule provides for a 10-hour time cap and sets a drop-dead deadline for amendments of 2:30 on Thursday.

One look at this rule and one would think we had a lot of other business in the House this week. Or, at least you would think we have a lot to do after the recess.

But, we do not. There are no bills scheduled for the week we get back. I urge my colleagues to oppose this rule; thoughtful consideration of American foreign policy is much more important than the Memorial Day celebrations that are coming up.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I always appreciate the remarks of the distinguished gentleman from the Commonwealth of Massachusetts [Mr. MOAKLEY] who I re-

spect immensely, as he well knows, but 10 hours of debate can hardly be a gag rule, and I thought we were doing a favor to the gentleman's party by making sure that we had a family friendly evening one or two nights this week, so we were trying to extend out the debate as best we could during the daytime. We simply ran out of week.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, the gentleman knows when we were in the majority that we gave 20 hours. It was more than ample time to discuss it, and no amendments, and no bearers of amendments, were lying dead at the rostrum down there.

Mr. GOSS. Reclaiming my time, I thank the gentleman for his observation. I was only commenting on the gag question. A 10-hour gag is a long gap, and I think that most people, when this debate gets going, are going to agree that we are going to have pretty free and open debate, and perhaps the concerns of the gentleman from Indiana [Mr. HAMILTON], that we were going to have a free-for-all, will be more on target than "Members won't have a chance to speak."

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Florida for yielding this time to me.

First of all, I think this is a fair rule. Ten hours should be a sufficient amount of time to debate this issue, but I want to talk about something else today of very, very great importance.

I remember a few years ago when the Berlin Wall was up, and we saw an East German soldier running through barbed wire with his weapon hanging in his hand to freedom, and everybody in the world applauded. It was on the front of, I think, Life magazine and a bunch of other magazines showing this man in his great dash for freedom from Communist oppression, and we all applauded that, and just 2 or 3 years ago from Cuba we had captain in the Cuban Air Force fly his jet to freedom in Miami, and he told about the repression of that government, and everybody applauded that, and then just last year I believe a man, a Cuban American, took a small aircraft, and flew under the radar screen into Communist Cuba, landed on a small street, a dirt road, and picked up his family, and flew them to freedom in Marathon, FL, and everybody in the world applauded. Here was a man fleeing Communist oppression. The State Department has declared the dictatorship of Fidel Castro a brutal dictatorship. Just last July 13, the March 13 tugboat containing 85 women, and children, and men was trying to get to freedom, fleeing Communist oppression in Castro's dictatorship.

□ 1330

The Cuban Navy came up alongside and with power hoses were washing people off of the deck. Women were holding their babies up, showing the Cuban Navy there were children on board, and they kept the power hoses on them. The woman went down into the bowels of the tugboat to protect the kids. The Cuban Navy pulled up alongside and, using the orders directly from Fidel Castro, they pointed the hoses into the hold and sunk the ship, drowning those women and children like rats.

That is the kind of dictatorship we have in Communist Cuba today. That is the kind of dictatorship we had in East Germany under the Communists, and in the old Soviet Union. People did not want to live in that kind of hell. If you read Armando Valladares' book "Against All Hope," you know of the horrible oppression and torture that goes on in the Communist gulags, the prisons, in Castro's Cuba.

Mr. Speaker, it is with great concern and dismay that the American people see today that the Clinton administration is equating illegal aliens coming across the Mexican border by the millions with the few thousand people fleeing Communist oppression in Castro's horrible dictatorship in Cuba.

Janet Reno said these people were illegal immigrants, and there were only about twelve or thirteen thousand in the last year that tried to flee Castro's dictatorship. The reason this is being done is because Castro forced people down to the shores, telling them they were going to go to prison if they did not leave that country, when he sent 30,000 people over here for political purposes.

Let me just say the policies of this administration are wrong headed regarding Cuba. It is still a Communist dictatorship. Sending people back to Cuba today is like throwing people seeking freedom back over the Berlin Wall. It is a terrible mistake, Mr. President.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is, in my opinion, a very dangerous bill. It worries many leaders of the world, of other nations. It worries many agencies and many people in this country. At a time when the U.S. should be leading in the world, this can force us, in my opinion it will force us, to take a back seat into isolationism.

It cripples agencies without any benefit. Many agencies will be eliminated. The best agency in my opinion, AID, and the great humanitarian work that they do will be put into the State Department. It will defeat the purpose it was designed for. Many decisions based on humanitarian aid now will be made with political purposes in mind, which is wrong.

It cuts development assistance by 34 percent to the poorest of nations all over the world, including where most

of the humanitarian crisis is now, which is in the continent of Africa. Actually, the whole fund has been cut already by 40 percent.

It hurts investments in other nations. For every dollar that we invest overseas, we get it back two and three and four times every year. We get it back in jobs, we get it back in money, we get it back in trade.

As a country, we need to step up to the plate and lead in the world. That is our role, that is our responsibility, whether we like it or not. This bill erodes our strength and our ability to lead.

Mr. Speaker, I would urge a "no" vote on the rule, and certainly a "no" vote on the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Florida [Ms. ROS-LEHTINEN], also a member of the Subcommittee on the Western Hemisphere.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to urge passage of this rule, which I believe is very fair to all Members of the House. It is important to move quickly on passage of the American Overseas Interest Act, which sets forth a bold and far-reaching reorganization and consolidation of the foreign affairs agencies of our country.

This bill begins a measured, deliberate process of reducing expenditures in the field of foreign affairs, which is consistent with the overall plan to bring our budget into balance by the year 2002.

The consolidation of the agencies by eliminating duplication and blurred lines of authority and responsibility will contribute to the Secretary of State's ability to adapt the foreign policy programs of this Government to the new era of fiscal austerity. I believe this is a very positive constructive approach to the challenges that we face in reducing our Federal deficit.

Unfortunately, the bureaucratic impulse to oppose change has led some in the administration and elsewhere to attempt to oppose the consolidation of these agencies by labeling supporters of the committee bill as isolationists or new isolationists. Nothing could be further from the truth.

In fact, the consolidation proposal has a very long history. One of the greatest international statesmen that this country produced strongly believed that the foreign affairs programs of this country should be an integral part of the State Department's programs.

In fact, in 1945 when the then Assistant Secretary was offered a substantial promotion to become the Director of the Independent Foreign Aid Agency, Dean Acheson turned down the job because he insisted that neither the job nor the agency should exist, that foreign aid should be run as part of the State Department.

There is a delicious irony in the fact that we should now call this proposal

the Republican plan. The Acheson plan is what it really is. It sometimes has been called the Helms plan. It is to consolidate these agencies. This should be done.

I mention this because it seems to me these issues are neither partisan nor ideological. They should be addressed in an atmosphere which is the focus of one question and one question only: What is the best thing for our country to do?

I congratulate the gentleman from New York, Chairman GILMAN, for bringing this bill to the floor in such a prompt manner. He has provided strong leadership for those of us in the committee, helping us to cope with the fundamental changes in this world. The world has been changing dramatically since the start of this decade, and this fresh approach embodied in our bill is an appropriate response to these changes.

Mr. Speaker, I hope that all of our colleagues urge a "yes" vote in the adoption of this rule.

Mr. SOLOMON. Mr. Speaker, I rise in support of this rule.

Mr. Speaker, we have before us what I firmly believe to be the fairest rule possible under the current circumstances.

In putting this rule together, the Rules Committee tried, first, to accommodate the leadership of the House and the extraordinary demands that are being placed on the floor schedule.

Given the rather small windows of opportunity that is available for consideration of H.R. 1561, this rule represents our best effort to make optimum use of the time the House will in session this week.

Our second consideration at the Rules Committee was to consult as best we could with the minority to try to understand their concerns.

Having been in the minority for so long ourselves, we Republicans know how it feels.

We tried to strike a proper balance between the time permitted for general debate and the time permitted for consideration of amendments.

Given the schedule constraints we are working under, we have struck a good balance that moves at least some of the way the minority asked us to go.

Finally, Mr. Speaker, the Rules Committee examined some of the past precedents for dealing with foreign aid legislation, particularly the bills that were brought before the House during the 1980's.

I myself served on the Foreign Affairs Committee during most of the 1980's under the leadership of then-Chairman Dante Fascell, one of the great statesmen of this House.

We found ample precedent for imposing an overall time limit on the amendment process, for requiring the printing of amendments in the CONGRESSIONAL RECORD, and for granting the chairman of the Committee of Original Jurisdiction authority to present amendments en bloc.

And so I strongly urge Members to support this rule.

This is a good rule. It meets the needs we face under the present circumstances.

And it will permit the House to work its will on H.R. 1561.

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 155, providing for the consideration of H.R. 1561.

The SPEAKER pro tempore (Mr. GILLMOR). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALL of Ohio. Mr. Speaker, I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have tried our best to come up with a rule that provides plenty of time to talk about the things we need to talk about, give every Member a chance to get what is on their heart or mind on this subject out on the floor for discussion, and still manage the debate in a way that the vital issues are provided for and will get the appropriate attention.

I think we must have done a pretty good job in terms of the policy, because we have the ranking member on the Committee on the Budget saying oh, my gosh, he was worried about the budget constraints, yet we have the President's spokesperson saying that they are going to recommend a veto because there is not enough money. So we apparently have come up with something that works pretty well here.

This bill will spend 5.5 percent less than last year, and does represent 9.5 percent less than the White House asked for, but it does provide for the necessary and affordable business of our Nation overseas, provides for accountability and our national interests and national securities.

I guess that no rule is absolutely perfect, but I think this is a pretty good rule for an issue of this dimension, and I think we have done our best to craft it to give every Member the opportunity to have his or her say. I think it is fair and efficient, and I think it will do the job. I urge its support.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HALL of Ohio. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 233, nays 176, not voting 25, as follows:

[Roll No. 347]

YEAS—233

Allard	Army	Baesler
Archer	Bachus	Baker (CA)

Baker (LA)	Gilchrest	Nussle
Ballenger	Gillmor	Ortiz
Barr	Gilman	Oxley
Barrett (NE)	Goodlatte	Packard
Bartlett	Goodling	Parker
Barton	Goss	Paxon
Bass	Graham	Peterson (MN)
Bateman	Gunderson	Petri
Bereuter	Gutknecht	Pombo
Bilbray	Hansen	Porter
Bilirakis	Hastert	Portman
Billey	Hastings (WA)	Pryce
Blute	Hayworth	Quillen
Boehlert	Hefley	Quinn
Boehner	Heineman	Radanovich
Bonilla	Herger	Ramstad
Bono	Hillery	Regula
Boucher	Hobson	Riggs
Brewster	Hoekstra	Roberts
Browder	Horn	Rogers
Brownback	Houghton	Rohrabacher
Bryant (TN)	Hunter	Ros-Lehtinen
Bunn	Hutchinson	Roth
Bunning	Hyde	Roukema
Burr	Inglis	Royce
Burton	Istook	Salmon
Buyer	Jacobs	Sanford
Callahan	Johnson (CT)	Saxton
Camp	Johnson, Sam	Schaefer
Canady	Jones	Schiff
Castle	Kasich	Seastrand
Chabot	Kelly	Sensenbrenner
Chambliss	Kim	Shadegg
Chenoweth	King	Shaw
Christensen	Kingston	Shays
Chrysler	Klug	Shuster
Clinger	Knollenberg	Skeen
Coble	Kolbe	Skelton
Collins (GA)	Largent	Smith (MI)
Combest	Latham	Smith (NJ)
Cooley	LaTourrette	Smith (TX)
Cox	Laughlin	Smith (WA)
Crane	Lazio	Solomon
Crapo	Leach	Spence
Creameans	Lewis (CA)	Stearns
Cunningham	Lewis (KY)	Stockman
Davis	Lightfoot	Stump
Deal	Lincoln	Talent
DeLay	Linder	Tate
Diaz-Balart	Livingston	Taylor (NC)
Dickey	LoBiondo	Thomas
Doolittle	Longley	Thornberry
Dornan	Lucas	Thurman
Dreier	Manzullo	Tiahrt
Dunn	Martini	Torkildsen
Ehlers	McCollum	Torricelli
Ehrlich	McCrery	Upton
Emerson	McDade	Vucanovich
English	McHugh	Waldholtz
Ensign	McInnis	Walker
Everett	McIntosh	Walsh
Ewing	McKeon	Wamp
Fawell	Metcalf	Watts (OK)
Fields (TX)	Meyers	Weldon (FL)
Flanagan	Mica	Weldon (PA)
Foley	Miller (FL)	Weller
Forbes	Moorhead	White
Fowler	Morella	Whitfield
Fox	Murtha	Wicker
Franks (CT)	Myers	Wolf
Franks (NJ)	Myrick	Yates
Frelinghuysen	Nadler	Young (AK)
Frisa	Nethercutt	Young (FL)
Funderburk	Neumann	Zeliff
Ganske	Ney	Zimmer
Gekas	Norwood	

NAYS—176

Ackerman	Coleman	Edwards
Baldacci	Collins (IL)	Engel
Barcia	Collins (MI)	Eshoo
Barrett (WI)	Condit	Evans
Beilenson	Conyers	Farr
Bentsen	Costello	Fattah
Berman	Coyne	Fields (LA)
Bevill	Cramer	Filner
Bishop	Danner	Flake
Bonior	de la Garza	Foglietta
Borski	DeFazio	Ford
Brown (CA)	DeLauro	Frank (MA)
Brown (FL)	Dellums	Frost
Brown (OH)	Deutsch	Furse
Bryant (TX)	Dicks	Gejdenson
Cardin	Dingell	Geren
Chapman	Dixon	Gibbons
Clay	Doggett	Gonzalez
Clayton	Doyle	Gordon
Clement	Duncan	Green
Clyburn	Durbin	Gutierrez

Hall (OH)	McHale	Sabo
Hall (TX)	McKinney	Sanders
Hamilton	McNulty	Sawyer
Hancock	Meehan	Schroeder
Harman	Meek	Schumer
Hastings (FL)	Menendez	Scott
Hayes	Mfume	Serrano
Hefner	Miller (CA)	Sisisky
Hilliard	Mineta	Skaggs
Holden	Minge	Slaughter
Hoyer	Mink	Spratt
Jackson-Lee	Moakley	Stark
Johnson (SD)	Mollohan	Stenholm
Johnson, E.B.	Montgomery	Stokes
Johnston	Moran	Studds
Kanjorski	Neal	Stupak
Kaptur	Oberstar	Tanner
Kennedy (MA)	Obey	Tauzin
Kennedy (RI)	Olver	Taylor (MS)
Kennelly	Orton	Tejeda
Kildee	Owens	Thompson
Klink	Pallone	Thornton
LaFalce	Pastor	Torres
Lantos	Payne (NJ)	Towns
Levin	Payne (VA)	Traficant
Lewis (GA)	Pelosi	Tucker
Lipinski	Pickett	Velázquez
Lofgren	Pomeroy	Vento
Lowe	Poshard	Visclosky
Luther	Rahall	Volkmer
Maloney	Rangel	Ward
Manton	Reed	Waters
Markey	Reynolds	Williams
Martinez	Richardson	Wise
Mascara	Rivers	Woolsey
Matsui	Roemer	Wyden
McCarthy	Rose	Wynn
McDermott	Roybal-Allard	

NOT VOTING—25

Abercrombie	Gephardt	Peterson (FL)
Andrews	Greenwood	Rush
Becerra	Hinchee	Scarborough
Calvert	Hoke	Souder
Coburn	Hostettler	Watt (NC)
Cubin	Jefferson	Waxman
Dooley	Klecza	Wilson
Fazio	LaHood	
Gallegly	Molinari	

□ 1358

The Clerk announced the following pair:

On this vote:

Mr. Calvert for, with Mr. Andrews against.

Mr. VISCLOSKY and Mr. PETE GEREN of Texas changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1359

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to House Resolution 155 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1561.

□ 1359

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1561), to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes with Mr. GOODLATTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York [Mr. GILMAN] will be recognized for 1 hour, and the gentleman from Indiana [Mr. HAMILTON] will be recognized for 1 hour.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I yield myself such time as I may consume.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, as we begin the first major debate on the reorganization and design of our foreign affairs operations and programs since the cold war, I would like to thank my good friend and colleague, the gentleman from Indiana and ranking minority member of our committee—Mr. HAMILTON—for his cooperation in the preparation of this bill.

H.R. 1561, the American Overseas Interests Act, constitutes the most extensive reform and overhaul of our foreign affairs architecture and our foreign assistance programs in nearly 50 years.

It merges three foreign affairs agencies—the Agency for International Development [AID], the U.S. Information Agency [USIA], and the Arms Control and Disarmament Agency [ACDA]—into the State Department.

It also reauthorizes our foreign assistance programs, redirecting and targeting our resources to where they will do the most good.

In implementing the first major reforms in our international operations in nearly 50 years, H.R. 1561 also establishes three priorities to ensure that our Nation can meet the challenges and take advantage of the opportunities in the post-cold-war world.

It defends our national security, supports our trade and economic interests, and provides for those who have been hit by disaster and cannot provide for themselves—while cutting duplication and waste in dozens of programs.

This bill is about American interests.

The bill locks in the gains of the cold war by reaching out to the nations of Central and Eastern Europe that have broken out of the old Soviet orbit.

It punishes our adversaries by cutting off funds to countries that spy on us—that provide weapons to terrorist states—that give aid to Cuba—or that consistently vote against us in the United Nations.

It also maintains the U.S. commitment to the 1979 Camp David accords. Let us bear in mind that under those accords, Israel, our closest and most important ally in the Middle East, gave up the Sinai with its oil fields, its strategic air bases, and its natural geographic barriers in return for peace with Egypt—a peace which has lasted for 16 years.

Under the umbrella of our American commitment, Israel has signed a peace

treaty with Jordan and is engaged in talks with Syria and the Palestinians that could also lead to regional peace.

The Camp David accords is a foreign assistance program that has greatly benefited American interests by helping to maintain and advance peace and stability in the vital Middle East.

H.R. 1561 also supports our economic interests by maintaining funds for the Trade and Development Program and it enhances our support for humanitarian activities with increased funding for food aid and disaster assistance to help feed starving people and to provide for child survival.

The bill achieves this with an authorization level for fiscal year 1996 that is nearly \$1 billion below current appropriations and in line with the budget resolution adopted last week on this floor. The funding for this significant and far-reaching bill is but 1.3 percent of the Federal budget.

The changes embodied in this legislation are necessary to enable our Nation to continue to be the world's economic leader and a beacon of political freedom. However, in order to maintain that role, our Nation must be strong.

Continuing deficits in the range of \$200 billion a year will only weaken us economically. An America that is weak is not an America that can lead.

H.R. 1561 also strengthens the ability of our executive branch to formulate and implement a strong and coherent foreign policy by giving the Secretary of State both the responsibility and authority over our foreign affairs activities.

By folding three cold war-era agencies—AID, USIA, and ACDA—into the State Department, we are simply taking a leaf from the book written by previous Congresses when they mandated the reorganization of our defense establishment after World War II.

Even as Americans were celebrating that hard-won victory, the Congress was preparing to implement some hard lessons that had been learned in that war about the organizational structure of our military.

We learned that a War Department and a Navy Department—often at each other's bureaucratic throats and headed by a Cabinet secretary each reporting directly to the President—could be a recipe for disaster in the fast-moving complex world of modern warfare.

An organizational structure established in the 1790's—when sailing ships took weeks to cross the ocean and armies moved on foot at the rate of 3 miles an hour—had to be streamlined and consolidated.

There had to be a single Cabinet secretary responsible to the President for formulating and implementing our national defense policy.

The Congress abolished the War Department and the Navy Department as independent entities and consolidated them into a newly created Defense Department under the leadership of a newly created Secretary of Defense.

Similarly, with the cold war behind us, it is time now to reorganize and

consolidate our foreign affairs agencies to meet the new challenges and take advantage of the new opportunities that await our Nation as we enter the 21st century.

Merging AID, USIA, and ACDA into the State Department eliminates hundreds of costly, high-ranking, Washington-based bureaucrats.

But, we also ensure that all of our Nation's foreign policy apparatus will be under the direction of and responsible to a single individual—the Secretary of State.

My colleagues are undoubtedly aware of the letter the Secretary of State has written to the Speaker in which he strongly criticizes this bill and states that his intention to recommend that the President veto it. Let me briefly respond to some of the principal criticisms expressed in the letter.

The Secretary states that the bill and I quote “contains numerous constraints that would do immense harm to our nation's foreign policy.”

In fact, the bill contains Presidential waivers for nearly every policy-based restriction and gives the President increased flexibility to manage foreign policy resources—including repeal of 34 obsolete laws that restrain the President's flexibility.

The Secretary also states that the reorganization mandated in our bill would, and I quote “damage our ability to promote American interests worldwide.”

The reorganization in the bill is nearly identical to a plan the Secretary proposed in January to consolidate AID, USIA, and ACDA into the State Department.

Finally, the Secretary stated that this measure would drastically reduce our resources for foreign affairs activities. H.R. 1561 is in line with the House-passed budget resolution and does not go below that amount.

H.R. 1561 takes a big bite out of Federal fat, while keeping the muscle that we need to maintain our strength as a world leader. I invite my colleagues to join in supporting this important reform measure.

Hopefully, my colleagues will also utilize this debate to help increase public awareness of the need to defend and advance American interests overseas. Development assistance and security assistance make important contributions in support of our international interests.

As our Nation enters new times and faces new challenges—including the challenge to reduce our budget deficit—the burden falls upon us in the Congress to educate the public to the need to maintain a strong program that supports, as the title of H.R. 1561 says, American overseas interests.

Mr. Chairman, I reserve the balance of my time.

Mr. HAMILTON. Mr. Chairman, I yield 3 minutes and 30 seconds to the distinguished gentleman from New York [Mr. ENGEL], who has contributed importantly to the work of the Committee on International Relations.

Mr. ENGEL. Mr. Chairman, I thank my friend, the gentleman from Indiana, for yielding time to me.

Mr. Chairman, there are a lot of good things in this bill, but there are also a lot of very troubling things in this bill. I want to commend the chairman of the Committee for inserting a number of good things. We have principles involving the MacBride principles with regard to Ireland. There is good language in there involving Kosovo, the people of Kosovo. Of course, aid to Israel and to Egypt is maintained.

However, there is a very, very troubling aspect of this bill. That is the underlying thought that somehow or other foreign aid needs to be drastically reduced. In fact, in this bill, foreign aid is cut to an unprecedented low level. A very interesting poll appeared a couple of weeks ago in the New York Times, when the American public was asked "Do you think that the United States gives too much in foreign aid, too little, or just about right?" Overwhelmingly, people said "Too much."

Then the question was asked "How much of the U.S. budget is foreign aid?" The consensus was generally 15 percent. People thought 15 percent of our budget was foreign aid. Then the question was asked "What do you think is a good percentage of the American budget that should be used for foreign aid?" The consensus was 5 percent. Then the respondents were told the truth, that foreign aid is barely 1 percent of the American budget.

Mr. Chairman, the Soviet Union has collapsed and the United States is the leader of the world, unquestionably. Is this now the time to recoil, to hide our heads in the sand, and to move towards what I regard to be a dangerous isolationism? No matter how we cut it, we are retreating in this bill. We are cutting back on foreign aid, we are cutting back on helping other nations.

Many of us speak with leaders of other countries, fragile democracies where democracy is just taking root, countries that were Communist governments just a few years ago. They plead with us, a little bit of American aid would go such a long way towards ensuring that democracy would take root and stabilize in these small countries.

Have we won the cold war, only to throw it all away? That is what I think this bill does in terms of foreign aid. While the bill protects foreign aid for Israel and Egypt, it shrinks foreign aid for just about everyone else, so Israel and Egypt are a larger portion of the foreign aid pot. It is only a matter of time, given the thought of this bill, that Israel and Egypt will be cut, because that is the trend that the Republican majority is moving toward. I think it is a dangerous trend.

Mr. Chairman, we talked about consolidating AID, USIA, and ACTA, into the State Department. That will not save us any money.

□ 1415

Mr. Chairman, that is not going to save any money. In my opinion, it is going to be less efficient and very much troublesome. The President has said that if this bill passes, he is going to veto it.

I think we all ought to put our heads together, do something that makes sense, reassert America's leadership in the world, and put something together that says America is not recoiling from the world but indeed America is acting like the world power that it is.

Mr. GILMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, one of the things that concerns the American people more than anything else is waste in government. They believe that government is inefficient, and in many, many cases it is. In fact in some cases it is downright horribly wasteful.

The AID agency that deals with developmental assistance and other foreign aid around the world is responsible for spending an awful lot of our foreign aid money.

I want to read to my colleagues a memo that came out of a meeting that was held by the director of AID and his assistant director and several people in leadership. This memo was sent around the world to AID agency heads in many, many countries. When you read this, it makes you downright angry if you are a taxpayer.

Here is the part that I think is the most interesting. Larry B., the assistant director of AID said, "We are 62 percent through this fiscal year and we have only spent 38 percent of the dollar volume of procurement actions completed."

"We need to do"—that means spend—"\$.9 billion in the next 5 months."

He goes on to say, "LAC, AF, BHR are doing okay. There are large pockets of money in the field and about \$570 million in Global and ENI each. So let's get moving."

In other words, they are two-thirds through the year and they have only spent about one-third of their budget so they want to get spending so they can ask for more money in the next biennium or the next fiscal year.

Mr. Chairman, I think this is the kind of thing that the American people hear and when they hear it, they just get downright angry. That is why I think the bill of the gentleman from New York [Mr. GILMAN], the chairman, is headed in the right direction when they are talking about merging these agencies.

In another part of this, when they are talking about the merger, which is going to save the taxpayers a lot of money, let me read to you what they say in that part. They say, "Jill Buckley reports that the Senate Foreign Relations Committee staff was relatively uncooperative in discussions yesterday

and somewhat surprisingly the House International Relations Committee staff was cooperative. The strategy"—and this is their strategy—"is delay, postpone, obfuscate and derail. If we derail, we can kill the merger."

"If we derail, we can kill the merger" between these agencies that are going to be put under the State Department to save taxpayers' money. I think this is reprehensible that the leadership of AID met, tried to derail the will of the Congress of the United States, and in the same memo said, "We've got to spend a heck of a lot of money by the end of this year. We're two-thirds of the way through, we've only spent about one-third of our budget. If we don't get on the ball and spend this money, we can't come back and ask for more money."

That is something that cannot be tolerated. For that reason, Mr. Chairman, I will be proposing my amendment today to cut the staff of AID by 25 percent. The chairman's mark cuts it by 10 percent. I believe we can go further. If we can cut the congressional staff here in Washington, our committee staff, by 33 percent, we can sure cut AID by 25 percent. They have got almost 10,000 employees. They want to spend taxpayers' money wastefully. We need to send them a message.

Mr. HAMILTON. Mr. Chairman, I yield 3½ minutes to the distinguished gentleman from Virginia [Mr. MORAN], an invaluable member of the committee.

Mr. MORAN. Mr. Chairman, I rise to oppose the Republican isolationist foreign aid bill, called the American Overseas Interests Act of 1995, because this bill proposes deep cuts in our foreign assistance budget and takes away the independent responsibilities of the Agency for International Development, the Arms Control and Disarmament Agency, and the U.S. Information Agency.

Mr. Chairman, now is not the time for the most powerful and influential country in the world to go back to the isolationist days of the 1930's. Before World War II there were 18 nations with more military and geopolitical influence around the world than the United States. Today there are none.

In fact, it is strong American leadership during and after World War II that has resulted in the world becoming safer for democracies and the fact that we have far fewer dictatorships, that we have more freedom of the press; that, in fact, the economies around the world are trading with us, providing markets for us.

That is why the United States should not shrug its shoulders of world leadership. In fact, we should seize this opportunity and not turn our back on a half century of the kind of leadership that our predecessors have shown in this body and throughout the world, the kind of principles that opposed people, economically and politically oppressed people, have yearned for. They would not have achieved that economic

and social and political independence were it not for American leadership.

The end of the Soviet Union, a world map dominated by democracies and American allies, expanding trade markets, free elections in South Africa; we could go down a list that would last all day, of the things that have been achieved because of American leadership throughout the world.

This bill undermines America's leadership in the world. It cuts development aid that in fact is creating markets for us today. It will reduce our ability to deal with the deteriorating environmental conditions, the rising migration pressures, all the kinds of crises of inadequate food and medical care that we read about. With very little investment, we have made an enormous difference in people's lives.

Mr. Chairman, now is not the time to cut the budget for the U.S. Information Agency, because we play into the hands of dictators and people who would like to control the press of their own countries.

It is not the time to cut the Agency for International Development, when we have a 95 percent repayment rate for small loans that are provided to the poor. It is certainly not the time to cut the Arms Control and Disarmament Agency, when we see the kinds of disasters that are occurring, whether it be chemical, biological, or nuclear weapons, that present a threat to all of us.

We ought to move forward, not backward. This bill brings us backward. I urge my colleagues to vote against this bill.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. CHABOT], who has been a valued member of our Committee on International Relations.

Mr. CHABOT. Mr. Chairman, I rise in support of H.R. 1561, the American Overseas Interests Act. I want to commend the gentleman from New York [Mr. GILMAN], our chairman, for his outstanding leadership in steering this historic legislation through the Committee on International Relations and to the floor today.

H.R. 1561 is truly historic legislation. It goes where no foreign aid bill has gone before. It completely overhauls the foreign aid bureaucracy, eliminating three major agencies: The Agency for International Development, the U.S. Information Agency, and the Arms Control and Disarmament Agency. Their functions and budgets will be cut and folded into the State Department at a great savings to the American taxpayer.

H.R. 1561 eliminates dozens of lower-priority programs. It cuts spending by more than \$1 billion next year, a \$1.8 billion reduction from President Clinton's budget request. And it calls for further cuts of \$21 billion over the course of our 7-year glidepath to a balanced budget.

Mr. Chairman, I intend to vote "yes" for this bill. Despite all the rhetoric from the other side of the aisle that we

are going to hear, let me stress what a "no" vote on this bill really means. A "no" vote means a vote for the status quo. A "no" vote means that our efforts to cut out wasteful bureaucracy will be stonewalled. A "no" vote means a needless delay in our efforts to bring much-needed relief to the American taxpayer.

Mr. Chairman, I am one of those Members who would like to cut even more, and I will vote for amendments to do just that.

However, on the whole, this is a good bill. It begins the process. It mandates the reorganization of our foreign policy apparatus so that next year we can make even more of the budget reductions needed to balance the budget and provide a secure future for our children.

Mr. Chairman, again I want to commend the gentleman from New York [Mr. GILMAN], the chairman, and members of the Committee on International Relations for crafting this bill. I urge my colleagues to support it.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from Georgia [Ms. MCKINNEY], also an invaluable member of the committee.

Ms. MCKINNEY. Mr. Chairman, in 1995, there are over 34 wars or acts of aggression raging throughout the world. These wars are all being fought with arms imported from the United States of America, arms used to kill millions of people, arms used to scar the Earth, arms used to inflict irreversible harm to the children around the world.

Today, Mr. Chairman, I will offer the code of conduct amendment to the American Overseas Interest Act, H.R. 1561. The code of conduct is the first major reform of America's arms export process in almost two decades. Although the 1976 Arms Export Control Act provided some restrictions on the executive branch's ability to export arms, historically Congress has had little-to-no oversight responsibility on arms sale. As we celebrate the 50th anniversary of the end of World War II, there is a new world order and America is its leader.

Some American citizens are testing the legal waters of holding gun dealers responsible for the death and destruction that their merchandise contributes to. Just imagine what could happen if the poor innocents of Third World countries around the world held each one of us liable for the death and destruction that U.S. weaponry, when sold to dictators, contributes to.

In 1993 alone, the United States sold more than \$23 billion, 73 percent, in arms sales to developing countries. H.R. 1561 prohibits certain assistance to countries promoting regional instability. However, there are no criteria regarding arms sales. The code of conduct amendment provides those criteria.

A recent Gallup Poll showed that more than three-quarters of the Amer-

ican public oppose the U.S. Government selling arms. Ninety-six percent of Americans believe that the United States should not sell conventional weapons to undemocratic governments. Our bad decisions have boomeranged already in Panama, Iraq, Somalia, and Haiti.

Our men and women in the Armed Forces in each of those instances have faced our own weapons and technology as a result of our own bad policy decisions.

I urge all my colleagues to focus on what the American century could really mean as we ponder America's place in the new world order. Join your 102 colleagues and vote for the code of conduct amendment to H.R. 1561.

□ 1430

Mr. GILMAN. Mr. Chairman, I am pleased to yield 4½ minutes to the gentleman from New Jersey [Mr. SMITH], the subcommittee chairman of our Committee on International Relations.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding me this time. I want to say at the outset how very happy many of us are for the tremendous job the gentleman from New York, Mr. GILMAN, has done on this piece of legislation. It has been very, very difficult. There has been a give and take by many Members, and he has done a fine job in crafting this. I also want to thank the members of my subcommittee. We had a portion of this bill which is now section B or division B that worked through our subcommittee and we went through a markup. We had legislation dealing or provisions dealing with peacekeeping, arms control, and other vital areas, and I am very pleased that that legislation is now incorporated in the Gilman bill.

H.R. 1561, the American Overseas Interests Act, has attracted widespread publicity for its consolidation of government agencies and its sharp spending cuts in foreign aid and other programs. Amid the discussion of these issues, however, some of the most important aspects of H.R. 1561 have gone almost unnoticed.

Specifically, despite the need to cut spending and consolidate programs, the bill as reported by the House International Relations Committee manages to hold harmless—or even enhance—important programs that support freedom, build democracy, and save lives.

Mr. Chairman, in considering H.R. 1561 I hope we will carefully consider the following provisions:

Those provisions dealing with child survival and related programs have been included in the bill. Although the overall development assistance authorization was cut by about a third, the committee accepted an amendment to set aside \$280 million for child survival programs, \$25 million for micronutrient and Vitamin A programs, and \$15 million for the UNDP/WHO Tropical Disease Program. This is a modest increase over estimated fiscal year 1995

expenditures. The increase is justified: these programs have saved literally millions of lives, most of them children in the developing nations of the world. Now they will save millions more. When cuts must be made, they must be made in ways that will not cause children to die or to suffer.

The refugee provisions of H.R. 1561, Mr. Chairman, likewise will prevent United States tax dollars from being used to forcibly return Vietnamese and Laotians back to those countries, and we are talking about people who worked and fought side by side with American forces.

These provisions will also protect people who can show that they are fleeing forced abortions or forced sterilizations or they have actually been subjected to such pressures, such as the 13 women who are now being held in Bakersfield, CA, most of them victims of forced abortion or forced sterilizations, all of them about to be forced back to the People's Republic of China.

H.R. 1561 would also require periodic reports to Congress on what Fidel Castro is doing to enforce his end of the Clinton-Castro immigration deal of 1994, and on how people are treated who are returned to Cuba pursuant to the second Clinton-Castro immigration deal of May 1995.

Finally, the bill provides an important structural reform—the consolidation of human rights advocacy and refugee protection under a single State Department official reporting directly to the Secretary—that will guarantee these decisions a place at the table when important decisions are made.

Mr. Chairman, despite the need for cuts in international broadcasting and other public diplomacy programs, H.R. 1561 holds harmless from such cuts our freedom broadcasting programs—such as Radio Free Asia, Radio/TV Marti, and the Voice of America Farsi Service—at prior levels.

Similarly, funds for the National Endowment for Democracy are authorized at current levels.

The bill also creates a pilot project for freedom broadcasting to Asia, to provide pro-democracy and pro-freedom broadcasts to Asian countries whose people do not enjoy freedom of expression during the months or years it will take to establish Radio Free Asia.

Mr. Chairman, this is a good bill, and I do hope Members will support it.

Mr. HAMILTON. Mr. Chairman, I yield 5½ minutes to the gentleman from California [Mr. BERMAN], a very important member of the Committee on International Relations.

(Mr. BERMAN asked and was given permission to revise and extend his remarks.)

Mr. BERMAN. Mr. Chairman, I never thought I would see the day when I would be rising to oppose a foreign assistance bill, and it pains me deeply to have to be in that particular situation.

But this bill, it is called the American Overseas Interests Act, I think if

Members look carefully at its provisions, they should call it the American Leadership Reduction Act. It slashes resources for diplomatic efforts and in foreign assistance around the world. It dismantles without any consultations with the executive branch, without any consultation with the Democrats, it dismantles American's foreign policy structure. It hobbles the American Presidency. That may be politically attractive for some at this particular time, but Presidents come and go, and I remind my colleagues, while we have had very few years where a foreign assistance bill has become law, almost every Congress since I have come here we have passed a foreign assistance act in the House with bipartisan support from both parties. Many provisions that I disagreed with would be in the bill, many provisions that the Republicans disagreed with, but there was a committed, bipartisan support for an internationalist approach to the world with a recognition of the critical role that diplomacy and assistance and engagement plays in protecting and promoting American interests.

I came on the Committee on International Relations more than any other reason because of my deep, abiding, personal, from my youth, commitment to the importance of the American-Israeli relationship in my scheme of things and in the belief that not only in Israel's interest but in America's interests that relationship was important. There is nothing more important to me in the Congress than continuing that relationship.

This bill, in the short term, on the superficial glance, does that. It continues the assistance, it has important language in the bill. The chairman of the committee should be commended for that. But, in the long term, for those of us who care about that relationship, who care about this support, I tell them, putting that money into a bill that constitutes a frontal assault on the executive branch's ability to conduct foreign policy, that slashes other foreign assistance programs and signifies a retrenchment and move towards a neoisolationist position in the post-cold-war world, this is not an Israel-friendly bill. This is not a bill that over the long term solidifies that relationship, because you cannot sustain and justify foreign assistance for Israel in the context where you are slashing and ultimately terminating foreign assistance for every other country in the world.

So it is because of my interest in that relationship and notwithstanding the specific provisions of this bill, but in the recognition of what this bill does to our whole foreign assistance program, to our ability to conduct diplomacy that I oppose this bill. I remind my colleagues again and again if I can and will throughout the total debate, every year that the Committee on Foreign Affairs came to the House floor with a bill, it was a bill which in the committee, maybe we would start out

with the Democratic version during those years, but every year, first Chairman Fassel, and then Chairman HAMILTON, looked at the strongest concerns that the Republicans had. We met those concerns. We came to the floor. We had the substantial majority of both Democrats and Republicans supporting the bill.

There was no effort to do that here. I do not know if it was a calculated effort to try and pass a partisan bill, or a lack of time caused by the schedule, but the shocking lack of ability to engage our committee leadership or our House leadership in finding out some of the concerns that could be addressed in the context of deficit reduction, in the context of reform, in the context of addressing important foreign policy needs that this Congress considers, that agreement could have been worked out. It is a shame we are at this point where this bill is coming up as a partisan Clinton-bashing, anti-executive-branch feast instead of a sensible continuation of a bipartisan internationalist tradition.

I just want to read from one paragraph of Secretary Christopher's letter.

This is Secretary Christopher saying why he will recommend a veto if this bill passes. If enacted, they would compromise our ability to follow through on the North Korea Framework Agreement. They would undermine or effective participation and weaken our leverage in international organization. It would compel changes on refugees policy that compose a serious threat to their borders, limiting the President's ability to respond to boat migration and possibly exacerbating the illegal smuggling of aliens into the United States. The bill would seriously impair the President's responsibility to manage our delicate relations with China at this time of transition in its leadership. Its provisions on the New Independent States.

Perhaps there will be further time to get into this later on, but I frankly would hope this bill could be withdrawn from the floor and I urge a no vote at this time.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 6 minutes to the distinguished gentleman from Wisconsin [Mr. ROTH], chairman of our Subcommittee on Economic Policy and Trade.

Mr. ROTH. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, before we begin this debate, let us remember that we have 3 days of debate on this particular bill. Many arguments will be made, dozens of amendments will be offered, but there is really only one basic issue, the need for change in our foreign policy.

When the American people voted last November for change, they voted for change in foreign policy as much or more than in any other areas. The Clinton administration, yes as a previous speaker said, opposes this bill.

We have a 3-page letter from the Secretary of State which is like a manifesto for business as usual in foreign policy. Boiled down, the Secretary says that the foreign policy elite should stay in charge and that the Congress and the American people should butt out in foreign affairs.

The Secretary says that foreign spending should go up even though spending for our own people is going down.

And the Secretary says that even though the cold war is over, America must still bear most of the load for all of the world's problems, while other governments save their resources and focus on taking our markets and wringing our jobs from the American workers.

The American people know that the cold war is over. They want other countries to take at least a little portion of the load. At American people want their government to put our own people and our own problems first, for a change. For almost 50 years now we have gone all over the world putting their problems and their needs first. It is about time we take care of our own people and our own problems for a change.

But that is not what the Secretary of State and the foreign policy elite here in Washington want. So this debate really comes down to a test of strength. Do the American people get the changes they voted for, or does the foreign policy establishment stay in the driver's seat. Who rules in this country? The elite here in Washington or the American people who are paying the bills.

This bill makes three fundamental changes. First, it abolishes three cold war agencies: AID, USIA, and the Arms Control Agency, all three which have outlived their usefulness.

Second, the bill cuts \$1 billion from the \$17 billion in overseas spending over which our committee has jurisdiction, only \$1 billion, so it is not a big cut, but \$17 billion is less than half of what we are spending overseas at this time. The real total is \$38 billion when you add up some of our military stations overseas also the multilateral development banks, food aid and other categories. That is \$37 billion this year. We are making much less in cuts than we do in domestic agencies. There is no need for crocodile tears. We are eliminating entire departments in our Government.

□ 1445

Mr. BERMAN. Mr. Chairman, I yield 3 minutes to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Chairman, I have the greatest respect for the gentleman from New York, the chairman of the House International Affairs Committee, Mr. GILMAN, but I must reluctantly oppose H.R. 1561, and I urge

my colleagues to vote against its passage.

Although there are a few worthy initiatives in the legislation, on the whole, H.R. 1561 drastically undermines the ability of our President to engage effectively on issues and activities that impact on the world community as well as the security and economic interests of our Nation.

I submit, Mr. Chairman, the United States cannot and should not isolate herself from the rest of the world. Whether we like it or not, our Nation is an integral member of the world community, and we must face up to our responsibilities as a leader in international affairs.

I find it ironic that in the era of EEC, ASEAN, GATT, NAFTA, and APEC—when it is becoming increasingly clear that the economic future and prosperity of our Nation is vitally dependent on America's ability to engage overseas and to promote peace—this bill would cripple our President's ability to conduct foreign diplomacy by cutting off the arms and legs of America's foreign policy apparatus while deeply reducing already meager resources.

H.R. 1561 recklessly mandates abolishment of the USIA, ACDA, and AID, merging them into the State Department and creating a super bureaucracy. No detailed bottom up study of this planned reorganization has occurred, however, and reflects that little thought has been given to the actual costs or benefits of such a move. I have been shown nothing that ensures that this reorganization proposal will result in an improvement in the conduct of America's foreign policy throughout the world.

Mr. Chairman, I am convinced that the reorganization plan presents the danger that the unique missions and valued expertise of the USIA, ACDA, and AID will be subordinated and lost in a massive State Department bureaucracy. Reorganizing the Department of State for the sake of reorganizing is a waste of time and taxpayers dollars, and diverts attention and resources from the real foreign policy issues facing our Nation today.

I am also opposed to the foreign assistance cuts in excess of a billion dollars called for in H.R. 1561. Over the last decade, foreign aid funds have taken disproportionate cuts, being almost halved in inflation-adjusted dollars. As we all know, polls have documented that most Americans feel we should be allocating at least 5 percent of the Federal budget to foreign aid. Yet our present funding of foreign assistance barely exceeds 1 percent of our national budget.

The further cuts called for in H.R. 1561 will reduce already strained resources and handicap our ability to protect and promote U.S. economic and security interests overseas. Our small investment in foreign assistance is the first line of defense for America. By addressing problems overseas—through development or humanitarian assist-

ance—we circumvent major crises and security threats from arising while nurturing the growth of democracies and new markets.

Mr. Chairman, this is a time when the United States, in her own interests, must continue to engage and reach out to the international community. H.R. 1561 represents, however, a withdrawal from world leadership and a dangerous return to isolationism. I would urge my colleagues to vote against the bill.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. BUNN].

Mr. BUNN of Oregon. Mr. Chairman, I would like to take a moment to congratulate the chairman, the gentleman from New York [Mr. GILMAN], and the members of the Committee on International Relations for a job well done. It is a difficult task, as we move toward a balanced budget, to identify those things that work and those that do not work.

Yet, this bill has done that. It eliminates three outdated Federal agencies, the U.S. Information Agency, the Arms Control and Disarmament Agency, and the Agency for International Aid.

The first two are relics of the cold war, the third, AID, while begun with the best of intentions, has become a bloated bureaucracy that we simply cannot maintain.

I support foreign aid.

Mr. BERMAN. Mr. Chairman, will the gentleman yield?

Mr. BUNN of Oregon. I yield to the gentleman from California.

Mr. BERMAN. I am interested in why the gentleman thinks the USIA is an outdated agency, the programs for radio and exchange programs around the world, are outdated.

Mr. BUNN of Oregon. Because those are cold war relics, and we do have an open information age where information is getting out without our Government providing the dollars to provide that message. I think we do have adequate access to information around the world. We do not have to maintain the cold war relics.

I will just wrap up in the last 30 seconds, if I could, and that is to say very clearly I think we have to concentrate on those things that work, that are providing needs to people on the ground, not serving bureaucracies that have developed over the decades.

This bill does this. It allows us to reach real people with real help. I think it is the kind of thing we must do. We must be committed to foreign aid, but foreign aid that makes a difference for people.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, Members of the House, the Congress in recent years has done a miserable job, in my estimation, of explaining and making it clear to the American people why we are indulging or why we have ever indulged in foreign aid, so-called.

Many people in the public feel this is throwing money away, throwing money abroad when that money could be used more successfully, more usefully at home, and there is a good feeling of impropriety there among the American people as to why that is happening.

But I believe that this gives us a ample opportunity to explain to the American people that when we invest in foreign aid, so-called, to the people of the Middle East, to the nations on either side of the Suez Canal, in that whole region, that we are creating or helping to create a stable part of the world. If it remains stable, then our national security interests and our economic interests are safer.

Why do I say that? Everyone in America knows that we depend on Middle East oil for 45 percent of our fuel. In doing so, we have to make sure that that flow of oil remains steady and unhampered, into the United States. Therefore, when we invest in foreign aid in that region, creating that safe harbor for our oil interests, our standard of living is protected. That is a good reason to indulge in foreign aid. And that happens throughout the region.

There is a second reason for it. To the extent that our foreign aid moneys create and keep a democratic government in place in the Third World, to that extent we have less reason to believe that we have to dispatch American troops or do other kinds of things to aid an emerging nation. If we can keep a stable democratic government in place, our standard of living, our national security interests are safer. That is why foreign aid becomes an overwhelming presence in the Halls of the Congress of the United States, in the interests of the American people.

But what this piece of legislation does is it keeps all of those theories and reasons in mind while at the same time exercising that fiscal constraint which is absolutely necessary in the days of deficit and the race toward a balanced budget that we are about here in the Congress of the United States.

I support the legislation and will do my singular best to repeat the message to the American people that it is in our national security and our national economic interests that we maintain levels of foreign aid across the world.

Mr. BERMAN. Mr. Chairman, I yield myself 1 minute.

I would just like to follow up. The comments of the gentleman from Oregon state the issue very well.

If you think in the post-cold-war world that Government-financed broadcasting is a waste of money, then this is a good bill for you because this starts us down the road toward ending that program.

I think that repeating the mistakes of the end of World War I, that we won a particular battle, and now everything will be OK, there are still countries closed to all the media and the information that the gentleman from Or-

gon spoke about. I want a Farsi language Voice of America broadcast into Iran talking about pluralism and democracy and what is going on in that country because the people there cannot get it. I want to listen to the countries of Eastern Europe who have come through the most horrible period imaginable and who say the need to continue these exchange programs and these radio things are very important to plant the roots of democracy strong.

I do not think these are irrelevant agencies anymore, and that is the debate. That is the discussion.

Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey [Mr. PAYNE].

(Mr. PAYNE of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. PAYNE of New Jersey. Mr. Chairman, at a time when domestic sending is being cut, no group understands the sacrifice to continue foreign aid more than the Congressional Black Caucus. We know the plight of the poor on the streets of America.

Yet, we are motivated to fight back at the inhumane cuts to the world's needy for two reasons. First, the cuts do not represent good business judgment. Our investment in education and development assistance in Asia after World War II paid off.

Today, these Asian countries are among our strongest economic powers—look at South Korea and Taiwan.

Africa with its rich mineral resources now represents the new potential for America's growing markets.

Also investments in education and development can save the continent from the human disasters like we have witnessed in Rwanda. The conflict in Rwanda was more about who could own the limited, over populated land, than it was about Hutu against Tutu.

Poverty breeds conflicts and terrorism. A small dollar investment now will save much larger sums later.

Our second reason is that America has not been as generous to countries in need as our Republican leaders would have us believe.

In the last 10 years, our international costs have been reduced 47 percent while our total national budget has increased 5.5 percent. Less than 1 percent of our national budget goes to foreign aid while the poles tell us the American public feels it should be at least 5 percent.

Japan has now replaced us as the largest donor, and we rank 21st or dead last in per capita giving among developed nations like Western Europe.

Republicans argue that the voluntary giving in America makes up for our poor performance.

But I can tell you from personal experience that other donor countries also have their Save the Childrens, Oxfams, YMCA's, and churches giving.

They also give generously and in many cases more generously than their U.S. counterparts.

Help us continue Martin Luther King's plea that injustice anywhere is a threat to justice everywhere.

Save the children of Africa and Bosnia by supporting us in restoring the cuts to Africa and peacekeeping.

Vote against H.R. 1561.

□ 1500

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Florida [Ms. ROS-LEHTINEN], chairman of our Subcommittee on Africa.

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman from New York [Mr. GILMAN] for yielding this time to me.

Mr. Chairman, the bill brought to the floor by the Committee on International Relations contains dramatic changes in the organization and structure of our foreign affairs programs.

These changes are long overdue, and reflect the major changes that have taken place in the world since the United States assumed the responsibilities of world leadership in the post-World War II era.

Under Chairman GILMAN's very able leadership, the committee has drafted and reported a bill that well deserves the support of everyone in the U.S. House of Representatives.

In view of the enormous changes in the realities with which we conduct our foreign affairs, we in the committee have studied the organizations of these institutions, and we have concluded that they must change as dramatically as the world in which they must cope. The administration is incorrectly stonewalling our efforts to promote change in the foreign affairs agencies.

When we held hearings on these structural changes, the most recent Secretaries of State—Secretaries Eagleburger, Baker, and Shultz—endorsed these organizational changes.

They are needed to respond to the much changed circumstances in the world.

The second major challenge in crafting this bill was to cope with the clear message of the American people that financial undiscipline and massive budget deficits were no longer acceptable.

The bill makes major cuts in the cost of foreign affairs activities of our Government—cuts that are in line with the sacrifices that other Government programs are being asked to make.

The program funding cuts in this bill as responsible cuts—they are significant without being draconian.

If the program managers responsible for executing our Nation's foreign affairs programs set their minds to it, I am convinced that our Nation's foreign affairs interests can be fully protected, as these funding cuts are made.

The administration has launched its own strategic management initiative, which it claims will reinvent government.

Unfortunately, the results of that reinventing government effort, have been very disappointing.

Too many good ideas have been rejected or compromised away.

There are many people in the foreign affairs agencies who have tried to get agency management to stop the waste of public funds and to make cuts in the agencies' operations.

There are people in the State Department, for instance, who questioned the need for us to have more State Department political officers in Belize than the Government of Belize has in its own foreign ministry.

Proposals have been made to cut back on these overly expensive programs, but the proposals have been rejected.

There just has not been the will at the senior level to make the hard decisions that are inherently necessary if we are ever to balance the budget.

Now with the cuts in funding in this bill, and the cuts that I am sure will be contained in the appropriations bills, these changes are coming.

I think that in the end, with the leaner and more efficient foreign policy program that will emerge from this bill, our country will be better off.

I, therefore, urge all Members to support this bill.

Mr. GILMAN. Mr. Chairman, I thank the gentlewoman from Florida [Ms. ROS-LEHTINEN] for her remarks in support of the bill.

Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. KIM], a senior member of our Committee on International Relations.

(Mr. KIM asked and was given permission to revise and extend his remarks.)

Mr. KIM. Mr. Chairman, I rise in support of H.R. 1561, the American Overseas Interests Act.

This bill represents a much needed reduction in foreign aid spending and an overhaul in the bureaucracy.

Over the next 7 years, the plan outlined in this bill will save the American taxpayer \$24 billion.

And, it will do so without jeopardizing key American foreign policy and our national security interests.

H.R. 1561 is designed to replace our current 1950's-vintage cold war foreign policy system with a modern model that looks ahead and meets the challenges of the 1990's and beyond.

The bill accomplishes this goal through two responsible reform packages: The first, America's foreign affairs bureaucracy: will be streamlined today, there is just too much duplication, overlap and waste among the four major foreign policy agencies. Look how confusing this is. H.R. 1561 eliminates three of these players—the Agency for International Development, the U.S. Information Agency, and the Arms Control and Disarmament Agency, and consolidates all of their responsibilities in the State Department.

This makes sense as the Secretary of State is the President's No. 1 foreign

policy adviser. The result is more effective management, elimination of waste, and the ability to cut spending by \$1.1 billion next year alone. Over 7 years it will save taxpayers \$3 billion.

The second part of the bill's reform package is an overhaul of foreign aid spending:

Over the next 7 years, foreign aid spending will be cut by \$21 billion.

These cuts are being made in a responsible way. They target waste and low-priority programs. Here is a sampling of the kind of wasteful spending we're eliminating: International Copper Study Group, International Cotton Advisory Group, International Seed Testing Association, International Rubber Study Group, and International Wheat Council.

Important programs that directly support American national security interests will continue to receive strong support. They include: narcotics control, anti-terrorism, nuclear disarmament, and Middle East Peace.

Through this bill, Americans will continue to be caring and compassionate to the truly needy. For example, the bill sets aside: Two hundred and eighty million dollars for Child Survival programs, \$25 million for Vitamin A and other nutritional programs, and \$15 million for the tropical disease prevention program.

Mr. Chairman, this is carefully crafted legislation that will provide the most cost-effective foreign policy benefit to the United States. I urge my colleagues to support this bill.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from California [Mr. KIM] for his supporting remarks in favor of this measure.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I would like to thank the ranking member for yielding me an opportunity to speak.

Mr. Chairman, I rise to oppose this bill. I think it is a major retreat from our responsibilities as a world leader. As a sole remaining superpower in the world, the United States has the responsibility and an important opportunity to exert leadership on the world stage. The opportunity is in shaping the world to reflect our democratic ideals and principles so that we have a world of open societies and open markets. The responsibility is in providing leadership, strength, interest and humanitarian assistance.

Mr. Chairman, we have already seen what can happen when the United States withdraws from the global stage. If we choose to run away from our responsibilities and commitments, the rest of the world may come calling. They may visit us, in fact, in some violent and terroristic ways.

Now there are those in Congress who believe we are spending too much and that the price of being a superpower is too high. They prefer the rhetoric to the price tag. I disagree.

We have heard how they are going to save money through this bill. Let me

emphasize in the first instance the re-organization saves no money. They move around little boxes on a chart, but in the final analysis those responsibilities are only moved to another agency where they will be performed there. It is only an expansion of bureaucracy.

They suggest that somehow they have a mandate to shrink our foreign commitments based on the November elections. The University of Maryland recently conducted a study of Americans on foreign aid, and what they found is that Americans actually do support foreign aid. It is just that they believe we are spending a lot more than we really are.

When Americans were asked how much the U.S. spends on foreign aid, the average answer was we are spending about 15 percent of the Federal budget on foreign aid. When asked how much they felt would be an appropriate figure, they said about 5 percent.

Let me set the record straight. Right now we are only spending 1 percent, so in actuality, when we educate the American public, we find that their expectations of our role in world leadership and our actual expenditures are in fact in line.

There is simply a lot of reasons why we should support foreign aid. I would like to talk about two reasons in particular.

The cuts in this bill for Africa would force us to shut down many of the programs which help make countries—which help countries making a difficult transition from democracy to democracy and to open economies from communism. It will hurt our efforts to open markets in countries such as Ghana, where United States exports have doubled in recent years. It will harm efforts to slow population growth where we have succeeded in Kenya and Zimbabwe, and it will undermine future efforts to prevent humanitarian disasters such as those of Somalia, Rwanda, and Angola.

In addition to harming our efforts in Africa, the bill would also harm our ability to support our Latin American and Caribbean neighbors. This bill cuts aid to that region by 25 percent, keeping in mind we are only spending 1 percent of the national budget on foreign aid. Political reforms in the Western Hemisphere and resulting economic stability have encouraged the strengthening of economic ties between this region and the United States. Trade is a winning proposition between the United States and Latin America and the Caribbean. It is the fastest growing export market in the world for our goods. It is the only region where the United States enjoys a trade surplus.

Open markets will also promote economic development in poor Latin American and Caribbean countries. This will help stem the flow of illegal immigration to the United States.

Finally, foreign aid in the form of preventive diplomacy and international affairs will be our least costly

and most effective line of defense. Many Americans have sacrificed, some have even died, for our role as a world leader. Now is not the time to abdicate that role. Leadership does have a price tag. But I think, once the American people understand that that price tag is really a small proportion of our budget, they will support our current aid priorities and will leave us to continue our role as a true world leader.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Indiana [Mr. ROEMER].

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Chairman, I thank the distinguished ranking member, the gentleman from Indiana [Mr. HAMILTON], who we in Indiana are very proud of, and I congratulate the new chairman of the committee for his hard work on this bill. I would like to focus in my 2 minutes attention a little bit more on the problem in Chechnya. I know that this is a very foolhardy and brutal war that the Russians are conducting in Chechnya. It threatens the internal efforts the Russians are making toward democracy in a free market system.

□ 1515

It almost threatened the Russians' ability to gain access to the \$6.2 billion loan that they acquired through the International Monetary Fund, which the United States is the largest guarantor of. We cannot allow the Russians to continue to spend in some estimates up to \$2 billion to fight a war that is foolish, that is brutal, and that contains a host, a myriad, of human rights violations.

Mr. Yeltsin in a recent meeting with President Clinton in Russia backtracked on his commitment to end this war. He said, first, this is an internal matter, and, second, there is no war there. We are merely confiscating some weapons. Nothing is going on. Nobody is being hurt, nobody is being killed.

It is in the direct United States foreign policy interests to end this war and have a proactive and constructive relationship with Russia. I will hope to offer two amendments, first, a sense of the Congress condemning this ongoing Russian war in Chechnya; second, an amendment that will cut 10 percent of aid to Russia, to send them a very strong signal that we think Mr. Yeltsin should not say this is an internal matter, he should not say this is confiscating weapons. This is a foolhardy and brutal war that must end now.

Mr. HAMILTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is not an ordinary authorization bill. I think all of us would agree that these are not ordinary times and that the President and the Congress face extraordinary new challenges in this post-cold-war period, threats posed by Iran and Iraq, Bosnia,

Russia, NATO expansion, Middle East peace, non-proliferation, and population growth. These are some of the problems that confront the President and the Congress. They are very formidable challenges.

I think the key question we ought to ask ourselves as we engage in this debate is does the bill give the President the means to confront the challenges to American foreign policy that now exist? Does it enable the President of the United States to do what all of us want him to do, and that is to lead in the world?

I will oppose this bill for three reasons: First, I oppose it because it mandates reorganization of the foreign policy bureaucracy. I do not believe that the proponents of the bill have provided us any rationalization for this reorganization. We have had very little time to consider the implications of the reorganization proposal, and, so far as I am able to see, as indeed one of the members of the majority on the committee acknowledged in debate, is that the bill merely shuffles boxes on a chart. It represents micro-management by the legislative branch of the executive branch without any evidence of cost saving or benefit to U.S. foreign policy.

So far as I can see, there is no relationship between the reorganization plan presented in this bill and the problems with the making and implementation of American foreign policy, which surely exists. But there is no tie between those problems and the reorganizational changes that are made here. It is reorganization for reorganization's sake.

USIA, ACTA, and AID have missions and expertise that are really quite distinct from the Department of State. These missions serve U.S. interests and would likely be lost, or at least diminished, in a massive new State Department bureaucracy.

Let me simply call to the attention of my colleagues that what this bill does is create a massive State Department. It doubles the number of employees in the State Department. It triples the budget of the State Department. And that is a Department, to put it kindly, that has not been known for its management efficiencies. But we are doubling it and tripling it in size. Rather than make foreign policy more coherent, I think you really just create a massive Department and you diminish important voices like USIA, ACTA, and AID.

It is worth noting that the Clinton administration has already made some significant changes, streamlining, achieving reductions, and cost savings. I think I would be among the first to acknowledge that they have not done enough and we should press them to do more. But the Congress of the United States should not be telling the executive branch how to organize its business. Basically what we should tell them is we will support them so long as they do things right, we will criticize

them when they are wrong, and we will look to results. But we should not tell a President how he is organizing his own executive branch, at least under ordinary circumstances.

If you compare this reorganization that is taking place in the foreign policy establishment with the kind of reorganizations that have taken place in the Defense Department, and are now taking place in the intelligence community, you can see that there simply is no comparison, there is no rationale here, there is no Bottom-Up Review. There is no time for consideration of the proposals, and I simply do not have a good idea of what this reorganization will do to the operation of American foreign policy.

Now, the second reason that I oppose this bill is because it cuts drastically the resources this President, or any President, has to conduct American foreign policy. I do not think it is an exaggeration to say that the bill will force the United States out of the game as a player in major parts of the world. If we are not permitted to put up the resources, then we are not going to be able to lead.

Several speakers have pointed out the advantages that come from foreign assistance. Foreign assistance is one of the tools that a President of the United States has in the conduct of American foreign policy. Those tools, of course, include military power, diplomacy, economic power, trade, and foreign aid. And not for a minute would I put foreign aid as among the most important tools of a President, but in certain circumstances it can be a very important tool. It can promote U.S. security and reduce U.S. defense spending, because it costs less to address problems before they become threats to U.S. security.

Foreign assistance, for example, enabled us to persuade Ukraine, Belarus, and Kazakhstan to become nonnuclear weapons States. Foreign assistance directly benefits the United States. Eighty percent of the aid procurement goes directly to American firms and nongovernmental organizations, creating, I might say, jobs in America.

Foreign assistance has certainly developed markets and increased U.S. exports. Most of the growth in United States exports today come from the developing world, in countries such as those in the former Soviet bloc, which are now in a transition to a free market.

We agree with our colleagues on the other side of the aisle that the time calls for reduced government. We agree that savings can be made in this budget. But we think that it has been cut far too much with the proposals in this bill.

Foreign assistance has been cut 40 percent in the last decade. There are very few accounts in the Federal Government's budget that have been cut more than the foreign assistance budget in the last 10 years.

In 1985, foreign assistance was 2.5 percent of the budget. Today it is approximately 1 percent. We all know that the

Federal budget cannot be balanced by deep cuts in foreign aid which, as other speakers have said, represents less than 1 percent of the Federal spending. But let me just put on the record the degree of cuts that this bill provides.

In developmental assistance, \$442 million. That is 34 percent below what the President says he needs. The Development Fund for Africa has been cut \$173 million. That is 21 percent below the President's request. Assistance for Latin America and the Caribbean has been cut by approximately \$213 million. That is 25 percent below the President's request. Assistance for Eastern Europe and the Baltics has been cut by \$155 million. That is about 32 percent below the President's request. Cuts for the New Independent States in the Soviet Union have been cut \$145 million. That is 18 percent below the President's request. Cuts for contributions to international organizations have been cut \$209 million. That is 14 percent below the President's request.

Now, I am prepared to stipulate that we do not need to give everything to the President that he has requested here. I myself favor some reductions. But these cuts in this bill I think you would acknowledge are very dramatic, draconian cuts. Keep in mind, these cuts are only the first installment, because as you go down the line under the House budget resolution, the cuts become much deeper and much more extreme. The result, I think, is that you seriously undermine the President's ability to use one of the important tools that he has available in the conduct of American foreign policy.

Now, the third reason I oppose this bill is that it includes many provisions, policy provisions, that restrict a President's ability to conduct foreign policy. It reduces our ability to follow through on the North Korean framework agreement. It derails our steady support for democratic and market reform in the New Independent States. It weakens our leverage in the international institutions. It changes our refugee policies in ways that threaten to open up our borders to tens of thousands of new immigrants.

Many of these provisions in the bill are complicated, vague, and ambiguous. On several occasions the sponsors of the amendments could not tell us what countries would be affected other than perhaps a specific country that was specifically targeted.

We simply do not know the impact of many of these amendments. And while it can be said that any one of these amendments may very well have merit, the fact is that when you put all of these amendments together in this bill, dozens of them, dozens of amendments, the cumulative effect of those amendments is you tie a President's hands in knots when he tries to conduct American foreign policy.

This bill ties the hands of the President in China. It undermines the 1982 United States-China agreement on arms sales to Taiwan. It eliminates the

President's discretion to decide what leaders from Taiwan may visit the United States. It mandates a special envoy to Tibet.

The bill ties the President's hands on Russia. It requires a cutoff of assistance if the President cannot certify improved Russian behavior in Chechnya, if a country sells nuclear equipment, dual use items or military equipment to Iran or other states on the terrorism list. Not only will this sweeping provision cut off all assistance to Russia, which has been a critical component of American policy, it almost certainly would cut off assistance to Poland, Hungary, and several other Eastern European states.

This bill requires the cutoff of assistance to any country that blocks the delivery of humanitarian assistance. That probably cuts off aid to Turkey. It could very well cut off aid to Israel. If Israel decides for security reasons, for example, to stop a single shipment to Gaza or Jericho, its aid would have to be cut off. Because of the Greek embargo on the former Yugoslav Republic of Macedonia, this provision could potentially lead to a cutoff of assistance to Greece.

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The bill opens wide the door for a vast expansion of illegal immigrants, especially from the People's Republic of China. By offering asylum to victims of coercive populations programs, the bill offers political asylum to millions of Chinese. This provision will facilitate Chinese alien smuggling into the United States. The bill requires the United States to admit and help resettle elsewhere all Vietnamese, all Laotians, all Cambodian refugees who have failed to qualify for resettlement.

Mr. Chairman, the bill prohibits assistance to countries that consistently oppose the United States in the U.N. General Assembly. That could be a slap at a number of countries, for example, India, and also hurts countries too poor to have an ambassador resident in New York to vote.

This bill prohibits United States assistance to countries that engage in nonmarket trade with Cuba. That could be applied to Russia. It might be applied to Mexico. I am told it might even apply to Ireland.

This bill not only makes deep cuts in development assistance and the development for Africa, but it earmarks two-thirds of what is left for a very worthy purpose: child survival resources, which all of us support. But as you diminish the total number of resources in the bill and then earmark two-thirds of what is left, it means you reduce money for microenterprise lending, agriculture, family planning and health.

Well, the President then is going to be severely restricted by the passage of this bill, and this bill is going to be seen across the world as a retreat from our ability to lead. It signals a retreat from world leadership and a stepping back from world responsibilities.

I really do not think that this House wants to send that message to the world today. This debate is not really about shuffling boxes in a reorganization scheme or cutting bureaucracies. It is about the President's ability to carry out his constitutional role to conduct American foreign policy. I believe this bill undermines our ability to support America's security, to advance America's interests, and to lead in the world.

We are the world's only superpower. We have today an extraordinary opportunity, an unprecedented opportunity to shape the world, to open up societies, and to develop free markets. But we cannot do it, we cannot do it if we impose draconian cuts on resources and we engage in an assault on the President's power to conduct American foreign policy.

For these reasons, my colleagues, I urge a "no" vote on the bill.

I. INTRODUCTION

This is not just an ordinary authorization bill, and these are not ordinary times. The cold war is over, but we face new challenges: Bosnia, Russia, NATO expansion, Middle East peace, threats posed by Iran and Iraq, non-proliferation, and population growth. These are problems that this President is confronting, and that the next President—Republican or Democrat—will also confront.

As we engage in debate and deliberation on H.R. 1561, I think we should be asking this basic question: Does this bill give the President the means to confront the challenges we face in the world today?

II. WHAT'S IN THIS BILL

Bill summary—This bill has three components: First, it abolishes three agencies—AID, USAID, and ACDA—and rolls them into the State Department. This bill creates a massive State Department super-bureaucracy, doubling the number of employees and tripling the budget managed by the Department, without providing either cost-savings or improvement in foreign policy performance.

Second, this bill cuts international programs by \$2 billion below the President's request, and \$1 billion from fiscal year 1995 appropriations. Foreign aid is hit hardest.

Third, this bill is replete with policy restrictions and earmarks that hamstring the President. In country after country, this bill subjects important bilateral relationships to a single-issue litmus test. It sets a new standard for micromanagement and poorly-drafted provisions.

III. PROBLEMS WITH THE BILL

A. Reorganization—I will oppose this bill because it mandates reorganization of the foreign policy bureaucracy.

Proponents have provided no rationale for the reorganization. The committee had little time to study the proposal and little consideration was given to its implications.

This bill merely shuffles boxes on a chart. It represents micromanagement without any evidence of cost-saving or benefit to U.S. foreign policy.

There is no relationship between the reorganization plan in this bill and the problems we confront in the world. There is no effort to tie these reorganization proposals to any improvement in American foreign policy.

USIA, ACDA, and AID have missions—and expertise—quite distinct from the State Department. These serve U.S. interests and would likely be lost in a massive new State Department.

Rather than make foreign policy more coherent, reorganization will simply create a massive State Department bureaucracy, doubling the number of employees and tripling the current budget. All this in an agency notoriously weak on management.

Under the Clinton administration, the foreign policy agencies are already streamlining and achieving significant reductions and cost-savings. Under the Clinton administration, staff already has been reduced by 2,300 in these foreign policy agencies, contributing to \$500 million in cost savings so far. The administration has pledged to cut another \$5 billion from the international affairs budget from 1997 through the year 2000.

Yet the Congressional Budget Office has not done any study on the potential cost savings that would result from the consolidation mandated by this bill.

Compare this consolidation to the comprehensive review of the Pentagon under one of our former colleagues, Les Aspin, whose passing we mourn this week. Compare this bill to the comprehensive review of intelligence community now underway in the Administration.

There is no comparison. There is no rationale, no Bottom-Up Review behind this reorganization proposal. I have looked at this bill, and I simply do not have a good idea what it will do to the operation of American foreign policy.

Reorganization is a needless distraction from the real issues facing American foreign policy. It is a drain on the resources of senior officials who should be devoting their time and talent to the genuine problems of U.S. foreign policy.

B. Cutting resources—the second reason I will oppose this bill is that it cuts drastically the resources this President—or any President—needs to conduct U.S. foreign policy.

This bill will force the United States out of the game as a player in major parts of the world. The United States cannot lead without resources.

Foreign assistance promotes U.S. security and reduces defense spending because it costs less to address problems before they become threats to U.S. security. Foreign assistance, for example, enabled us to persuade Ukraine, Belarus and Kazakhstan to become non-nuclear weapons states.

Foreign assistance benefits the United States directly. Nearly 80 percent of aid procurement goes directly to American firms and non-governmental organizations.

Foreign assistance develops markets and increase U.S. exports. Most growth in U.S. exports comes from the developing world, and countries—such as those in the former Soviet bloc—that are now in transition to a free market.

We agree with our colleagues in the majority that the times call for reduced government. We agree that savings can be found in the international affairs budget.

But foreign assistance has already been cut by 40 percent in the last decade. In 1985, foreign assistance was 2.5 percent of the budget. Today it is 1 percent. The Federal budget cannot be balanced by deep cuts in foreign aid,

which represents less than 1 percent of Federal spending.

This bill: Cuts development assistance by \$442 million, or 34 percent below the President's request; cuts the Development Fund for Africa by \$173 million, or 21 percent below the President's request; cuts assistance for Latin America and the Caribbean, according to the administration's best estimates, by \$213 million, or 25 percent below the President's request; cuts assistance for Eastern Europe and the Baltics by \$155 million, or 32 percent below the President's request; cuts assistance for the New Independent States of the former Soviet Union by \$145 million, or 18 percent below the President's request; and cuts our contributions to international organizations by \$209 million, or 14 percent below the President's request.

Further cuts in foreign assistance are necessary, and appropriate. But the cuts in this bill are wrong, they are extreme, and they are draconian.

C. Policy provisions—The third reason I will oppose this bill is that it includes many policy provisions that restrict the President's ability to conduct foreign policy.

It reduces our ability to follow through on the North Korean framework agreement.

It derails our steady support for democratic and market reform in the new independent states.

It weakens our leverage at the United Nations and in other international institutions.

It changes our refugee policies in ways that threaten to open up our borders to tens of thousands of new immigrants.

Many of these provisions are complex, vague, and ambiguous. Many of the sponsors could not say what countries their amendments would affect, other than the country specifically targeted. We do not know a lot about the impact of these amendments. Any single amendment may have merit, but the cumulative effect is to tie the President in knots.

This bill ties the President's hands on China. It undermines the 1982 U.S. agreement with China on arms sales to Taiwan; eliminates the President's discretion to decide which leaders from Taiwan may visit the United States; and mandates a U.S. special envoy on Tibet.

This bill ties the President's hands on Russia. It requires a cutoff of assistance if the President cannot certify improved Russian behavior in Chechnya; and, if a country sells nuclear equipment, dual-use items or military equipment to Iran or other states on the terrorism list.

Not only would this sweeping provision cut off assistance to Russia, it would almost certainly cut off assistance to Poland, Hungary, and several other friendly countries in Eastern Europe.

This bill requires the cutoff of assistance to any country that blocks the delivery of U.S. humanitarian assistance. This will cut off assistance to Turkey. It could cut off assistance to Israel if Israel decides for security reasons to stop a single U.S. shipment to Gaza or Jericho. Because of the Greek embargo of the former Yugoslav Republic of Macedonia, this provision could potentially lead to a cutoff of U.S. assistance to Greece.

This bill will open the door wide for a vast expansion of illegal immigrants, especially from the People's Republic of China. By offering asylum to "victims of coercive population

programs", the bill offers political asylum to a billion Chinese. This provision will facilitate Chinese alien smuggling to the United States.

This bill requires the United States to admit or help resettle elsewhere all Vietnamese, Laotians, and Cambodian refugees who have failed to qualify for resettlement.

This bill prohibits assistance to countries that consistently oppose the U.S. position in the U.N. General Assembly. This is a slap to India, and also hurts countries too poor to have an ambassador resident in New York to vote.

This bill prohibits U.S. assistance to countries that engage in non-market trade with Cuba. This could be applied to Russia, Mexico, and even Ireland.

This bill not only makes deep cuts in development assistance and the Development of Africa, it earmarks two-thirds of what's left. It increases child survival resources, which we all support, but takes away resources for other important programs—microenterprise lending, agriculture, basic education, and family planning and health.

IV. CONCLUSION: FUNDAMENTAL QUESTIONS

The President has a handful of tools with which to conduct foreign policy and protect national security: he can use military force, he can use diplomacy, he can use economic leverage, and he can use foreign assistance. If we pass this bill, we will be limiting his ability to use three of those tools.

The bottom line is simple: This bill signals a retreat from world leadership, a stepping back from world responsibilities.

I don't think that is the message this House wants to send to the world. This debate is not really about shuffling boxes, or cutting bureaucrats. It is about the President's ability to carry out his constitutional role to conduct American foreign policy.

I believe this bill undermines our ability to support America's security, to advance America's interests, and to lead in the world. We are the world's only superpower. We have an extraordinary opportunity to shape the world—open societies and free markets. But we cannot do it if we impose draconian cuts on resources and engage in an assault on the President's authority to manage and to conduct American foreign policy.

I urge a "no" vote on this bill.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. BURTON], the distinguished chairman of our Subcommittee on the Western Hemisphere.

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding time to me. I hate to rise and oppose my good friend and colleague from Indiana, but I think there are some things that should be pointed out.

He said in his very eloquent speech just a moment ago that this bill is going to hurt our security and hurt the President's ability to conduct foreign policy. The President just got back from Moscow. When he went to Moscow he was going to say something to the Russian President, Mr. Yeltsin, about selling nuclear technology to Iran. And he was also going to talk about the atrocities that are taking place in Chechnya at the hands of Russian troops and try to get that stopped. Neither of those policies were reversed by the Russian Government.

The Russian leaders said in a joint press conference, in effect, keep your nose out of our business, just keep the foreign aid coming. And they are going to go ahead and sell nuclear technology to the Iranians who want to build an international ballistic missile system or at least short-range missile systems to enhance their power in that part of the world. They want to have the nuclear technology so they can build nuclear warheads, and we are allowing them to be sold. Our President was not able to stop that.

Now, how are we hurting national security when our leader goes over there and cannot get the job done? The way we deal with it is for Congress to send a message. The Congress is sending a message in this bill. We are saying to the Soviets, you sell that technology to the Iranians and there is a penalty that is going to be incurred. The security of the world is at risk because we have a bunch of nuts over there in Iran running that country. We know about their terrorist activities.

Now regarding the requirement in the bill that says that, if you do not vote with the United States at least 25 percent of the time, get that, 25 percent of the time in the United Nations, we are not going to give you foreign assistance. Does that sound unreasonable?

Is it unreasonable for the American taxpayers' dollars not going to a country that only votes with us 25 percent of the time? I mean, if you ask anybody in this country, do you think your tax dollars should go to a country that votes against us over 75 percent of the time in the United Nations every time we have a major issue, they would say, heck no. They ought to vote with us at least 50 percent of the time. This bill only says 25 percent of the time.

There are countries that will be penalized because they vote against us all the time, and they are getting hundreds of millions of dollars of taxpayers' money. That is wrong.

This bill is a good bill, it is well balanced. It sends a very strong signal around the world and to the administration as well: Be strong in foreign policy and we are going to be strong.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New Jersey [Mr. MENENDEZ].

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong opposition to H.R. 1561. I am afraid that the title of the bill should not be the American Overseas Interests Act. It should be really called the American Overseas Isolationist Act of 1995.

Just yesterday the Speaker of the House said in a speech before the Council of the Americas that Republicans are not neoisolationists. He said that America must listen, learn, help, and

lead. But this bill belies that statement. Were it to pass, it would demonstrate that a majority of Republicans in this House are indeed isolationists.

Mr. Chairman, in this bill we are not listening, as the Speaker suggested. The other nations of the world are listening, and the message they hear is "stay engaged." But that message has fallen on deaf ears to many in this Chamber. It is hard to understand my friends on the other side of the aisle. They are big promoters of international trade, but they do not want to stay engaged in a manner that provides the stability for that trade to take place.

They do not want the United Nations to lead, but they do not want America to lead either. So who leads?

Mr. Chairman, in this bill we are not learning either. During the post-World-War-II era, America was at her best when she did learn the lessons of war. America helped to rebuild the free world and organize the most awesome alliance for peace and freedom the world has ever known. It led that alliance to victory over communism during the cold war. But now that the cold war is over, we want to stick our heads in the sand and wish all of the world's problems away. Instead of sewing the seeds for economic prosperity, we are seeking massive cuts in programs that promote development, U.S. economic interests, and the sales of American products abroad.

Take a look at the Japanese approach in their own backyard, the Asia-Pacific region. Right now the Japanese Government is busy priming the pumps of the emerging Asian developing countries with huge amounts of development assistance. They do not consider them handouts. These are investments that are going to lock in, for the Japanese, tremendous economic benefits in terms of exports of goods and services for the Japanese well into the 21st century.

They gave \$5 billion alone to that region, but it paid off handsomely for them. They grew their exports by 57 percent to \$145 billion. We are not doing the same. We are falling behind, and I am concerned that that gap will create a tremendous problem for us in our exports, which means jobs here at home.

Export growth is not a luxury we can do without. It is a requirement for the basic health of our domestic economy. It is a requirement for the basic health of our domestic economy. It is a requirement if we are to provide American workers with high-paying, high-skilled jobs.

Mr. Chairman, in this bill we are not helping either. Quite the contrary, we are sending a clear message to the world and to our allies that we do not want to help and that we prefer to look inward.

Finally, Mr. Chairman, in this bill we have no intention of leading. After spending trillions of dollars in conflicts

throughout the world, we are about to withdraw. When has America ever been afraid to lead?

America has been the greatest and is the greatest, most powerful country in the world. Not only can it lead, it must lead. My colleagues, let us really do what Speaker GINGRICH suggested, listen, learn, help, and lead.

Vote this bill down. I urge a "no" vote on the America Overseas Isolationist Act of 1995.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Florida [Mr. JOHNSTON], an important member of the committee.

Mr. JOHNSTON of Florida. Mr. Chairman, I rise in very vigorous and strong opposition to House Resolution 1561. The foreign assistance bill represents, as my previous speaker said, a return to isolationism. This is at its height. I really feel that I am in a time warp going back to the early 1920's when Henry Cabot Lodge, Sr. got us out of the League of Nations. We are now becoming the isolationist country of the world.

We live in a unipolar world. The United States is the lone remaining superpower on Earth. Our actions will profoundly affect the nature of the world in which we live.

U.S. foreign assistance supports historic traditions to free market democracies, which are occurring across the globe. As the previous speaker said, look what happened when we poured into South Korea during all these years in foreign assistance, and it is returning to us doubly now in the trade that we have there.

The records show that democracies do not go to war with democracies. And the spread of democracy is directly in the United States' national security interests. The growth of market economies around the world, providing new markets for United States exports, is in the economic interest of the United States.

Americans are, thankfully, a moral people. We are our brother's keeper, and provision of humanitarian aid to the world's poorest people is in our moral interest.

The severe cuts in the bill ignore United States interests, moreover. I am sure it has already been quoted but let us go back and look at the New York Times poll that was published 2 weeks ago. I am convinced that the Contract for America was written by a pollster, but he really missed the boat on this one.

It found that Americans thought that 15 percent of foreign aid is too high and too much, but 5 percent is about right and 3 percent would be too little. We are now giving less than 1 percent of our budget to foreign aid.

I oppose many of the specific provisions in the bill. Consolidation will create one huge unwieldy megabureaucracy. It will reduce accountability, shift the Secretary of State's attention from policy to program management and will wash down

and water down the specialized functions of each agency.

In particular, it will, by merging all into the State Department, subsume development priorities to the day-to-day management of diplomacy.

I vigorously oppose many of the provisions in the other sections of the bill. Cut the population programs; you talk about degradation of the environment; wait until this comes along; Development assistance cuts and peacemaking cuts will cripple our efforts in vital areas.

But perhaps above all else, I oppose the 22 percent slash in our assistance to Africa. We now give \$600 million to 600 million people. I believe that this cut is immoral, will necessitate huge future expenditures on preventive humanitarian prices. We could have stopped the crisis in Somalia in which we dropped \$1.5 billion or the crisis in Rwanda, where we dropped \$600 million, if we had gotten in their earlier with humanitarian assistance.

Mr. Chairman, I strongly urge a no vote on this bill.

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Mr. HAMILTON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York [Mr. ACKERMAN].

(Mr. ACKERMAN asked and was given permission to revise and extend his remarks.)

Mr. ACKERMAN. Mr. Chairman, I rise in reluctant opposition to this bill. The legislation before us today represents a retrenchment of U.S. foreign policy in the post-cold-war era. For the past 40 years we fought the cold war and we prevailed. Now a wave of neo-isolationism has taken over and this Congress is preparing to walk away from our responsibilities as a world leader. This bill is destructive not only to the foreign policy apparatus of this government, but the massive budget cuts that will result from it are unwise and shortsighted.

Furthermore, this bill proposes the elimination of three agencies, without even a hint of what the cost will be. During the committee markup, an amendment was offered that is totally consistent, even with the Contract With America, requiring a cost-benefit analysis of the proposal so Congress may understand the costs that we are about to incur as a result of adopting this consolidation legislation. Unfortunately, the majority oppose the cost-cutting benefit proposal in a year when they are otherwise zealously committed to its rigorous application in the conduct of Government's affairs. This inconsistency is striking, to say the least.

On the foreign aid side of the ledger, the bill offered today cuts development assistance massively, with a 20-percent cut alone for the development fund for Africa. I vigorously oppose these cuts at a time when, magically, there are sufficient funds available to increase foreign military sales within the bill. I

must wonder how we can have more for military sales when the basic development accounts are being stripped bare.

Mr. Chairman, I am also deeply concerned about the future of aid to Israel. Israel has taken great risks by undertaking the peace process with Jordan, the Palestinians, and the Arab countries in the region. Yet, we are rapidly moving towards isolating Israel, Egypt, and the Middle East peace allocations within a rapidly shrinking foreign aid budget. This is a dangerous precedent which will leave the Middle East peace process hanging out, almost alone, vulnerable to future cuts when the peace process may require larger, rather than smaller, allocations in order to be implemented.

Mr. Chairman, I am glad that this bill takes care of Israel this year. If it is the intent to take care of the few to the detriment of all others, I will not but it. I will not be put in a position of being for myself alone.

Mr. Chairman, during the past decade we worked in a bipartisan fashion to craft a foreign aid bill that could receive the support of both sides. Today we have a bill that is designed to undermine our President and Secretary of State by devastating cuts to our foreign policy agencies and to the worldwide assistance which serves to buttress U.S. foreign policy objectives.

Mr. Chairman, the destruction in this bill may be popular with the majority today, but the implications for tomorrow should give us pause before this Congress enacts such shortsighted legislation.

Mr. Chairman, I urge the defeat of this bill.

Mr. HAMILTON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Mexico [Mr. RICHARDSON].

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Chairman, first let me say that my opposition to this bill, very categorically, does not diminish the great respect I have for the gentleman from New York, BEN GILMAN, and his leadership on foreign policy issues for many, many years. I want to commend the gentleman from Indiana [Mr. HAMILTON] once again for being steadfast to the bipartisanship that has always existed in our foreign policy, and which, regrettably, seems to be ending this year with political documents, H.R. 7, and now this piece of legislation.

Suffice it to say, Mr. Chairman, that the Secretary of State of the United States says that this bill "wages an extraordinary assault on this and every future President's constitutional authority to manage foreign policy." That is pretty strong language. I believe we should pay heed to that language. We are strangling the Executive Branch's ability to conduct foreign policy.

What this bill does is virtually eliminate our opportunity to negotiate with

the North Koreans, which is happening at this very moment on the nuclear framework agreement. It eliminates any kind of leverage that we would have with the North Koreans, the South Koreans, and all those participating in this very key initiative.

It limits the President's ability to deal with migration and refugee affairs which is becoming increasingly important in this interdepartmental world. On the shores of our own country, our borders, this bill drastically restricts our ability to deal with their issue. Our relationship with China is jeopardized by this bill, and our relationship with the new independent states is jeopardized. This bill reduces the assistance that we need to give them to keep them not just market-oriented and democratic, but moving in the direction that we want in terms of NATO and the power relationship in Europe.

This bill also severely restricts the President's ability to reorganize the foreign policy machine. This bill abolishes important agencies, including AID, USDA, and USIA, that right now conduct our foreign policy, and without any administration consultant. It basically says we know best. We are going to abolish them, and we are going to decide what is best for the administration's conduct of foreign policy.

Most importantly, Mr. Chairman, this bill kills any kind of effort by the United States to be involved in development assistance. The bill would reduce development assistance by 34 percent, cut Africa's development assistance by 21 percent, a devastating cut, at the same time that in Latin America we have halved our development assistance. We are no longer players in that arena.

What would we have to do if this bill is passed? The administration would be forced to abruptly withdraw support for programs in up to 20 lower-income countries, beyond the 27 the administration is committed to terminating; but by not engaging in the developing world, we are simply arming Europe and Japan to beat us in the world of trade. This is not a good bill, and it should be defeated.

Mr. HAMILTON. Mr. Chairman, as I understand it, I have 1 minute remaining, and I yield that 1 minute to the distinguished gentlewoman from New York [Ms. VELÁZQUEZ].

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Chairman, I rise in strong opposition to this bill. This week the Republicans do for overseas interests what the new majority has done for the domestic agenda. They target assistance for the most needy, while preserving billions of dollars for military and security spending.

The promotion of peace and international development were once seen as vital to global peace and prosperity. They were also considered as important domestic priorities.

This bill reverses those policies. It cuts humanitarian assistance for education, AIDS prevention, and agricultural research; abolishes AID; and cripples international peacekeeping operations. It means death for hundreds of thousands of innocent children in Africa, and many more civilian casualties in the Balkans.

This so-called Overseas Interests Act instead invests in arms. Billions more are wasted on military hardware in the Middle East—one of the most heavily armed regions in the world.

The foreign assistance cuts will not even make a dent in the deficit. Only 1 percent of the Federal budget is spent on foreign aid. Even less goes towards development assistance.

While the world calls out for opportunity and brotherhood, this bill offers isolation and indifference. For international peace and prosperity, and domestic sanity, I urge my colleagues to vote "no."

The CHAIRMAN. The time of the gentleman from Indiana [Mr. HAMILTON] has expired.

Mr. GILMAN. Mr. Chairman, I yield myself such time as I may consume.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I fully agree with the gentleman from Indiana [Mr. HAMILTON] that this bill makes significant changes. My colleagues, if you want to reduce the foreign aid budget, I urge you to vote for this bill. If you want to bring about savings in our State Department budget by consolidating the three agencies of the Federal Government, then vote for this bill. If you support aid for antiterrorism assistance, counter-narcotics programs, and assistance for stabilizing the Middle East, you should vote for this bill. If you prefer the status quo, more bureaucracy and increased foreign aid spending, then your vote is "no." With the adoption of the Brownback amendment, this bill will be under budget. Secretary of State Warren Christopher earlier this year proposed consolidation. This bill will make it happen. I urge my colleagues to vote for this bill, the American Overseas Interests Act.

Mr. GILMAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute, as modified, printed in the bill is considered as an original bill for the purpose of amendment, and is considered as having been read.

The text of the committee amendment in the nature of a substitute, as modified, is as follows:

H.R. 1561

Be it enacted by the Senate and House of representatives of the United States of America assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Overseas Interests Act of 1995".

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

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

(1) Division A—Consolidation of Foreign Affairs Agencies.

(2) Division B—Foreign Relations Authorizations.

(3) Division C—Foreign Assistance Authorizations.

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

Sec. 1. Short title.

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

DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES

TITLE I—GENERAL PROVISIONS

Sec. 101. Short title.

Sec. 102. Congressional findings.

Sec. 103. Purposes.

Sec. 104. Definitions.

TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

CHAPTER 1—GENERAL PROVISIONS

Sec. 201. Effective date.

Sec. 202. References in title.

CHAPTER 2—ABOLITION OF UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

Sec. 211. Abolition of United States Arms Control and Disarmament Agency.

Sec. 212. Transfer of functions to Secretary of State.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE

Sec. 221. Reorganization plan.

Sec. 222. Coordinator for arms control and disarmament.

CHAPTER 4—CONFORMING AMENDMENTS

Sec. 241. References.

Sec. 242. Repeal of establishment of agency.

Sec. 243. Repeal of positions and offices.

Sec. 244. Transfer of authorities and functions under the Arms Control and Disarmament Act to the Secretary of State.

Sec. 245. Conforming amendments.

TITLE III—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

Sec. 301. Effective date.

CHAPTER 2—ABOLITION OF UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

Sec. 311. Abolition of United States Information Agency.

Sec. 312. Transfer of functions to Secretary of State.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE

Sec. 321. Reorganization plan.

Sec. 322. Principal officers.

CHAPTER 4—CONFORMING AMENDMENTS

Sec. 341. References.

Sec. 342. Abolition of Office of Inspector General of the United States Information Agency and transfer of functions to Office of Inspector General of the Department of State.

Sec. 343. Amendments to title 5.

Sec. 344. Amendments to United States Information and Educational Exchange Act of 1948.

Sec. 345. Amendments to the Mutual Educational and Cultural Exchange Act of 1961 (Fulbright-Hays Act).

Sec. 346. International broadcasting activities.

Sec. 347. Television broadcasting to Cuba.

Sec. 348. Radio broadcasting to Cuba.

Sec. 349. National Endowment for Democracy.

Sec. 350. United States scholarship program for developing countries.

Sec. 351. Fawcett Fellowship Board.

Sec. 352. National Security Education Board.

Sec. 353. Center for Cultural and Technical Interchange between North and South.

Sec. 354. East-West Center.

Sec. 355. Mission of the Department of State.

Sec. 356. Consolidation of administrative services.

Sec. 357. Grants.

Sec. 358. Ban on domestic activities.

Sec. 359. Conforming repeal to the Arms Control and Disarmament Act.

Sec. 360. Repeal relating to procurement of legal services.

Sec. 361. Repeal relating to payment of subsistence expenses.

Sec. 362. Conforming amendment to the Seed Act.

Sec. 363. International Cultural and Trade Center Commission.

Sec. 364. Foreign Service Act of 1980.

Sec. 365. Au pair programs.

Sec. 366. Exchange program with countries in transition from totalitarianism to democracy.

Sec. 367. Edmund S. Muskie Fellowship program.

Sec. 368. Implementation of convention on cultural property.

Sec. 369. Mike Mansfield Fellowships.

TITLE IV—AGENCY FOR INTERNATIONAL DEVELOPMENT

CHAPTER 1—GENERAL PROVISIONS

Sec. 401. Effective date.

Sec. 402. References in title.

CHAPTER 2—ABOLITION OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

Sec. 411. Abolition of Agency for International Development and the International Development Cooperation Agency.

Sec. 412. Transfer of functions to Secretary of State.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE

Sec. 421. Reorganization plan.

Sec. 422. Principal officers.

CHAPTER 4—CONFORMING AMENDMENTS

Sec. 441. References.

Sec. 442. Abolition of Office of Inspector General of the Agency for International Development and transfer of functions to Office of Inspector General of the Department of State.

Sec. 443. Abolition of Chief Financial Officer of the Agency for International Development and transfer of functions to Chief Financial Officer Department of State.

Sec. 444. Amendments to title 5, United States Code.

Sec. 445. Public Law 480 program.

TITLE V—TRANSITION

Sec. 501. Reorganization authority.

Sec. 502. Transfer and allocation of appropriations and personnel.

Sec. 503. Incidental transfers.

Sec. 504. Effect on personnel.

Sec. 505. Voluntary separation incentives.

Sec. 506. Savings provisions.

Sec. 507. Property and facilities.

- Sec. 508. Authority of Secretary to facilitate transition.
- Sec. 509. Recommendations for additional conforming amendments.
- Sec. 510. Final report.
- Sec. 511. Severability.
- DIVISION B—FOREIGN RELATIONS
AUTHORIZATIONS
- TITLE XX—GENERAL PROVISIONS
- Sec. 2001. Short title.
- Sec. 2002. Definitions.
- TITLE XXI—AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF STATE AND CERTAIN INTERNATIONAL AFFAIRS FUNCTIONS AND ACTIVITIES
- CHAPTER 1—AUTHORIZATIONS OF APPROPRIATIONS
- Sec. 2101. Administration of Foreign Affairs.
- Sec. 2102. International organizations, programs, and conferences.
- Sec. 2103. International commissions.
- Sec. 2104. Migration and refugee assistance.
- Sec. 2105. Certain other international affairs programs.
- Sec. 2106. United States informational, educational, and cultural programs.
- Sec. 2107. United States arms control and disarmament.
- TITLE XXII—DEPARTMENT OF STATE
AUTHORITIES AND ACTIVITIES
- CHAPTER 1—AUTHORITIES AND ACTIVITIES
- Sec. 2201. Revision of Department of State rewards program.
- Sec. 2202. Authorities of Secretary of State.
- Sec. 2203. Buying power maintenance account.
- Sec. 2204. Expenses relating to certain international claims and proceedings.
- Sec. 2205. Consolidation of United States diplomatic missions and consular posts.
- Sec. 2206. Denial of passports to noncustodial parents subject to state arrest warrants in cases of nonpayment of child support.
- Sec. 2207. Capital investment fund.
- Sec. 2208. Efficiency in procurement.
- Sec. 2209. Training.
- CHAPTER 2—CONSULAR AUTHORITIES OF THE
DEPARTMENT OF STATE
- Sec. 2231. Surcharge for processing certain machine readable visas.
- Sec. 2232. Fingerprint check requirement.
- Sec. 2233. Use of certain passport processing fees for enhanced passport services.
- Sec. 2234. Consular officers.
- CHAPTER 3—REFUGEES AND MIGRATION
- Sec. 2251. United States emergency refugee and migration assistance fund.
- Sec. 2252. Persecution for resistance to coercive population control methods.
- Sec. 2253. Report to congress concerning Cuban emigration policies.
- Sec. 2254. United States policy regarding the involuntary return of refugees.
- Sec. 2255. Extension of certain adjudication provisions.
- TITLE XXIII—ORGANIZATION OF THE DEPARTMENT OF STATE; DEPARTMENT OF STATE PERSONNEL; THE FOREIGN SERVICE
- CHAPTER 1—ORGANIZATION OF THE
DEPARTMENT OF STATE
- Sec. 2301. Coordinator for counterterrorism.
- Sec. 2302. Special envoy for Tibet.
- Sec. 2303. Establishment of Coordinator for Human Rights and Refugees, Bureau of Refugee and Migration Assistance, and Bureau of Democracy, Human Rights, and Labor.
- Sec. 2304. Elimination of statutory establishment of certain positions of the Department of State.
- Sec. 2305. Establishment of Assistant Secretary of State for Human Resources.
- Sec. 2306. Authority of United States permanent representative to the United Nations.
- CHAPTER 2—PERSONNEL OF THE DEPARTMENT
OF STATE; THE FOREIGN SERVICE
- Sec. 2351. Authorized strength of the Foreign Service.
- Sec. 2352. Repeal of authority for Senior Foreign Service performance pay.
- Sec. 2353. Recovery of costs of health care services.
- TITLE XXIV—UNITED STATES PUBLIC
DIPLOMACY: AUTHORITIES AND ACTIVITIES
FOR UNITED STATES INFORMATIONAL,
EDUCATIONAL, AND CULTURAL
PROGRAMS
- CHAPTER 1—GENERAL PROVISIONS
- Sec. 2401. Elimination of permanent authorization.
- Sec. 2402. Extension of au pair programs.
- Sec. 2403. Educational and cultural exchanges with Hong Kong.
- Sec. 2404. Conduct of certain educational and cultural exchange programs in Asia.
- Sec. 2405. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
- Sec. 2406. Availability of Voice of America and Radio Marti multilingual computer readable text and voice recordings.
- Sec. 2407. Retention of interest.
- Sec. 2408. USIA office in Pristina, Kosova.
- CHAPTER 2—INTERNATIONAL BROADCASTING
- Sec. 2431. Expansion of Broadcasting Board of Governors.
- Sec. 2432. Plan for Radio Free Asia.
- Sec. 2433. Pilot project for freedom broadcasting to Asia.
- TITLE XXV—INTERNATIONAL
ORGANIZATIONS AND COMMISSIONS
- CHAPTER 1—GENERAL PROVISIONS
- Sec. 2501. International Boundary and Water Commission.
- CHAPTER 2—UNITED NATIONS AND AFFILIATED
AGENCIES AND ORGANIZATIONS
- Sec. 2521. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.
- Sec. 2522. Limitation on contributions to the United Nations or United Nations affiliated organizations.
- Sec. 2523. Report on UNICEF.
- Sec. 2524. United Nations budgetary and management reform.
- TITLE XXVI—FOREIGN POLICY
PROVISIONS
- CHAPTER 1—MISCELLANEOUS FOREIGN POLICY
PROVISIONS
- Sec. 2601. Taiwan Relations Act.
- Sec. 2602. Bosnia Genocide Justice Act.
- Sec. 2603. Expansion of Commission on Security and Cooperation in Europe.
- CHAPTER 2—RELATING TO THE UNITED STATES-
NORTH KOREA AGREED FRAMEWORK AND THE
OBLIGATIONS OF NORTH KOREA UNDER THAT
AND PREVIOUS AGREEMENTS WITH RESPECT
TO THE DENUCLEARIZATION OF THE KOREAN
PENINSULA AND DIALOGUE WITH THE REPUBLIC
OF KOREA
- Sec. 2641. Findings.
- Sec. 2642. Clarification of nuclear non-proliferation obligations of North Korea under the agreed framework.
- Sec. 2643. Role of the Republic of Korea under the agreed framework.
- Sec. 2644. Further steps to promote United States security and political interests with respect to North Korea.
- Sec. 2645. Restrictions on assistance to North Korea and the Korean peninsula energy development organization.
- CHAPTER 3—BURMA
- Sec. 2651. United States policy concerning the dictatorship in Burma.
- CHAPTER 4—TORTURE
- Sec. 2661. Definitions.
- Sec. 2662. United States policy with respect to the involuntary return of persons subjected to torture.
- TITLE XXVII—CONGRESSIONAL
STATEMENTS
- Sec. 2701. Inter-American organizations.
- Sec. 2702. Territorial integrity of Bosnia and Herzegovina.
- Sec. 2703. The Laogai system of political prisons.
- Sec. 2704. Concerning the use of funds to further normalize relations with Vietnam.
- Sec. 2705. Declaration of Congress regarding United States Government human rights policy toward China.
- Sec. 2706. Concerning the United Nations Voluntary Fund for Victims of Torture.
- Sec. 2707. Recommendations of the President for reform of war powers resolution.
- Sec. 2708. Conflict in Kashmir.
- Sec. 2709. United States relations with the Former Yugoslav Republic of Macedonia (FYROM).
- Sec. 2710. Sense of the Congress relating to Indonesia.
- Sec. 2711. Displaced persons.
- DIVISION C—FOREIGN ASSISTANCE
AUTHORIZATIONS
- Sec. 3001. Short title.
- Sec. 3002. Declaration of policy.
- TITLE XXXI—DEFENSE AND SECURITY
ASSISTANCE
- CHAPTER 1—MILITARY AND RELATED
ASSISTANCE
- SUBCHAPTER A—FOREIGN MILITARY FINANCING
PROGRAM
- Sec. 3101. Authorization of appropriations.
- Sec. 3102. Administrative expenses.
- Sec. 3103. Assistance for Israel.
- Sec. 3104. Assistance for Egypt.
- Sec. 3105. Loans for Greece and Turkey.
- Sec. 3106. Terms of loans.
- Sec. 3107. Nonrepayment of grant assistance.
- Sec. 3108. Additional requirements.
- SUBCHAPTER B—OTHER ASSISTANCE
- Sec. 3121. Defense drawdown special authorities.
- Sec. 3122. Stockpiles of defense articles.
- Sec. 3123. Transfer of excess defense articles.
- Sec. 3124. Nonlethal excess defense articles for Albania.
- CHAPTER 2—INTERNATIONAL MILITARY
EDUCATION AND TRAINING
- Sec. 3141. Authorization of appropriations.
- Sec. 3142. Assistance for Indonesia.
- Sec. 3143. Additional requirements.
- CHAPTER 3—ANTITERRORISM ASSISTANCE
- Sec. 3151. Authorization of appropriations.
- Sec. 3152. Antiterrorism training assistance.
- Sec. 3153. Research and development expenses.
- CHAPTER 4—NARCOTICS CONTROL ASSISTANCE
- Sec. 3161. Authorization of appropriations.
- Sec. 3162. Additional requirements.

Sec. 3163. Notification requirement.
 Sec. 3164. Waiver of restrictions for narcotics-related economic assistance.

CHAPTER 5—NONPROLIFERATION AND DISARMAMENT FUND

Sec. 3171. Nonproliferation and Disarmament Fund.

CHAPTER 6—OTHER PROVISIONS

Sec. 3181. Standardization of congressional review procedures for arms transfers.
 Sec. 3182. Standardization of third country transfers of defense articles.
 Sec. 3183. Increased standardization, rationalization, and interoperability of assistance and sales programs.
 Sec. 3184. Repeal of price and availability reporting requirement relating to proposed sale of defense articles and services.
 Sec. 3185. Definition of significant military equipment.
 Sec. 3186. Requirements relating to the Special Defense Acquisition Fund.
 Sec. 3187. Cost of leased defense articles that have been lost or destroyed.
 Sec. 3188. Designation of major non-NATO allies.
 Sec. 3189. Certification thresholds.
 Sec. 3190. Competitive pricing for sales of defense articles and services.
 Sec. 3191. Depleted uranium ammunition.
 Sec. 3192. End-use monitoring of defense articles and defense services.
 Sec. 3193. Brokering activities relating to commercial sales of defense articles and services.

TITLE XXXII—ECONOMIC ASSISTANCE

CHAPTER 1—ECONOMIC SUPPORT ASSISTANCE

Sec. 3201. Economic support fund.
 Sec. 3202. Assistance for Israel.
 Sec. 3203. Assistance for Egypt.
 Sec. 3204. International Fund for Ireland.
 Sec. 3205. Law enforcement assistance.

CHAPTER 2—ASSISTANCE FOR PRIVATE SECTOR PROGRAMS AND ACTIVITIES

Sec. 3211. Private sector enterprise funds.
 Sec. 3212. Micro- and small enterprise development credits.
 Sec. 3213. Microenterprise development grant assistance.

CHAPTER 3—DEVELOPMENT ASSISTANCE

SUBCHAPTER A—DEVELOPMENT ASSISTANCE AUTHORITIES

Sec. 3221. Authorizations of appropriations.
 Sec. 3222. Assistance for child survival activities, Vitamin A Deficiency Program, and related activities.
 Sec. 3223. Assistance for family planning.
 Sec. 3224. Assistance for the independent states of the former Soviet Union.
 Sec. 3225. Development Fund for Latin America and the Caribbean.
 Sec. 3226. Effectiveness of United States development assistance.
 Sec. 3227. Funding for private and voluntary organizations and cooperatives.
 Sec. 3228. Sense of the Congress relating to United States cooperatives and credit unions.

SUBCHAPTER B—OPERATING EXPENSES

Sec. 3231. Operating expenses generally.
 Sec. 3232. Operating expenses of the office of the inspector general.

CHAPTER 4—PUBLIC LAW 480

Sec. 3241. Levels of assistance for title II.
 Sec. 3242. Authorization of appropriations for title III.

CHAPTER 5—HOUSING GUARANTEE PROGRAM

Sec. 3251. Authorization of appropriations for administrative expenses.
 Sec. 3252. Additional requirements.

CHAPTER 6—PEACE CORPS

Sec. 3261. Peace Corps.
 Sec. 3262. Activities of the Peace Corps in the former Soviet Union.
 Sec. 3263. Prohibition on use of funds for abortions.

CHAPTER 7—INTERNATIONAL DISASTER ASSISTANCE

Sec. 3271. Authority to provide reconstruction assistance.
 Sec. 3272. Authorizations of appropriations.

CHAPTER 8—OTHER PROVISIONS

Sec. 3281. Exemption from restrictions on assistance through nongovernmental organizations.
 Sec. 3282. Funding requirements relating to United States private and voluntary organizations.
 Sec. 3283. Documentation requested of private and voluntary organizations.
 Sec. 3284. Foreign government parking fines.
 Sec. 3285. Human rights reports.
 Sec. 3286. Deobligation of certain unexpended economic assistance funds.

TITLE XXXIII—REGIONAL PROVISIONS

Sec. 3301. Prohibition on assistance to foreign governments providing assistance to Cuba.
 Sec. 3302. Assistance for Nicaragua.
 Sec. 3303. Sense of the Congress regarding relations with Burma.
 Sec. 3304. Debt restructuring for Egypt.
 Sec. 3305. Prohibition on assistance to foreign governments providing assistance to Iran.
 Sec. 3306. Assistance for Pakistan.
 Sec. 3307. Return of military equipment of Pakistan.
 Sec. 3308. Eligibility of Panama under Arms Export Control Act.
 Sec. 3309. Future of the United States military presence in Panama.
 Sec. 3310. Peace and stability in the South China Sea.
 Sec. 3311. Sense of the Congress regarding narcotics control efforts of Colombia.
 Sec. 3312. Notification of arms sales to Saudi Arabia.
 Sec. 3313. Assistance for Zaire.

TITLE XXXIV—SPECIAL AUTHORITIES AND OTHER PROVISIONS

CHAPTER 1—SPECIAL AUTHORITIES

Sec. 3401. Enhanced transfer authority.
 Sec. 3402. Authority to meet unanticipated contingencies.
 Sec. 3403. Special waiver authority.
 Sec. 3404. Termination of assistance.

CHAPTER 2—OTHER PROVISIONS

Sec. 3411. Congressional presentation documents.
 Sec. 3412. Prohibition on assistance to foreign governments engaged in espionage against the United States.
 Sec. 3413. Debt restructuring for foreign assistance.
 Sec. 3414. Debt buybacks or sales for debt swaps.
 Sec. 3415. Impact on jobs in the United States.
 Sec. 3416. Prohibition on assistance to foreign governments that export lethal military equipment to countries supporting international terrorism.
 Sec. 3417. Prohibition on assistance to countries that consistently oppose the United States position in the United Nations General Assembly.
 Sec. 3418. Limitation on assistance to countries that restrict the transport or delivery of United States humanitarian assistance.
 Sec. 3419. Prohibition on assistance to foreign governments, private and voluntary organizations, and other entities that inhibit United States-supported demining operations and activities.

CHAPTER 3—REPEALS

Sec. 3421. Repeal of obsolete provisions.

TITLE XXXV—EFFECTIVE DATE

Sec. 3501. Effective date.

**DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES
 TITLE I—GENERAL PROVISIONS**

SEC. 101. SHORT TITLE.

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

SEC. 102. CONGRESSIONAL FINDINGS.

The Congress makes the following findings:

(1) With the end of the Cold War, the international challenges facing the United States have changed, but the fundamental national interests of the United States have not. The security, economic, and humanitarian interests of the United States require continued American engagement in international affairs. The leading role of the United States in world affairs will be as important in the twenty-first century as it has been in the twentieth.

(2) The United States budget deficit requires that the foreign as well as the domestic programs and activities of the United States be carefully reviewed for potential savings. Wherever possible, foreign programs and activities must be streamlined, managed more efficiently, and adapted to the requirements of the post-Cold War era.

(3) In order to downsize the foreign programs and activities of the United States without jeopardizing United States interests, strong and effective leadership will be required. As the official principally responsible for the conduct of foreign policy, the Secretary of State must have the authority to allocate efficiently the resources within the international affairs budget. As a first step in the downsizing process, the proliferation of foreign affairs agencies that occurred during the Cold War must be reversed, and the functions of these agencies must be restored to the Secretary of State.

(4) A streamlined and reorganized foreign affairs structure under the strengthened

leadership of the Secretary of State can more effectively promote the international interests of the United States in the next century than the existing structure.

SEC. 103. PURPOSES.

The purposes of this division are—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize the efficient use of resources, eliminate redundancy in functions, effect budget savings, and improve the management of the State Department;

(3) to strengthen—

(A) the coordination of United States foreign policy; and

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy; and

(4) to abolish, not later than March 1, 1997, the United States Arms Control and Disarmament Agency, the United States Information Agency, the International Development Cooperation Agency, and the Agency for International Development.

SEC. 104. DEFINITIONS.

The following terms have the following meaning for the purposes of this division:

(1) The term "AID" means the Agency for International Development.

(2) The term "ACDA" means the United States Arms Control and Disarmament Agency.

(3) The term "appropriate congressional committees" means the Committee on International Relations of the House of Representatives and the Committee of Foreign Relations of the Senate.

(4) The term "Department" means the Department of State.

(5) The term "Federal agency" has the meaning given to the term "agency" by section 551(1) of title 5, United States Code.

(6) The term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

(7) The term "office" includes any office, administration, agency, institute, unit, organizational entity, or component thereof.

(8) The term "Secretary" means the Secretary of State.

(9) The term "USIA" means the United States Information Agency.

TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 201. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title, and the amendments made by this title, shall take effect—

(1) March 1, 1997; or

(2) on such earlier date as the President shall determine to be appropriate and announce by notice published in the Federal Register, which date may be not earlier than 60 calendar days (excluding any day on which either House of Congress is not in session because of an adjournment sine die) after the President has submitted a reorganization plan to the appropriate congressional committees pursuant to section 221.

(b) REORGANIZATION PLAN.—Section 221 shall take effect on the date of enactment of this Act.

SEC. 202. REFERENCES IN TITLE.

Except as specifically provided in this title, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the Arms Control and Disarmament Act.

CHAPTER 2—ABOLITION OF UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

SEC. 211. ABOLITION OF UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY.

The United States Arms Control and Disarmament Agency is abolished.

SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF STATE.

There are transferred to the Secretary of State all functions of the Director of the United States Arms Control and Disarmament Agency and all functions of the United States Arms Control and Disarmament Agency and any officer or component of such agency under any statute, reorganization plan, Executive order, or other provision of law before the effective date of this title, except as otherwise provided in this title.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE

SEC. 221. REORGANIZATION PLAN.

(a) SUBMISSION OF PLAN.—Not later than March 1, 1996, the President, in consultation with the Secretary and the Director of the Arms Control and Disarmament Agency, shall transmit to the appropriate congressional committees a reorganization plan providing for—

(1) the abolition of the Arms Control and Disarmament Agency in accordance with this title;

(2) the transfer to the Department of State of the functions and personnel of the Arms Control and Disarmament Agency consistent with the provisions of this title; and

(3) the consolidation, reorganization, and streamlining of the Department upon the transfer of functions under this title in order to carry out such functions.

(b) PLAN ELEMENTS.—The plan under subsection (a) shall—

(1) identify the functions of the Arms Control and Disarmament Agency that will be transferred to the Department under the plan;

(2) identify the personnel and positions of the Agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the Arms Control and Disarmament Agency that will be transferred to the Department as a result of the transfer of functions of the Agency to the Department;

(6) specify the proposed allocations within the Department of unexpended funds transferred in connection with the transfer of functions under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency in connection with the transfer of the functions of the Agency to the Department.

(c) ASSISTANT SECRETARY POSITIONS.—The plan under subsection (a) shall provide for an appropriate number of Assistant Secretaries of State to carry out the functions transferred to the Department under this title.

SEC. 222. COORDINATOR FOR ARMS CONTROL AND DISARMAMENT.

(a) ESTABLISHMENT OF COORDINATOR FOR ARMS CONTROL AND DISARMAMENT.—Section 1(e) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(e)) is amended by adding after paragraph (4) the following new paragraph:

"(5) COORDINATOR FOR ARMS CONTROL AND DISARMAMENT.—

"(A) There shall be within the office of the Secretary of State a Coordinator for Arms Control and Disarmament (hereafter in this paragraph referred to as the "Coordinator" who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall report directly to the Secretary of State.

"(B)(i) The Coordinator shall perform such duties and exercise such power as the Secretary of State shall prescribe.

"(ii) The Coordinator shall be responsible for arms control and disarmament matters. The Coordinator shall head the Bureau of Arms Control and Disarmament.

"(C) The Coordinator shall have the rank and status of Ambassador-at-Large. The Coordinator shall be compensated at the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5314 of title 5, United States Code, or, if the Coordinator is appointed from the Foreign Service, the annual rate of pay which the individual last received under the Foreign Service Schedule, whichever is greater."

(b) PARTICIPATION IN MEETINGS OF NATIONAL SECURITY COUNCIL.—Section 101 of the National Security Act of 1947 (50 U.S.C. 402) is amended by adding at the end the following new subsection:

"(i) The Coordinator for Arms Control and Disarmament may, in the role of advisor to the National Security Council on arms control and disarmament matters, and subject to the direction of the President, attend and participate in meetings of the National Security Council."

(c) TRANSITION PROVISION.—The President may appoint the individual serving as Director of the Arms Control and Disarmament Agency on the day before the effective date of this title, or such other officials appointed by and with the advice and consent of the Senate and serving within the Department of State or the Arms Control and Disarmament Agency on the day before the effective date of this title as the President considers appropriate, to serve as the acting Coordinator for Arms Control and Disarmament until an individual is appointed to that office in accordance with section 1(e)(5) of the State Department Basic Authorities Act of 1956, as amended by this Act.

CHAPTER 4—CONFORMING AMENDMENTS

SEC. 241. REFERENCES.

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director of the United States Arms Control and Disarmament Agency or any other officer or employee of the United States Arms Control and Disarmament Agency shall be deemed to refer to the Secretary of State; and

(2) the United States Arms Control and Disarmament Agency shall be deemed to refer to the Department of State.

SEC. 242. REPEAL OF ESTABLISHMENT OF AGENCY.

Section 21 of the Arms Control and Disarmament Act (22 U.S.C. 2561; relating to the establishment of the agency) is repealed.

SEC. 243. REPEAL OF POSITIONS AND OFFICES.

The following sections of the Arms Control and Disarmament Act are repealed:

(1) Section 22 (22 U.S.C. 2562; relating to the Director).

(2) Section 23 (22 U.S.C. 2563; relating to the Deputy Director).

(3) Section 24 (22 U.S.C. 2564; relating to Assistant Directors).

(4) Section 25 (22 U.S.C. 2565; relating to bureaus, offices, and divisions).

(5) Section 50 (22 U.S.C. 2593; relating to the ACDA Inspector General).

SEC. 244. TRANSFER OF AUTHORITIES AND FUNCTIONS UNDER THE ARMS CONTROL AND DISARMAMENT ACT TO THE SECRETARY OF STATE.

(a) IN GENERAL.—The Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.) is amended—

(1) by striking "Agency" each place it appears and inserting "Department"; and

(2) by striking "Director" each place it appears and inserting "Secretary".

(b) PURPOSE.—Section 2 (22 U.S.C. 2551) is repealed.

(c) DEFINITIONS.—Section 3 (22 U.S.C. 2552) is amended by striking paragraph (c) and inserting the following:

"(c) The term 'Department' means the Department of State.

"(d) The term 'Secretary' means the Secretary of State."

(d) SCIENTIFIC AND POLICY ADVISORY COMMITTEE.—Section 26(b) (22 U.S.C. 2566(b)) is amended by striking ", the Secretary of State, and the Director" and inserting "and the Secretary of State".

(e) PRESIDENTIAL SPECIAL REPRESENTATIVES.—Section 27 (22 U.S.C. 2567) is amended by striking ", acting through the Director".

(f) PROGRAM FOR VISITING SCHOLARS.—Section 28 (22 U.S.C. 2568) is amended—

(1) in the second sentence, by striking "Agency's activities" and inserting "Department's arms control, nonproliferation, and disarmament activities"; and

(2) in the fourth sentence, by striking ", and all former Directors of the Agency".

(g) POLICY FORMULATION.—Section 33(a) (22 U.S.C. 2573(a)) is amended by striking "the President," and inserting "shall prepare for the President".

(h) NEGOTIATION MANAGEMENT.—Section 34 (22 U.S.C. 2574) is amended—

(1) in subsection (a), by striking "the President and the Secretary of State" and inserting "the President"; and

(2) by striking subsection (b).

(i) VERIFICATION OF COMPLIANCE.—Section 37(d) (22 U.S.C. 2577(d)) is amended by striking "Director's designee" and inserting "Secretary's designee".

(j) GENERAL AUTHORITY.—Section 41 (22 U.S.C. 2581) is repealed.

(k) SECURITY REQUIREMENTS.—Section 45 (22 U.S.C. 2585) is amended by striking subsections (a), (b), and (d).

(l) USE OF FUNDS.—Section 48 (22 U.S.C. 2588) is repealed.

(m) ANNUAL REPORT.—Section 51(a) (22 U.S.C. 2593a(a)) is amended by striking "the Secretary of State."

(n) REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.—Section 53 (22 U.S.C. 2593c) is repealed.

(o) ON-SITE INSPECTION AGENCY.—Section 61 (22 U.S.C. 2595) is amended—

(1) in paragraph (1), by striking "United States Arms Control and Disarmament Agency" and inserting "Department of State"; and

(2) in paragraph (7), by striking "the United States Arms Control and Disarmament Agency and".

SEC. 245. CONFORMING AMENDMENTS.

(a) ARMS EXPORT CONTROL ACT.—The Arms Export Control Act is amended—

(1) in section 36(b)(1)(D) (22 U.S.C. 2776(b)(1)(D)), by striking "Director of the Arms Control and Disarmament Agency in consultation with the Secretary of State and" and inserting "Secretary of State in consultation with";

(2) in section 38(a)(2) (22 U.S.C. 2778(a)(2))—

(A) in the first sentence, by striking "Director of the United States Arms Control and Disarmament Agency, taking into account the Director's" and inserting "Secretary of State, taking into account the Secretary's"; and

(B) in the second sentence, by striking "The Director of the Arms Control and Disarmament Agency is authorized, whenever the Director" and inserting "The Secretary of State is authorized, whenever the Secretary";

(3) in section 42(a) (22 U.S.C. 2791(a))—

(A) in paragraph (1)(C), by striking "Director of the United States Arms Control and Disarmament Agency" and inserting "Secretary of State"; and

(B) in paragraph (2)—

(i) in the first sentence, by striking "Director of the United States Arms Control and Disarmament Agency" and inserting "Secretary of State"; and

(ii) in the second sentence, by striking "Director of the Arms Control and Disarmament Agency is authorized, whenever the Director" and inserting "Secretary of State, whenever the Secretary";

(4) in section 71(a) (22 U.S.C. 2797(a)), by striking ", the Director of the Arms Control and Disarmament Agency," and inserting ", Secretary of State,";

(5) in section 71(b)(1) (22 U.S.C. 2797(b)(1)), by striking "Director of the United States Arms Control and Disarmament Agency" and inserting "Secretary of State";

(6) in section 71(b)(2) (22 U.S.C. 2797(b)(2))—

(A) by striking "Director of the United States Arms Control and Disarmament Agency" and inserting "Secretary of State"; and

(B) by striking ", or the Director";

(7) in section 71(c) (22 U.S.C. 2797(c)), by striking "Director of the United States Arms Control and Disarmament Agency," and inserting "Secretary of State"; and

(8) in section 73(d) (22 U.S.C. 2797(d)), by striking "Director of the United States Arms Control and Disarmament Agency" and inserting "Secretary of State".

(b) UNITED STATES INSTITUTE OF PEACE ACT.—Section 1706(b) of the United States Institute of Peace Act (22 U.S.C. 4605(b)) is amended—

(1) by striking out paragraph (3);

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

(3) in paragraph (4) (as redesignated by paragraph (2)), by striking "Eleven" and inserting "Twelve".

(c) THE ATOMIC ENERGY ACT OF 1954.—The Atomic Energy Act of 1954 is amended—

(1) in section 57 b. (42 U.S.C. 2077(b))—

(A) in the first sentence, by striking "the Arms Control and Disarmament Agency,"; and

(B) in the second sentence, by striking "the Director of the Arms Control and Disarmament Agency,"; and

(2) in section 123 (42 U.S.C. 2153)—

(A) in subsection a. (in the text after paragraph (9))—

(i) by striking "and in consultation with the Director of the Arms Control and Disarmament Agency ('the Director')", and

(ii) by striking "and the Director" and inserting "and the Secretary of Defense".

(B) in subsection d., in the first proviso, by striking "Director of the Arms Control and Disarmament Agency" and inserting "Secretary of Defense", and

(C) in the first undesignated paragraph following subsection d., by striking "the Arms Control and Disarmament Agency,".

(d) THE NUCLEAR NON-PROLIFERATION ACT OF 1978.—The Nuclear Non-Proliferation Act of 1978 is amended—

(1) in section 4, by striking paragraph (2);

(2) in section 102, by striking "the Secretary of State, and the Director of the Arms Control and Disarmament Agency" and inserting "and the Secretary of State"; and

(3) in section 602(c), by striking "the Arms Control and Disarmament Agency,".

(e) TITLE 5, UNITED STATES CODE.—Title 5, United States Code, is amended—

(1) in section 5313, by striking "Director of the United States Arms Control and Disarmament Agency,";

(2) in section 5314, by striking "Deputy Director of the United States Arms Control and Disarmament Agency,"; and

(3) in section 5315, by striking "Assistant Directors, United States Arms Control and Disarmament Agency (4)."

TITLE III—UNITED STATES INFORMATION AGENCY**CHAPTER 1—GENERAL PROVISIONS****SEC. 301. EFFECTIVE DATE.**

(a) IN GENERAL.—Except as provided in subsection (b), this title, and the amendments made by this title, shall take effect—

(1) March 1, 1997; or

(2) on such earlier date as the President shall determine to be appropriate and announce by notice published in the Federal Register, which date may be not earlier than 60 calendar days (excluding any day on which either House of Congress is not in session because of an adjournment sine die) after the President has submitted a reorganization plan to the appropriate congressional committees pursuant to section 321.

(b) REORGANIZATION PLAN.—Section 321 shall take effect on the date of enactment of this Act.

CHAPTER 2—ABOLITION OF UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE**SEC. 311. ABOLITION OF UNITED STATES INFORMATION AGENCY.**

The United States Information Agency is abolished.

SEC. 312. TRANSFER OF FUNCTIONS TO SECRETARY OF STATE.

There are transferred to the Secretary of State all functions of the Director of the United States Information Agency and all functions of the United States Information Agency and any officer or component of such agency under any statute, reorganization plan, Executive order, or other provision of law before the effective date of this title, except as otherwise provided in this title.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE**SEC. 321. REORGANIZATION PLAN.**

(a) SUBMISSION OF PLAN.—Not later than March 1, 1996, the President, in consultation with the Secretary and the Director of the United States Information Agency, shall transmit to the appropriate congressional committees a reorganization plan providing for—

(1) the abolition of the United States Information Agency in accordance with this title;

(2) the transfer to the Department of State of the functions and personnel of the United

States Information Agency consistent with the provisions of this title; and

(3) the consolidation, reorganization, and streamlining of the Department upon the transfer of functions under this title in order to carry out such functions.

(b) PLAN ELEMENTS.—The plan under subsection (a) shall—

(1) identify the functions of the United States Information Agency that will be transferred to the Department under the plan;

(2) identify the personnel and positions of the Agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the United States Information Agency that will be transferred to the Department as a result of the transfer of functions of the Agency to the Department;

(6) specify the proposed allocations within the Department of unexpended funds transferred in connection with the transfer of functions under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency in connection with the transfer of the functions of the Agency to the Department.

(c) ASSISTANT SECRETARY POSITIONS.—The plan under subsection (a) shall provide for an appropriate number of Assistant Secretaries of State to carry out the functions transferred to the Department under this title.

SEC. 322. PRINCIPAL OFFICERS.

(a) UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY.—

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

(A) by striking “There” and inserting the following:

“(1) IN GENERAL.—There”; and

(B) by adding at the end the following:

“(2) UNDER SECRETARY FOR PUBLIC DIPLOMACY.—There shall be in the Department of State an Under Secretary for Public Diplomacy who shall have responsibility to assist the Secretary and the Deputy Secretary in the formation and implementation of United States public diplomacy policies and activities, including international educational and cultural exchange programs, information, and international broadcasting.”.

(2) TRANSITION PROVISION.—The President may appoint the individual serving as Director of the United States Information Agency on the day before the effective date of this title, or such other official appointed by and with the advice and consent of the Senate and serving within the Department of State or the United States Information Agency as the President considers appropriate, to serve as the acting Under Secretary for Public Diplomacy until an individual is appointed to that office in accordance with section 1(b)(1) of the State Department Basic Authorities Act of 1956, as amended by this Act.

(b) ASSISTANT SECRETARIES.—

(1) ESTABLISHMENT.—Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended by adding after paragraph (2) the following:

“(3) ASSISTANT SECRETARY FOR ACADEMIC PROGRAMS AND CULTURAL EXCHANGES.—There shall be in the Department of State an Assistant Secretary for Academic Programs and Cultural Exchanges who shall report to the Under Secretary for Public Diplomacy.

“(4) ASSISTANT SECRETARY FOR INFORMATION, POLICY, AND PROGRAMS.—There shall be in the Department of State an Assistant Secretary for Information, Policy, and Programs who shall report to the Under Secretary for Public Diplomacy.”.

(2) TRANSITION PROVISION.—The President may appoint such officials appointed by and with the advice and consent of the Senate and serving within the Department of State or the United States Information Agency as the President considers appropriate to serve as the acting Assistant Secretary for Academic Programs and Cultural Exchanges and to serve as the acting Assistant Secretary for Information, Policy, and Programs until individuals are appointed to those offices in accordance with section 1(c)(1) of the State Department Basic Authorities Act of 1956, as amended by this Act.

CHAPTER 4—CONFORMING AMENDMENTS

SEC. 341. REFERENCES.

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director of the United States Information Agency, the Director of the International Communication Agency, or any other officer or employee of the United States Information Agency shall be deemed to refer to the Secretary of State; and

(2) the United States Information Agency, USIA, or the International Communication Agency shall be deemed to refer to the Department of State.

SEC. 342. ABOLITION OF OFFICE OF INSPECTOR GENERAL OF THE UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS TO OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.

(a) ABOLITION OF OFFICE OF INSPECTOR GENERAL OF THE USIA.—

(1) The Office of Inspector General of the United States Information Agency is abolished.

(2) Section 11 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in paragraph (1) by striking “, the Office of Personnel Management or the United States Information Agency” and inserting “or the Office of Personnel Management”; and

(B) in paragraph (2) by striking “the United States Information Agency.”.

(3) Section 5315 of title 5, United States Code, is amended by striking the following:

“Inspector General, United States Information Agency.”.

(b) FUNCTIONS OF OFFICE OF INSPECTOR GENERAL OF THE UNITED STATES INFORMATION AGENCY TRANSFERRED TO OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.—There are transferred to the Office of the Inspector General of the Department of State the functions that the Office of Inspector General of the United States Information Agency exercised before the effective date of this title (including all related functions of the Inspector General of the United States Information Agency).

(c) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—The Director of the Office of Management and Budget, in consultation with the Secretary of State, is

authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section.

SEC. 343. AMENDMENTS TO TITLE 5.

Title 5, United States Code, is amended—

(1) in section 5313, by striking “Director of the United States Information Agency.”;

(2) in section 5315, by striking “Deputy Director of the United States Information Agency.”; and

(3) in section 5316, by striking “Deputy Director, Policy and Plans, United States Information Agency.” and striking “Associate Director (Policy and Plans), United States Information Agency.”.

SEC. 344. AMENDMENTS TO UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948.

(a) IN GENERAL.—Except as otherwise provided in this section, the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.) is amended—

(1) by striking “United States Information Agency” each place it appears and inserting “Department of State”;

(2) by striking “Director of the United States Information Agency” each place it appears and inserting “Secretary of State”;

(3) by striking “Director” each place it appears and inserting “Secretary of State”;

(4) by striking “USIA” each place it appears and inserting “Department of State”; and

(5) by striking “Agency” each place it appears and inserting “Department of State”.

(b) SATELLITE AND TELEVISION BROADCASTS.—Section 505 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1464a) is amended—

(1) by striking “Director of the United States Information Agency” each of the four places it appears and inserting “Secretary of State”;

(2) in subsection (b), by striking “To be effective, the United States Information Agency” and inserting “To be effective in carrying out this subsection, the Department of State”;

(3) by striking “USIA-TV” each place it appears and inserting “DEPARTMENT OF STATE-TV”; and

(4) by striking subsection (e).

(c) UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—Section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469) is amended—

(1) in subsection (c)(1)—

(A) by striking “the Director of the United States Information Agency.”; and

(B) by striking “Director or the Agency, and shall appraise the effectiveness of policies and programs of the Agency” and inserting “Secretary of State or the Department of State, and shall appraise the effectiveness of the information, educational, and cultural policies and programs of the Department”;

(2) in subsection (c)(2)—

(A) in the first sentence by striking “the Secretary of State, and the Director of the United States Information Agency” and inserting “and the Secretary of State”;

(B) in the second sentence by striking “by the Agency” and inserting “by the Department of State”; and

(C) by striking “Director for effectuating the purposes of the Agency” and inserting “Secretary for effectuating the information, educational, and cultural functions of the Department”;

(3) in subsection (c)(3), by striking "programs conducted by the Agency" and inserting "information, educational, and cultural programs conducted by the Department of State"; and

(4) in subsection (c)(4), by striking "Director of the United States Information Agency" and inserting "Secretary of State".

SEC. 345. AMENDMENTS TO THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961 (FULBRIGHT-HAYS ACT).

(a) IN GENERAL.—The Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is amended by striking "Director of the International Communication Agency" and "Director" each place either term appears and inserting "Secretary of State".

(b) REPEAL OF DEFUNCT ADVISORY COMMISSIONS.—Section 106 of such Act (22 U.S.C. 2456) is amended by striking subsection (c).

(c) BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS.—Section 112 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460) is amended—

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

(2) by striking "Bureau" each place it appears and inserting "Department of State"; and

(3) by striking subsection (e).

SEC. 346. INTERNATIONAL BROADCASTING ACTIVITIES.

(a) IN GENERAL.—Title III of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) is amended—

(1) in section 305(b)(1), by striking "Agency's" and inserting "Department's";

(2) in section 306, by striking ", acting through the Director of the United States Information Agency," and inserting ", acting through the Under Secretary of State for Public Diplomacy,";

(3) by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State";

(4) by striking all references to "United States Information Agency" that were not stricken in paragraph (3) and inserting "Department of State";

(5) by striking "Bureau" each place it appears and inserting "Office"; and

(6) in section 305(a)(1), by striking "title," and inserting "title (including activities of the Voice of America previously carried out by the United States Information Agency).".

(b) CONFORMING AMENDMENT TO TITLE 5.—Section 5315 of title 5, United States Code, is amended by striking "Director of the International Broadcasting Bureau, the United States Information Agency" and inserting "Director of the International Broadcasting Office, the Department of State".

SEC. 347. TELEVISION BROADCASTING TO CUBA.

(a) AUTHORITY.—Section 243(a) of the Television Broadcasting to Cuba Act (as contained in part D of title II of Public Law 101-246) (22 U.S.C. 1465bb(a)) is amended by striking "United States Information Agency (hereafter in this part referred to as the 'Agency')" and inserting "Department of State (hereafter in this part referred to as the 'Department')".

(b) TELEVISION MARTI SERVICE.—Section 244 of such Act (22 U.S.C. 1465cc) is amended—

(1) in subsection (a)—

(A) by amending the first sentence to read as follows: "The Secretary of State shall administer within the Voice of America the Television Marti Service."; and

(B) in the third sentence, by striking "Director of the United States Information Agency" and inserting "Secretary of State";

(2) in subsection (b)—

(A) in the subsection heading, by striking "USIA" and inserting "DEPARTMENT OF STATE";

(B) by striking "Agency facilities" and inserting "Department facilities"; and

(C) by striking "United States Information Agency Television Service" and inserting "Department of State Television Service"; and

(3) in subsection (c)—

(A) by striking "USIA AUTHORITY.—The Agency" and inserting "SECRETARY OF STATE AUTHORITY.—The Secretary of State"; and

(B) by striking "Agency" the second place it appears and inserting "Secretary of State";

(c) ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.—Section 246 of such Act (22 U.S.C. 1465dd) is amended—

(1) by striking "United States Information Agency" and inserting "Department of State"; and

(2) by striking "the Agency" and inserting "the Department";

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 247(a) of such Act (22 U.S.C. 1465ee(a)) is repealed.

SEC. 348. RADIO BROADCASTING TO CUBA.

(a) FUNCTIONS OF THE DEPARTMENT OF STATE.—Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a) is amended—

(1) in the section heading, by striking "UNITED STATES INFORMATION AGENCY" and inserting "DEPARTMENT OF STATE";

(2) in subsection (a), by striking "United States Information Agency (hereafter in this Act referred to as the 'Agency')" and inserting "Department of State (hereafter in this Act referred to as the 'Department')"; and

(3) in subsection (f), by striking "Director of the United States Information Agency" and inserting "Secretary of State".

(b) CUBA SERVICE.—Section 4 of such Act (22 U.S.C. 1465b) is amended—

(1) by amending the first sentence to read as follows: "The Secretary of State shall administer within the Voice of America the Cuba Service (hereafter in this section referred to as the 'Service')."; and

(2) in the third sentence, by striking "Director of the United States Information Agency" and inserting "Secretary of State".

(c) ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.—Section 6 of such Act (22 U.S.C. 1465d) is amended—

(1) in subsection (a)—

(A) by striking "United States Information Agency" and inserting "Department of State"; and

(B) by striking "the Agency" and inserting "the Department"; and

(2) in subsection (b)—

(A) by striking "The Agency" and inserting "The Department"; and

(B) by striking "the Agency" and inserting "the Secretary of State".

(d) FACILITY COMPENSATION.—Section 7 of such Act (22 U.S.C. 1465e) is amended—

(1) in subsection (b), by striking "the Agency" and inserting "the Department"; and

(2) in subsection (d), by striking "Agency" and inserting "Department".

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of such Act (22 U.S.C. 1465f) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) The amount obligated by the Department of State each fiscal year to carry out this Act shall be sufficient to maintain broadcasts to Cuba under this Act at rates no less than the fiscal year 1985 level of obligations by the former United States Information Agency for such broadcasts."; and

(2) by redesignating subsection (c) as subsection (b).

SEC. 349. NATIONAL ENDOWMENT FOR DEMOCRACY.

(a) GRANTS.—Section 503 of Public Law 98-164, as amended (22 U.S.C. 4412) is amended—

(1) in subsection (a)—

(A) by striking "Director of the United States Information Agency" and inserting "Secretary of State";

(B) by striking "the Agency" and inserting "the Department of State"; and

(C) by striking "the Director" and inserting "the Secretary of State"; and

(2) in subsection (b), by striking "United States Information Agency" and inserting "Department of State".

(b) AUDITS.—Section 504(g) of such Act (22 U.S.C. 4413(g)) is amended by striking "United States Information Agency" and inserting "Department of State".

(c) FREEDOM OF INFORMATION.—Section 506 of such Act (22 U.S.C. 4415) is amended—

(1) in subsection (b)—

(A) by striking "Director" each of the three places it appears and inserting "Secretary"; and

(B) by striking "of the United States Information Agency" and inserting "of State"; and

(2) in subsection (c)—

(A) in the subsection heading by striking "USIA" and inserting "DEPARTMENT OF STATE";

(B) by striking "Director" each of the three places it appears and inserting "Secretary";

(C) by striking "of the United States Information Agency" and inserting "of State"; and

(D) by striking "United States Information Agency" and inserting "Department of State".

SEC. 350. UNITED STATES SCHOLARSHIP PROGRAM FOR DEVELOPING COUNTRIES.

(a) PROGRAM AUTHORITY.—Section 603 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 4703) is amended by striking "United States Information Agency" and inserting "Department of State".

(b) GUIDELINES.—Section 604(11) of such Act (22 U.S.C. 4704(11)) is amended by striking "United States Information Agency" and inserting "Department of State".

(c) POLICY REGARDING OTHER INTERNATIONAL EDUCATIONAL PROGRAMS.—Section 606(b) of such Act (22 U.S.C. 4706(b)) is amended—

(1) in the subsection heading, by striking "USIA" and inserting "STATE DEPARTMENT"; and

(2) by striking "Director of United States Information Agency" and inserting "Secretary of State".

(d) GENERAL AUTHORITIES.—Section 609(e) of such Act (22 U.S.C. 4709(e)) is amended by striking "United States Information Agency" and inserting "Department of State".

SEC. 351. FASCELL FELLOWSHIP BOARD.

Section 1003(b) of the Fascell Fellowship Act (22 U.S.C. 4902(b)) is amended—

(1) in the text above paragraph (1), by striking "9 members" and inserting "8 members";

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (3).

SEC. 352. NATIONAL SECURITY EDUCATION BOARD.

Section 803 of the Intelligence Authorization Act, Fiscal Year 1992 (50 U.S.C. 1903(b)) is amended—

(1) in subsection (b)—

(A) by striking paragraph (6); and

(B) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7); and

(2) in subsection (c), by striking "subsection (b)(7)" and inserting "subsection (b)(6)".

SEC. 353. CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is amended by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State".

SEC. 354. EAST-WEST CENTER.

(a) DUTIES.—Section 703 of the Mutual Security Act of 1960 (22 U.S.C. 2055) is amended—

(1) in the text above paragraph (1), by striking "Director of the United States Information Agency (hereinafter referred to as the 'Director')" and inserting "Secretary of State (hereinafter referred to as the 'Secretary')"; and

(2) in paragraph (1), by striking "establishment and".

(b) ADMINISTRATION.—Section 704 of such Act (22 U.S.C. 2056) is amended—

(1) by striking "Director of the United States Information Agency" and inserting "Secretary of State"; and

(2) by striking "Director" each place it appears and inserting "Secretary".

SEC. 355. MISSION OF THE DEPARTMENT OF STATE.

Section 202 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 1461-1) is amended—

(1) in the first sentence, by striking "mission of the International Communication Agency" and inserting "mission of the Department of State in carrying out its information, educational, and cultural functions";

(2) in the second sentence, in the text above paragraph (1), by striking "International Communication Agency" and inserting "Department of State";

(3) in paragraph (1)(B), by striking "Agency" and inserting "Department"; and

(4) in paragraph (5), by striking "mission of the Agency" and inserting "mission described in this section".

SEC. 356. CONSOLIDATION OF ADMINISTRATIVE SERVICES.

Section 23(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2695(a)) is amended—

(1) by striking "(including" and all that follows through "Agency)"; and

(2) by striking "other such agencies" and inserting "other Federal agencies".

SEC. 357. GRANTS.

Section 212 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 1475h) is amended—

(1) in subsection (a), by striking "United States Information Agency" and inserting "Department of State, in carrying out its international information, educational, and cultural functions,";

(2) in subsection (b), by striking "United States Information Agency" and inserting "Department of State";

(3) in subsection (c)—

(A) in paragraph (1), by striking "United States Information Agency shall substantially comply with United States Information Agency" and inserting "Department of State, in carrying out its international information, educational, and cultural functions, shall substantially comply with Department of State"; and

(B) in paragraphs (2) and (3)—

(i) by striking "United States Information Agency" and inserting "Department of State"; and

(ii) by striking "Agency" each of the places it appears and inserting "Department"; and

(4) by striking subsection (d).

SEC. 358. BAN ON DOMESTIC ACTIVITIES.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a) is amended—

(1) by striking out "United States Information Agency" each of the two places it appears and inserting "Department of State"; and

(2) by inserting "in carrying out its international information, educational, and cultural activities" before "shall be distributed".

SEC. 359. CONFORMING REPEAL TO THE ARMS CONTROL AND DISARMAMENT ACT.

Section 34(b) of the Arms Control and Disarmament Act (22 U.S.C. 2574(b)) is repealed.

SEC. 360. REPEAL RELATING TO PROCUREMENT OF LEGAL SERVICES.

Section 26(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2698(b)) is repealed.

SEC. 361. REPEAL RELATING TO PAYMENT OF SUBSISTENCE EXPENSES.

Section 32 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2704) is amended by striking the second sentence.

SEC. 362. CONFORMING AMENDMENT TO THE SEED ACT.

Section 2(c) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401(c)) is amended in paragraph (17) by striking "United States Information Agency" and inserting "Department of State".

SEC. 363. INTERNATIONAL CULTURAL AND TRADE CENTER COMMISSION.

Section 7(c) of the Federal Triangle Development Act (40 U.S.C. 1106(c)) is amended—

(1) in the text above subparagraph (A), by striking "15 members" and inserting "14 members";

(2) by striking subparagraph (F); and

(3) by redesignating subparagraphs (G) through (J) as subparagraphs (F) through (I), respectively.

SEC. 364. FOREIGN SERVICE ACT OF 1980.

(a) OTHER AGENCIES UTILIZING SERVICE.—Section 202(a) of the Foreign Service Act of 1980 (22 U.S.C. 3922(a)) is amended by striking paragraph (1).

(b) BOARD OF THE FOREIGN SERVICE.—Section 210 of such Act (22 U.S.C. 3930) is amended by striking "the United States Information Agency, the United States International Development Cooperation Agency,".

SEC. 365. AU PAIR PROGRAMS.

Section 8 of the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454) is amended by striking "Director of the United States Information Agency" and inserting "Secretary of State".

SEC. 366. EXCHANGE PROGRAM WITH COUNTRIES IN TRANSITION FROM TOTALITARIANISM TO DEMOCRACY.

Section 602 of the National and Community Service Act of 1990 (22 U.S.C. 2452a) is amended—

(1) in the second sentence of subsection (a), by striking "United States Information Agency" and inserting "Department of State"; and

(2) in subsection (b)—

(A) by striking "appropriations account of the United States Information Agency" and inserting "appropriate appropriations account of the Department of State"; and

(B) by striking "and the United States Information Agency".

SEC. 367. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.

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

(1) by striking "United States Information Agency" and inserting "Department of State"; and

(2) by striking subsection (d).

SEC. 368. IMPLEMENTATION OF CONVENTION ON CULTURAL PROPERTY.

Title III of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.) is amended by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State".

SEC. 369. MIKE MANSFIELD FELLOWSHIPS.

Section 252(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101(a)) is amended by striking "Director of the United States Information Agency" and inserting "Secretary of State".

TITLE IV—AGENCY FOR INTERNATIONAL DEVELOPMENT**CHAPTER 1—GENERAL PROVISIONS****SEC. 401. EFFECTIVE DATE.**

(a) IN GENERAL.—Except as provided in subsection (b), this title, and the amendments made by this title, shall take effect—

(1) on March 1, 1997; or

(2) on such earlier date as the President shall determine to be appropriate and announce by notice published in the Federal Register, which date may be not earlier than 60 calendar days (excluding any day on which either House of Congress is not in session because of an adjournment sine die) after the President has submitted a reorganization plan to the appropriate congressional committees pursuant to section 421.

(b) REORGANIZATION PLAN.—Section 421 shall take effect on the date of enactment of this Act.

SEC. 402. REFERENCES IN TITLE.

Except as specifically provided in this title, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the Foreign Assistance Act of 1961.

CHAPTER 2—ABOLITION OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE**SEC. 411. ABOLITION OF AGENCY FOR INTERNATIONAL DEVELOPMENT AND THE INTERNATIONAL DEVELOPMENT COOPERATION AGENCY.**

The Agency for International Development and the International Development Cooperation Agency are abolished.

SEC. 412. TRANSFER OF FUNCTIONS TO SECRETARY OF STATE.

There are transferred to the Secretary of State all functions of the Administrator of the Agency for International Development and the Director of the International Development Cooperation Agency and all functions of the Agency for International Development and the International Development Cooperation Agency and any officer or component of such agencies under any statute, reorganization plan, Executive order, or other provision of law before the effective date of this title, except as otherwise provided in this title.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE**SEC. 421. REORGANIZATION PLAN.**

(a) SUBMISSION OF PLAN.—Not later than March 1, 1996, the President, in consultation with the Secretary and the Administrator of the Agency for International Development, shall transmit to the appropriate congressional committees a reorganization plan providing for—

(1) the abolition of the Agency for International Development in accordance with this title;

(2) the transfer to the Department of State of the functions and personnel of the Agency for International Development consistent with the provisions of this title; and

(3) the consolidation, reorganization, and streamlining of the Department upon the transfer of functions under this title in order to carry out such functions.

(b) PLAN ELEMENTS.—The plan under subsection (a) shall—

(1) identify the functions of the Agency for International Development that will be transferred to the Department under the plan;

(2) identify the personnel and positions of the Agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the Agency for International Development that will be transferred to the Department under this title as a result of the transfer of functions of the Agency to the Department;

(6) specify the proposed allocations within the Department of unexpended funds transferred in connection with the transfer of functions under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency in connection with the transfer of the functions of the Agency to the Department.

(c) ASSISTANT SECRETARY POSITIONS.—The plan under subsection (a) shall provide for an appropriate number of Assistant Secretaries of State to carry out the functions transferred to the Department under this title.

SEC. 422. PRINCIPAL OFFICERS.

(a) UNDER SECRETARY OF STATE FOR DEVELOPMENT AND ECONOMIC AFFAIRS.—

(1) ESTABLISHMENT.—Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)) is amended by adding after paragraph (2) the following new paragraph:

“(3) UNDER SECRETARY FOR DEVELOPMENT AND ECONOMIC AFFAIRS.—There shall be in the Department of State an Under Secretary for Development and Economic Affairs who shall assist the Secretary and the Deputy Secretary in the formation and implementation of United States policies and activities concerning international development and economic affairs.”

(b) TRANSITION PROVISION.—The President may appoint the individual serving as Administrator of the Agency for International Development on the day before the effective date of this title, or such other official appointed by and with the advice and consent of the Senate and serving within the Department of State or the Agency for International Development as the President considers appropriate, to serve as the acting Under Secretary for Development and Economic Affairs until an individual is appointed to that office in accordance with section 1(b)(1) of the State Department Basic Authorities Act of 1956, as amended by this Act.

CHAPTER 4—CONFORMING AMENDMENTS

SEC. 441. REFERENCES.

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Administrator of the Agency for International Development, or any other officer or employee of the Agency for International Development shall be deemed to refer to the Secretary of State;

(2) the Director or any other officer or employee of the International Development Cooperation Agency (IDCA) shall be deemed to refer to the Secretary of State; or

(3) the Agency for International Development, AID, the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961, or the International Development Cooperation Agency (IDCA) shall be deemed to refer to the Department of State.

SEC. 442. ABOLITION OF OFFICE OF INSPECTOR GENERAL OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS TO OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.

(a) ABOLITION OF OFFICE OF INSPECTOR GENERAL OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Office of Inspector General of the Agency for International Development is abolished.

(b) AMENDMENTS TO THE INSPECTOR GENERAL ACT OF 1978.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended as follows:

(1) Section 8A is repealed.

(2) Section 11(1) is amended by striking “the Administrator of the Agency for International Development.”

(3) Section 11(2) is amended by striking “the Agency for International Development.”

(c) AMENDMENTS TO TITLE 5, UNITED STATES CODE.—Section 5315 of title 5, United States Code, is amended by striking the following: “Inspector General, Agency for International Development.”

(d) FUNCTIONS OF OFFICE OF INSPECTOR GENERAL OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT TRANSFERRED TO OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.—There are transferred to the Office of Inspector General of the Department of State the functions that the Office of Inspector General of the Agency for International Development exercised before the effective date of this title (including all related functions of the Inspector General of the Agency for International Development).

(e) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—The Inspector General of the Department of State, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section.

SEC. 443. ABOLITION OF CHIEF FINANCIAL OFFICER OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS TO CHIEF FINANCIAL OFFICER DEPARTMENT OF STATE.

(a) ABOLITION OF OFFICE OF CHIEF FINANCIAL OFFICER OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Office of Chief Financial Officer of the Agency for International Development is abolished.

(b) AMENDMENT TO TITLE 31, UNITED STATES CODE.—Section 901(b)(2) of title 31, United States Code, is amended by striking subparagraph (A).

(c) FUNCTIONS OF OFFICE OF CHIEF FINANCIAL OFFICER OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT TRANSFERRED TO OFFICE OF CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF STATE.—There are transferred to the Office of Chief Financial Officer of the Department of State the functions that the Office of Chief Financial Officer of the Agency for International Development exercised before the effective date of this title (including all related functions of the Chief Financial Officer of the Agency for International Development).

(d) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—The Director of the Office of Management and Budget, in consultation with the Secretary of State, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section.

SEC. 444. AMENDMENTS TO TITLE 5, UNITED STATES CODE.

Title 5, United States Code, is amended—

(1) in section 5313, by striking “Administrator, Agency for International Development.”;

(2) in section 5314, by striking “Deputy Administrator, Agency for International Development.”;

(3) in section 5315—

(A) by striking “Assistant Administrators, Agency for International Development (6).”; and

(B) by striking “Regional Assistant Administrators, Agency for International Development (4).”; and

(4) in section 5316 by striking “General Counsel of the Agency for International Development.”

SEC. 445. PUBLIC LAW 480 PROGRAM.

The Agricultural Trade Development and Assistance Act of 1954 (Public Law 83-480; 7 U.S.C. 1691 et seq.) is amended by striking “Administrator” each place it appears and inserting “Under Secretary of State for Development and Economic Affairs”.

TITLE V—TRANSITION

SEC. 501. REORGANIZATION AUTHORITY.

(a) IN GENERAL.—The Secretary is authorized, subject to the requirements of this division, to allocate or reallocate any function transferred to the Department under any title of this division among the officers of the Department, and to establish, consolidate, alter, or discontinue such organizational entities within the Department as may be necessary or appropriate to carry out any reorganization under this division, but the authority of the Secretary under this section does not extend to—

(1) the abolition of organizational entities or officers established by this Act or any other Act; or

(2) the alteration of the delegation of functions to any specific organizational entity or officer required by this Act or any other Act.

(b) REQUIREMENTS AND LIMITATIONS ON REORGANIZATION PLANS.—A reorganization plan pursuant to any title of this division may not have the effect of—

(1) creating a new executive department;

(2) continuing a function beyond the period authorized by law for its exercise or beyond the time when it would have terminated if the reorganization had not been made;

(3) authorizing an agency to exercise a function which is not authorized by law at the time the plan is transmitted to Congress;

(4) creating a new agency which is not a component or part of an existing executive department or independent agency; or

(5) increasing the term of an office beyond that provided by law for the office.

SEC. 502. TRANSFER AND ALLOCATION OF APPROPRIATIONS AND PERSONNEL.

(a) IN GENERAL.—Except as otherwise provided in this Act, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available in connection with the functions and offices, or portions thereof transferred by any title of this division, subject to section 1531 of title 31, United States Code, shall be transferred to the Secretary for appropriate allocation.

(b) LIMITATION ON USE OF TRANSFERRED FUNDS.—Unexpended and unobligated funds transferred pursuant to any title of this division shall be used only for the purposes for which the funds were originally authorized and appropriated.

(c) AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.—When an agency is abolished under this division, the limitations for fiscal years 1996 and 1997 under section 2351 of this Act on the members of the Foreign Service authorized to be employed by such agency shall be added to the limitations under such section which apply to the Department of State.

SEC. 503. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget, in consultation with the Secretary of State, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of any title of this division. The Director of the Office of Management and Budget, in consultation with the Secretary of State, shall provide for the termination of the affairs of all entities terminated by this division and for such further measures and dispositions as may be necessary to effectuate the purposes of any title of this division.

SEC. 504. EFFECT ON PERSONNEL.

(a) EXECUTIVE SCHEDULE POSITIONS.—Except as otherwise provided in this division, any person who, on the day preceding the date of the abolition of an agency the functions of which are transferred under any title of this division, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Department to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(b) TERMINATION OF CERTAIN POSITIONS.—Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred by any title of this division, shall terminate on the effective date of that title.

(c) EXCEPTED SERVICE.—(1) Subject to paragraph (2), in the case of employees occupying positions in the excepted service or the Senior Executive Service, any appointment authority established pursuant to law or regulations of the Office of Personnel Management for filling such positions shall be transferred.

(2) The Department of State may decline a transfer of authority under paragraph (1) (and the employees appointed pursuant

thereto) to the extent that such authority relates to positions excepted from the competitive service because of their confidential, policy-making, policy-determining, or policy-advocating character, and noncareer positions in the Senior Executive Service (within the meaning of section 3132(a)(7) of title 5, United States Code).

(d) EMPLOYEE BENEFIT PROGRAMS.—(1) Any employee accepting employment with the Department of State as a result of a transfer pursuant to any title of this division may retain for 1 year after the date such transfer occurs membership in any employee benefit program of the former agency, including insurance, to which such employee belongs on the date of the enactment of this Act if—

(A) the employee does not elect to give up the benefit or membership in the program; and

(B) the benefit or program is continued by the Secretary of State.

(2) The difference in the costs between the benefits which would have been provided by such agency or entity and those provided by this section shall be paid by the Secretary of State. If any employee elects to give up membership in a health insurance program or the health insurance program is not continued by the Secretary of State, the employee shall be permitted to select an alternate Federal health insurance program within 30 days of such election or notice, without regard to any other regularly scheduled open season.

(e) SENIOR EXECUTIVE SERVICE.—Any employee in the career Senior Executive Service who is transferred pursuant to any title of this division shall be placed in a position at the Department of State which is comparable to the position the employee held in the agency.

(f) ASSIGNMENTS.—(1) Transferring employees shall be provided reasonable notice of new positions and assignments prior to their transfer pursuant to any title of this division.

(2) Foreign Service personnel transferred to the Department of State pursuant to any title of this division shall be eligible for any assignment open to Foreign Service personnel within the Department for which such transferred personnel are qualified.

(g) TREATMENT OF PERSONNEL EMPLOYED IN TERMINATED FUNCTIONS.—The provisions of this subsection shall apply with respect to officers and employees of the agencies identified in section 505(b) whose employment is terminated as a result of the abolition of the agency or the reorganization and consolidation of functions of the Department of State under any title of this division:

(1) Under such regulations as the Office of Personnel Management may prescribe, the head of any agency in the executive branch may appoint in the competitive service any person who is certified by the head of the former agency as having served satisfactorily in the former agency and who passes such examination as the Office of Personnel Management may prescribe. Any person so appointed shall, upon completion of the prescribed probationary period, acquire a competitive status.

(2) The head of any agency in the executive branch having an established merit system in the excepted service may appoint in such service any person who is certified by the head of the former agency as having served satisfactorily in the former agency and who passes such examination as the head of such agency in the executive branch may prescribe.

(3) Any appointment under this subsection shall be made within a period of one year after completion of the appointee's service in the former agency.

(4) Any law, Executive order, or regulation which would disqualify an applicant for appointment in the competitive service or in the excepted service concerned shall also disqualify an applicant for appointment under this subsection.

SEC. 505. VOLUNTARY SEPARATION INCENTIVES.

(a) AUTHORITY TO PAY INCENTIVES.—The head of an agency referred to in subsection (b) may pay voluntary incentive payments to employees of the agency in order to avoid or minimize the need for involuntary separations from the agency as a result of the abolition of the agency and the reorganization and consolidation of functions of the Department of State under any title of this division.

(b) COVERED AGENCIES.—Subsection (a) applies to the following agencies:

- (1) The Department of State.
- (2) The United States Arms Control and Disarmament Agency.
- (3) The United States Information Agency.
- (4) The Agency for International Development.

(c) PAYMENT REQUIREMENTS.—The head of an agency shall pay voluntary separation incentive payments in accordance with the provisions of section 3 of the Federal Workforce Restructuring Act of 1994 (Public Law 103-226; 108 Stat. 111), except that an employee of the agency shall be deemed to be eligible for payment of a voluntary separation incentive payment under that section if the employee separates from service with the agency during the period beginning on the date of enactment of this Act and ending—

(1) in the case of an agency referred to in paragraph (2), (3), or (4) of subsection (b), on the date of the abolition of that agency under this division; and

(2) in the case of the Department of State, on September 30, 1997.

(d) TERMINATION OF AUTHORITY.—The authority of the head of an agency to authorize payment of voluntary separation incentive payments under this section shall expire on—

(1) in the case of an agency referred to in paragraph (2), (3), or (4) of subsection (b), on the date of the abolition of that agency under this division; and

(3) in the case of the Department of State, September 30, 1997.

(e) BUDGET ACT COMPLIANCE.—Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974) which is provided under this section shall be effective for any fiscal year only to the extent or in such amounts as are provided in advance in appropriations Acts.

(f) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—An employee who has received a voluntary separation incentive payment under this section and accepts employment with the Government of the United States within 5 years after the date of the separation on which the payment is based shall be required to repay the entire amount of the incentive payment to the agency that paid the incentive payment.

(g) ADDITIONAL AGENCY CONTRIBUTIONS TO THE RETIREMENT FUND.—

(1) IN GENERAL.—In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, in fiscal years 1996, 1997, and 1998 each agency under subsection (b) of this section shall, before the end of each such fiscal year, remit to the Office of Personnel Management for deposit in the Treasury of the United States for credit of the Civil Service Retirement and Disability Fund an amount equal to the product of—

(A) the number of employees of such agency who, as of March 31st of such fiscal year,

are subject to subchapter III of chapter 83 or chapter 84 of such title; multiplied by

(B) \$80.

(2) REGULATIONS.—The Director of the Office of Personnel Management may prescribe any regulations necessary to carry out this subsection.

SEC. 506. SAVINGS PROVISIONS.

(a) CONTINUING LEGAL FORCE AND EFFECT.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under any title of this division; and

(2) that are in effect at the time such title takes effect, or were final before the effective date of such title and are to become effective on or after the effective date of such title,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary, or other authorized official, a court of competent jurisdiction, or by operation of law.

(b) PENDING PROCEEDINGS.—(1) The provisions of any title of this division shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending on the effective date of any title of this division before any department, agency, commission, or component thereof, functions of which are transferred by any title of this division. Such proceedings and applications, to the extent that they relate to functions so transferred, shall be continued.

(2) Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted. Orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Secretary, by a court of competent jurisdiction, or by operation of law.

(3) Nothing in this Act shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(4) The Secretary is authorized to promulgate regulations providing for the orderly transfer of proceedings continued under this subsection to the Department.

(c) NO EFFECT ON JUDICIAL PROCEEDINGS.—Except as provided in subsection (e)—

(1) the provisions of this Act shall not affect suits commenced prior to the effective date of this Act, and

(2) in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this Act had not been enacted.

(d) NON-ABATEMENT OF PROCEEDINGS.—No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of any department or agency, functions of which are transferred by any title of this division, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by any title of this division, or by or against any officer thereof in the official capacity of such officer shall abate by reason of the enactment of this Act.

(e) CONTINUATION OF PROCEEDING WITH SUBSTITUTION OF PARTIES.—If, before the date on

which any title of this division takes effect, any department or agency, or officer thereof in the official capacity of such officer, is a party to a suit, and under this Act any function of such department, agency, or officer is transferred to the Secretary or any other official of the Department, then such suit shall be continued with the Secretary or other appropriate official of the Department substituted or added as a party.

(f) REVIEWABILITY OF ORDERS AND ACTIONS UNDER TRANSFERRED FUNCTIONS.—Orders and actions of the Secretary in the exercise of functions transferred under any title of this division shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the agency or office, or part thereof, exercising such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by any title of this division shall apply to the exercise of such function by the Secretary.

SEC. 507. PROPERTY AND FACILITIES.

The Secretary of State shall review the property and facilities transferred to the Department under this division to determine whether such property and facilities are required by the Department.

SEC. 508. AUTHORITY OF SECRETARY TO FACILITATE TRANSITION.

Prior to, or after, any transfer of a function under any title of this division, the Secretary is authorized to utilize—

(1) the services of such officers, employees, and other personnel of an agency with respect to functions that will be or have been transferred to the Department by any title of this division; and

(2) funds appropriated to such functions for such period of time as may reasonably be needed to facilitate the orderly implementation of any title of this division.

SEC. 509. RECOMMENDATIONS FOR ADDITIONAL CONFORMING AMENDMENTS.

The Congress urges the President, in consultation with the Secretary of State and the heads of other appropriate agencies, to develop and submit to the Congress recommendations for such additional technical and conforming amendments to the laws of the United States as may be appropriate to reflect the changes made by this division.

SEC. 510. FINAL REPORT.

Not later than October 1, 1998, the President, in consultation with the Secretary of the Treasury and the Director of the Office of Management and Budget shall submit to the appropriate congressional committees a report which provides a final accounting of the finances and operations of the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development.

SEC. 511. SEVERABILITY.

If a provision of this division or its application to any person or circumstance is held invalid, neither the remainder of this division nor the application of the provision to other persons or circumstances shall be affected.

DIVISION B—FOREIGN RELATIONS AUTHORIZATIONS

TITLE XX—GENERAL PROVISIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the "Foreign Relations Authorization Act, Fiscal Years 1996 and 1997".

SEC. 2002. DEFINITIONS.

The following terms have the following meaning for the purposes of this division:

(1) The term "AID" means the Agency for International Development.

(2) The term "ACDA" means the United States Arms Control and Disarmament Agency.

(3) The term "appropriate congressional committees" means the Committee on International Relations of the House of Representatives and the Committee of Foreign Relations of the Senate.

(4) The term "Department" means the Department of State.

(5) The term "Federal agency" has the meaning given to the term "agency" by section 551(l) of title 5, United States Code.

(6) The term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

(7) The term "office" includes any office, administration, agency, institute, unit, organizational entity, or component thereof.

(8) The term "Secretary" means the Secretary of State.

(9) The term "USIA" means the United States Information Agency.

TITLE XXI—AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF STATE AND CERTAIN INTERNATIONAL AFFAIRS FUNCTIONS AND ACTIVITIES

CHAPTER 1—AUTHORIZATIONS OF APPROPRIATIONS

SEC. 2101. ADMINISTRATION OF FOREIGN AFFAIRS.

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

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For "Diplomatic and Consular Programs", of the Department of State \$1,728,797,000 for the fiscal year 1996 and \$1,676,903,000 for the fiscal year 1997.

(B) LIMITATION.—Of the amounts authorized to be appropriated by subparagraph (A), \$5,000,000 for fiscal year 1996 and \$5,000,000 for fiscal year 1997 are authorized to be appropriated only for the purpose of processing immigrant visas for persons who are outside their countries of nationality, have asserted a fear of returning to their countries of nationality and a credible basis for such fear, and for whom immigrant visas are currently available.

(2) SALARIES AND EXPENSES.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For "Salaries and Expenses", of the Department of State \$366,276,000 for the fiscal year 1996 and \$355,287,000 for the fiscal year 1997.

(B) LIMITATION.—Of the amounts authorized to be appropriated by subparagraph (A), \$11,900,000 for fiscal year 1996 and \$11,900,000 for fiscal year 1997 are authorized to be appropriated only for salaries and expenses of the Bureau of Refugee and Migration Assistance.

(3) CAPITAL INVESTMENT FUND.—For "Capital Investment Fund", of the Department of State \$20,000,000 for the fiscal year 1996 and \$20,000,000 for the fiscal year 1997.

(4) ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD.—For "Acquisition and Maintenance of Buildings Abroad", \$391,760,000 for the fiscal year 1996 and \$391,760,000 for the fiscal year 1997.

(5) REPRESENTATION ALLOWANCES.—For "Representation Allowances", \$4,780,000 for the fiscal year 1996 and \$4,780,000 for the fiscal year 1997.

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

(7) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", \$23,469,000 for the fiscal year 1996 and \$23,469,000 for the fiscal year 1997.

(8) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For "Payment to the American Institute in Taiwan", \$15,165,000 for the fiscal year 1996 and \$14,710,000 for the fiscal year 1997.

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

(10) REPATRIATION LOANS.—For "Repatriation Loans", \$776,000 for the fiscal year 1996 and \$776,000 for the fiscal year 1997, for administrative expenses.

SEC. 2102. INTERNATIONAL ORGANIZATIONS, PROGRAMS, AND CONFERENCES.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—There are authorized to be appropriated for "Contributions to International Organizations", \$873,505,000 for the fiscal year 1996 and \$867,050,000 for the fiscal year 1997 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for "Voluntary Contributions to International Organizations", \$309,375,000 for the fiscal year 1996 and \$302,902,000 for the fiscal year 1997.

(2) LIMITATIONS.—

(A) UNICEF.—

(i) Of the amounts authorized to be appropriated under paragraph (1), \$103,000,000 for fiscal year 1996 and \$103,000,000 for fiscal year 1997 is authorized to be appropriated only for the United Nations Children's Fund (UNICEF).

(ii) For fiscal year 1996, not more than 25 percent of the amount under clause (i) may be made available to the United Nations Children's Fund (UNICEF) until 30 days after the submission to Congress of the report required by section 2523.

(B) INTERNATIONAL ATOMIC ENERGY AGENCY.—

(i) Of the amounts authorized to be appropriated under paragraph (1), \$43,000,000 for each of fiscal years 1996 and 1997 is authorized to be appropriated only for the International Atomic Energy Agency (IAEA).

(ii) Amounts under clause (i) are authorized to be made available to the International Atomic Energy Agency only if the Secretary determines and reports to the appropriate congressional committees that Israel is not being denied its right to participate in the activities of the International Atomic Energy Agency.

(C) WAR CRIMES TRIBUNAL FOR THE FORMER YUGOSLAVIA.—Of the amounts authorized to be appropriated under paragraph (1), \$15,000,000 for fiscal year 1996 and \$15,000,000 for fiscal year 1997, or 25 percent of the budget for the tribunal for each such fiscal year, whichever amount is less, are authorized to be made available for the United Nations Voluntary Fund for the United Nations International Criminal Tribunal for the Former Yugoslavia, located at The Hague, Netherlands.

(D) WORLD FOOD PROGRAM.—Of the amounts authorized to be appropriated under paragraph (1), \$5,000,000 for fiscal year 1996 and \$5,000,000 for fiscal year 1997 are authorized to be appropriated only for the World Food Program.

(E) UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amounts authorized to be appropriated under paragraph (1) \$1,500,000 for fiscal year 1996 and \$3,000,000 for fiscal year 1997 are authorized to be appropriated only for the United Nations Voluntary Fund for Victims of Torture.

(F) UNITED NATIONS POPULATION FUND.—

(i) Of the amounts authorized to be appropriated under paragraph (1) not more than \$25,000,000 for each of the fiscal years 1996 and 1997 shall be available for the United Nations Population Fund (UNFPA).

(ii) Of the amount made available for the United Nations Population Fund under clause (i)—

(I) for fiscal year 1996, not more than 50 percent of such amount may be disbursed to the Fund before March 1, 1996; and

(II) for fiscal year 1997, not more than 50 percent of such amount may be disbursed to the Fund before March 1, 1997.

(iii) Notwithstanding any other provision of law, none of the funds made available for the United Nations Population Fund shall be available for the United States proportionate share for activities in the People's Republic of China.

(iv)(I) Not later than February 15, 1996, and February 15, 1997, the Secretary of State shall submit a report indicating the amount that the United Nations Population Fund is budgeting for activities in the People's Republic of China for 1996 or 1997, as appropriate, to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(II) Before March 1, for each of the fiscal years 1996 and 1997, if the United Nations Population Fund is budgeting an amount in excess of \$7,000,000 for activities in the People's Republic of China, a sum equal to the amount in excess of \$7,000,000 shall be deducted from amounts otherwise available for payment to the United Nations Population Fund.

(v) Amounts made available for the United Nations Population Fund under clause (i) may only be paid to the Fund if—

(I) the Fund maintains such amounts in a separate account from other funds; and

(II) the Fund does not commingle amounts provided under clause (i) with other funds.

(G) ORGANIZATION FOR AMERICAN STATES.—Of the amounts authorized to be appropriated under paragraph (1), \$15,000,000 for fiscal year 1996 and \$15,000,000 for fiscal year 1997 are authorized to be appropriated only for the Organization for American States.

(H) LIMITATION CONCERNING USE OF FUNDS UNDER SECTION 307 OF THE FOREIGN ASSISTANCE ACT OF 1961.—Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated under paragraph (1) are authorized to be appropriated for the United States proportionate share, in accordance with section 307(c) of the Foreign Assistance Act of 1961, for any programs identified in section 307, or for Libya, Iran, or any Communist country listed in section 620(f) of the Foreign Assistance Act of 1961.

(I) UNITED NATIONS DEVELOPMENT PROGRAM.—

(i) TOTAL LIMITATION.—Of the amounts authorized to be appropriated under paragraph (1), for each of the fiscal years 1996 and 1997 not to exceed \$70,000,000 shall be available for the United Nations Development Program.

(ii) BURMA.—

(I) Subject to subclauses (II) and (III), for each of the fiscal years 1996 and 1997 none of the funds made available for United Nations Development Program (or United Nations Development Program—Administered

Funds) shall be available for programs and activities in or for Burma.

(II) Of the amount made available for United Nations Development Program (and United Nations Development Program—Administered Funds) for fiscal year 1996, \$18,200,000 of such amount shall be disbursed only if the President certifies to the Congress that the United Nations Development Program has terminated its activities in and for Burma.

(III) Of the amount made available for United Nations Development Program (and United Nations Development Program—Administered Funds) for fiscal year 1997, \$25,480,000 shall be disbursed only if the President certifies to the Congress that the United Nations Development Program has terminated its activities in and for Burma.

(3) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated under paragraph (1) are authorized to remain available until expended.

(c) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for "Contributions for International Peacekeeping Activities", \$445,000,000 for the fiscal year 1996 and \$345,000,000 for the fiscal year 1997 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

(2) LIMITATION.—None of the funds authorized to be appropriated under paragraph (1) may be made available for contributions to the United Nations Protection Force unless the President determines and reports to the Congress during the calendar year in which the funds are to be provided that—

(A) the Government of Bosnia and Herzegovina supports the continued presence of the United Nations Protection Force within its territory;

(B) the United Nations Protection Force is effectively carrying out its mandate under United Nations Security Council resolutions 761, 776, 781, 786, and 836, and is effectively encouraging compliance with United Nations Security Council resolutions 752, 757, 770, 771, 787, 820, and 824.

(C) the United Nations Protection Force is providing full cooperation and support consistent with its mandate to the efforts of the United Nations War Crimes Tribunal for the former Yugoslavia to investigate war crimes and to apprehend and prosecute suspected war criminals;

(D) the United Nations Protection Force is providing full cooperation and support consistent with its mandate to United States diplomatic, military, and relief personnel in Bosnia; and

(E) the United Nations Protection Force has investigated and taken appropriate action against any United Nations Protection Force personnel or units suspected of participating in illegal or improper activities, such as black marketeering, embezzlement, expropriation of property, and assaults on civilians.

(d) PEACEKEEPING OPERATIONS.—There are authorized to be appropriated for "Peacekeeping Operations", \$68,260,000 for the fiscal year 1996 and \$68,260,000 for the fiscal year 1997 for the Department of State to carry out section 551 of Public Law 87-195.

(e) INTERNATIONAL CONFERENCES AND CONTINGENCIES.—

(1) GENERAL PROVISION.—There are authorized to be appropriated for "International Conferences and Contingencies", \$5,000,000 for the fiscal year 1996 and \$6,000,000 for the fiscal year 1997 for the Department of State

to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international conferences and contingencies and to carry out other authorities in law consistent with such purposes.

(2) **CONDITIONAL AUTHORITY.**—

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

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

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

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

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

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

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

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

(VI) that, if the goals of subparagraphs (I), (II), or (III) were not fully accomplished, the United States issued a formal, public, protest to the United Nations for such a departure from accepted international standards.

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

SEC. 2103. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under "International Commissions" for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the for-

eign affairs of the United States and for other purposes authorized by law:

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

(A) for "Salaries and Expenses" \$13,858,000 for the fiscal year 1996 and \$12,472,000 for the fiscal year 1997; and

(B) for "Construction" \$10,393,000 for the fiscal year 1996 and \$9,353,000 for the fiscal year 1997.

(2) **INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.**—For "International Boundary Commission, United States and Canada", \$740,000 for the fiscal year 1996 and \$666,000 for the fiscal year 1997.

(3) **INTERNATIONAL JOINT COMMISSION.**—For "International Joint Commission", \$3,500,000 for the fiscal year 1996 and \$3,195,000 for the fiscal year 1997.

(4) **INTERNATIONAL FISHERIES COMMISSIONS.**—For "International Fisheries Commissions", \$14,669,000 for the fiscal year 1996 and \$13,202,000 for the fiscal year 1997.

SEC. 2104. MIGRATION AND REFUGEE ASSISTANCE.

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

(1) **MIGRATION AND REFUGEE ASSISTANCE.**—

(A) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for "Migration and Refugee Assistance" for authorized activities, \$560,000,000 for the fiscal year 1996 and \$590,000,000 for the fiscal year 1997.

(B) **LIMITATION.**—None of the funds authorized to be appropriated by this section are authorized to be appropriated for salaries and administrative expenses of the Bureau of Migration and Refugee Assistance.

(2) **REFUGEES RESETTLING IN ISRAEL.**—There are authorized to be appropriated \$80,000,000 for the fiscal year 1996 and \$80,000,000 for the fiscal year 1997 for assistance for refugees resettling in Israel from other countries.

(3) **HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.**—There are authorized to be appropriated \$1,500,000 for the fiscal year 1996 and \$1,500,000 for the fiscal year 1997 for humanitarian assistance, including but not limited to food, medicine, clothing, and medical and vocational training to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

(4) **RESETTLEMENT OF VIETNAMESE, LAOTIANS, AND CAMBODIANS.**—There are authorized to be appropriated \$30,000,000 for fiscal year 1996 for the admission and resettlement of persons who—

(A) are or were nationals and residents of Vietnam, Laos, or Cambodia;

(B) are within a category of aliens referred to in section 599D(b)(2)(C) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167); and

(C) are or were at any time after January 1, 1989, residents of refugee camps in Hong Kong, Thailand, Indonesia, Malaysia, or the Philippines.

(b) **GENERAL LIMITATIONS.**—None of the funds authorized to be appropriated by subsection (a) are authorized to be available for any program or activity that provides for, promotes, or assists in the repatriation of any person to Vietnam, Laos, or Cambodia, unless the President has certified that—

(1) all persons described in subsection (a)(4) who were residents of refugee camps as of July 1, 1995, have been offered resettlement outside their countries of nationality;

(2) all nationals of Vietnam, Laos, or Cambodia who were residents of refugee camps as of July 1, 1995, who are not persons described in subsection (a)(4) have, at any time after such date, either had access to a process for the determination of whether they are refu-

gees, or been offered resettlement outside their countries of nationality; and

(3) the process referred to in paragraph (2) is genuinely calculated to determine whether each applicant is a refugee, and that the procedures, standards, and personnel employed in such process ensure that the risk of return to persecution is no greater than in the process available under United States law to persons physically present in the United States.

(c) **AVAILABILITY OF FUNDS.**—Funds appropriated pursuant to subsection (a) are authorized to be available until expended.

(d) **REFUGEE CAMP DEFINED.**—For the purposes of this section, the term "refugee camp" means any place in which people who left Vietnam, Cambodia, or Laos are housed or held by a government or international organization, regardless of the designation of such place by such government or organization.

SEC. 2105. CERTAIN OTHER INTERNATIONAL AFFAIRS PROGRAMS.

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

(1) **ASIA FOUNDATION.**—For "Asia Foundation", \$10,000,000 for the fiscal year 1996 and \$9,000,000 for the fiscal year 1997.

SEC. 2106. UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS.

The following amounts are authorized to be appropriated to carry out international information activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the Board for International Broadcasting Act, the Inspector General Act of 1978, the North/South Center Act of 1991, the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) **SALARIES AND EXPENSES.**—For "Salaries and Expenses", \$450,645,000 for the fiscal year 1996 and \$428,080,000 for the fiscal year 1997.

(2) **TECHNOLOGY FUND.**—For "Technology Fund" for the United States Information Agency, \$5,050,000 for the fiscal year 1996 and \$5,050,000 for the fiscal year 1997.

(3) **EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.**—

(A) **FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.**—For the "Fulbright Academic Exchange Programs", \$117,484,200 for the fiscal year 1996 and \$113,680,800 for the fiscal year 1997.

(B) **SOUTH PACIFIC EXCHANGES.**—For the "South Pacific Exchanges", \$900,000 for the fiscal year 1996 and \$900,000 for the fiscal year 1997.

(C) **EAST TIMORESE SCHOLARSHIPS.**—For the "East Timorese Scholarships", \$800,000 for the fiscal year 1996 and \$800,000 for the fiscal year 1997.

(D) **CAMBODIAN SCHOLARSHIPS.**—For the "Cambodian Scholarships", \$141,000 for the fiscal year 1996 and \$141,000 for the fiscal year 1997.

(E) **TIBETAN EXCHANGES.**—For the "Educational and Cultural Exchanges with Tibet" under section 236 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), \$500,000 for the fiscal year 1996 and \$500,000 for the fiscal year 1997.

(F) **OTHER PROGRAMS.**—For "Hubert H. Humphrey Fellowship Program", "Edmund

S. Muskie Fellowship Program", "International Visitors Program", "Mike Mansfield Fellowship Program", "Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation", "Citizen Exchange Programs", "Congress-Bundestag Exchange Program", "Newly Independent States and Eastern Europe Training", "Institute for Representative Government", and "Arts America", \$87,265,800 for the fiscal year 1996 and \$87,341,400 for the fiscal year 1997.

(4) INTERNATIONAL BROADCASTING ACTIVITIES.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For "International Broadcasting Activities", \$321,191,000 for the fiscal year 1996, and \$286,191,000 for the fiscal year 1997.

(B) LIMITATION.—Of the amounts authorized to be appropriated under subparagraph (A) \$3,000,000 for fiscal year 1996 and \$3,000,000 for fiscal year 1997 are authorized to be appropriated only to carry out the Pilot Project for Freedom Broadcasting to Asia authorized by section 2443.

(C) VOICE OF AMERICA FARSI SERVICE.—Of the amounts authorized to be appropriated under subparagraph (A) \$1,873,521 for the fiscal year 1996 and \$1,873,521 for the fiscal year 1997 are authorized to be appropriated only to carry out the Voice of America Farsi Service.

(5) RADIO CONSTRUCTION.—For "Radio Construction", \$75,164,000 for the fiscal year 1996, and \$67,647,000 for the fiscal year 1997.

(6) RADIO FREE ASIA.—For "Radio Free Asia", \$10,000,000 for the fiscal year 1996 and \$10,000,000 for the fiscal year 1997.

(7) BROADCASTING TO CUBA.—For "Broadcasting to Cuba", \$24,809,000 for the fiscal year 1996 and \$24,809,000 for the fiscal year 1997.

(8) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", \$4,300,000 for the fiscal year 1996 and \$3,870,000 for the fiscal year 1997.

(9) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For "Center for Cultural and Technical Interchange between East and West", \$15,000,000 for the fiscal year 1996 and \$10,000,000 for the fiscal year 1997.

(10) NATIONAL ENDOWMENT FOR DEMOCRACY.—For "National Endowment for Democracy", \$34,000,000 for the fiscal year 1996 and \$34,000,000 for the fiscal year 1997.

(11) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.—For "Center for Cultural and Technical Interchange between North and South" \$4,000,000 for the fiscal year 1996 and \$3,000,000 for the fiscal year 1997.

SEC. 2107. UNITED STATES ARMS CONTROL AND DISARMAMENT.

There are authorized to be appropriated to carry out the purposes of the Arms Control and Disarmament Act—

(1) \$44,000,000 for the fiscal year 1996 and \$40,500,000 for the fiscal year 1997; and

(2) such sums as may be necessary for each of the fiscal years 1996 and 1997 for increases in salary, pay, retirement, other employee benefits authorized by law, and to offset adverse fluctuations in foreign currency exchange rates.

TITLE XXII—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

SEC. 2201. REVISION OF DEPARTMENT OF STATE REWARDS PROGRAM.

(a) IN GENERAL.—Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended to read as follows:

"SEC. 36. DEPARTMENT OF STATE REWARDS PROGRAM.

"(a) ESTABLISHMENT.—(1) There is established a program for the payment of rewards to carry out the purposes of this section.

"(2) The rewards program established by this section shall be administered by the Secretary of State, in consultation, where appropriate, with the Attorney General.

"(b) PURPOSE.—(1) The rewards program established by this section shall be designed to assist in the prevention of acts of international terrorism, international narcotics trafficking, and other related criminal acts.

"(2) The Secretary of State may pay a reward to any individual who furnishes information leading to—

"(A) the arrest or conviction in any country of any individual for the commission of an act of international terrorism against a United States person or United States property;

"(B) the arrest or conviction in any country of any individual conspiring or attempting to commit an act of international terrorism against a United States person or United States property;

"(C) the arrest or conviction in any country of any individual for committing, primarily outside the territorial jurisdiction of the United States, any narcotics-related offense if that offense involves or is a significant part of conduct that involves—

"(i) a violation of United States narcotics laws and which is such that the individual would be a major violator of such laws; or

"(ii) the killing or kidnapping of—

"(I) any officer, employee, or contract employee of the United States Government while such individual is engaged in official duties, or on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

"(II) a member of the immediate family of any such individual on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

"(iii) an attempt or conspiracy to commit any of the acts described in clause (i) or (ii); or

"(D) the arrest or conviction in any country of any individual aiding or abetting in the commission of an act described in subparagraphs (A) through (C); or

"(E) the prevention, frustration, or favorable resolution of an act described in subparagraphs (A) through (C).

"(c) COORDINATION.—(1) To ensure that the payment of rewards pursuant to this section does not duplicate or interfere with the payment of informants or the obtaining of evidence or information, as authorized to the Department of Justice, the offering, administration, and payment of rewards under this section, including procedures for—

"(A) identifying individuals, organizations, and offenses with respect to which rewards will be offered;

"(B) the publication of rewards;

"(C) offering of joint rewards with foreign governments;

"(D) the receipt and analysis of data; and

"(E) the payment and approval of payment, shall be governed by procedures developed by the Secretary of State, in consultation with the Attorney General.

"(2) Before making a reward under this section in a matter over which there is Federal criminal jurisdiction, the Secretary of State shall advise and consult with the Attorney General.

"(d) FUNDING.—(1) There is authorized to be appropriated to the Department of State

from time to time such amounts as may be necessary to carry out the purposes of this section, notwithstanding section 102 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99-93).

"(2) No amount of funds may be appropriated which, when added to the amounts previously appropriated but not yet obligated, would cause such amounts to exceed \$15,000,000.

"(3) To the maximum extent practicable, funds made available to carry out this section should be distributed equally for the purpose of preventing acts of international terrorism and for the purpose of preventing international narcotics trafficking.

"(4) Amounts appropriated to carry out the purposes of this section shall remain available until expended.

"(e) ADDITIONAL FUNDING.—(1) In extraordinary circumstances and when it is important to the national security of the United States, the Secretary of State may use fees collected for processing machine readable nonimmigrant visas and machine readable combined border crossing identification cards and nonimmigrant visas pursuant to section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236; 8 U.S.C. 1351 note) to carry out the purposes of this section, subject to the limitation contained in subsection (d)(2).

"(2) The authority contained in paragraph (1) may be used only if the Secretary notifies the appropriate congressional committees 15 days in advance in accordance with regular reprogramming procedures. Such notification shall contain a detailed justification of the circumstances necessitating the use of such fees for the purposes of this section.

"(f)—LIMITATION AND CERTIFICATION.—(1) A reward under this section may not exceed \$2,000,000.

"(2) A reward under this section of more than \$100,000 may not be made without the approval of the President or the Secretary of State.

"(3) Any reward granted under this section shall be approved and certified for payment by the Secretary of State.

"(4) The authority of paragraph (2) may not be delegated to any other officer or employee of the United States Government.

"(5) If the Secretary determines that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Secretary may take such measures in connection with the payment of the reward as he considers necessary to effect such protection.

"(g) INELIGIBILITY.—An officer or employee of any governmental entity who, while in the performance of his or her official duties, furnishes information described in subsection (b) shall not be eligible for a reward under this section.

"(h) REPORTS.—(1) Not later than 30 days after paying any reward under this section, the Secretary of State shall submit a report to the appropriate congressional committees with respect to such reward. The report, which may be submitted on a classified basis if necessary, shall specify the amount of the reward paid, to whom the reward was paid, and the acts with respect to which the reward was paid. The report shall also discuss the significance of the information for which the reward was paid in dealing with those acts.

"(2) Not later than 60 days after the end of each fiscal year, the Secretary of State shall submit an annual report to the appropriate congressional committees with respect to the operation of the rewards program authorized by this section. Such report shall provide information on the total amounts expended during such fiscal year to carry out the purposes of this section, including

amounts spent to publicize the availability of rewards. Such report shall also include information on all requests for the payment of rewards under this section, including the reasons for the denial of any such requests.

"(i) DEFINITIONS.—As used in this section—
 "(1) the term 'appropriate congressional committees' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate;

"(2) the term 'act of international terrorism' includes, but is not limited to—

"(A) any act substantially contributing to the acquisition of unsafeguarded special nuclear material (as defined in section 830(8) of the Nuclear Proliferation Prevention Act of 1994) or any nuclear explosive device (as defined in section 830(4) of that Act) by an individual, group, or non-nuclear weapon state (as defined in section 830(5) of that Act); and
 "(B) any act, as determined by the Secretary of State, which materially supports the conduct of international terrorism, including the counterfeiting of United States currency or the illegal use of other monetary instruments by an individual, group, or country supporting international terrorism as determined for purposes of section 6(j) of the Export Administration Act of 1979;

"(3) the term 'United States narcotics laws' means the laws of the United States for the prevention and control of illicit traffic in controlled substances (as such term is defined for purposes of the Controlled Substances Act); and
 "(4) the term 'member of the immediate family' includes—

"(A) a spouse, parent, brother, sister, or child of the individual;

"(B) a person to whom the individual stands in loco parentis; and

"(C) any other person living in the individual's household and related to the individual by blood or marriage."

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Secretary of State should pursue additional means of funding the program established by section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708), including the authority to seize and dispose of assets used in the commission of any offense under sections 1028, 1541 through 1544, and 1546 of title 18, United States Code, and to retain the proceeds derived from the disposition of such assets, or to participate in asset sharing programs conducted by the Department of Justice, to carry out the purposes of section 36 of that Act.

SEC. 2202. AUTHORITIES OF SECRETARY OF STATE.

Section 203(4) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4303(4)) is amended in the third sentence by striking "should" both places it appears and inserting "shall".

SEC. 2203. BUYING POWER MAINTENANCE ACCOUNT.

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

SEC. 2204. EXPENSES RELATING TO CERTAIN INTERNATIONAL CLAIMS AND PROCEEDINGS.

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

(b) PROCUREMENT OF SERVICES.—Section 38(c) of the State Department Basic Authori-

ties Act of 1956 (22 U.S.C. 2710(c)) is amended in the first sentence by inserting "personal and" before "other support services".

SEC. 2205. CONSOLIDATION OF UNITED STATES DIPLOMATIC MISSIONS AND CONSULAR POSTS.

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

(b) CONTENTS OF PLAN.—The plan shall—

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

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

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

(B) the reduction in the costs of maintaining United States properties abroad; and

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

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

SEC. 2206. DENIAL OF PASSPORTS TO NONCUSTODIAL PARENTS SUBJECT TO STATE ARREST WARRANTS IN CASES OF NONPAYMENT OF CHILD SUPPORT.

The Secretary of State is authorized to refuse to issue a passport or to revoke, restrict, or limit a passport in any case in which the Secretary of State determines or is informed by competent authority that the applicant or passport holder is a noncustodial parent who is the subject of an outstanding State warrant of arrest for nonpayment of child support, where the amount in controversy is not less than \$10,000.

SEC. 2207. CAPITAL INVESTMENT FUND.

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

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

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

(3) in subsection (d) by striking "for expenditure to procure capital equipment and information technology" and inserting in lieu thereof "for purposes of subsection (a)"; and

(4) by amending subsection (e) to read as follows:

"(e) REPROGRAMMING PROCEDURES.—Funds credited to the Capital Investment Fund shall not be available for obligation or expenditure except in compliance with the procedures applicable to reprogrammings under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710)."

SEC. 2208. EFFICIENCY IN PROCUREMENT.

(a) IN GENERAL.—To the maximum extent practicable, United States Government agencies performing functions at diplomatic and consular posts abroad shall avoid duplicative acquisition actions.

(b) AUTHORITY.—Notwithstanding any other provision of law, a contract awarded in accordance with the Competition in Contracting Act by an agency of the United States Government performing functions at

diplomatic and consular posts abroad may be amended without competition to permit other such United States Government agencies to obtain goods or services under such contract, if unit prices are not increased as a result of any such amendment.

SEC. 2209. TRAINING.

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

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

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

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

"(2) In the case of any company under contract to provide services to the Department of State, the Secretary of State is authorized to provide job-related training to any company employee who is performing such services.

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

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

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

"(2) Reimbursements under this subsection, to the extent practicable, should be equivalent to the rate of reimbursement charged other agencies of the United States Government for comparable training.

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

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

CHAPTER 2—CONSULAR AUTHORITIES OF THE DEPARTMENT OF STATE

SEC. 2231. SURCHARGE FOR PROCESSING CERTAIN MACHINE READABLE VISAS.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) is amended—

(1) by striking paragraphs (2) and (3) and inserting the following:

"(2) For fiscal years 1996 and 1997, not more than \$250,000,000 in fees collected under the authority of paragraph (1) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of the Department of State's border security program, including the costs of—

"(1) installation and operation of the machine readable visa and automated name-check process;

"(2) improving the quality and security of the United States passport;

"(3) passport and visa fraud investigations; and

"(4) the technological infrastructure to support and operate the programs referred to in paragraphs (1) through (3).

Such fees shall remain available for obligation until expended.

"(3) For any fiscal year, fees collected under the authority of paragraph (1) in excess of the amount specified for such fiscal

year under paragraph (2) shall be deposited in the general fund of the Treasury as miscellaneous receipts.”; and

(2) by striking paragraph (5).

SEC. 2232. FINGERPRINT CHECK REQUIREMENT.

Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236; 8 U.S.C. 1182 note) as amended by section 505 of the Department of State and Related Agencies Appropriation Act, Fiscal Year 1995 (Public Law 103-317) is amended by adding at the end the following:

“(h) FINGERPRINT CHECK REQUIREMENT.—If a visa applicant is determined to have a criminal history record under subsection (d)(1), has been physically present in the United States, and is more than 16 years of age, the applicant shall provide a fingerprint record for submission with the application, at no cost to the Department of State. The Department of State shall submit such fingerprint record to the Federal Bureau of Investigation for analysis to determine whether the applicant has been convicted of a felony under State or Federal law in the United States.”.

SEC. 2233. USE OF CERTAIN PASSPORT PROCESSING FEES FOR ENHANCED PASSPORT SERVICES.

For each of the fiscal years 1996 and 1997, of the fees collected for expedited passport processing and deposited to an offsetting collection pursuant to the Department of State and Related Agencies Appropriations Act for Fiscal Year 1995 (Public Law 103-317; 22 U.S.C. 214), 10 percent shall be available only for enhancing passport services for United States citizens, improving the integrity and efficiency of the passport issuance process, improving the secure nature of the United States passport, investigating passport fraud, and deterring entry into the United States by terrorists, drug traffickers, or other criminals.

SEC. 2234. CONSULAR OFFICERS.

(a) PERSONS AUTHORIZED TO ISSUE REPORTS OF BIRTH ABROAD.—Section 33 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2705) is amended in paragraph (2) by inserting “(or any United States citizen employee of the Department of State designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe)” after “consular officer”.

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

CHAPTER 3—REFUGEES AND MIGRATION

SEC. 2251. UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND.

(a) LIMITATION ON TRANSFERS FROM EMERGENCY FUND.—Section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) is amended by adding after paragraph (3) the following:

“(4) Notwithstanding any other provision of this Act, the President shall notify the appropriate congressional committees not less than 15 days before transferring or otherwise making available amounts from the United States Emergency Refugee and Migration Assistance Fund under paragraph (1).”.

(b) NOTIFICATION OF EXPENDITURES FROM FUND.—Section 2(d) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) is amended to read as follows:

“(d)(1) Except as provided in paragraph (2), and notwithstanding any other provision of this Act, the President shall notify the ap-

propriate congressional committees at least 15 days in advance of the obligation or expenditure of sums from the United States Emergency Refugee and Migration Assistance Fund under subsection (c).

“(2) Notwithstanding the notification requirement of paragraph (1), the President may obligate and expend sums from the United States Emergency Refugee and Migration Assistance Fund if the President determines, and promptly certifies to the appropriate congressional committees, that unforeseen emergency circumstances require the immediate obligation of sums from such fund. Any such certification shall fully inform such committees of the amount and use of such sums from the Fund.

“(3) For purposes of this section, the term ‘appropriate congressional committees’ means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.”.

SEC. 2252. PERSECUTION FOR RESISTANCE TO COERCIVE POPULATION CONTROL METHODS.

Section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)) is amended by adding at the end the following: “For purposes of determinations under this Act, a person who has been forced to abort a pregnancy or to undergo involuntary sterilization, or who has been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control program, shall be deemed to have been persecuted on account of political opinion, and a person who has a well founded fear that he or she will be forced to undergo such a procedure or subjected to persecution for such failure, refusal, or resistance shall be deemed to have a well founded fear of persecution on account of political opinion.”.

SEC. 2253. REPORT TO CONGRESS CONCERNING CUBAN EMIGRATION POLICIES.

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

SEC. 2254. UNITED STATES POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES.

(a) IN GENERAL.—No funds authorized to be appropriated by this Act shall be available to involuntarily return any person to a country in which the person has a well founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or promote or assist such involuntary return.

(b) INVOLUNTARILY RETURN DEFINED.—As used in this section, the term “involuntarily return” means to take action by which it is reasonably foreseeable that a person will be required to return to a country against the person’s will, regardless of whether such return is induced by physical force and regardless of whether the person is physically present in the United States.

SEC. 2255. EXTENSION OF CERTAIN ADJUDICATION PROVISIONS.

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101—167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking “and 1996” and inserting “1996, and 1997”; and

(B) in subsection (e), by striking out “October 1, 1996” each place it appears and inserting “October 1, 1997”; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking out “September 30, 1996” and inserting “September 30, 1997”.

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

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

SEC. 2301. COORDINATOR FOR COUNTER-TERRORISM.

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

(1) by striking “In” and inserting the following:

“(1) In”; and

(2) by inserting at the end the following:

“(2) COORDINATOR FOR COUNTERTERRORISM.—

“(A) There shall be within the office of the Secretary of State a Coordinator for Counterterrorism (hereafter in this paragraph referred to as the ‘Coordinator’) who shall be appointed by the President, by and with the advice and consent of the Senate.

“(B)(i) The Coordinator shall perform such duties and exercise such power as the Secretary of State shall prescribe.

“(ii) The principal duty of the Coordinator shall be the overall supervision (including policy oversight of resources) of international counterterrorism activities. The Coordinator shall be the principal advisor to the Secretary of State on international counterterrorism matters. The Coordinator shall be the principal counterterrorism official within the senior management of the Department of State and shall report directly to the Secretary of State.

“(C) The Coordinator shall have the rank and status of Ambassador-at-Large. The Coordinator shall be compensated at the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5314 of title 5, United States Code, or, if the Coordinator is appointed from the Foreign Service, the annual rate of pay which the individual last received under the Foreign Service Schedule, whichever is greater.

“(D) For purposes of diplomatic protocol among officers of the Department of State, the Coordinator shall take precedence after the Secretary of State, the Deputy Secretary of State, and the Under Secretaries of State and shall take precedence among the Assistant Secretaries of State in the order prescribed by the Secretary of State.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 161 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (P.L. 103-236) is amended by striking subsection (e).

(c) TRANSITION PROVISION.—The individual serving as Coordinator for Counterterrorism of the Department of State on the day before the effective date of this division may continue to serve in that position.

SEC. 2302. SPECIAL ENVOY FOR TIBET.

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

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

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

(3) The Government of the People's Republic of China, through direct and indirect incentives, has established discriminatory development programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai in recent years, and have excluded Tibetans from participation in important policy decisions, further threatening traditional Tibetan life.

(4) The Government of the People's Republic of China denies Tibetans their fundamental human rights, as reported in the Department of State's Country Reports on Human Rights Practices for 1995.

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

(6) The Dalai Lama has repeatedly stated his willingness to begin substantive negotiations without preconditions.

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

(b) UNITED STATES SPECIAL ENVOY FOR TIBET.—Section 1(e) of the State Department Basic Authorities Act (U.S.C. 2651a(e)) is amended by adding after paragraph (2) the following new paragraph:

“(3) UNITED STATES SPECIAL ENVOY FOR TIBET.—

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

“(B) The United States Special Envoy for Tibet shall have the personal rank of ambassador.

“(C) The United States Special Envoy for Tibet is authorized and encouraged—

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

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

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

“(D) The United States Special Envoy for Tibet shall—

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

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

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

SEC. 2303. ESTABLISHMENT OF COORDINATOR FOR HUMAN RIGHTS AND REFUGEES, BUREAU OF REFUGEE AND MIGRATION ASSISTANCE, AND BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.

(a) ESTABLISHMENT OF COORDINATOR FOR HUMAN RIGHTS AND REFUGEES.—

Section 1(e) of the State Department Basic Authorities Act (22 U.S.C. 2651a(e)) is amended by adding after paragraph (3) the following new paragraph:

“(4) COORDINATOR FOR HUMAN RIGHTS AND REFUGEES.—

“(A) There shall be within the office of the Secretary of State a Coordinator for Human Rights and Refugees (hereafter in this paragraph referred to as the ‘Coordinator’) who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall report directly to the Secretary of State.

“(B) The Coordinator shall be responsible for matters pertaining to human rights, refugees, and humanitarian affairs (including matters relating to prisoners of war and members of the United States Armed Forces missing in action) in the conduct of foreign policy. The Coordinator shall head the Bureau of Refugee and Migration Assistance and the Bureau of Democracy, Human Rights, and Labor.

“(C) The Coordinator shall have the rank and status of Ambassador-at-Large. The Coordinator shall be compensated at the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5314 of title 5, United States Code, or, if the Coordinator is appointed from the Foreign Service, the annual rate of pay which the individual last received under the Foreign Service Schedule, whichever is greater.

“(D) For purposes of diplomatic protocol among officers of the Department of State, the Coordinator shall take precedence after the Secretary of State, the Deputy Secretary of State, and the Under Secretaries of State and shall take precedence among the Assistant Secretaries of State in the order prescribed by the Secretary of State.”.

(b) TERMINATION OF ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.—

(1) IN GENERAL.—Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended by striking paragraph (2).

(2) CONFORMING AMENDMENTS.—The Foreign Assistance Act of 1961 is amended—

(A) in section 116(c) (22 U.S.C. 2151n), by striking ‘‘Assistant Secretary of State for Democracy, Human Rights, and Labor’’ and inserting ‘‘Secretary’’;

(B) in sections 502B, 502B, and 505(g)(4)(A) by striking ‘‘, prepared with the assistance of the Assistant Secretary of State for Democracy, Human Rights, and Labor,’’; and

(C) in section 573(c) by striking ‘‘Assistant Secretary of State for Democracy, Human Rights, and Labor’’ and inserting ‘‘Secretary of State’’.

(c) ESTABLISHMENT OF BUREAU OF REFUGEE AND MIGRATION ASSISTANCE AND BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding after subsection (e) the following new subsection:

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

“(1) BUREAU OF REFUGEE AND MIGRATION ASSISTANCE.—There is established within the Department of State the Bureau of Refugee and Migration Assistance which shall assist the Secretary of State in carrying out the Migration and Refugee Assistance Act of 1962. The Bureau shall be headed by the Coordinator for Human Rights and Refugees.

“(2) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—There is established within the Department of State the Bureau of Democracy, Human Rights, and Labor. The Bureau shall be headed by the Coordinator for Human Rights and Refugees. The Bureau shall continuously observe and review all matters pertaining to human rights and humanitarian affairs (including matters relating to prisoners of war and members of the United States Armed Forces missing in ac-

tion) in the conduct of foreign policy including the following:

“(A) Gathering detailed information regarding humanitarian affairs and the observance of and respect for internationally recognized human rights in each country to which the requirements of section 116 and 502B of the Foreign Assistance Act of 1961 are relevant.

“(B) Preparing the statements and reports to Congress required under section 502B of the Foreign Assistance Act of 1961.

“(C) Making recommendations to the Secretary of State regarding compliance with sections 116 and 502B of the Foreign Assistance Act of 1961, and as part of the Bureau's overall policy responsibility for the creation of United States Government human rights policy, advising the Secretary on the policy framework under which section 116(e) projects are developed and consulting with the Secretary on the selection and implementation of such projects.

“(D) Performing other responsibilities which serve to promote increased observance of internationally recognized human rights by all countries.”.

SEC. 2304. ELIMINATION OF STATUTORY ESTABLISHMENT OF CERTAIN POSITIONS OF THE DEPARTMENT OF STATE.

(a) ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS.—Section 122 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2652b) is repealed.

(b) DEPUTY ASSISTANT SECRETARY OF STATE FOR BURDENSARING.—Section 161 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2651a note) is amended by striking subsection (f).

(c) ASSISTANT SECRETARY FOR OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS.—Section 9 of the Department of State Appropriations Authorization Act of 1973 (22 U.S.C. 2655a) is repealed.

SEC. 2305. ESTABLISHMENT OF ASSISTANT SECRETARY OF STATE FOR HUMAN RESOURCES.

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

“(2) ASSISTANT SECRETARY FOR HUMAN RESOURCES.—There shall be in the Department of State an Assistant Secretary for Human Resources who shall be responsible to the Secretary of State for matters relating to human resources including the implementation of personnel policies and programs within the Department of State and international affairs functions and activities carried out through the Department of State. The Assistant Secretary shall have substantial professional qualifications in the field of human resource policy and management.”.

SEC. 2306. AUTHORITY OF UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS.

Section 2(a) of the United Nations Participation Act of 1945 (22 U.S.C. 287(a)) is amended by striking ‘‘hold office at the pleasure of the President’’ and inserting ‘‘serve at the pleasure of the President and subject to the direction of the Secretary of State’’.

CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE; THE FOREIGN SERVICE

SEC. 2351. AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.

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

(1) for the Department of State, shall not exceed 9,000, of whom not more than 720 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, shall not exceed 1,150, of whom not more

than 165 shall be members of the Senior Foreign Service; and

(3) for the Agency for International Development, not to exceed 1,800, of whom not more than 240 shall be members of the Senior Foreign Service.

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

(1) for the Department of State, shall not exceed 8,800, of whom not more than 680 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, not to exceed 1,100 of whom not more than 160 shall be members of the Senior Foreign Service; and

(3) for the Agency for International Development, not to exceed 1,775 of whom not more than 230 shall be members of the Senior Foreign Service.

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

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

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

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

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

(5) members of the Service serving under non-career limited appointments.

(d) WAIVER AUTHORITY.—(1) Subject to paragraph (2), the President may waive any limitation under subsection (a) or (b) to the extent that such waiver is necessary to carry on the foreign affairs functions of the United States.

(2) Not less than 15 days before the President exercises a waiver under paragraph (1), such agency head shall notify the Chairman of the Committee on Foreign Relations of the Senate and the Chairman of the Committee on International Relations of the House of Representatives. Such notice shall include an explanation of the circumstances and necessity for such waiver.

SEC. 2352. REPEAL OF AUTHORITY FOR SENIOR FOREIGN SERVICE PERFORMANCE PAY.

(a) REPEAL.—Section 405 of the Foreign Service Act of 1980 (22 U.S.C. 3965) is repealed.

(b) CONFORMING AMENDMENT.—Section 2 of the Foreign Service Act of 1980 is amended in the table of contents by striking the item related to section 405.

SEC. 2353. RECOVERY OF COSTS OF HEALTH CARE SERVICES.

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

(1) in subsection (a) by—

(A) striking “and” before “members of the families of such members and employees”; and

(B) by inserting immediately before the period “, and for care provided abroad) such other persons as are designated by the Secretary of State, except that such persons shall be considered persons other than covered beneficiaries for purposes of subsections (g) and (h)”;

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

(3) by adding the following new subsections:

“(g)(1) In the case of a person who is a covered beneficiary, the Secretary of State is

authorized to collect from a third-party payer the reasonable costs incurred by the Department of State on behalf of such person for health care services to the same extent that the covered beneficiary would be eligible to receive reimbursement or indemnification from the third-party payer for such costs.

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

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

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

“(A) care provided directly or indirectly by a governmental entity;

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

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

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

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

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

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

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

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

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

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

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

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

“(10) For purposes of this section—

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

“(B) the term ‘services’, as used in ‘health care services’ includes products; and

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

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

(b) EFFECTIVE DATE.—Subsection (a) shall take effect October 1, 1996.

TITLE XXIV—UNITED STATES PUBLIC DIPLOMACY: AUTHORITIES AND ACTIVITIES FOR UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS

CHAPTER 1—GENERAL PROVISIONS

SEC. 2401. ELIMINATION OF PERMANENT AUTHORIZATION.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 is amended by striking subsection (e).

SEC. 2402. EXTENSION OF AU PAIR PROGRAMS.

Section 8 of the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454) is amended in the last sentence by striking “fiscal year 1995” and inserting “fiscal year 1997”.

SEC. 2403. EDUCATIONAL AND CULTURAL EXCHANGES WITH HONG KONG.

The Director of the United States Information Agency shall conduct programs of educational and cultural exchange between the United States and the people of Hong Kong.

SEC. 2404. CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS IN ASIA.

In carrying out programs of educational and cultural exchange in Hong Kong, China, Vietnam, Cambodia, Tibet, Burma, and East Timor, the Director of the United States Information Agency shall take appropriate steps to provide opportunities for participation in such programs to human rights and democracy leaders of such countries and persons who are nationals but not residents of such countries.

SEC. 2405. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE.

(a) ESTABLISHMENT OF EDUCATIONAL AND CULTURAL EXCHANGE FOR TIBETANS.—The Director of the United States Information Agency shall establish programs of educational and cultural exchange between the United States and the people of Tibet. Such programs shall include opportunities for training and, as the Director considers appropriate, may include the assignment of personnel and resources abroad.

(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

(1) For each of the fiscal years 1996 and 1997, at least 30 scholarships shall be made available to Tibetan students and professionals who are outside Tibet, and at least 15 scholarships shall be made available to Burmese students and professionals who are outside Burma.

(2) WAIVER.—Paragraph (1) shall not apply to the extent that the Director of the United States Information Agency determines that there are not enough qualified students to fulfill such allocation requirement.

(3) SCHOLARSHIP DEFINED.—For the purposes of this section, the term “scholarship” means an amount to be used for full or partial support of tuition and fees to attend an educational institution, and may include

fees, books, and supplies, equipment required for courses at an educational institution, living expenses at a United States educational institution, and travel expenses to and from, and within, the United States.

SEC. 2406. AVAILABILITY OF VOICE OF AMERICA AND RADIO MARTI MULTILINGUAL COMPUTER READABLE TEXT AND VOICE RECORDINGS.

(a) IN GENERAL.—Notwithstanding section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a) and the second sentence of section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461), the Director of the United States Information Agency is authorized to make available, upon request, to the Linguistic Data Consortium of the University of Pennsylvania computer readable multilingual text and recorded speech in various languages. The Consortium shall, directly or indirectly as appropriate, reimburse the Director for any expenses involved in making such materials available.

(b) TERMINATION.—Subsection (a) shall cease to have effect 5 years after the date of the enactment of this Act.

SEC. 2407. RETENTION OF INTEREST.

Notwithstanding any other provision of law, with the approval of the National Endowment for Democracy, grant funds made available by the National Endowment for Democracy may be deposited in interest-bearing accounts pending disbursement and any interest which accrues may be retained by the grantee and used for the purposes for which the grant was made.

SEC. 2408. USIA OFFICE IN PRISTINA, KOSOVA.

(a) ESTABLISHMENT OF OFFICE.—The Director of the United States Information Agency shall seek to establish an office in Pristina, Kosova, for the following purposes:

(1) Disseminating information about the United States.

(2) Promoting discussions on human rights, democracy, rule of law, and conflict resolution.

(3) Facilitating United States private sector involvement in educational and cultural activities in Kosova.

(4) Advising the United States Government with respect to public opinion in Kosova.

(b) REPORT TO CONGRESS.—Not later than April 1 of each year until subsection (a) has been fully implemented, the Director of the United States Information Agency shall submit a detailed report on developments relating to the implementation of subsection (a) to the appropriate congressional committees.

CHAPTER 2—INTERNATIONAL BROADCASTING

SEC. 2431. EXPANSION OF BROADCASTING BOARD OF GOVERNORS.

Section 304(b) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203) is amended—

(1) in paragraph (1) by striking “9” and inserting “11”;

(2) in paragraph (1)(A) by striking “8” and inserting “10”; and

(3) in paragraph (3) by striking “4” and inserting “5”.

SEC. 2432. PLAN FOR RADIO FREE ASIA.

Section 309(c) of the United States International Broadcasting Act (22 U.S.C. 6208(c)) is amended to read as follows:

“(c) SUBMISSION OF PLAN.—Not later than 90 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 1996 and 1997, the Director of the United States Information Agency shall submit to the Congress a detailed plan for the establishment and operation of Radio Free Asia in accordance with this section. Such plan shall include the following:

“(1) A description of the manner in which Radio Free Asia would meet the funding limitations provided in subsection (d)(4).

“(2) A description of the numbers and qualifications of employees it proposes to hire.

“(3) How it proposes to meet the technical requirements for carrying out its responsibilities under this section.”.

SEC. 2433. PILOT PROJECT FOR FREEDOM BROADCASTING TO ASIA.

(a) AUTHORITY.—The Director of the United States Information Agency shall make grants for broadcasting to the People's Republic of China, Burma, Cambodia, Laos, North Korea, Tibet, and Vietnam. Such broadcasting shall provide accurate and timely information, news, and commentary about events in the respective countries of Asia and elsewhere, and shall be a forum for a variety of opinions and voices from within Asian nations whose people do not fully enjoy freedom of expression.

(b) PURPOSE.—The purpose of such grants shall be to provide such broadcasting on an interim basis during the period before Radio Free Asia becomes fully operational.

(c) APPLICATIONS.—In considering applications for grants, the Director of the United States Information Agency shall give strong preference to entities which (1) take advantage of the expertise of political and religious dissidents and pro-democracy and human rights activists from within the countries to whom broadcasting is directed, including exiles from these countries; and (2) take advantage of contracts or similar arrangements with existing broadcast facilities so as to provide immediate broadcast coverage with low overhead.

(d) PLAN.—Not later than 30 days after the date of the enactment of this Act, the Director of the United States Information Agency shall submit to the appropriate congressional committees a plan for implementing this section which shall include details concerning timetable for implementation, grant criteria, and grant application procedures. The procedures and timetable should be designed to ensure that grantees will begin broadcasting not later than 120 days after the date of the enactment of this Act.

**TITLE XXV—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS
CHAPTER 1—GENERAL PROVISIONS**

SEC. 2501. INTERNATIONAL BOUNDARY AND WATER COMMISSION.

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

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

CHAPTER 2—UNITED NATIONS AND AFFILIATED AGENCIES AND ORGANIZATIONS

SEC. 2521. REFORM IN BUDGET DECISIONMAKING PROCEDURES OF THE UNITED NATIONS AND ITS SPECIALIZED AGENCIES.

(a) ASSESSED CONTRIBUTIONS.—Of amounts authorized to be appropriated for “Assessed Contributions to International Organiza-

tions” by this Act, the President may withhold 20 percent of the funds appropriated for the United States assessed contribution to the United Nations or to any of its specialized agencies for any calendar year if the United Nations or any such agency has failed to implement or to continue to implement consensus-based decisionmaking procedures on budgetary matters which assure that sufficient attention is paid to the views of the United States and other member states that are the major financial contributors to such assessed budgets.

(b) NOTICE TO CONGRESS.—The President shall notify the Congress when a decision is made to withhold any share of the United States assessed contribution to the United Nations or its specialized agencies pursuant to subsection (a) and shall notify the Congress when the decision is made to pay any previously withheld assessed contribution. A notification under this subsection shall include appropriate consultation between the President (or the President's representative) and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to the availability of appropriations, payment of assessed contributions for prior years may be made to the United Nations or any of its specialized agencies notwithstanding subsection (a) if such payment would further United States interests in that organization.

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

SEC. 2522. LIMITATION ON CONTRIBUTIONS TO THE UNITED NATIONS OR UNITED NATIONS AFFILIATED ORGANIZATIONS.

The United States shall not make any voluntary or assessed contribution—

(1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or

(2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood, during any period in which such membership is effective.

SEC. 2523. REPORT ON UNICEF.

Not later than December 31, 1995, the Secretary of State shall transmit to the appropriate congressional committees a report on (1) the progress of UNICEF toward effective financial, program, and personnel management; (2) the progress of UNICEF in shifting its health, child survival, and maternal survival programs toward efficient and low-overhead contractors, with particular emphasis on nongovernmental organizations; and (3) the extent to which UNICEF has demonstrated its commitment to its traditional mission of child health and welfare and resisted pressure to become involved in functions performed by other United Nations agencies.

SEC. 2524. UNITED NATIONS BUDGETARY AND MANAGEMENT REFORM.

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

“SEC. 10. (a) WITHHOLDING OF CONTRIBUTIONS RELATED TO THE ROLE OF THE INSPECTOR GENERAL OF THE UNITED NATIONS.—

“(1) ASSESSED CONTRIBUTIONS FOR REGULAR UNITED NATIONS BUDGET.—For fiscal year 1996 and for each subsequent fiscal year, 20 percent of the amount of funds made available for that fiscal year for United States assessed contributions for the regular United Nations budget shall be withheld from obligation and expenditure unless a certification for that fiscal year has been made under subsection (b).

“(2) ASSESSED CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING.—For fiscal year 1996 and for each subsequent fiscal year, 50 percent of the amount of funds made available for that fiscal year for United States assessed contributions for United Nations peacekeeping activities shall be withheld from obligation and expenditure unless a certification for that fiscal year has been made under subsection (b).

“(3) VOLUNTARY CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING.—For fiscal year 1996 and for each subsequent fiscal year, the United States may not pay any voluntary contribution to the United Nations for international peacekeeping activities unless a certification for that fiscal year has been made under subsection (b).

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

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

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

“(3) The Inspector General is authorized to—

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

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

“(C) have direct and prompt access to any official of the United Nations; and

“(D) have access to all records and officials of the specialized agencies of the United Nations.

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

“(5) The United Nations has fully implemented procedures that ensure compliance with recommendations of the United Nations Inspector General.

“(6) The United Nations has required the United Nations Inspector General to issue an annual report and has ensured that the annual report and all other reports of the Inspector General are made available to the General Assembly without modification.

“(7) The United Nations has provided, and is committed to providing, sufficient budgetary resources to ensure the effective operation of the United Nations Inspector General.”

(b) WITHHOLDING OF CONTRIBUTIONS RELATED TO CONTRACTING OF THE UNITED NATIONS.—The United Nations Participation

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

“SEC. 11. (a) WITHHOLDING OF CONTRIBUTIONS RELATED TO TIMELY NOTICE OF CONTRACT OPPORTUNITIES AND CONTRACT AWARDS.—

“(1) WITHHOLDING OF ASSESSED CONTRIBUTIONS FOR REGULAR UNITED NATIONS BUDGET.—For fiscal year 1997 and for each subsequent fiscal year, 10 percent of the amount of funds made available for that fiscal year for United States assessed contributions for the regular United Nations budget shall be withheld from obligation and expenditure unless a certification for that fiscal year has been made under paragraph (2).

“(2) CERTIFICATION.—The certification referred to in paragraph (1) for any fiscal year is a certification by the President to the Congress, submitted on or after the beginning of that fiscal year, that the United Nations has implemented a system requiring (A) prior notification for the submission of all qualified bid proposals on all United Nations procurement opportunities over \$100,000 and (B) a public announcement of the award of any contract over \$100,000. To the extent practicable, notifications shall be made in the Commerce Business Daily.

“(b) WITHHOLDING OF CONTRIBUTIONS RELATED TO DISCRIMINATION AGAINST COMPANIES WHICH CHALLENGE CONTRACT AWARDS.—

“(1) WITHHOLDING OF ASSESSED CONTRIBUTIONS FOR REGULAR UNITED NATIONS BUDGET.—For fiscal year 1997 and for each subsequent fiscal year, 10 percent of the amount of funds made available for that fiscal year for United States assessed contributions for the regular United Nations budget shall be withheld from obligation and expenditure unless a certification for that fiscal year has been made under paragraph (2).

“(2) CERTIFICATION.—The certification referred to in paragraph (1) for any fiscal year is a certification by the President to the Congress, submitted on or after the beginning of that fiscal year, that the procurement regulations of the United Nations prohibit punitive actions such as the suspension of contract eligibility for contractors who challenge contract awards or complain about delayed payments.

“(c) WITHHOLDING OF CONTRIBUTIONS RELATED TO ESTABLISHMENT OF A UNITED NATIONS CONTRACT REVIEW PROCESS.—

“(1) WITHHOLDING OF ASSESSED CONTRIBUTIONS FOR REGULAR UNITED NATIONS BUDGET.—For fiscal year 1998 and for each subsequent fiscal year, 10 percent of the amount of funds made available for that fiscal year for United States assessed contributions for the regular United Nations budget shall be withheld from obligation and expenditure unless a certification for that fiscal year has been made under paragraph (2).

“(2) CERTIFICATION.—The certification referred to in paragraph (1) for any fiscal year is a certification by the President to the Congress, submitted on or after the beginning of that fiscal year, that the United Nations has established a contract review process for contracts over \$100,000 and a process to assure unsuccessful bidders a timely opportunity to challenge awards for contracts over \$100,000 such bidders consider to have been made improperly.”

(c) PROCUREMENT INFORMATION.—Section 4(d) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(d)), as amended by section 407 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) is amended in paragraph (2)(B) by inserting before the period “, including local procurement contracts”.

TITLE XXVI—FOREIGN POLICY PROVISIONS

CHAPTER 1—MISCELLANEOUS FOREIGN POLICY PROVISIONS

SEC. 2601. TAIWAN RELATIONS ACT.

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

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

(b) VISITS TO THE UNITED STATES BY OFFICIALS OF THE GOVERNMENT OF THE REPUBLIC OF CHINA ON TAIWAN.—Section 4 of the Taiwan Relations Act (22 U.S.C. 3303) is amended by adding at the end the following new subsection:

“(e) The Congress finds and declares that there are no legitimate foreign policy grounds for preventing members of the government chosen by the people of Taiwan from making private visits to the United States. Accordingly, notwithstanding any other provision of law, no official of the government of the Republic of China on Taiwan may be excluded from the United States on the basis of a determination by the Secretary of State that the entry or proposed activities in the United States of such individual would have potentially serious adverse foreign policy consequences for the United States.”

SEC. 2602. BOSNIA GENOCIDE JUSTICE ACT.

(a) SHORT TITLE.—This section may be cited as the “Bosnia Genocide Justice Act”.

(b) POLICY.—

(1) IN GENERAL.—Consistent with international law, it is the policy of the United States to bring to justice persons responsible for genocide, war crimes, crimes against humanity and other serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991.

(2) SENSE OF CONGRESS.—The Congress urges the President—

(A) to collect or assist appropriate organizations and individuals to collect relevant data on these crimes committed in the former Yugoslavia;

(B) to share such data with the War Crimes Tribunal for the former Yugoslavia established by the Security Council of the United Nations;

(C) to assist United Nations efforts to investigate, prosecute, and try those responsible for genocide, war crimes, crimes against humanity and other serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991;

(D) to submit to the Congress implementing legislation to enable compliance with requests and orders of the tribunal; and

(E) to support the ongoing work of the Tribunal through adequate financial contributions to the United Nations Voluntary Fund for the War Crimes Tribunal for the former Yugoslavia for 1996 and 1997.

(c) REPORTING REQUIREMENT.—Beginning 6 months after the date of enactment of this Act, and every 6 months thereafter during fiscal years 1996 and 1997, the President shall submit a report describing the steps taken to implement the provisions of this section to the appropriate congressional committees.

SEC. 2603. EXPANSION OF COMMISSION ON SECURITY AND COOPERATION IN EUROPE.

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

(1) in subsection (a) by striking “twenty-one” and inserting “twenty-nine”; and

(2) by striking paragraphs (1) and (2) and inserting the following:

“(1) Thirteen Members of the House of Representatives appointed by the Speaker of the House of Representatives. Seven Members shall be selected from the majority party and six Members shall be selected, after consultation with the minority leader of the House, from the minority party.

“(2) Thirteen Members of the Senate appointed by the President of the Senate. Seven Members shall be selected from the majority party of the Senate, after consultation with the majority leader, and six Members shall be selected, after consultation with the minority leader of the Senate, from the minority party.”

CHAPTER 2—RELATING TO THE UNITED STATES-NORTH KOREA AGREED FRAMEWORK AND THE OBLIGATIONS OF NORTH KOREA UNDER THAT AND PREVIOUS AGREEMENTS WITH RESPECT TO THE DENUCLEARIZATION OF THE KOREAN PENINSULA AND DIALOGUE WITH THE REPUBLIC OF KOREA

SEC. 2641. FINDINGS.

The Congress makes the following findings:

(1) The United States-Democratic People's Republic of Korea Agreed Framework (hereafter in this chapter referred to as the “Agreed Framework”), entered into on October 21, 1994, between the United States and North Korea, requires North Korea to stop and eventually dismantle its graphite-moderated nuclear reactor program and related facilities, and comply fully with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, in exchange for alternative energy sources, including interim supplies of heavy fuel oil for electric generators and more proliferation-resistant light water reactor technology.

(2) The Agreed Framework also commits North Korea to “consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula” and “engage in North-South” dialogue with the Republic of Korea.

(3) The Agreed Framework does not indicate specific criteria for full normalization of relations between the United States and North Korea, and does not link the sequencing of actions in the Agreed Framework with any time-frame for carrying out the provisions of the North-South Joint Declaration on the Denuclearization of the Korean Peninsula and carrying out the dialogue between North Korea and the Republic of Korea.

(4) The commitment by North Korea to carry out the letter and spirit of the Agreed Framework has been put into doubt by actions of North Korea since October 21, 1994, including the suspected diversion of United States heavy fuel oil in apparent contravention of the agreed purpose of the interim fuel deliveries, the refusal to accept light water reactors from the Republic of Korea, the harsh denunciations of the Government of the Republic of Korea, and other actions contrary to the commitment by North Korea to engage in a dialogue with such Government, and the continued conduct of provocative, offensive oriented military exercises.

(5) The nuclear threat posed by North Korea is just one of a number of security concerns of the United States arising out of the policies of North Korea.

SEC. 2642. CLARIFICATION OF NUCLEAR NON-PROLIFERATION OBLIGATIONS OF NORTH KOREA UNDER THE AGREED FRAMEWORK.

It is the sense of the Congress that in discussions or negotiations with the Government of North Korea pursuant to the implementation of the United States-Democratic People's Republic of Korea Agreed Framework entered into on October 21, 1994, the President should uphold the following mini-

mum conditions relating to nuclear non-proliferation:

(1) All spent fuel from the graphite-moderated nuclear reactors and related facilities of North Korea should be removed from the territory of North Korea as is consistent with the Agreed Framework.

(2) The International Atomic Energy Agency should have the freedom to conduct any and all inspections that it deems necessary to fully account for the stocks of plutonium and other nuclear materials in North Korea, including special inspections of suspected nuclear waste sites, before any nuclear components controlled by the Nuclear Supplier Group Guidelines are delivered for a light water reactor for North Korea.

(3) The dismantlement of all declared graphite-based nuclear reactors and related facilities in North Korea, including reprocessing units, should be completed in accordance with the Agreed Framework and in a manner that effectively bars in perpetuity any reactivation of such reactors and facilities.

(4) The United States should suspend actions described in the Agreed Framework if North Korea reloads its existing 5 megawatt nuclear reactor or resumes construction of nuclear facilities other than those permitted to be built under the Agreed Framework.

SEC. 2643. ROLE OF THE REPUBLIC OF KOREA UNDER THE AGREED FRAMEWORK.

It is further the sense of the Congress that the Republic of Korea should play the central role in the project to provide light water reactors to North Korea under the Agreed Framework.

SEC. 2644. FURTHER STEPS TO PROMOTE UNITED STATES SECURITY AND POLITICAL INTERESTS WITH RESPECT TO NORTH KOREA.

It is further the sense of the Congress that, after the date of the enactment of this Act, the President should not take further steps toward upgrading diplomatic relations with North Korea beyond opening liaison offices or relaxing trade and investment barriers imposed against North Korea without—

(1) action by the Government of North Korea to engage in a North-South dialogue with the Government of the Republic of Korea;

(2) significant progress toward implementation of the North-South Joint Declaration on the Denuclearization of the Korean Peninsula; and

(3) progress toward the achievement of several long-standing United States policy objectives regarding North Korea and the Korean Peninsula, including—

(A) reducing the number of military forces of North Korea along the Demilitarized Zone and relocating such military forces away from the Demilitarized Zone;

(B) prohibiting any movement by North Korea toward the deployment of an intermediate range ballistic missile system; and

(C) prohibiting the export by North Korea of missiles and other weapons of mass destruction, including related technology and components.

SEC. 2645. RESTRICTIONS ON ASSISTANCE TO NORTH KOREA AND THE KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2370 et seq.) is amended by adding at the end the following new section:

“SEC. 620G. ASSISTANCE TO NORTH KOREA AND THE KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION.

“No assistance may be provided under this Act or any other provision of law to North Korea or the Korean Peninsula Energy Development Organization unless—

“(1) such assistance is provided in accordance with all requirements, limitations, and

procedures otherwise applicable to the provision of such assistance for such purposes; and

“(2) the President—

“(A) notifies the congressional committees specified in section 634A(a) of this Act prior to the obligation of such assistance in accordance with the procedures applicable to reprogramming notifications under that section, irrespective of the amount of the proposed obligation of such assistance; and

“(B) determines and reports to such committees that the provision of such assistance is vital to the national interests of the United States.”

(b) EFFECTIVE DATE.—Section 620G of the Foreign Assistance Act of 1961, as added by subsection (a), applies with respect to assistance provided to North Korea or the Korean Peninsula Energy Development Organization on or after the date of the enactment of this Act.

CHAPTER 3—BURMA

SEC. 2651. UNITED STATES POLICY CONCERNING THE DICTATORSHIP IN BURMA.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that the President should take steps to encourage the United Nations Security Council to—

(1) impose an international arms embargo on Burma;

(2) affirm support for human rights and the protection of all Karen, Karenni, and other minorities in Burma;

(3) condemn Burmese officials responsible for crimes against humanity;

(4) take steps to encourage multilateral assistance programs for refugees from Burma in Thailand and India; and

(5) reduce United Nations activities in Burma, including UNDP (United Nations Development Program), UNICEF (United Nations Children's Fund), UNFPA (United Nations Family Planning Agency), World Health Organization (WHO), Food and Agriculture Organization (FAO), and UNIDCP (United Nations International Drug Control Program) activities.

(b) REDUCTION IN DIPLOMATIC PRESENCE.—It is the sense of the Congress that the President should reduce the diplomatic presence of the United States in Burma by reducing the total number of the members of the Foreign Service stationed in Burma on the date of enactment of this Act.

CHAPTER 4—TORTURE

SEC. 2661. DEFINITIONS.

(a) TORTURE.—As used in this chapter, the term “torture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from the person or a third person information or a confession, punishing the person for an act the person or a third person has committed or is suspected of having committed, or intimidating or coercing the person or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by, at the instigation of, or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in, or incidental to lawful sanctions.

(b) SUBSTANTIAL GROUNDS FOR BELIEVING.—As used in this chapter, the term “substantial grounds for believing” means substantial evidence.

(c) IN DANGER OF BEING SUBJECTED TO TORTURE.—As used in this chapter, the term “in danger of being subjected to torture” means circumstances in which a reasonable person would fear subjection to torture.

(d) INVOLUNTARILY RETURN.—As used in this chapter, the term “involverarily return” means to take action by which it is reasonably foreseeable that a person will be

required to return to a country against the person's will, regardless of whether such return is induced by physical force and regardless of whether the person is physically present in the United States.

SEC. 2662. UNITED STATES POLICY WITH RESPECT TO THE INVOLUNTARY RETURN OF PERSONS SUBJECT TO TORTURE.

No funds authorized to be appropriated by this Act are authorized to be available to expel, extradite, or otherwise involuntarily return a person to a country in which there are substantial grounds for believing the person would be in danger of being subjected to torture, or to support, promote, or assist such involuntary return.

TITLE XXVII—CONGRESSIONAL STATEMENTS

SEC. 2701. INTER-AMERICAN ORGANIZATIONS.

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

SEC. 2702. TERRITORIAL INTEGRITY OF BOSNIA AND HERZEGOVINA.

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

(1) The sovereign and independent state of Bosnia-Herzegovina was formally recognized by the United States of America on April 7, 1992.

(2) The sovereign and independent state of Bosnia-Herzegovina was admitted as a full participating State of the Conference on Security and Cooperation in Europe on April 30, 1992.

(3) The sovereign and independent state of Bosnia-Herzegovina was admitted as a Member state of the United Nations on May 22, 1992.

(4) The United States has declared its determination to respect and put into practice the Declaration on Principles Guiding Relations between Participating States contained in the Final Act of the Conference on Security and Cooperation in Europe.

(5) Each of the principles has been violated during the course of war in Bosnia-Herzegovina: sovereign equality and respect for the rights inherent in sovereignty, refraining from the threat or use of force; inviolability of frontiers; territorial integrity of States; peaceful settlement of disputes; nonintervention in internal affairs; respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief; equal rights and self-determination of peoples; cooperation among States; and fulfillment in good faith of obligations under international law.

(6) Principle II of the Final Act commits the participating States to "refrain from any manifestation of force for the purpose of inducing another participating State to renounce the full exercise of its sovereign rights".

(7) Principle III of the Final Act commits the participating States to "refrain from any demand for, or act of, seizure and usurpation of part or all of the territory of any participating State".

(8) Principle IV of the Final Act commits the participating States to "respect the territorial integrity of each of the participating States" and "refrain from any action inconsistent with the purposes and principles of the Charter of the United Nations against the territorial integrity, political independence or the unity of any participating State".

(9) The Charter of Paris for a New Europe commits the participating States "to co-

operate in defending democratic institutions against activities which violate the independence, sovereign equality, or territorial integrity of the participating States".

(10) The Helsinki Document 1992 reaffirms "the validity of the guiding principles and common values of the Helsinki Final Act and the Charter of Paris, embodying responsibilities of States towards each other and of governments towards their own people" which serve as the "collective conscience of our community".

(11) The Charter of the United Nations calls upon Member states to respect the territorial integrity and political independence of any state in keeping with the Purposes of the United Nations.

(12) The sovereign and independent state of Bosnia-Herzegovina has been and continues to be subjected to armed aggression by Serbian forces, Croatian Serb forces, and others in violation of Final Act and the Charter.

(13) Unchecked armed aggression and genocide threatens the lives of innocent civilians as well as the very existence of the sovereign and independent state of Bosnia-Herzegovina.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the United States should refuse to recognize the incorporation of any of the territory of Bosnia-Herzegovina into the territory of any neighboring state or the creation of any new state or states within the borders of Bosnia-Herzegovina resulting from the threat or use of force, coercion, or any other means inconsistent with international law.

SEC. 2703. THE LAOGAI SYSTEM OF POLITICAL PRISONS.

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

(1) The Chinese gulag, known as the Laogai, was created as a primary means of political repression and control when the Communists assumed power in China in 1949.

(2) The Laogai has caused millions of people to suffer grave human rights abuses over the past 46 years, including countless deaths.

(3) The Laogai continues to be used to incarcerate unknown numbers of ordinary citizens for political reasons, including workers, students, intellectuals, religious believers, and Tibetans.

(4) So-called "thought reform" is a standard practice of Laogai officials, and reports of torture are routinely received by human rights organizations from Laogai prisoners and survivors.

(5) Negotiations about unfettered access to Laogai prisoners between the Chinese Government and the International Red Cross have ceased.

(6) The Laogai is in reality a huge system of forced labor camps in which political and penal criminals are slave laborers producing an array of products for export throughout the world, including the United States.

(7) The Chinese Government continues to maintain, as part of its official propaganda and in defiance of significant evidence to the contrary gathered by many human rights organizations, that the Laogai is a prison system like any other in the world.

(8) Testimony delivered before the Subcommittee on International Operations and Human Rights of the Committee on International Relations of the House of Representatives has documented human rights abuses in the Laogai which continue to this day.

(9) The American people have repeatedly expressed their abhorrence of forced labor camps systems, whether they be operated by the Nazis, Soviet Communists, or any other political ideology.

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

(1) publicly condemn the continued existence of the Laogai, and call upon the Government of the People's Republic of China to dismantle it, and release all of its political prisoners; and

(2) instruct the appropriate diplomatic representatives of the United States to cause a resolution condemning the Laogai to be put before the United Nations Human Rights Commission and work for its passage.

SEC. 2704. CONCERNING THE USE OF FUNDS TO FURTHER NORMALIZE RELATIONS WITH VIETNAM.

It is the sense of the Congress that none of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended to further normalize diplomatic relations between the United States and Vietnam, until Vietnam—

(1) releases all of its political and religious prisoners;

(2) accounts for American POWs and MIAs from the Vietnam War;

(3) holds democratic elections; and

(4) institutes policies which protect human rights.

SEC. 2705. DECLARATION OF CONGRESS REGARDING UNITED STATES GOVERNMENT HUMAN RIGHTS POLICY TOWARD CHINA.

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

(1) According to the 1994 State Department Country Reports on Human Rights Practices there continue to be "widespread and well-documented human rights abuses in China, in violation of internationally accepted norms . . . (including) arbitrary and lengthy incommunicado detention, torture, and mistreatment of prisoners. The regime continued severe restrictions on freedoms of speech, press assembly and association, and tightened controls on the exercise of these rights during 1994. Serious human rights abuses persisted in Tibet and other areas populated by ethnic minorities".

(2) The President, in announcing his decision on Most Favored Nation trading status for China in May 1994 stated that, "China continues to commit very serious human rights abuses. Even as we engage the Chinese on military, political, and economic issues, we intend to stay engaged with those in China who suffer from human rights abuses. The United States must remain a champion of their liberties".

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the President should take the following actions:

(1) Decline the invitation to visit China until and unless there is dramatic overall progress on human rights in China and Tibet and communicate to the Government of China that such a visit cannot take place without such progress. Indications of overall progress would include the release of hundreds of political, religious, and labor activists; an agreement to allow unhindered confidential access to prisoners by international humanitarian agencies; enactment of major legal reforms such as an end to all restrictions on the exercise of freedom of religion, revocation of the 1993 state security law, and the abolition of all so-called "counter-revolutionary" crimes; an end to forced abortion, forced sterilization, and the provision by government facilities of human fetal remains for consumption as food; and a decision to allow unrestricted access to Tibet by foreign media and international human rights monitors.

(2) Seek to develop an agreement on a multilateral strategy to promote human rights in China with other members of the G-7, beginning with the meeting of the G-7 industrial partners scheduled for June 1995 in Halifax, Nova Scotia. Such an agreement should include efforts to encourage greater

cooperation by the Government of China with the human rights rapporteurs and working groups of the United Nations Human Rights Commission, as well as bilateral and multilateral initiatives to secure the unconditional release of imprisoned peaceful pro-democracy advocates such as Wei Jingsheng.

(3) Instruct the United States delegates to the United Nations Fourth World Conference on Women in September 1995 to vigorously and publicly support nongovernmental organizations that may be subjected to harassment or to restrictions or limitations on their activities, access to the media, or to channels of communication during the conference by the Government of China and to protest publicly and privately any actions by the Government of China aimed at punishing or repressing Chinese citizens who seek to peacefully express their views or communicate with foreign citizens or media during or following the United Nations Conference.

(4) Extend an invitation to the Dalai Lama to visit Washington, District of Columbia, in 1995.

(c) UNITED STATES GOVERNMENT HUMAN RIGHTS POLICY TOWARD CHINA.—It shall be the policy of the United States Government to continue to promote internationally recognized human rights and worker rights in China and Tibet. The President shall submit the following reports on the formulation and implementation of United States human rights policy toward China and the results of that policy to the International Relations Committee of the House of Representatives :

(1) Not later than 90 days after the date of enactment of this Act, the President shall report on the status of the "new United States Human Rights Policy for China" announced by the President on May 26, 1994, including an assessment of the implementation and effectiveness of the policy in bringing about human rights improvements in China and Tibet, with reference to the following specific initiatives announced on that date:

(A) High-level dialogue on human rights.

(B) Voluntary principles in the area of human rights for United States businesses operating in China.

(C) Increased contact with and support for groups and individuals in China promoting law reform and human rights.

(D) Increased exchanges to support human rights law reform in China.

(E) The practice of all United States officials who visit China to meet with the broadest possible spectrum of Chinese citizens.

(F) Increased efforts to press United States views on human rights in China at the United Nations, the United Nations Human Rights Commission, and other international organizations.

(G) A plan of international actions to address Tibet's human rights problems and to promote substantive discussions between the Dalai Lama and the Chinese Government.

(H) Efforts to use the 1995 United Nations Women's Conference in Beijing to expand freedoms of speech, association, and assembly, as well as the rights of women, in China.

(I) An information strategy for promoting human rights by expanding Chinese and Tibetan language broadcasts on the Voice of America and establishing Radio Free Asia.

(J) Encouraging the Chinese Government to permit international human rights groups to operate in and visit China.

The report required by this paragraph shall also assess the progress, if any, of the People's Republic of China toward ending forced abortion, forced sterilization, and other coercive population control practices.

(2) Not later than 120 days after the date of enactment of this Act, the President shall

report on the status of Chinese Government compliance with United States laws prohibiting the importation into the United States of forced labor products, including (but not limited to) a complete assessment and report on the implementation of the Memorandum of Understanding signed by the United States and China in 1992. The report shall include (but not be limited to) the following:

(A) All efforts made by the United States Customs Service from 1992 until the date of the report to investigate forced labor exports and to conduct unannounced unrestricted inspections of suspected forced labor sites in China, and the extent to which Chinese authorities cooperated with such investigations.

(B) Recommendations of what further steps might be taken to enhance United States effectiveness in prohibiting forced labor exports to the United States from China.

SEC. 2706. CONCERNING THE UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.

It is the sense of the Congress that the President, acting through the United States Permanent Representative to the United Nations, should—

(1) request the United Nations Voluntary Fund for Victims of Torture—

(A) to find new ways to support and protect treatment centers that are carrying out rehabilitative services for victims of torture; and

(B) to encourage the development of new such centers;

(2) use the voice and vote of the United States to support the work of the Special Rapporteur on Torture and the Committee Against Torture established under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and

(3) use the voice and vote of the United States to establish a country rapporteur or similar procedural mechanism to investigate human rights violations in a country if either the Special Rapporteur or the Committee Against Torture indicates that a systematic practice of torture is prevalent in that country.

SEC. 2707. RECOMMENDATIONS OF THE PRESIDENT FOR REFORM OF WAR POWERS RESOLUTION.

It is the sense of the Congress that the President should transmit to the Congress recommendations for reform of the War Powers Resolution (50 U.S.C. 1541 et seq.) in order to permit the Congress and the President to more effectively fulfill their constitutional responsibilities with respect to the deployment of United States Armed Forces abroad.

SEC. 2708. CONFLICT IN KASHMIR.

It is the sense of the Congress that the United States reiterates the need for all parties to the conflict in Kashmir to enter into negotiations and resolve the conflict peacefully. The Congress urges the executive branch to work with all parties to facilitate a peaceful negotiated settlement of the Kashmir conflict.

SEC. 2709. UNITED STATES RELATIONS WITH THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA (FYROM).

It is the sense of the Congress that the Former Yugoslav Republic of Macedonia (FYROM) should be eligible for all United States foreign assistance programs, including programs of the Export-Import Bank and the Overseas Private Investment Corporation, if the government continues to respect the rights of all ethnic minorities.

SEC. 2710. SENSE OF THE CONGRESS RELATING TO INDONESIA.

It is the sense of the Congress that—

(1) the United States should continue to urge progress in promotion and protection of

internationally recognized human rights by the Government of Indonesia;

(2) in its bilateral relations with the Government of Indonesia, the United States should place a high priority on public and private efforts to urge the Government of Indonesia to take specific steps to remove restrictions of freedom of expression and association, to allow freedom of the press, to allow freedom of religion, to end arbitrary arrests and torture and ill-treatment, to cease official attacks on nongovernmental organizations, to end the widespread denial of worker rights, and to hold members of the military accountable for human rights abuses;

(3) with respect to the situation in East Timor, the United States should call on the Government of Indonesia to make public the complete findings of the investigations into the killings of unarmed civilians in Liquica on January 12, 1995, including the reports of the Army Council of Military Honor and the findings of the National Human Rights Commission, and that those responsible for the killings be identified and brought to justice;

(4) the United States should continue to press the Government of Indonesia to fully comply with the 1994 and 1995 recommendations of the United Nations Human Rights Commission regarding the need for a full accounting of the Dili incident of November 1991;

(5) the United States should urge the Government of Indonesia to allow independent human rights monitoring organizations and foreign journalists unhindered access to East Timor;

(6) the United States should urge the Government of Indonesia to respect free practice of religion, including Christianity, in Indonesia, including East Timor; and

(7) the President should instruct the United States delegates to the annual Indonesia aid consortium donor meeting in July 1995 to again raise concerns about human rights violations in Indonesia, including restrictions of freedom of the press, attacks on nongovernmental organizations, and widespread violations of human rights in East Timor.

SEC. 2711. DISPLACED PERSONS.

It is the sense of the Congress that of the amounts made available to the United Nations Development Program (and United Nations Development Program-Administered Funds), at least \$20,000,000 for fiscal year 1996 and \$20,000,000 for fiscal year 1997 should be available for programs and services conducted in cooperation with the International Organization for Migration, the International Committee for the Red Cross, and nongovernmental organizations, for persons who are displaced within their countries of nationality.

DIVISION C—FOREIGN ASSISTANCE AUTHORIZATIONS

SEC. 3001. SHORT TITLE.

This division may be cited as the "Foreign Aid Reduction Act of 1995".

SEC. 3002. DECLARATION OF POLICY.

The Congress declares the following:

(1) United States leadership overseas must be maintained to support our vital national security, economic, and humanitarian interests.

(2) As part of this leadership, United States foreign assistance programs are essential to support these national interests.

(3) However, United States foreign assistance programs can be responsibly reduced while maintaining United States leadership overseas.

TITLE XXXI—DEFENSE AND SECURITY ASSISTANCE

CHAPTER 1—MILITARY AND RELATED ASSISTANCE

Subchapter A—Foreign Military Financing Program

SEC. 3101. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans under such section—

- (1) \$3,284,440,000 for fiscal year 1996; and
- (2) \$3,240,020,000 for fiscal year 1997.

SEC. 3102. ADMINISTRATIVE EXPENSES.

Of the amounts made available for fiscal years 1996 and 1997 for assistance under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C. 2763), not more than \$24,020,000 for each such fiscal year may be made available for necessary expenses for the general costs of administration of military assistance and sales, including expenses incurred in purchasing passenger motor vehicles for replacement for use outside the United States.

SEC. 3103. ASSISTANCE FOR ISRAEL.

(a) **MINIMUM ALLOCATION.**—Of the amounts made available for fiscal years 1996 and 1997 for assistance under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C. 2763), not less than \$1,800,000,000 for each such fiscal year shall be available only for Israel.

(b) **TERMS OF ASSISTANCE.**—

(1) **GRANT BASIS.**—The assistance provided for Israel for each fiscal year under subsection (a) shall be provided on a grant basis.

(2) **EXPEDITED DISBURSEMENT.**—Such assistance shall be disbursed—

(A) with respect to fiscal year 1996, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, or by October 31, 1995, whichever is later; and

(B) with respect to fiscal year 1997, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, or by October 31, 1996, whichever is later.

(3) **ADVANCED WEAPONS SYSTEMS.**—To the extent that the Government of Israel requests that funds be used for such purposes, funds described in subsection (a) shall, as agreed by the Government of Israel and the Government of the United States, be available for advanced weapons systems, of which not less than \$475,000,000 for each fiscal year shall be available only for procurement in Israel of defense articles and defense services, including research and development.

(c) **FOREIGN MILITARY SALES.**—Section 21(h) of the Arms Export Control Act (22 U.S.C. 2761(h)) is amended—

(1) in paragraph (1)(A), by inserting "or the Government of Israel" after "North Atlantic Treaty Organization"; and

(2) in paragraph (2), by striking "or to any member government of that Organization if that Organization or member government" and inserting ", any member government of that Organization, or the Government of Israel, if the Organization, member government, or Government of Israel, as the case may be,".

SEC. 3104. ASSISTANCE FOR EGYPT.

(a) **MINIMUM ALLOCATION.**—Of the amounts made available for fiscal years 1996 and 1997 for assistance under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C.

2763), not less than \$1,300,000,000 for each such fiscal year shall be available only for Egypt.

(b) **TERMS OF ASSISTANCE.**—The assistance provided for Egypt for each fiscal year under subsection (a) shall be provided on a grant basis.

SEC. 3105. LOANS FOR GREECE AND TURKEY.

Of the amounts made available for fiscal year 1996 under section 23 of the Arms Export Control Act (22 U.S.C. 2763)—

(1) not more than \$26,620,000 shall be made available for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans for Greece; and

(2) not more than \$37,800,000 shall be made available for such subsidy cost of direct loans for Turkey.

SEC. 3106. TERMS OF LOANS.

Section 31(c) of the Arms Export Control Act (22 U.S.C. 2771(c)) is amended to read as follows:

"(c) Loans available under section 23 shall be provided at rates of interest that are not less than the current average market yield on outstanding marketable obligations of the United States of comparable maturities."

SEC. 3107. NONREPAYMENT OF GRANT ASSISTANCE.

Section 23 of the Arms Export Control Act (22 U.S.C. 2763) is amended by adding at the end the following new subsection:

"(f) Notwithstanding any other provision of this section, the President shall not require repayment of any assistance provided on a grant basis under this section to a foreign country or international organization."

SEC. 3108. ADDITIONAL REQUIREMENTS.

(a) **AVAILABILITY OF FUNDS FOR PROCUREMENT OF DEFENSE ARTICLES, SERVICES, AND DESIGN AND CONSTRUCTION SERVICES NOT SOLD BY U.S. GOVERNMENT.**—Section 23 of the Arms Export Control Act (22 U.S.C. 2763), as amended by this Act, is further amended by adding at the end the following new subsection:

"(g) Funds made available to carry out this section for a fiscal year may be made available to a foreign country or international organization for the purpose of financing the procurement of defense articles, defense services, and design and construction services that are not sold by the United States Government under this Act only—

"(1) with respect to a country that is a member country of the North Atlantic Organization, a major non-NATO ally, or Jordan for which assistance was justified under this section in the annual congressional presentation documents under section 634 of the Foreign Assistance Act of 1961 for that fiscal year; and

"(2) if such country or international organization enters into an agreement with the United States Government that specifies the terms and conditions under which such procurements shall be financed with such funds."

(b) **AUDIT OF CERTAIN PRIVATE FIRMS.**—Section 23 of such Act (22 U.S.C. 2763), as amended by this Act, is further amended by adding at the end the following new subsection:

"(h) For each fiscal year, the Secretary of Defense, as requested by the Director of the Defense Security Assistance Agency, shall conduct audits on a nonreimbursable basis of private firms that have entered into contracts with foreign governments under which defense articles, defense services, or design and construction services are to be procured by such firms for such governments from financing under this section for such fiscal year."

(c) **PROHIBITION ON USE OF FUNDS FOR THE TRANSPORT OF AIRCRAFT TO COMMERCIAL ARMS SALES SHOWS.**—Section 23 of such Act

(22 U.S.C. 2763), as amended by this Act, is further amended by adding at the end the following new subsection:

"(i) Funds made available to carry out this section may not be used to facilitate the transport of aircraft to commercial arms sales shows."

(d) **NOTIFICATION REQUIREMENT WITH RESPECT TO CASH FLOW FINANCING.**—Section 23 of such Act (22 U.S.C. 2763), as amended by this Act, is further amended by adding at the end the following new subsection:

"(j)(1) For each country and international organization that has been approved for cash flow financing under this section, any letter of offer and acceptance or other purchase agreement, or any amendment thereto, for a procurement of defense articles, defense services, or design and construction services in excess of \$100,000,000 that is to be financed in whole or in part with funds made available under this Act or the Foreign Assistance Act of 1961 shall be submitted to the congressional committees specified in section 634A(a) of the Foreign Assistance Act of 1961 in accordance with the procedures applicable to reprogramming notifications under that section.

"(2) For purposes of this subsection, the term 'cash flow financing' has the meaning given such term in the second subsection (d) of section 25."

(e) **LIMITATIONS ON USE OF FUNDS FOR DIRECT COMMERCIAL CONTRACTS.**—Section 23 of such Act (22 U.S.C. 2763), as amended by this Act, is further amended by adding at the end the following new subsection:

"(k) Of the amounts made available for a fiscal year to carry out this section, not more than \$100,000,000 for such fiscal year may be made available for countries other than Israel and Egypt for the purpose of financing the procurement of defense articles, defense services, and design and construction services that are not sold by the United States Government under this Act."

(f) **USE OF FUNDS FOR DEMINING ACTIVITIES.**—Section 23 of such Act (22 U.S.C. 2763), as amended by this Act, is further amended by adding at the end the following new subsection:

"(l) Notwithstanding any other provision of law, funds made available to carry out this section may be used for demining activities, and may include activities implemented through nongovernmental and international organizations."

Subchapter B—Other Assistance

SEC. 3121. DEFENSE DRAWDOWN SPECIAL AUTHORITIES.

(a) **UNFORESEEN EMERGENCY DRAWDOWN.**—Section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) is amended by striking "\$75,000,000" and inserting "\$100,000,000".

(b) **ADDITIONAL DRAWDOWN.**—Section 506 of such Act (22 U.S.C. 2318) is amended—

(1) in subsection (a)(2)(A), by striking "defense articles from the stocks" and all that follows and inserting the following: "articles and services from the inventory and resources of any agency of the United States Government and military education and training from the Department of Defense, the President may direct the drawdown of such articles, services, and military education and training—

"(i) for the purposes and under the authorities of—

"(I) chapter 8 of part I (relating to international narcotics control assistance);

"(II) chapter 9 of part I (relating to international disaster assistance); or

"(III) the Migration and Refugee Assistance Act of 1962; or

"(ii) for the purpose of providing such articles, services, and military education and

training to Vietnam, Cambodia, and Laos as the President determines are necessary—

“(I) to support efforts to locate and repatriate members of the United States Armed Forces and civilians employed directly or indirectly by the United States Government who remain unaccounted for from the Vietnam War; and

“(II) to ensure the safety of United States Government personnel engaged in such cooperative efforts and to support Department of Defense-sponsored humanitarian projects associated with such efforts.”;

(2) in subsection (a)(2)(B), by striking “\$75,000,000” and all that follows and inserting “\$150,000,000 in any fiscal year of such articles, services, and military education and training may be provided pursuant to subparagraph (A) of this paragraph—

“(i) not more than \$75,000,000 of which may be provided from the drawdown from the inventory and resources of the Department of Defense;

“(ii) not more than \$75,000,000 of which may be provided pursuant to clause (i)(I) of such subparagraph; and

“(iii) not more than \$15,000,000 of which may be provided to Vietnam, Cambodia, and Laos pursuant to clause (ii) of such subparagraph.”; and

(3) in subsection (b)(1), by adding at the end the following: “In the case of drawdowns authorized by subclauses (I) and (III) of subsection (a)(2)(A)(i), notifications shall be provided to those committees at least 15 days in advance in accordance with the procedures applicable to reprogramming notifications under section 634A.”.

(c) NOTICE TO CONGRESS OF EXERCISE OF SPECIAL AUTHORITIES.—Section 652 of such Act (22 U.S.C. 2411) is amended by striking “prior to the date” and inserting “before”.

SEC. 3122. STOCKPILES OF DEFENSE ARTICLES.

(a) LIMITATION ON VALUE OF ADDITIONS.—Section 514(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(1)) is amended by inserting “or in the implementation of agreements with Israel” after “North Atlantic Treaty Organization”.

(b) ADDITIONS IN FISCAL YEARS 1996 AND 1997.—Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2)) is amended to read as follows:

“(2)(A) The value of such additions to stockpiles of defense articles in foreign countries shall not exceed \$50,000,000 for each of the fiscal years 1996 and 1997.

“(B) Of the amount specified in subparagraph (A) for each of the fiscal years 1996 and 1997, not more than \$40,000,000 may be made available for stockpiles in the Republic of Korea and not more than \$10,000,000 may be made available for stockpiles in Thailand.”.

(c) LOCATION OF STOCKPILES OF DEFENSE ARTICLES.—Section 514(c) of such Act (22 U.S.C. 2321h(c)) is amended to read as follows:

“(c) LOCATION OF STOCKPILES OF DEFENSE ARTICLES.—

“(1) LIMITATION.—Except as provided in paragraph (2), no stockpile of defense articles may be located outside the boundaries of a United States military base or a military base used primarily by the United States.

“(2) EXCEPTIONS.—Paragraph (1) shall not apply with respect to stockpiles of defense articles located in the Republic of Korea, Thailand, any country that is a member of the North Atlantic Treaty Organization, any country that is a major non-NATO ally, or any other country the President may designate. At least 15 days before designating a country pursuant to the last clause of the preceding sentence, the President shall notify the congressional committees specified in section 634A(a) in accordance with the procedures applicable to reprogramming notifications under that section.”.

SEC. 3123. TRANSFER OF EXCESS DEFENSE ARTICLES.

(a) IN GENERAL.—Section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) is amended to read as follows:

“SEC. 516. AUTHORITY TO TRANSFER EXCESS DEFENSE ARTICLES.

“(a) AUTHORIZATION.—The President is authorized to transfer excess defense articles under this section to countries for which receipt of such articles was justified pursuant to the annual congressional presentation documents for military assistance programs, or for programs under chapter 8 of part I of this Act, submitted under section 634 of this Act, or for which receipt of such articles was separately justified, for the fiscal year in which the transfer is authorized.

“(b) LIMITATIONS ON TRANSFERS.—The President may transfer excess defense articles under this section only if—

“(1) such articles are drawn from existing stocks of the Department of Defense;

“(2) funds available to the Department of Defense for the procurement of defense equipment are not expended in connection with the transfer;

“(3) the transfer of such articles will not have an adverse impact on the military readiness of the United States;

“(4) with respect to a proposed transfer of such articles on a grant basis, such a transfer is preferable to a transfer on a sales basis, after taking into account the potential proceeds from, and likelihood of, such sales, and the comparative foreign policy benefits that may accrue to the United States as the result of a transfer on either a grant or sales basis;

“(5) the President determines that the transfer of such articles will not have an adverse impact on the national technology and industrial base, and particularly, will not reduce the opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles are transferred; and

“(6) the transfer of such articles is consistent with the policy framework for the Eastern Mediterranean established under section 620C of this Act.

“(c) TERMS OF TRANSFERS.—

“(1) NO COST TO RECIPIENT COUNTRY.—Excess defense articles may be transferred under this section without cost to the recipient country.

“(2) PRIORITY.—Notwithstanding any other provision of law, the delivery of excess defense articles under this section to member countries of the North Atlantic Treaty Organization (NATO) on the southern and southeastern flank of NATO and to major non-NATO allies on such southern and southeastern flank shall be given priority to the maximum extent feasible over the delivery of such excess defense articles to other countries.

“(d) WAIVER OF REQUIREMENT FOR REIMBURSEMENT OF DEPARTMENT OF DEFENSE EXPENSES.—Section 632(d) shall not apply with respect to transfers of excess defense articles (including transportation and related costs) under this section.

“(e) TRANSPORTATION AND RELATED COSTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), funds available to the Department of Defense may not be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of this section.

“(2) EXCEPTION.—The President may provide for the transportation of excess defense articles without charge to a country for the costs of such transportation if—

“(A) it is determined that it is in the national interest of the United States to do so;

“(B) the recipient is a developing country receiving less than \$10,000,000 of assistance under chapter 5 of part II of this Act (relating to international military education and training) or section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program) in the fiscal year in which the transportation is provided;

“(C) the total weight of the transfer does not exceed 25,000 pounds; and

“(D) such transportation is accomplished on a space available basis.

“(f) ADVANCE NOTIFICATION TO CONGRESS FOR TRANSFER OF CERTAIN EXCESS DEFENSE ARTICLES.—

“(1) IN GENERAL.—The President may not transfer excess defense articles that are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or excess defense articles valued (in terms of original acquisition cost) at \$7,000,000 or more, under this section or under the Arms Export Control Act (22 U.S.C. 2751 et seq.) until 15 days after the date on which the President has provided notice of the proposed transfer to the congressional committees specified in section 634A(a) in accordance with procedures applicable to reprogramming notifications under that section.

“(2) CONTENTS.—Such notification shall include—

“(A) a statement outlining the purposes for which the article is being provided to the country, including whether such article has been previously provided to such country;

“(B) an assessment of the impact of the transfer on the military readiness of the United States;

“(C) an assessment of the impact of the transfer on the national technology and industrial base, and particularly, the impact on opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles are to be transferred; and

“(D) a statement describing the current value of such article and the value of such article at acquisition.

“(g) AGGREGATE ANNUAL LIMITATION.—The aggregate value of excess defense articles transferred to countries under this section in any fiscal year may not exceed \$350,000,000.

“(h) CONGRESSIONAL PRESENTATION DOCUMENTS.—Documents described in subsection (a) justifying the transfer of excess defense articles shall include an explanation of the general purposes of providing excess defense articles as well as a table which provides an aggregate annual total of transfers of excess defense articles in the preceding year by country in terms of offers and actual deliveries and in terms of acquisition cost and current value. Such table shall indicate whether such excess defense articles were provided on a grant or sale basis.

“(i) EXCESS COAST GUARD PROPERTY.—For purposes of this section, the term ‘excess defense articles’ shall be deemed to include excess property of the Coast Guard, and the term ‘Department of Defense’ shall be deemed, with respect to such excess property, to include the Coast Guard.”.

(b) CONFORMING AMENDMENTS.—

(1) ARMS EXPORT CONTROL ACT.—Section 21(k) of the Arms Export Control Act (22 U.S.C. 2761(k)) is amended by striking “the President shall” and all that follows and inserting the following: “the President shall determine that the sale of such articles will not have an adverse impact on the national technology and industrial base, and particularly, will not reduce the opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles are transferred.”.

(2) REPEALS.—The following provisions of law are hereby repealed:

(A) Section 502A of the Foreign Assistance Act of 1961 (22 U.S.C. 2303).

(B) Sections 517 through 520 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k through 2321n).

(C) Section 31(d) of the Arms Export Control Act (22 U.S.C. 2771(d)).

SEC. 3124. NONLETHAL EXCESS DEFENSE ARTICLES FOR ALBANIA.

Notwithstanding section 516(e) of the Foreign Assistance Act of 1961, during each of the fiscal years 1996 and 1997, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of nonlethal excess defense articles transferred under the authority of section 516 of such Act to Albania.

CHAPTER 2—INTERNATIONAL MILITARY EDUCATION AND TRAINING

SEC. 3141. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$39,781,000 for each of the fiscal years 1996 and 1997 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).

SEC. 3142. ASSISTANCE FOR INDONESIA.

Funds made available for fiscal years 1996 and 1997 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.) may be obligated for Indonesia only for expanded military and education training that meets the requirements of clauses (i) through (iv) of the second sentence of section 541 of such Act (22 U.S.C. 2347).

SEC. 3143. ADDITIONAL REQUIREMENTS.

(a) GENERAL AUTHORITY.—Section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) is amended in the second sentence in the matter preceding clause (i) by inserting “and individuals who are not members of the government” after “legislators”.

(b) TEST PILOT EXCHANGE TRAINING.—Section 544 of such Act (22 U.S.C. 2347c) is amended—

(1) by striking “In carrying out this chapter” and inserting “(a) In carrying out this chapter”; and

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

“(b) The President may provide for the attendance of foreign military and civilian defense personnel at test pilot flight schools in the United States without charge, and without charge to funds available to carry out this chapter (notwithstanding section 632(d) of this Act), if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one basis each fiscal year between those United States test pilot flight schools and comparable flight test pilot schools of foreign countries.”

(c) ASSISTANCE FOR CERTAIN FOREIGN COUNTRIES.—Chapter 5 of part II of such Act (22 U.S.C. 2347 et seq.) is amended by adding at the end the following new section:

“SEC. 546. ASSISTANCE FOR CERTAIN FOREIGN COUNTRIES.

“Of the amounts made available for a fiscal year for assistance under this chapter, not more than \$300,000 for such fiscal year may be made available for assistance on a grant basis for any high-income foreign country for military education and training of military and related civilian personnel of such country if such country agrees to provide for the transportation and living allowances of such military and related civilian personnel.”

CHAPTER 3—ANTITERRORISM ASSISTANCE

SEC. 3151. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated \$20,000,000 for fiscal year 1996

and \$25,000,000 for fiscal year 1997 to carry out chapter 8 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa et seq.).

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

SEC. 3152. ANTITERRORISM TRAINING ASSISTANCE.

(a) IN GENERAL.—Section 571 of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa) is amended by striking “Subject to the provisions of this chapter” and inserting “Notwithstanding any other provision of law that restricts assistance to foreign countries (other than sections 502B and 620A of this Act)”.

(b) LIMITATIONS.—Section 573 of such Act (22 U.S.C. 2349aa-2) is amended—

(1) in the heading, by striking “specific authorities and”; and

(2) by striking subsection (a);

(3) by redesignating subsections (b) through (f) as subsections (a) through (e), respectively; and

(4) in subsection (c) (as redesignated)—

(A) by striking paragraphs (1) and (2);

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

(C) by amending paragraph (2) (as redesignated) to read as follows:

“(2)(A) Except as provided in subparagraph (B), funds made available to carry out this chapter shall not be made available for the procurement of weapons and ammunition.

“(B) Subparagraph (A) shall not apply to small arms and ammunition in categories I and III of the United States Munitions List that are integrally and directly related to antiterrorism training provided under this chapter if, at least 15 days before obligating those funds, the President notifies the appropriate congressional committees specified in section 634A of this Act in accordance with the procedures applicable to reprogramming notifications under such section.

“(C) The value (in terms of original acquisition cost) of all equipment and commodities provided under this chapter in any fiscal year may not exceed 25 percent of the funds made available to carry out this chapter for that fiscal year.”

(c) ANNUAL REPORT.—Section 574 of such Act (22 U.S.C. 2349aa-3) is hereby repealed.

(d) TECHNICAL CORRECTIONS.—Section 575 (22 U.S.C. 2349aa-4) and section 576 (22 U.S.C. 2349aa-5) of such Act are redesignated as sections 574 and 575, respectively.

SEC. 3153. RESEARCH AND DEVELOPMENT EXPENSES.

Funds made available for fiscal years 1996 and 1997 to carry out chapter 8 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa et seq.) relating to antiterrorism assistance may be made available to the Technical Support Working Group of the Department of State for research and development expenses related to contraband detection technologies or for field demonstrations of such technologies (whether such field demonstrations take place in the United States or outside the United States).

CHAPTER 4—NARCOTICS CONTROL ASSISTANCE

SEC. 3161. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated \$213,000,000 for each of the fiscal years 1996 and 1997 to carry out chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.).

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

SEC. 3162. ADDITIONAL REQUIREMENTS.

(a) POLICY AND GENERAL AUTHORITIES.—Section 481(a) of the Foreign Assistance Act (22 U.S.C. 2291(a)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

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

“(D) International criminal activities, particularly international narcotics trafficking, money laundering, and corruption, endanger political and economic stability and democratic development, and assistance for the prevention and suppression of international criminal activities should be a priority for the United States.”; and

(2) in paragraph (4), by adding before the period at the end the following: “, or for other related anticrime purposes”.

(b) CONTRIBUTIONS AND REIMBURSEMENT.—Section 482(c) of that Act (22 U.S.C. 2291a(c)) is amended—

(1) by striking “CONTRIBUTION BY RECIPIENT COUNTRY.—To” and inserting “CONTRIBUTIONS AND REIMBURSEMENT.—(1) To”; and

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

“(2)(A) The President is authorized to accept contributions from other foreign governments to carry out the purposes of this chapter. Such contributions shall be deposited as an offsetting collection to the applicable appropriation account and may be used under the same terms and conditions as funds appropriated pursuant to this chapter.

“(B) At the time of submission of the annual congressional presentation documents required by section 634(a), the President shall provide a detailed report on any contributions received in the preceding fiscal year, the amount of such contributions, and the purposes for which such contributions were used.

“(3) The President is authorized to provide assistance under this chapter on a reimbursable basis. Such reimbursements shall be deposited as an offsetting collection to the applicable appropriation and may be used under the same terms and conditions as funds appropriated pursuant to this chapter.”

(c) IMPLEMENTATION OF LAW ENFORCEMENT ASSISTANCE.—Section 482 of such Act (22 U.S.C. 2291a) is amended by adding at the end the following new subsections:

“(f) TREATMENT OF FUNDS.—Funds transferred to and consolidated with funds appropriated pursuant to this chapter may be made available on such terms and conditions as are applicable to funds appropriated pursuant to this chapter. Funds so transferred or consolidated shall be apportioned directly to the bureau within the Department of State responsible for administering this chapter.

“(g) EXCESS PROPERTY.—For purposes of this chapter, the Secretary of State may use the authority of section 608, without regard to the restrictions of such section, to receive nonlethal excess property from any agency of the United States Government for the purpose of providing such property to a foreign government under the same terms and conditions as funds authorized to be appropriated for the purposes of this chapter.”

(d) REPORTING REQUIREMENTS.—(1) Section 489 of such Act (22 U.S.C. 2291h) is amended—

(A) in the section heading, by striking “for fiscal year 1995”; and

(B) by striking “(a) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—”; and

(C) by striking subsections (b) and (c).

(2) Section 489A of such Act (22 U.S.C. 2291i) is hereby repealed.

(e) CERTIFICATION REQUIREMENTS.—(1) Section 490 of such Act (22 U.S.C. 2291j) is amended—

(A) in the section heading by striking “for fiscal year 1995”; and

(B) by striking subsection (i).

(2) Section 490A of such Act (22 U.S.C. 2291k) is hereby repealed.

SEC. 3163. NOTIFICATION REQUIREMENT.

(a) IN GENERAL.—The authority of section 1003(d) of the National Narcotics Control Leadership Act of 1988 (21 U.S.C. 1502(d)) may be exercised with respect to funds authorized to be appropriated pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and with respect to the personnel of the Department of State only to the extent that the appropriate congressional committees have been notified 15 days in advance in accordance with the reprogramming procedures applicable under section 634A of that Act (22 U.S.C. 2394).

(b) DEFINITION.—For purposes of this section, the term “appropriate congressional committees” means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 3164. WAIVER OF RESTRICTIONS FOR NARCOTICS-RELATED ECONOMIC ASSISTANCE.

For each of the fiscal years 1996 and 1997, narcotics-related assistance under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) may be provided notwithstanding any other provision of law that restricts assistance to foreign countries (other than section 490(e) or section 502B of that Act (22 U.S.C. 2291j(e) and 2304)) if, at least 15 days before obligating funds for such assistance, the President notifies the appropriate congressional committees (as defined in section 481(e) of that Act (22 U.S.C. 2291(e))) in accordance with the procedures applicable to reprogramming notifications under section 634A of that Act (22 U.S.C. 2394).

CHAPTER 5—NONPROLIFERATION AND DISARMAMENT FUND

SEC. 3171. NONPROLIFERATION AND DISARMAMENT FUND.

(a) IN GENERAL.—There are authorized to be appropriated \$25,000,000 for each of the fiscal years 1996 and 1997 to carry out bilateral and multilateral nonproliferation and disarmament activities for the independent states of the former Soviet Union, countries other than the independent states of the former Soviet Union, and international organizations under section 504 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5854).

(b) SUPERSEDES OTHER LAWS.—Funds made available for fiscal years 1996 and 1997 under the authority of section 504 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5854) may be used notwithstanding any other provision of law.

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

CHAPTER 6—OTHER PROVISIONS

SEC. 3181. STANDARDIZATION OF CONGRESSIONAL REVIEW PROCEDURES FOR ARMS TRANSFERS.

(a) THIRD COUNTRY TRANSFERS UNDER FMS SALES.—Section 3(d)(2) of the Arms Export Control Act (22 U.S.C. 2753(d)(2)) is amended—

(1) in subparagraph (A), by striking “, as provided for in sections 36(b)(2) and 36(b)(3) of this Act”;

(2) in subparagraph (B), by striking “law” and inserting “joint resolution”; and

(3) by adding at the end the following:

“(C) If the President states in his certification under subparagraph (A) or (B) that an

emergency exists which requires that consent to the proposed transfer become effective immediately in the national security interests of the United States, thus waiving the requirements of that subparagraph, the President shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate immediate consent to the transfer and a discussion of the national security interests involved.

“(D)(i) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

“(ii) For the purpose of expediting the consideration and enactment of joint resolutions under this paragraph, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.”

(b) THIRD COUNTRY TRANSFERS UNDER COMMERCIAL SALES.—Section 3(d)(3) of such Act (22 U.S.C. 2753(d)(3)) is amended—

(1) by inserting “(A)” after “(3)”;

(2) in the first sentence—

(A) by striking “at least 30 calendar days”; and

(B) by striking “report” and inserting “certification”; and

(3) by striking the last sentence and inserting the following: “Such certification shall be submitted—

“(i) at least 15 calendar days before such consent is given in the case of a transfer to a country which is a member of the North Atlantic Treaty Organization or Australia, Japan, or New Zealand; and

“(ii) at least 30 calendar days before such consent is given in the case of a transfer to any other country,

unless the President states in his certification that an emergency exists which requires that consent to the proposed transfer become effective immediately in the national security interests of the United States. If the President states in his certification that such an emergency exists (thus waiving the requirements of clause (i) or (ii), as the case may be, and of subparagraph (B)) the President shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate that consent to the proposed transfer become effective immediately and a discussion of the national security interests involved.

“(B) Consent to a transfer subject to subparagraph (A) shall become effective after the end of the 15-day or 30-day period specified in subparagraph (A)(i) or (ii), as the case may be, only if the Congress does not enact, within that period, a joint resolution prohibiting the proposed transfer.

“(C)(i) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

“(ii) For the purpose of expediting the consideration and enactment of joint resolutions under this paragraph, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.”

(c) COMMERCIAL SALES.—Section 36(c)(2) of such Act (22 U.S.C. 2753(c)(2)) is amended by amending subparagraphs (A) and (B) to read as follows:

“(A) in the case of a license for an export to the North Atlantic Treaty Organization,

any member country of that Organization or Australia, Japan, or New Zealand, shall not be issued until at least 15 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 15-day period, enacts a joint resolution prohibiting the proposed export; and

“(B) in the case of any other license, shall not be issued until at least 30 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 30-day period, enacts a joint resolution prohibiting the proposed export.”

(d) COMMERCIAL MANUFACTURING AGREEMENTS.—Section 36(d) of such Act (22 U.S.C. 2753(d)) is amended—

(1) by inserting “(1)” after “(d)”;

(2) by striking “for or in a country not a member of the North Atlantic Treaty Organization”; and

(3) by adding at the end the following:

“(2) A certification under this subsection shall be submitted—

“(A) at least 15 days before approval is given in the case of an agreement for or in a country which is a member of the North Atlantic Treaty Organization or Australia, Japan, or New Zealand; and

“(B) at least 30 days before approval is given in the case of an agreement for or in any other country;

unless the President states in his certification that an emergency exists which requires the immediate approval of the agreement in the national security interests of the United States.

“(3) If the President states in his certification that an emergency exists which requires the immediate approval of the agreement in the national security interests of the United States, thus waiving the requirements of paragraph (4), he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate the immediate approval of the agreement and a discussion of the national security interests involved.

“(4) Approval for an agreement subject to paragraph (1) may not be given under section 38 if the Congress, within the 15-day or 30-day period specified in paragraph (2)(A) or (B), as the case may be, enacts a joint resolution prohibiting such approval.

“(5)(A) Any joint resolution under paragraph (4) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

“(B) For the purpose of expediting the consideration and enactment of joint resolutions under paragraph (4), a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.”

(e) GOVERNMENT-TO-GOVERNMENT LEASES.—

(1) CONGRESSIONAL REVIEW PERIOD.—Section 62 of such Act (22 U.S.C. 2796a) is amended—

(A) in subsection (a), by striking “Not less than 30 days before” and inserting “Before”;

(B) in subsection (b)—

(i) by striking “determines, and immediately reports to the Congress” and inserting “states in his certification”; and

(ii) by adding at the end of the subsection the following: “If the President states in his certification that such an emergency exists, he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate that the lease be entered into immediately and a discussion of the national security interests involved.”; and

(C) by adding at the end of the section the following:

“(c) The certification required by subsection (a) shall be transmitted—

“(1) not less than 15 calendar days before the agreement is entered into or renewed in the case of an agreement with the North Atlantic Treaty Organization, any member country of that Organization or Australia, Japan, or New Zealand; and

“(2) not less than 30 calendar days before the agreement is entered into or renewed in the case of an agreement with any other organization or country.”.

(2) CONGRESSIONAL DISAPPROVAL.—Section 63(a) of such Act (22 U.S.C. 2796b(a)) is amended—

(A) by striking “(a)(1)” and inserting “(a)”;

(B) by striking out the “30 calendar days after receiving the certification with respect to that proposed agreement pursuant to section 62(a).” and inserting in lieu thereof “the 15-day or 30-day period specified in section 62(c) (1) or (2), as the case may be.”; and

(C) by striking paragraph (2).

(f) EFFECTIVE DATE.—The amendments made by this section apply with respect to certifications required to be submitted on or after the date of the enactment of this Act.

SEC. 3182. STANDARDIZATION OF THIRD COUNTRY TRANSFERS OF DEFENSE ARTICLES.

Section 3 of the Arms Export Control Act (22 U.S.C. 2753) is amended by inserting after subsection (a) the following new subsection:

“(b) The consent of the President under paragraph (2) of subsection (a) or under paragraph (1) of section 505(a) of the Foreign Assistance Act of 1961 (as it relates to subparagraph (B) of such paragraph) shall not be required for the transfer by a foreign country or international organization of defense articles sold by the United States under this Act if—

“(1) such articles constitute components incorporated into foreign defense articles;

“(2) the recipient is the government of a member country of the North Atlantic Treaty Organization, the Government of Australia, the Government of Japan, or the Government of New Zealand;

“(3) the United States-origin components are not—

“(A) significant military equipment (as defined in section 47(9));

“(B) defense articles for which notification to Congress is required under section 36(b); and

“(C) identified by regulation as Missile Technology Control Regime items; and

“(4) the foreign country or international organization provides notification of the transfer of the defense articles to the United States Government not later than 30 days after the date of such transfer.”.

SEC. 3183. INCREASED STANDARDIZATION, RATIONALIZATION, AND INTEROPERABILITY OF ASSISTANCE AND SALES PROGRAMS.

Paragraph (6) of section 515(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i(a)(6)) is amended by striking “among members of the North Atlantic Treaty Organization and with the Armed Forces of Japan, Australia, and New Zealand”.

SEC. 3184. REPEAL OF PRICE AND AVAILABILITY REPORTING REQUIREMENT RELATING TO PROPOSED SALE OF DEFENSE ARTICLES AND SERVICES.

(a) IN GENERAL.—Section 28 of the Arms Export Control Act (22 U.S.C. 2768) is hereby repealed.

(b) CONFORMING AMENDMENT.—Section 36(b) of such Act (22 U.S.C. 2776(b)) is amended by striking paragraph (4) of such section.

SEC. 3185. DEFINITION OF SIGNIFICANT MILITARY EQUIPMENT.

Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”; and

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

“(9) ‘significant military equipment’ means articles—

“(A) for which special export controls are warranted because of the capacity of such articles for substantial military utility or capability; and

“(B) identified on the United States Munitions List.”.

SEC. 3186. REQUIREMENTS RELATING TO THE SPECIAL DEFENSE ACQUISITION FUND.

(a) ELIMINATION OF ANNUAL REPORT.—

(1) IN GENERAL.—Section 53 of the Arms Export Control Act (22 U.S.C. 2795b) is hereby repealed.

(2) CONFORMING AMENDMENT.—Section 51(a)(4) of such Act (22 U.S.C. 2795(a)(4)) is amended—

(A) by striking “(a)”;

(B) by striking subparagraph (B).

(b) RETURN OF CERTAIN AMOUNTS IN FUND TO THE TREASURY.—During fiscal year 1996 the President shall return \$6,281,000 to the miscellaneous receipts account of the Treasury from collections into the Special Defense Acquisition Fund pursuant to section 51(b) of the Arms Export Control Act in addition to the amount of such collections to be returned for such fiscal year as indicated in the President’s budget of the United States Government for fiscal year 1996.

SEC. 3187. COST OF LEASED DEFENSE ARTICLES THAT HAVE BEEN LOST OR DESTROYED.

Section 61(a)(4) of the Arms Export Control Act (22 U.S.C. 2796(a)(4)) is amended by striking “and the replacement cost” and all that follows and inserting the following: “and, if the articles are lost or destroyed while leased—

“(A) in the event the United States intends to replace the articles lost or destroyed, the replacement cost (less any depreciation in the value) of the articles; or

“(B) in the event the United States does not intend to replace the articles lost or destroyed, an amount not less than the actual value (less any depreciation in the value) specified in the lease agreement.”.

SEC. 3188. DESIGNATION OF MAJOR NON-NATO ALLIES.

(a) DESIGNATION.—

(1) NOTICE TO CONGRESS.—Chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

“SEC. 517. DESIGNATION OF MAJOR NON-NATO ALLIES.

“(a) NOTICE TO CONGRESS.—The President shall notify the Congress in writing at least 30 days before—

“(1) designating a country as a major non-NATO ally for purposes of this Act and the Arms Export Control Act (22 U.S.C. 2751 et seq.); or

“(2) terminating such a designation.

“(b) INITIAL DESIGNATIONS.—Australia, Egypt, Israel, Japan, the Republic of Korea, and New Zealand shall be deemed to have been so designated by the President as of the effective date of this section, and the President is not required to notify the Congress of such designation of those countries.”.

(2) DEFINITION.—Section 644 of such Act (22 U.S.C. 2403) is amended by adding at the end the following:

“(q) ‘Major non-NATO ally’ means a country which is designated in accordance with section 517 as a major non-NATO ally for purposes of this Act and the Arms Export Control Act (22 U.S.C. 2751 et seq.).”.

(3) EXISTING DEFINITIONS.—(A) The last sentence of section 21(g) of the Arms Export Control Act (22 U.S.C. 2761(g)) is repealed.

(B) Section 65(d) of such Act is amended—

(i) by striking “or major non-NATO”; and

(ii) by striking out “or a” and all that follows through “Code”.

(b) COOPERATIVE TRAINING AGREEMENTS.—Section 21(g) of the Arms Export Control Act (22 U.S.C. 2761(g)) is amended in the first sentence by striking “similar agreements” and all that follows through “other countries” and inserting “similar agreements with countries”.

SEC. 3189. CERTIFICATION THRESHOLDS.

(a) INCREASE IN DOLLAR THRESHOLDS.—The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in section 3(d) (22 U.S.C. 2753(d))—

(A) in paragraphs (1) and (3), by striking “\$14,000,000” each place it appears and inserting “\$25,000,000”; and

(B) in paragraphs (1) and (3), by striking “\$50,000,000” each place it appears and inserting “\$75,000,000”;

(2) in section 36 (22 U.S.C. 2776)—

(A) in subsections (b)(1), (b)(5)(C), and (c)(1), by striking “\$14,000,000” each place it appears and inserting “\$25,000,000”;

(B) in subsections (b)(1), (b)(5)(C), and (c)(1), by striking “\$50,000,000” each place it appears and inserting “\$75,000,000”; and

(C) in subsections (b)(1) and (b)(5)(C), by striking “\$200,000,000” each place it appears and inserting “\$300,000,000”; and

(3) in section 63(a) (22 U.S.C. 2796b(a))—

(A) by striking “\$14,000,000” and inserting “\$25,000,000”; and

(B) by striking “\$50,000,000” and inserting “\$75,000,000”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply with respect to certifications submitted on or after the date of the enactment of this Act.

SEC. 3190. COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES AND SERVICES.

(a) COSTING BASIS.—Section 22 of the Arms Export Control Act (22 U.S.C. 2762) is amended by adding at the end the following:

“(d) COMPETITIVE PRICING.—Procurement contracts made in implementation of sales under this section for defense articles and defense services wholly paid from funds made available on a nonrepayable basis shall be priced on the same costing basis with regard to profit, overhead, independent research and development, bid and proposal, and other costing elements, as is applicable to procurements of like items purchased by the Department of Defense for its own use.”.

(b) EFFECTIVE DATE AND IMPLEMENTING REGULATIONS.—Section 22(d) of the Arms Export Control Act, as added by subsection (a)—

(1) shall take effect on the 60th day following the date of the enactment of this Act;

(2) shall be applicable only to contracts made in implementation of sales made after such effective date; and

(3) shall be implemented by revised procurement regulations, which shall be issued prior to such effective date.

SEC. 3191. DEPLETED URANIUM AMMUNITION.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

“SEC. 620H. DEPLETED URANIUM AMMUNITION.

“(a) PROHIBITION.—Except as provided in subsection (b), none of the funds made available to carry out this Act or any other Act may be made available to facilitate in any way the sale of M-833 antitank shells or any comparable antitank shells containing a depleted uranium penetrating component to any country other than—

“(1) a country that is a member of the North Atlantic Treaty Organization;

“(2) a country that has been designated as a major non-NATO ally (as defined in section 644(g)); or

“(3) Taiwan.

“(b) EXCEPTION.—The prohibition contained in subsection (a) shall not apply with respect to the use of funds to facilitate the sale of antitank shells to a country if the President determines that to do so is in the national security interest of the United States.”.

SEC. 3192. END-USE MONITORING OF DEFENSE ARTICLES AND DEFENSE SERVICES.

(a) IN GENERAL.—The Arms Export Control Act (22 U.S.C.2751 et seq.) is amended by inserting after chapter 3 the following new chapter:

“CHAPTER 3A—END-USE MONITORING OF DEFENSE ARTICLES AND DEFENSE SERVICES

“SEC. 40A. END-USE MONITORING OF DEFENSE ARTICLES AND DEFENSE SERVICES.

“(a) ESTABLISHMENT OF MONITORING PROGRAM.—

“(1) IN GENERAL.—In order to improve accountability with respect to defense articles and defense services sold, leased, or exported under this Act or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), the Secretary of State shall establish a program which provides for the end-use monitoring of such articles and services.

“(2) REQUIREMENTS OF PROGRAM.—To the extent practicable, such program—

“(A) shall provide for the end-use monitoring of defense articles and defense services in accordance with the standards that apply for identifying high-risk exports for regular end-use verification developed under section 38(g)(7) of this Act (commonly referred to as the ‘Blue Lantern’ program); and

“(B) shall be designed to provide reasonable assurance that—

“(i) the recipient is complying with the requirements imposed by the United States Government with respect to use, transfers, and security of defense articles and defense services; and

“(ii) such articles and services are being used for the purposes for which they are provided.

“(b) CONDUCT OF PROGRAM.—In carrying out the program established under subsection (a), the Secretary shall ensure that the program—

“(1) provides for the end-use verification of defense articles and defense services that incorporate sensitive technology, defense articles and defense services that are particularly vulnerable to diversion or other misuse, or defense articles or defense services whose diversion or other misuse could have significant consequences; and

“(2) prevents the diversion (through reverse engineering or other means) of technology incorporated in defense articles.

“(c) MONITORING RESPONSIBILITIES.—

“(1) IN GENERAL.—Pursuant to subsection (a), sections 3 and 38 of this Act, and sections 505, 622, and 623 of the Foreign Assistance Act of 1961, the Secretary of State, in consultation with the Secretary of Defense and officials of appropriate other Federal agencies, shall provide for the monitoring of defense articles and defense services described in subsection (a).

“(2) ADDITIONAL PERSONNEL.—Upon the request of the Secretary of State, the Secretary of Defense or the Secretary of the Treasury, as the case may be, shall provide to the agency primarily responsible for the licensing of exports under this section, on a nonreimbursable basis, personnel with appropriate expertise to assist in the end-use monitoring and enforcement functions under this section and section 38 of this Act.

“(d) REPORT TO CONGRESS.—Not later than 6 months after the date of the enactment of

the Foreign Aid Reduction Act of 1995, and annually thereafter as a part of the annual congressional presentation documents submitted under section 634 of the Foreign Assistance Act of 1961, the President shall transmit to the Congress a report describing the actions taken to implement this section.

“(e) THIRD COUNTRY TRANSFERS.—For purposes of this section, defense articles and defense services sold, leased, or exported under this Act or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) includes defense articles and defense services that are transferred to a third country or other third party.”.

(b) EFFECTIVE DATES.—Section 40A of the Arms Export Control Act, as added by subsection (a), applies with respect to defense articles and defense services provided before or after the date of the enactment of this Act.

SEC. 3193. BROKERING ACTIVITIES RELATING TO COMMERCIAL SALES OF DEFENSE ARTICLES AND SERVICES.

(a) IN GENERAL.—Section 38(b)(1)(A) of the Arms Export Control Act (22 U.S.C. 2778(b)(1)(A)) is amended—

(1) in the first sentence, by striking “As prescribed in regulations” and inserting “(i) As prescribed in regulations”; and

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

“(i)(I) As prescribed in regulations issued under this section, every person (other than an officer or employee of the United States Government acting in official capacity) who engages in the business of brokering activities with respect to the manufacture, export, import, or transfer of any defense article or defense service designated by the President under subsection (a)(1), or in the business of brokering activities with respect to the manufacture, export, import, or transfer of any foreign defense article or defense service (as defined in subclause (IV)), shall register with the United States Government agency charged with the administration of this section, and shall pay a registration fee which shall be prescribed by such regulations.

“(II) Such brokering activities shall include the financing, transportation, freight forwarding, or the taking of any other action that facilitates the manufacture, export, or import of a defense article or defense service.

“(III) No person may engage in the business of brokering activities without a license, issued in accordance with this Act, except that no license shall be required for such activities undertaken by or for an agency of the United States Government—

“(aa) for official use by an agency of the United States Government; or

“(bb) for carrying out any foreign assistance or sales program authorized by law and subject to the control of the President by other means.

“(IV) For purposes of this clause, the term ‘foreign defense article or defense service’ includes any non-United States defense article or defense service of a nature described on the United States Munitions List regardless of whether such article or service is of United States origin or whether such article or service contains United States origin components.”.

(b) EFFECTIVE DATE.—Section 38(b)(1)(A)(ii) of the Arms Export Control Act, as added by subsection (a), shall apply with respect to brokering activities engaged in on or after the date of the enactment of this Act.

**TITLE XXXII—ECONOMIC ASSISTANCE
CHAPTER 1—ECONOMIC SUPPORT
ASSISTANCE**

SEC. 3201. ECONOMIC SUPPORT FUND.

Section 532(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346a(a)) is amended to read as follows:

“(a) There are authorized to be appropriated to the President to carry out the purposes of this chapter \$2,356,378,000 for fiscal year 1996 and \$2,283,478,000 for fiscal year 1997.”.

SEC. 3202. ASSISTANCE FOR ISRAEL.

(a) MINIMUM ALLOCATION.—Of the amounts made available for fiscal years 1996 and 1997 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), not less than \$1,200,000,000 for each such fiscal year shall be available only for Israel.

(b) TERMS OF ASSISTANCE.—

(1) CASH TRANSFER.—The total amount of funds allocated for Israel for each fiscal year under subsection (a) shall be made available on a grant basis as a cash transfer.

(2) EXPEDITED DISBURSEMENT.—Such funds shall be disbursed—

(A) with respect to fiscal year 1996, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, or by October 31, 1995, whichever is later; and

(B) with respect to fiscal year 1997, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, or by October 31, 1996, whichever is later.

(3) ADDITIONAL REQUIREMENT.—In exercising the authority of this subsection, the President shall ensure that the amount of funds provided as a cash transfer to Israel does not cause an adverse impact on the total level of nonmilitary exports from the United States to Israel.

SEC. 3203. ASSISTANCE FOR EGYPT.

(a) MINIMUM ALLOCATION.—Of the amounts made available for fiscal years 1996 and 1997 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), not less than \$815,000,000 for each such fiscal year shall be available only for Egypt.

(b) ADDITIONAL REQUIREMENT.—In exercising the authority of this section, the President shall ensure that the amount of funds provided as a cash transfer to Egypt does not cause an adverse impact on the total level of nonmilitary exports from the United States to Egypt.

SEC. 3204. INTERNATIONAL FUND FOR IRELAND.

(a) FUNDING.—

(1) IN GENERAL.—Of the amounts made available for fiscal years 1996 and 1997 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), not more than \$29,600,000 for fiscal year 1996 and not more than \$19,600,000 for fiscal year 1997 shall be available for the United States contribution to the International Fund for Ireland in accordance with the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415).

(2) AVAILABILITY.—Amounts made available under paragraph (1) are authorized to remain available until expended.

(b) ADDITIONAL REQUIREMENTS.—

(1) PURPOSES.—Section 2(b) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415; 100 Stat. 947) is amended by adding at the end the following new sentences: “United States contributions shall be used in a manner that effectively increases employment opportunities in communities with rates of unemployment significantly higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions shall be used to benefit individuals residing in such communities.”.

(2) CONDITIONS AND UNDERSTANDINGS.—Section 5(a) of such Act is amended—

(A) in the first sentence—

(i) by striking “The United States” and inserting the following:

“(1) IN GENERAL.—The United States”;

(ii) by striking “in this Act may be used” and inserting the following: “in this Act—

“(A) may be used”;

(iii) by striking the period and inserting “; and”;

(iv) by adding at the end the following:

“(B) may be provided to an individual or entity in Northern Ireland only if such individual or entity is in compliance with the principles of economic justice.”; and

(B) in the second sentence, by striking “The restrictions” and inserting the following:

“(2) ADDITIONAL REQUIREMENTS.—The restrictions”.

(3) PRIOR CERTIFICATIONS.—Section 5(c)(2) of such Act is amended—

(A) in subparagraph (A), by striking “principle of equality” and all that follows and inserting “principles of economic justice; and”;

(B) in subparagraph (B), by inserting before the period at the end the following: “and will create employment opportunities in regions and communities of Northern Ireland suffering the highest rates of unemployment”.

(4) ANNUAL REPORTS.—Section 6 of such Act is amended—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(4) each individual or entity receiving assistance from United States contributions to the International Fund has agreed in writing to comply with the principles of economic justice.”.

(5) DEFINITIONS.—Section 8 of such Act is amended—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

“(3) the term ‘Northern Ireland’ includes the counties of Antrim, Armagh, Derry, Down, Tyrone, and Fermanagh; and

“(4) the term ‘principles of economic justice’ means the following principles:

“(A) Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs.

“(B) Providing adequate security for the protection of minority employees at the workplace.

“(C) Banning provocative sectarian or political emblems from the workplace.

“(D) Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.

“(E) Providing that layoff, recall, and termination procedures do not favor a particular religious group.

“(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.

“(G) Providing for the development of training programs that will prepare substantial numbers of minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees.

“(H) Establishing procedures to assess, identify, and actively recruit minority em-

ployees with the potential for further advancement.

“(I) Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and, within a reasonable period of time, the implementation of the principles described in subparagraphs (A) through (H).”.

(6) EFFECTIVE DATE.—The amendments made by this subsection shall take effect 180 days after the date of the enactment of this Act.

SEC. 3205. LAW ENFORCEMENT ASSISTANCE.

(a) IN GENERAL.—Of the amounts made available for fiscal years 1996 and 1997 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), not more than \$12,000,000 for each such fiscal year shall be available for law enforcement assistance under chapter 8 of part I of such Act (22 U.S.C. 2291 et seq.).

(b) AVAILABILITY.—Amounts made available under subsection (a) are authorized to remain available until expended.

CHAPTER 2—ASSISTANCE FOR PRIVATE SECTOR PROGRAMS AND ACTIVITIES

SEC. 3211. PRIVATE SECTOR ENTERPRISE FUNDS.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting after section 601 the following new section:

“SEC. 601A. PRIVATE SECTOR ENTERPRISE FUNDS.

“(a) AUTHORITY.—(1) The President may provide funds and support to Enterprise Funds designated in accordance with subsection (b) that are or have been established for the purposes of promoting—

“(A) development of the private sectors of eligible countries, including small businesses, the agricultural sector, and joint ventures with United States and host country participants; and

“(B) policies and practices conducive to private sector development in eligible countries;

on the same basis as funds and support may be provided with respect to Enterprise Funds for Poland and Hungary under the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.).

“(2) Funds may be made available under this section notwithstanding any other provision of law.

“(b) COUNTRIES ELIGIBLE FOR ENTERPRISE FUNDS.—(1) Except as provided in paragraph (2), the President is authorized to designate a private, nonprofit organization as eligible to receive funds and support pursuant to this section with respect to any country eligible to receive assistance under part I of this Act in the same manner and with the same limitations as set forth in section 201(d) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421(d)).

“(2) The authority of paragraph (1) shall not apply to any country with respect to which the President is authorized to designate an enterprise fund under section 498B(c) or section 498C of this Act or section 201 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421).

“(c) TREATMENT EQUIVALENT TO ENTERPRISE FUNDS FOR POLAND AND HUNGARY.—Except as otherwise specifically provided in this section, the provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421) (excluding the authorizations of appropriations provided in subsection (b) of that section) shall apply to any Enterprise Fund that receives funds and support under this section. The officers, members, or employees of an Enterprise Fund that receive funds and support under this section shall enjoy the

same status under law that is applicable to officers, members, or employees of the Enterprise Funds for Poland and Hungary under section 201 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421).

“(d) REPORTING REQUIREMENT.—Notwithstanding any other provision of this section, the requirement of section 201(p) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421(p)), that an Enterprise Fund shall be required to publish an annual report not later than January 31 each year, shall not apply with respect to an Enterprise Fund that receives funds and support under this section for the first twelve months after it is designated as eligible to receive such funds and support.

“(e) FUNDING.—

“(1) IN GENERAL.—Amounts made available for a fiscal year to carry out chapter 1 of part I of this Act (relating to development assistance) and to carry out chapter 4 of part II of this Act (relating to the economic support fund) shall be available for such fiscal year to carry out this section, in addition to amounts otherwise available for such purposes.

“(2) AFRICAN DEVELOPMENT.—In addition to amounts available under paragraph (1) for a fiscal year, amounts made available for such fiscal year to carry out chapter 10 of part I of this Act (relating to the Development Fund for Africa) shall be available for such fiscal year to carry out this section with respect to countries in Africa.”.

SEC. 3212. MICRO- AND SMALL ENTERPRISE DEVELOPMENT CREDITS.

(a) IN GENERAL.—Section 108 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151f) is amended to read as follows:

“SEC. 108. MICRO- AND SMALL ENTERPRISE DEVELOPMENT CREDITS.

“(a) FINDINGS AND POLICY.—The Congress finds and declares that—

“(1) the development of micro- and small enterprise, including cooperatives, is a vital factor in the stable growth of developing countries and in the development and stability of a free, open, and equitable international economic system;

“(2) it is, therefore, in the best interests of the United States to assist the development of the private sector in developing countries and to engage the United States private sector in that process;

“(3) the support of private enterprise can be served by programs providing credit, training, and technical assistance for the benefit of micro- and small enterprises; and

“(4) programs that provide credit, training, and technical assistance to private institutions can serve as a valuable complement to grant assistance provided for the purpose of benefiting micro- and small private enterprise.

“(b) PROGRAM.—To carry out the policy set forth in subsection (a), the President is authorized to provide assistance to increase the availability of credit to micro- and small enterprises lacking full access to credit, including through—

“(1) loans and guarantees to credit institutions for the purpose of expanding the availability of credit to micro- and small enterprises;

“(2) training programs for lenders in order to enable them to better meet the credit needs of micro- and small entrepreneurs; and

“(3) training programs for micro- and small entrepreneurs in order to enable them to make better use of credit and to better manage their enterprises.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—(A) There is authorized to be appropriated to carry out section 108 of the Foreign Assistance Act of 1961, in addition to funds otherwise available for such

purposes, \$2,000,000 for each of the fiscal years 1996 and 1997. Funds authorized to be appropriated under this subsection shall be made available for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, for activities under section 108 of the Foreign Assistance Act of 1961.

(B) In addition, there are authorized to be appropriated \$500,000 for each of the fiscal years 1996 and 1997 for the cost of training programs and administrative expenses to carry out such section.

(2) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated under paragraph (1) are authorized to remain available until expended.

SEC. 3213. MICROENTERPRISE DEVELOPMENT GRANT ASSISTANCE.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new section:

“SEC. 129. MICROENTERPRISE DEVELOPMENT GRANT ASSISTANCE.

“(a) AUTHORIZATION.—(1) In carrying out this part, the administrator of the agency primarily responsible for administering this part is authorized to provide grant assistance for programs of credit and other assistance for microenterprises in developing countries.

“(2) Assistance authorized under paragraph (1) shall be provided through the following organizations that have a capacity to develop and implement microenterprise programs:

“(A) United States and indigenous private and voluntary organizations.

“(B) United States and indigenous credit unions and cooperative organizations.

“(C) Other indigenous governmental and nongovernmental organizations.

“(3) Approximately 50 percent of assistance authorized under paragraph (1) shall be used for poverty lending programs which—

“(A) meet the needs of the very poor members of society, particularly poor women; and

“(B) provide loans of \$300 or less in 1995 United States dollars to such poor members of society.

“(4) The administrator of the agency primarily responsible for administering this part shall strengthen appropriate mechanisms, including mechanisms for central microenterprise programs, for the purpose of—

“(A) providing technical support for field missions;

“(B) strengthening the institutional development of the intermediary organizations described in paragraph (2); and

“(C) sharing information relating to the provision of assistance authorized under paragraph (1) between such field missions and intermediary organizations.

“(b) MONITORING SYSTEM.—In order to maximize the sustainable development impact of the assistance authorized under subsection (a)(1), the administrator of the agency primarily responsible for administering this part shall establish a monitoring system that—

“(1) establishes performance goals for such assistance and expresses such goals in an objective and quantifiable form, to the extent feasible;

“(2) establishes performance indicators to be used in measuring or assessing the achievement of the goals and objectives of such assistance; and

“(3) provides a basis for recommendations for adjustments to such assistance to enhance the sustainable development impact of such assistance, particularly the impact of such assistance on the very poor, particularly poor women.”.

CHAPTER 3—DEVELOPMENT ASSISTANCE

Subchapter A—Development Assistance

Authorities

SEC. 3221. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated the following amounts for the following purposes (in addition to amounts otherwise available for such purposes):

(1) DEVELOPMENT ASSISTANCE FUND.—\$858,000,000 for each of the fiscal years 1996 and 1997 to carry out sections 103 through 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a through 2151d).

(2) DEVELOPMENT FUND FOR AFRICA.—\$629,214,000 for each of the fiscal years 1996 and 1997 to carry out chapter 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2293 et seq.).

(3) ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.—\$643,000,000 for fiscal year 1996 and \$650,000,000 for fiscal year 1997 to carry out programs under chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.) and other related programs.

(4) ASSISTANCE FOR EAST EUROPEAN COUNTRIES.—\$325,000,000 for fiscal year 1996 and \$275,000,000 for fiscal year 1997 for economic assistance for Eastern Europe and the Baltic states under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.).

(5) INTER-AMERICAN FOUNDATION.—\$20,000,000 for fiscal year 1996 and \$10,000,000 for fiscal year 1997 to carry out section 401 of the Foreign Assistance Act of 1969 (22 U.S.C. 290f).

(6) AFRICAN DEVELOPMENT FOUNDATION.—\$10,000,000 for fiscal year 1996 and \$5,000,000 for fiscal year 1997 to carry out the African Development Foundation Act (22 U.S.C. 290h et seq.).

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

SEC. 3222. CHILD SURVIVAL ACTIVITIES, VITAMIN A DEFICIENCY PROGRAM, AND RELATED ACTIVITIES.

(a) CHILD SURVIVAL ACTIVITIES.—

(1) IN GENERAL.—(A) Of the amounts made available to carry out the provisions of law described in paragraph (2) for fiscal years 1996 and 1997, not less than \$280,000,000 for each such fiscal year shall be made available only for activities which have a direct measurable impact on rates of child morbidity and mortality, with a particular emphasis on delivery of community-based primary health care and health education services which benefit the poorest of the poor.

(B) Of the amounts made available under subparagraph (A) for a fiscal year, not less than \$30,000,000 for such fiscal year shall be provided to private and voluntary organizations under the PVO Child Survival grants program carried out by the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961.

(2) PROVISIONS OF LAW.—The provisions of law described in this paragraph are the following:

(A) Sections 103 through 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a through 2151d); relating to the development assistance fund).

(B) Chapter 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2293 et seq.); relating to the Development Fund for Africa).

(C) Chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.); relating to the economic support fund).

(D) The “Multilateral Assistance Initiative for the Philippines” program.

(3) SPECIAL RULE.—Amounts made available under sections 103 through 106 of the Foreign Assistance Act of 1961 for the Vitamin A Deficiency Program, part I of such Act for iodine and iron fortification programs and for iron supplementation programs for pregnant women, chapter 9 of part I of such Act for international disaster assistance, section 104(c) of such Act for international AIDS prevention and control, and any other provision of law for migration and refugee assistance, shall not be included in the aggregate amounts described in paragraph (1) for purposes of the requirements contained in such paragraph.

(b) VITAMIN A DEFICIENCY PROGRAM AND RELATED ACTIVITIES.—Of the amounts made available to carry out sections 103 through 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a through 2151d) for fiscal years 1996 and 1997, not less than \$25,000,000 for each such fiscal year shall be made available for the Vitamin A Deficiency Program and for activities relating to iodine deficiency and other micronutrients.

(c) UNDP/WHO TROPICAL DISEASE PROGRAM.—Of the amounts made available to carry out section 103 through 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a through 2151d) for fiscal years 1996 and 1997, not less than \$15,000,000 for each such fiscal year shall be made available for the United Nations Development Program/World Health Organization Special Program for Research and Training in Tropical Diseases.

SEC. 3223. ASSISTANCE FOR FAMILY PLANNING.

(a) RESTRICTION ON USE OF FUNDS FOR VOLUNTARY POPULATION PLANNING.—Section 104(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(b)) is amended by inserting after the first sentence the following new sentence: “Such assistance shall be available only for voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services.”

(b) PROHIBITION ON USE OF FUNDS FOR VOLUNTARY POPULATION PLANNING TO ORGANIZATIONS OR PROGRAMS SUPPORTING OR PARTICIPATING IN THE MANAGEMENT OF ABORTION OR INVOLUNTARY STERILIZATION PROGRAMS.—Section 104(b) of such Act (22 U.S.C. 2151b(b)), as amended by subsection (a), is further amended—

(1) in the first sentence, by striking “In order to” and inserting “(1) In order to”; and

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

“(2) None of the funds made available to carry out this subsection may be made available to any organization or program which, as determined by the President, supports or participates in the management of a program of coercive abortion or involuntary sterilization.”.

(c) PROHIBITION ON DISCRIMINATION WITH RESPECT TO GRANTS FOR NATURAL FAMILY PLANNING.—Section 104(b) of such Act (22 U.S.C. 2151b(b)), as amended by subsections (a) and (b), is further amended by adding at the end the following new paragraph:

“(3) In providing grants for natural family planning under this subsection, the administrator of the agency primarily responsible for administering this part shall not discriminate against applicants because of any religious or conscientious commitment by such applicants to offer only natural family planning services.”.

(d) CLARIFICATION WITH RESPECT TO PROHIBITION ON USE OF FUNDS FOR ABORTIONS.—Section 104(f)(1) of such Act (22 U.S.C. 2151b(f)(1)) is amended—

(1) by striking “None of the funds” and inserting “(A) None of the funds”; and

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

“(B) For purposes of this paragraph, the term ‘motivate’ shall not be construed to prohibit the provision, consistent with local law, of information and counseling concerning all pregnancy options, including abortion.”.

SEC. 3224. ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.

(a) **CONDITIONS ON ASSISTANCE.**—Section 498A(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2295a(b)) is amended—

(1) in paragraph (4), by striking “or” at the end;

(2) by redesignating paragraph (5) as paragraph (10); and

(3) by inserting after paragraph (4) the following new paragraphs:

“(5) for the Government of Russia, unless the President certifies to the Congress that such Government—

“(A) is pursuing, without preconditions, an immediate and permanent ceasefire, and is pursuing a negotiated settlement to the conflict in the Russian Federation Republic of Chechnya;

“(B) is taking steps to provide unhindered access to the region of Chechnya and surrounding areas of the Russian Federation by elected officials of the Russian Federation and by independent Russian media;

“(C) is cooperating with the Organization for Security and Cooperation in Europe and other appropriate international organizations in undertaking steps to investigate and prosecute any and all individuals, including members of the Russian armed forces and internal security agencies, who may be responsible for atrocities, war crimes, or crimes against humanity in the region of Chechnya;

“(D) is cooperating with the Assistance Group of the Organization on Security and Cooperation in Europe established in Chechnya in fulfilling that mission’s mandate;

“(E) is cooperating in assuring the unhindered delivery of humanitarian assistance to the civilian population in Chechnya;

“(F) has made the fullest possible accounting of all persons currently detained by Russian military or security forces as a result of the conflict in Chechnya and has allowed access to those individuals by the International Committee of the Red Cross;

“(G) is taking steps to repatriate refugees and displaced persons wishing to return to Chechnya; and

“(H) is taking steps to hold free and fair elections in Chechnya, based on the principles of the Organization on Security and Cooperation in Europe and conducted in the presence of foreign and domestic observers;

except that this paragraph shall not apply to the provision of such assistance for purposes of humanitarian, disaster, and refugee relief or assisting democratic political reform and rule of law activities, provision of technical assistance for safety upgrade of civilian nuclear power plants, and assisting in the creation of private sector and nongovernmental organizations that are independent of government ownership and control;

“(6) for the government of any independent state that has agreed to provide nuclear reactor components to Iran, unless the President determines that the sale of such components to Iran includes safeguards that are consistent with the national security objectives of the United States and the concerns of the United States with respect to non-proliferation of nuclear weapons technology, except that this paragraph shall not apply to the provision of such of assistance for purposes of—

“(A) humanitarian, disaster, and refugee relief; or

“(B) assisting democratic political reform, rule of law activities, and the creation of pri-

vate sector and nongovernmental organizations that are independent of government ownership and control;

“(7) for the government of any independent state that the President determines directs any action in violation of the territorial integrity or national sovereignty of any other new independent state, except that this paragraph shall not apply to the provision of such assistance for purposes of—

“(A) humanitarian, disaster, and refugee relief; or

“(B) assisting democratic political reform, rule of law activities, and the creation of private sector and nongovernmental organizations that are independent of government ownership and control;

“(8) for the purpose of enhancing the military capability of any independent state, except that this paragraph shall not apply to demilitarization, defense conversion or non-proliferation programs, or programs to support troop withdrawal including through the support of an officer resettlement program, and technical assistance for the housing sector;

“(9) for the Government of Russia if the President determines that Government—

“(A) is not making progress in implementing comprehensive economic reforms based on market principles, including fostering private ownership, the repayment of commercial debt, the respect of commercial contracts, the equitable treatment of foreign private investment; or

“(B) applies or transfers assistance provided under this chapter to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures; or”.

(b) **ASSISTANCE THROUGH THE PRIVATE SECTOR.**—Section 498B(a) of such Act (22 U.S.C. 2295b(a)) is amended to read as follows:

“(a) **ASSISTANCE THROUGH THE PRIVATE SECTOR.**—Assistance under this chapter shall be provided, to the maximum extent feasible, through the private sector, including private and voluntary organizations and other nongovernmental organizations functioning in the independent states of the former Soviet Union.”.

(c) **WAIVER OF CERTAIN PROVISIONS.**—Section 498B(j)(1) of such Act (22 U.S.C. 2295b(j)(1)) is amended in the matter preceding subparagraph (A)—

(1) by striking “for fiscal year 1993 by this chapter” and inserting “to carry out this chapter”; and

(2) by striking “appropriated for fiscal year 1993”.

SEC. 3225. DEVELOPMENT FUND FOR LATIN AMERICA AND THE CARIBBEAN.

Part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new chapter:

“CHAPTER 12—DEVELOPMENT FUND FOR LATIN AMERICA AND THE CARIBBEAN

“SEC. 499. STATEMENT OF POLICY.

“The Congress declares the following:

“(1) The historic, economic, political, and geographic relationships among the countries of the Western Hemisphere are unique and of continuing special significance.

“(2) Following the historic Summit of the Americas and the passage of the North American Free Trade Agreement, the countries of the Western Hemisphere have moved steadfastly toward economic and political integration.

“(3) The interests of the countries of the Western Hemisphere are more interrelated than ever, and sound economic, social, and democratic progress in each of the countries continues to be of importance to all countries, and lack of it in any country may have serious repercussions in others.

“(4) For the peoples of Latin America and the Caribbean to progress within the frame-

work of social justice, respect for human rights, political democracy, and market-oriented economies, there is a compelling need for the achievement of social and economic advancement and the consolidation of political democracy and the rule of law adequate to meet the legitimate aspirations of the individual citizens of the countries of Latin America and the Caribbean for a better way of life.

“(5) The prosperity, security, and well-being of the United States is linked directly to peace, prosperity, and democracy in Latin America and the Caribbean.

“(6) Democratic values are dominant throughout Latin America and the Caribbean region and nearly all governments in such region have come to power through democratic elections.

“(7) Nonetheless, existing democratic governments and their supporting institutions remain fragile and face critical challenges, including, in particular, the consolidation of civilian control of such governments and institutions, including control of the military, the consolidation or establishment of independent judicial institutions and of the rule of law, and where appropriate, the decentralization of government.

“(8) In adherence to free market principles, it is essential to promote economic growth with equity—enlarging employment and decisionmaking opportunities and the provision of basic social services for traditionally marginalized groups, such as indigenous minorities, women, and the poor—and to protect and promote workers rights.

“(9) By supporting the purposes and objectives of sustainable development and applying such purposes and objectives to Latin America and the Caribbean, the Development Fund for Latin America and the Caribbean can advance the national interests of the United States and can directly improve the lives of the poor, encourage broad-based economic growth while protecting the environment, build human capital and knowledge, support participation in democracy, and promote peace and justice in Latin America and the Caribbean.

“SEC. 499A. AUTHORIZATION OF ASSISTANCE.

“(a) **IN GENERAL.**—The President is authorized to provide assistance for Latin America and the Caribbean to promote democracy, sustainable development, and economic growth in Latin America and the Caribbean.

“(b) **TERMS AND CONDITIONS.**—Assistance under this chapter shall be provided on such terms and conditions as the President may determine.

“SEC. 499B. AVAILABILITY OF AMOUNTS.

“(a) **IN GENERAL.**—Of the amounts made available to carry out the provisions of law described in subsection (b) for fiscal year 1996 and for each succeeding fiscal year, not less than an amount requested by the President and approved by the Congress in appropriations Acts shall be made available to carry out this chapter.

“(b) **PROVISIONS OF LAW.**—The provisions of law described in this subsection are the following:

“(1) Sections 103 through 106 of this Act (relating to the development assistance fund).

“(2) Chapter 8 of this part (relating to international narcotics control).

“(3) Chapter 4 of part II of this Act (relating to the economic support fund).

“(4) Chapter 5 of part II of this Act (relating to international military education and training).

“(5) Titles II and III of the Agricultural Trade Development and Assistance Act of 1954.

“(6) The ‘Foreign Military Financing Program’ under section 23 of the Arms Export Control Act (22 U.S.C. 2763).

“(c) AVAILABILITY.—Amounts made available under this section are authorized to remain available until expended.”.

SEC. 3226. EFFECTIVENESS OF UNITED STATES DEVELOPMENT ASSISTANCE.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2251 et seq.), as amended by this Act, is further amended by adding at the end the following new section: “**SEC. 130. EFFECTIVENESS OF UNITED STATES DEVELOPMENT ASSISTANCE.**

“(a) REPORTS.—Not later than December 31, 1996, and December 31 of each third year thereafter, the President shall transmit to the Congress a report which analyzes, on a country-by-country basis, the impact and effectiveness of the United States development assistance provided during the preceding three fiscal years. Each report shall include the following for each recipient country:

“(1) An analysis of the impact of United States development assistance during the preceding three fiscal years on development in that country, with a discussion of the United States interests that were served by the assistance. Such analysis shall be done on a sector-by-sector basis to the extent possible and shall identify any economic policy reforms which were promoted by the assistance. Such analysis shall—

“(A) include a description, quantified to the extent practicable, of the specific objectives the United States sought to achieve in providing development assistance for that country; and

“(B) specify the extent to which those objectives were not achieved, with an explanation of why they were not achieved.

“(2) A description of the amount and nature of development assistance provided by other donors during the preceding three fiscal years, set forth by development sector to the extent possible.

“(3) A discussion of the commitment of the host government to addressing the country's needs in each development sector, including a description of the resources devoted by that government to each development sector during the preceding three fiscal years.

“(4) A description of the trends, both favorable and unfavorable, in each development sector.

“(5) Statistical and other information necessary to evaluate the impact and effectiveness of United States development assistance on development in the country.

“(b) LISTING OF MOST AND LEAST SUCCESSFUL ASSISTANCE PROGRAMS.—Each report required by this section shall identify—

“(1) those five countries in which United States development assistance has been most successful; and

“(2) those five countries in which United States development assistance has been least successful.

For each country listed pursuant to paragraph (2), the report shall explain why the assistance was not more successful and shall specify what the United States has done as a result.

“(c) REPORT TO BE A SEPARATE DOCUMENT.—Each report required by this section shall be submitted to the Congress as a separate document.

“(d) DEFINITION.—As used in this section, the terms ‘United States development assistance’ and ‘development assistance’ means assistance under this chapter.”.

SEC. 3227. FUNDING FOR PRIVATE AND VOLUNTARY ORGANIZATIONS AND COOPERATIVES.

(a) IN GENERAL.—For each of the fiscal years 1996 and 1997, the President shall allocate an aggregate amount to private and voluntary organizations and cooperatives under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and the Support for East Euro-

pean Democracy (SEED) Act of 1989 which, at a minimum, is equal to the aggregate amount allocated to such organizations and cooperatives under such Acts for fiscal year 1994.

(b) DEFINITION.—For purposes of this section, the term ‘private and voluntary organization’ means a private nongovernmental organization which—

(1) is organized under the laws of a country;

(2) receives funds from private sources;

(3) operates on a not-for-profit basis with appropriate tax-exempt status if the laws of the country grant such status to not-for-profit organizations;

(4) is voluntary in that it receives voluntary contributions of money, time, or in-kind support from the public; and

(5) is engaged or intends to be engaged in voluntary, charitable, development, or humanitarian assistance activities.

SEC. 3228. SENSE OF THE CONGRESS RELATING TO UNITED STATES COOPERATIVES AND CREDIT UNIONS.

It is the sense of the Congress that—

(1) United States cooperatives and credit unions can provide an opportunity for people in developing countries to participate directly in democratic decisionmaking for their economic and social benefit through ownership and control of business enterprises and through the mobilization of local capital and savings; and

(2) such organizations should be utilized in fostering democracy, free markets, community-based development, and self-help projects.

Subchapter B—Operating Expenses

SEC. 3231. OPERATING EXPENSES GENERALLY.

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

“(1) \$465,774,000 for fiscal year 1996 and \$419,196,000 for fiscal year 1997 for necessary operating expenses of the agency primarily responsible for administering part I of this Act (other than the office of the inspector general of such agency); and”.

SEC. 3232. OPERATING EXPENSES OF THE OFFICE OF THE INSPECTOR GENERAL.

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

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

(2) by striking “and” at the end of paragraph (1); and

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

“(2) \$35,206,000 for fiscal year 1996 and \$31,685,000 for fiscal year 1997 for necessary operating expenses of the office of the inspector general of such agency; and”.

CHAPTER 4—PUBLIC LAW 480

SEC. 3241. LEVELS OF ASSISTANCE FOR TITLE II.

Section 204(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)) is amended—

(1) in paragraph (1)(E), by striking “for fiscal year 1995” and inserting “for each of the fiscal years 1995 through 1997”; and

(2) in paragraph (2)(E), by striking “for fiscal year 1995” and inserting “for each of the fiscal years 1995 through 1997”.

SEC. 3242. AUTHORIZATION OF APPROPRIATIONS FOR TITLE III.

No funds are authorized to be appropriated for either of the fiscal years 1996 and 1997 for the provision of agricultural commodities under title III of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1727 et seq.).

CHAPTER 5—HOUSING GUARANTEE PROGRAM

SEC. 3251. AUTHORIZATION OF APPROPRIATIONS FOR ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—(1) Subject to paragraph (2), there are authorized to be appropriated \$7,000,000 for fiscal year 1996 and \$6,000,000 for fiscal year 1997 for administrative expenses to carry out guaranteed loan programs under sections 221 and 222 of the Foreign Assistance Act of 1961 (22 U.S.C. 2181 and 2182).

(2) Amounts authorized to be appropriated under paragraph (1) may be made available only for—

(A) administrative expenses incurred with respect to guaranties issued before the date of the enactment of this Act; or

(B) expenses incurred with respect to activities related to the collection of amounts paid by the United States in the discharge of liabilities under guaranties issued under section 222 of the Foreign Assistance Act of 1961 (22 U.S.C. 2182).

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

SEC. 3252. ADDITIONAL REQUIREMENTS.

(a) EXPIRATION OF AUTHORITY.—Section 222(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2182(a)) is amended by striking the third sentence and inserting the following: “No guaranties may be issued under this section on or after the date of the enactment of the Foreign Aid Reduction Act of 1995.”.

(b) CANCELLATION OF CERTAIN EXISTING GUARANTIES.—Section 222 of such Act (22 U.S.C. 2182) is amended—

(1) by redesignating subsection (k) as subsection (d); and

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

“(e) The President shall cancel all guaranties issued under this section with respect to which eligible investors have not (before the date of the enactment of the Foreign Aid Reduction Act of 1995) applied such guaranties to loans for projects under this title.”.

(c) PROHIBITION ON ASSISTANCE FOR ENTITIES IN DEFAULT AND CERTAIN OTHER ENTITIES.—Section 620 of such Act (22 U.S.C. 2370) is amended by inserting after subsection (u) the following new subsection:

“(v)(1) Subject to paragraph (2), no assistance shall be furnished under this Act to any entity that—

“(A) fails to make timely payments on loans with respect to which guaranties have been issued under title III of chapter 2 of part I of this Act (relating to housing and other credit guaranty programs); or

“(B) causes amounts (including amounts for administrative expenses) to be paid by the United States in the discharge of liabilities under guaranties issued under such title, unless such entity has reimbursed the United States for such amounts.

“(2) The President may waive the prohibition in paragraph (1) with respect to an entity if the President determines that it is in the national interest of the United States to furnish assistance under this Act to such entity.”.

CHAPTER 6—PEACE CORPS

SEC. 3261. PEACE CORPS.

Section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)) is amended to read as follows: “(b)(1) There are authorized to be appropriated to carry out the purposes of this Act \$219,745,000 for each of the fiscal years 1996 and 1997.

“(2) Amounts authorized to be appropriated under paragraph (1)—

(1) with respect to fiscal year 1996 are authorized to remain available until September 30, 1997; and

(2) with respect to fiscal year 1997 are authorized to remain available until September 30, 1998.”.

SEC. 3262. ACTIVITIES OF THE PEACE CORPS IN THE FORMER SOVIET UNION.

(a) IN GENERAL.—Of the amounts made available for fiscal years 1996 and 1997 to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.; relating to assistance for the independent states of the former Soviet Union), not more than \$11,600,000 for each such fiscal year shall be available for activities of the Peace Corps in the independent states of the former Soviet Union (as defined in section 3 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992).

(b) AVAILABILITY.—Amounts made available under subsection (a)—

(1) with respect to fiscal year 1996 are authorized to remain available until September 30, 1997; and

(2) with respect to fiscal year 1997 are authorized to remain available until September 30, 1998.

SEC. 3263. PROHIBITION ON USE OF FUNDS FOR ABORTIONS.

Section 15 of the Peace Corps Act (22 U.S.C. 2514) is amended by adding at the end the following new subsection:

“(e) Funds made available for the purposes of this Act may not be used to pay for abortions.”.

CHAPTER 7—INTERNATIONAL DISASTER ASSISTANCE**SEC. 3271. AUTHORITY TO PROVIDE RECONSTRUCTION ASSISTANCE.**

Section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) is amended—

(1) in subsection (b), by striking “and rehabilitation” and inserting “, rehabilitation, and reconstruction”; and

(2) in subsection (c), by striking “and rehabilitation” and inserting “, rehabilitation, and reconstruction”.

SEC. 3272. AUTHORIZATIONS OF APPROPRIATIONS.

Section 492(a) of such Act (22 U.S.C. 2292a(a)) is amended to read as follows:

“(a) There are authorized to be appropriated to the President to carry out section 491, in addition to funds otherwise available for such purposes, \$200,000,000 for each of the fiscal years 1996 and 1997.”.

CHAPTER 8—OTHER PROVISIONS**SEC. 3281. EXEMPTION FROM RESTRICTIONS ON ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.**

Section 123(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151u(e)) is amended to read as follows:

“(e)(1) Subject to paragraph (3), restrictions contained in this Act or any other provision of law with respect to assistance for a country shall not be construed to restrict assistance under this chapter, chapter 10, or chapter 11 of this part in support of programs of nongovernmental organizations.

“(2) The President shall take into consideration, in any case in which a restriction on assistance for a country would be applicable but for this subsection, whether assistance for programs of nongovernmental organizations is in the national interest of the United States.

“(3) Whenever the authority of this subsection is used to furnish assistance for a program of a nongovernmental organization, the President shall notify the congressional committees specified in section 634A(a) of this Act in accordance with procedures applicable to reprogramming notifications under that section. Such notification shall describe the program assisted, the assistance provided, and the reasons for furnishing such assistance.”.

SEC. 3282. FUNDING REQUIREMENTS RELATING TO UNITED STATES PRIVATE AND VOLUNTARY ORGANIZATIONS.

(a) IN GENERAL.—Section 123(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151u(g)) is amended to read as follows:

“(g) Funds made available to carry out this chapter or chapter 10 of this part may not be made available to any United States private and voluntary organization, except any cooperative development organization, that obtains less than 20 percent of its total annual financial support for its international activities from sources other than the United States Government.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to funds made available for programs of any United States private and voluntary organization on or after the date of the enactment of this Act.

SEC. 3283. DOCUMENTATION REQUESTED OF PRIVATE AND VOLUNTARY ORGANIZATIONS.

Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370), as amended by this Act, is further amended by inserting after subsection (v) (as added by this Act) the following new subsection:

“(w) None of the funds made available to carry out this Act shall be available to any private and voluntary organization which—

“(1) fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the agency primarily responsible for administering part I of this Act; or

“(2) is not registered with the agency primarily responsible for administering part I of this Act.”.

SEC. 3284. FOREIGN GOVERNMENT PARKING FINES.

(a) IN GENERAL.—Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

“SEC. 620I. FOREIGN GOVERNMENT PARKING FINES.

“(a) IN GENERAL.—An amount equivalent to 110 percent of the total unpaid fully adjudicated parking fines and penalties owed to the District of Columbia, Virginia, Maryland, and New York by the government of a foreign country as of the end of a fiscal year, as certified to the President by the chief executive officer of each State or District, shall be withheld from obligation for such country out of funds available in the next fiscal year to carry out part I of this Act, until the requirement of subsection (b) is satisfied.

“(b) REQUIREMENT.—The requirement of this subsection is satisfied when the Secretary of State determines and certifies to the appropriate congressional committees that such fines and penalties are fully paid to the governments of the District of Columbia, Virginia, Maryland, and New York.

“(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—For purposes of this section, the term ‘appropriate congressional committees’ means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fines certified as of the end of fiscal year 1995 or any fiscal year thereafter.

SEC. 3285. HUMAN RIGHTS REPORTS.

(a) SECTION 116 REPORT.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) by redesignating paragraph (3) as paragraph (5); and

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

“(3) the votes of each member of the United Nations Commission on Human Rights on all country-specific and thematic resolutions voted on at the Commission’s annual session during the period covered during the preceding year;

“(4) the extent to which each country has extended protection to refugees, including the provision of first asylum and resettlement; and”.

(b) SECTION 502B REPORT.—Section 502B(b) of such Act (22 U.S.C. 2304(b)) is amended by adding after the second sentence the following new sentence: “Each report under this section shall list the votes of each member of the United Nations Commission on Human Rights on all country-specific and thematic resolutions voted on at the Commission’s annual session during the period covered during the preceding year.”.

SEC. 3286. DEOBLIGATION OF CERTAIN UNEXPENDED ECONOMIC ASSISTANCE FUNDS.

Chapter 3 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2401 et seq.) is amended by adding at the end the following:

“SEC. 668. DEOBLIGATION OF CERTAIN UNEXPENDED ECONOMIC ASSISTANCE FUNDS.

“(a) REQUIREMENT TO DEOBLIGATE.—“(1) IN GENERAL.—Except as provided in subsection (b) of this section and in paragraphs (1) and (3) of section 617(a) of this Act, at the beginning of each fiscal year the President shall deobligate and return to the Treasury, any funds described in paragraph (2) that, as of the end of the preceding fiscal year, have been obligated for a project or activity for a period of more than 3 years but have not been expended.

“(2) FUNDS.—Paragraph (1) applies to funds made available for—

“(A) assistance under chapter 1 of part I of this Act (relating to development assistance), chapter 10 of part I of this Act (relating to the Development Fund for Africa), or chapter 4 of part II of this Act (relating to the economic support fund);

“(B) assistance under the ‘Multilateral Assistance Initiative for the Philippines’;

“(C) assistance under the Support for East European Democracy (SEED) Act of 1989; and

“(D) economic assistance for the independent states of the former Soviet Union under this Act or under any other Act authorizing economic assistance for such independent states.

“(b) EXCEPTIONS.—The President, on a case-by-case basis, may waive the requirement of subsection (a)(1) if the President determines, and reports to the appropriate congressional committees, that—

“(1) the funds are being used for a construction project that requires more than 3 years to complete; or

“(2) the funds have not been expended because of unforeseen circumstances, and those circumstances could not have been reasonably foreseen.

“(c) COMMENTS BY INSPECTOR GENERAL.—As soon as possible after the submission of a report pursuant to subsection (b), the Inspector General of the agency primarily responsible for administering part I of this Act shall submit to the appropriate congressional committees such comments as the Inspector General considers appropriate with regard to the determination described in that report.

“(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—As used in this section, the term ‘appropriate congressional committees’ means the Committee on International Relations and the Committee on Appropriations of the

House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate."

TITLE XXXIII—REGIONAL PROVISIONS

SEC. 3301. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS PROVIDING ASSISTANCE TO CUBA.

(a) IN GENERAL.—Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370), as amended by this Act, is further amended by adding at the end the following new subsection:

"(y)(1) No assistance may be provided under this Act (other than humanitarian assistance and assistance for refugees) for a fiscal year to any foreign government that the President determines has provided economic assistance to or engaged in nonmarket-based trade with the Government of Cuba or any entity controlled by such Government in the preceding fiscal year.

"(2) The President may waive the requirements of paragraph (1) if—

"(A) the President certifies to the congressional committees specified in section 634A of this Act (in accordance with procedures applicable to reprogramming of funds under that section) that the provision of such assistance is vital to the national security of the United States; or

"(B) the President determines and reports to the Congress that the Government of Cuba has met the requirements contained in section 1708 of the Cuban Democracy Act of 1992 (22 U.S.C. 6001 et seq.).

"(3) Not later than February 1st each year, the President shall prepare and transmit to the appropriate congressional committees a report containing a list of all foreign governments that the President has determined have provided economic assistance to or engaged in nonmarket-based trade with the Government of Cuba in the preceding fiscal year.

"(4) For purposes of this subsection—

"(A) the term 'appropriate congressional committees' means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate;

"(B) the term 'humanitarian assistance' means food (including the monetization of food), clothing, medicine, and medical supplies; and

"(C) the term 'nonmarket-based trade' includes exports, imports, exchanges, or other trade arrangements under which goods or services are provided on terms more favorable than those generally available in applicable markets or for comparable commodities, including—

"(i) exports to the Government of Cuba on terms that involve a grant, concessional price, guaranty, insurance, or subsidy;

"(ii) imports from the Government of Cuba at preferential tariff rates; and

"(iii) exchange arrangements that include advance delivery of commodities, arrangements in which the Government of Cuba is not held accountable for unfulfilled exchange contracts, and arrangements under which such Government does not pay appropriate transportation, insurance, or finance costs."

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the prohibition on assistance to a foreign government contained in section 620(y) of the Foreign Assistance Act of 1961, as added by subsection (a), shall apply only with respect to assistance provided in fiscal years beginning on or after the date of the enactment of this Act.

(2) EXCEPTION.—In the case of the fiscal year in which this Act is enacted, such prohibition shall apply with respect to the obli-

gation or expenditure of assistance on or after the date of the enactment of this Act.

SEC. 3302. ASSISTANCE FOR NICARAGUA.

(a) RESTRICTIONS.—Amounts made available for fiscal years 1996 and 1997 for assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.; relating to development assistance) or chapter 4 of part II of such Act (22 U.S.C. 2346 et seq.; relating to the economic support fund), including any unobligated balances of prior appropriations, may only be made available to the Government of Nicaragua if the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) a full and independent investigation has been completed of the weapons caches discovered after the May 23, 1993, Santa Rosa arms cache explosion, including an investigation of passports, identity papers, and other documents found at weapons sites indicating the existence of a terrorist or kidnapping ring and whether the terrorist network was involved in the February 1993 World Trade Center bombing;

(2) prosecutions have been initiated against all individuals, including government officials and members of the armed forces or security forces of Nicaragua, identified in the investigation described in paragraph (1);

(3) Nicaragua has made substantial progress in meeting the requirements set forth in section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (relating to expropriation of United States property);

(4) substantial progress has been made in the timely implementation of all recommendations made by the Tripartite Commission with respect to individuals responsible for assassinations, including the immediate suspension of all individuals from the Sandinista Army and security forces who were named in such recommendations, and the expeditious prosecution of such individuals;

(5) all individuals responsible for the murders of Jean Paul Genie, Arges Sequeira, and Enrique Bermudez have been removed from the military and security forces of Nicaragua, and judicial proceedings against these individuals have been initiated;

(6) specific changes have been implemented which have resulted in verifiable civilian control over the Sandinista military, security forces, and police; and

(7) genuine, effective, and concrete reforms in the Nicaraguan judicial system have been initiated.

(b) CONTENTS OF CERTIFICATION.—

(1) IN GENERAL.—A certification made pursuant to subsection (a) shall include a detailed accounting of all evidence in support of the determinations listed in paragraphs (1) through (7) of such subsection.

(2) FORM.—A certification made pursuant to subsection (a) shall be submitted in unclassified form, and, to the extent necessary, classified form.

(c) EXCEPTION TO RESTRICTIONS.—The restrictions on the availability of funds in subsection (a) shall not apply to support for—

(1) programs facilitating the resolution of United States citizen property claims;

(2) the International Commission for Support and Verification of the Organization of American States for human rights monitoring, related assistance programs or election observation;

(3) independent human rights groups in Nicaragua;

(4) programs intended to ensure free and fair elections in Nicaragua;

(5) democracy-building programs administered through the National Endowment for

Democracy and related nongovernmental groups; or

(6) programs to promote civilian control of the military.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—For purposes of this section, the term "appropriate congressional committees" means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 3303. SENSE OF THE CONGRESS REGARDING RELATIONS WITH BURMA.

It is the sense of the Congress that—

(1) official United States trade delegations to Burma should be indefinitely suspended;

(2) visits to Burma by senior officials of the United States Government should be minimized until Aung San Suu Kyi is released from house arrest;

(3) the Secretary of Labor should submit to the Congress a report on labor practices in Burma so that Members of Congress can better inform constituents, including stockholders and business leaders of the United States companies which transact commerce with Burma, on labor conditions in that country;

(4) the Secretary of State should submit to the Congress a report on resource exploitation and environmental degradation in Burma;

(5) no assistance should be used for cooperative counternarcotics efforts between the United States and members of the State Law and Order Restoration Committee (SLORC) regime;

(6) the United States should discourage the Association of Southeast Asian Nations (ASEAN) from including the SLORC regime in ASEAN activities;

(7) the Secretary of State should submit to the Congress a report which outlines a strategy for encouraging democratic transition in Burma; and

(8) the United States should encourage its allies to restrict the relations of such allies with Burma in accordance with this section.

SEC. 3304. DEBT RESTRUCTURING FOR EGYPT.

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

(1) The Government of Egypt owes the United States Government over \$6,000,000,000 from prior economic assistance credit programs.

(2) Current annual debt service payments by Egypt to the United States are approximately \$270,000,000, will climb in the near future to \$350,000,000, and will continue until the year 2021.

(3) Egypt's debt service to the United States results in reduced investment capital and slower economic growth in Egypt.

(4) Restructuring Egypt's debt burden, and buying down Egypt's debt, could substantially reduce over time Egypt's requirement for economic assistance.

(5) Addressing Egypt's debt burden is in the mutual interest of Egypt and the United States.

(b) REPORT.—(1) Not later than January 31, 1996, the Secretary of State and the Secretary of the Treasury shall develop and submit to the appropriate congressional committee options to restructure Egypt's debt, and buy down, over a period of time through the use of funds authorized to be appropriated under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), all outstanding debt owed by the Government of Egypt to the United States Government, including debt owed under development assistance, agriculture, Export-Import Bank, and Commodity Credit Corporation credit programs.

(2) The Secretary of State and the Secretary of the Treasury shall develop the options required by paragraph (1) in such a way as to enable the United States to reduce assistance to Egypt in the future under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund). In the development of such options, the Secretaries shall consult with the Secretary of Commerce for the purpose of determining the impact of the options required under paragraph (1) on the level of United States exports to Egypt.

(3) For purposes of this subsection, the term "appropriate congressional committees" means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 3305. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS PROVIDING ASSISTANCE TO IRAN.

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

(1) Iran is engaged in an intensive effort to develop nuclear weapons and some nations have indicated that they are prepared to cooperate with Iran in the nuclear field.

(2) The possession of nuclear weapons by Iran would represent a serious threat to the peace and security of the entire Middle East region and an extremely serious challenge to United States interests in that region.

(3) The United States places the highest priority on denying to Iran the capability to produce nuclear weapons and systems for the delivery of nuclear weapons and other weapons of mass destruction.

(4) The sale or transfer to Iran by any other government or with the permission of any other government of technology that may be critical for Iran to develop or deploy nuclear weapons is a serious threat to United States interests.

(b) ADMISSION TO NATO.—It is the sense of the Congress that the United States should vigorously oppose the accession to the North Atlantic Treaty and the admission to the North Atlantic Treaty Organization of any country which sells or licenses for sale any nuclear or dual-use technology or any military weapons, equipment, ammunition or munitions of any kind, including any item included on any lists covered by the Missile Technology Control Regime, to Iran or to any country which the Secretary of State has determined repeatedly provides support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979.

(c) PROHIBITION ON UNITED STATES ASSISTANCE.—No assistance authorized to be appropriated by this Act or any other Act may be provided by any agency of the United States Government to the government of any country which sells or licenses for sale any nuclear or dual-use technology or any military weapons, equipment, ammunition or munitions of any kind, including any item included on any lists covered by the Missile Technology Control Regime, to Iran or to any other country which the Secretary of State has determined repeatedly provides support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979.

(d) EXCEPTIONS.—The prohibition in subsection (c) shall not apply to—

(1) assistance provided to Russia, Belarus, Ukraine, or Kazakhstan under the authorities of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102-228; 105 Stat. 1691); and

(2) assistance provided under chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.; relating to assistance

for the independent states of the former Soviet Union) for the purposes of—

(A) humanitarian, disaster, or refugee relief; or

(B) assisting democratic political reform and rule of law activities, and assisting in the creation of private sector and nongovernmental organizations that are independent of government ownership and control.

SEC. 3306. ASSISTANCE FOR PAKISTAN.

Section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375(e)) is amended—

(1) by striking "No assistance shall" and inserting "(1) Except as provided in paragraph (2), no assistance shall"; and

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

"(2)(A) Assistance in support of nongovernmental organizations or microenterprises under chapter 1 of part I of this Act (relating to development assistance) and assistance under the provisions of law described in subparagraph (B) may be made available for Pakistan.

"(B) The provisions of law described in this subparagraph are the following:

"(i) Title IV of chapter 2 of part I of this Act (relating to the Overseas Private Investment Corporation).

"(ii) Chapter 8 of part I of this Act (relating to international narcotics control).

"(iii) Chapter 5 of part II of this Act (relating to international military education and training).

"(iv) Chapter 8 of part II of this Act (relating to antiterrorism assistance).

"(v) Any provision of law under which assistance is available to carry out the following activities:

"(I) Aviation safety.

"(II) Immigration and customs procedures.

"(III) Peacekeeping.

"(IV) Promotion of trade and investment interests of the United States.

"(C) Assistance described in subparagraph (B)(iii) may be made available for Pakistan under this paragraph for fiscal year 1997 and each subsequent fiscal year only if the President certifies to the Congress for such fiscal year that the Government of Pakistan is fully cooperating with United States counter-narcotics assistance programs and policies."

SEC. 3307. RETURN OF MILITARY EQUIPMENT OF PAKISTAN.

It is the sense of the Congress that—

(1) the inability of the President since October 1, 1990, to make the necessary certification under section 620E(e) of the Foreign Assistance Act of 1961 (relating to the nuclear activities of Pakistan) has prevented the delivery of military aircraft for which Pakistan made nonrefundable cash payments to contractors and unnecessarily complicated the achievement of United States foreign policy and nonproliferation objectives in South Asia;

(2) in the absence of a Presidential certification for Pakistan under section 620E(e) of such Act, the United States should make a determined effort to find a third party buyer for the such military aircraft and should reimburse Pakistan with any proceeds derived from a sale to such third party, up to the amount paid by Pakistan for such military aircraft; and

(3) with respect to other military equipment imported into the United States from Pakistan prior to May 1, 1991, for repair or modification by the Department of Defense, the return of such military equipment, including spare parts thereof, or equivalent equipment or spare parts originally owned by another country, does not constitute a transfer of military equipment under the terms of section 620E(e) of such Act, provided such military equipment or spare parts are

returned in an unrepaid state or without modifications for which they were originally imported into the United States.

SEC. 3308. ELIGIBILITY OF PANAMA UNDER ARMS EXPORT CONTROL ACT.

The Government of the Republic of Panama shall be eligible to purchase defense articles and defense services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), except as otherwise specifically provided by law.

SEC. 3309. FUTURE OF THE UNITED STATES MILITARY PRESENCE IN PANAMA.

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

(1) The Panama Canal is a vital strategic asset to the United States, its allies, and the world.

(2) The Treaty on the Permanent Neutrality and Operation of the Panama Canal signed on September 7, 1977, provides that Panama and the United States have the responsibility to assure that the Panama Canal will remain open and secure.

(3) Such Treaty also provides that each of the two countries shall, in accordance with their respective constitutional processes, defend the Canal against any threat to the regime of neutrality, and consequently shall have the right to act against any aggression or threat directed against the Canal or against the peaceful transit of vessels through the Canal.

(4) The United States instrument of ratification of such Treaty includes specific language that the two countries should consider negotiating future arrangements or agreements to maintain military forces necessary to fulfill the responsibility of the two countries of maintaining the neutrality of the Canal after 1999.

(5) The Government of Panama, in the bilateral Protocol of Exchange of instruments of ratification, expressly "agreed upon" such arrangements or agreements.

(6) The United States Navy depends upon the Panama Canal for rapid transit in times of emergency, as demonstrated during World War II, the Korean War, the Vietnam conflict, the Cuban Missile Crisis, and the Persian Gulf conflict.

(7) Drug trafficking and money laundering have proliferated in the Western Hemisphere since the Treaty on the Permanent Neutrality and Operation of the Panama Canal was signed on September 7, 1977, and such trafficking and laundering poses a grave threat to peace and security in the region.

(8) Certain facilities now utilized by the United States Armed Forces in Panama are critical to combat the trade in illegal drugs.

(9) The United States and Panama share common policy goals such as strengthening democracy, expanding economic trade, and combating illegal narcotics throughout Latin America.

(10) The Government of Panama has dissolved its military forces and has maintained only a civilian police organization to defend the Panama Canal against aggression.

(11) Certain public opinion polls in Panama suggest that many Panamanians desire a continued United States military presence in Panama.

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

(1) the President should negotiate a new base rights agreement with the Government of Panama—

(A) to allow the stationing of United States Armed Forces in Panama beyond December 31, 1999; and

(B) to ensure that the United States will be able to act appropriately, consistent with the Panama Canal Treaty, the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, and the resolutions of ratification thereto, for the purpose

of assuring that the Panama Canal shall remain open, neutral, secure, and accessible; and

(2) the President should consult with the Congress throughout the negotiations described in paragraph (1).

SEC. 3310. PEACE AND STABILITY IN THE SOUTH CHINA SEA.

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

(1) The South China Sea is a critically important waterway through which 25 percent of the world's ocean freight and 70 percent of Japan's energy supplies transit.

(2) The South China Sea serves as a crucial sea lane for United States Navy ships moving between the Pacific and Indian Oceans, particularly in time of emergency.

(3) There are a number of competing claims to territory in the South China Sea.

(4) The 1992 Manila Declaration adhered to by the Association of South East Asian Nations, the Socialist Republic of Vietnam, and the People's Republic of China calls for all claimants to territory in the South China Sea to resolve questions of boundaries through peaceful negotiations.

(5) The legislature of the People's Republic of China has declared the entire South China Sea to be Chinese territorial waters.

(6) The armed forces of the People's Republic of China have asserted China's claim to the South China Sea through the kidnapping of citizens of the Republic of the Philippines and the construction of military bases on territory claimed by the Philippines.

(7) These acts of aggression committed by the armed forces of the People's Republic of China against citizens of the Philippines are contrary to both international law and to peace and stability in East Asia.

(b) POLICY DECLARATIONS.—The Congress—
(1) declares the right of free passage through the South China Sea to be vital to the national security interests of the United States, its friends, and allies;

(2) declares that any attempt by a nondemocratic power to assert, through the use of force or intimidation, its claims to territory in the South China Sea to be a matter of grave concern to the United States;

(3) calls upon the Government of the People's Republic of China to adhere faithfully to its commitment under the Manila Declaration of 1992; and

(4) calls upon the President to review the defense needs of democratic countries with claims to territory in the South China Sea.

SEC. 3311. SENSE OF THE CONGRESS REGARDING NARCOTICS CONTROL EFFORTS OF COLOMBIA.

It is the sense of the Congress that—

(1) relations between the United States and Colombia are at a critical stage, particularly following the President's March 1, 1995, decision to grant the Government of Colombia a national interest waiver in the 1994 narcotics certification determination;

(2) the Government of Colombia has undertaken efforts toward the elimination of drug trafficking organizations, especially the powerful "kingpins" based in Cali;

(3) important advances need to be taken to dismantle the operations of criminal enterprises in Colombia which seek to corrupt government institutions;

(4) the Government of Colombia should be encouraged to complete specific, attainable objectives in its overall narcotics control strategy, including—

(A) the arrest and prosecution of the acknowledged leaders of the Cali drug organization;

(B) the imposition of tougher sentencing of drug traffickers to ensure that such traffickers serve sentences commensurate with their crimes;

(C) the expeditious passage of legislation to criminalize money laundering;

(D) the aggressive eradication of illicit crops, including coca opium, and marijuana;

(E) the elimination of the industrial infrastructure of the narcotics trade, including laboratories, precursor chemicals, and aircraft;

(F) the destruction of the internal narcotics distribution export system, including the use of airports, rivers, and ports for such system;

(G) the elimination of the island of San Andres as a illegal narcotics transshipment point; and

(H) the end of the current policy of the Government of Colombia under which key drug traffickers are given lenient sentences in return for their surrender;

(5) the Secretary of State should make the issue of illicit narcotics the highest foreign policy priority of the United States with respect to relations with key illicit drug transit and producing nations, such as Colombia; and

(6) the Secretary of State should request our European allies to join the United States in sending a clear message to Colombia on the importance of attaining these counter-narcotics goals and objectives in the shortest possible time so that reductions in United States foreign assistance will not be necessary in the future.

SEC. 3312. NOTIFICATION OF ARMS SALES TO SAUDI ARABIA.

(a) NOTIFICATION.—Until the certification under subsection (b) is submitted to the Congress, section 36(b)(1) of the Arms Export Control Act shall be applied to sales of Saudi Arabia by substituting in the first sentence "0" for \$50,000,000, "0" for \$200,000,000, and "0" for \$14,000,000.

(b) CERTIFICATION.—Subsection (a) shall cease to apply if and when the Secretary of State certifies and reports in writing to the Congress that the unpaid claims of American firms against the Government of Saudi Arabia that are described in the June 30, 1993, report by the Secretary of Defense pursuant to section 9140(c) of the Department of Defense Appropriations Act, 1993 (Public Law 102-396; 106 Stat. 1939), including the additional claims noticed by the Department of Commerce on page 2 of that report, have been resolved satisfactorily.

SEC. 3313. ASSISTANCE FOR ZAIRE.

(a) SECURITY ASSISTANCE.—Assistance may not be transferred to the Government of Zaire for each of the fiscal years 1996 and 1997—

(1) under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund);

(2) under chapter 5 of part II of that Act (22 U.S.C. 2347 et seq.; relating to international military education and training); or

(3) from the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C. 2763).

(b) DEVELOPMENT ASSISTANCE.—Assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.; relating to development assistance) or chapter 10 of such part (22 U.S.C. 2293 et seq.; relating to the Development Fund for Africa) for each of the fiscal years 1996 and 1997 shall not be transferred to the Government of Zaire.

TITLE XXXIV—SPECIAL AUTHORITIES AND OTHER PROVISIONS

CHAPTER 1—SPECIAL AUTHORITIES

SEC. 3401. ENHANCED TRANSFER AUTHORITY.

Section 610 of the Foreign Assistance Act of 1961 (22 U.S.C. 2360) is amended to read as follows:

"SEC. 610. TRANSFER BETWEEN ACCOUNTS.

"(a) GENERAL AUTHORITY.—Whenever the President determines it to be necessary for

the purposes of this Act or the Arms Export Control Act (22 U.S.C. 2751 et seq.), not to exceed 20 percent of the funds made available to carry out any provision of this Act (except funds made available pursuant to title IV of chapter 2 of part I) or section 23 of the Arms Export Control Act (22 U.S.C. 2763)—

"(1) may be transferred to, and consolidated with, the funds in any other account or fund available to carry out any provision of this Act; and

"(2) may be used for any purpose for which funds in that account or fund may be used.

"(b) LIMITATION ON AMOUNT OF INCREASE.—The total amount in the account or fund for the benefit of which transfer is made under subsection (a) during any fiscal year may not be increased by more than 20 percent of the amount of funds otherwise made available.

"(c) NOTIFICATION.—The President shall notify in writing the congressional committees specified in section 634A at least fifteen days in advance of each such transfer between accounts in accordance with procedures applicable to reprogramming notifications under such section."

SEC. 3402. AUTHORITY TO MEET UNANTICIPATED CONTINGENCIES.

(a) IN GENERAL.—Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by inserting after section 610 (22 U.S.C. 2360) the following new section:

"SEC. 610A. AUTHORITY TO MEET UNANTICIPATED CONTINGENCIES.

"(a) AUTHORITY.—

"(1) IN GENERAL.—In order to provide for any unanticipated contingency in the programs, projects, or activities for which assistance is provided under this Act, the President is authorized to use funds made available to carry out any provision of this Act (other than chapter 1 or chapter 10 of part I of this Act) for the purpose of providing assistance authorized by any other provision of this Act in accordance with the provisions applicable to the furnishing of such assistance.

"(2) LIMITATION.—The authority of paragraph (1) may not be used to authorize the use of more than \$40,000,000 in any fiscal year.

"(b) SUPERSEDES OTHER LAWS.—Funds made available under the authority of this section may be used notwithstanding any other provision of law.

"(c) NOTIFICATION OF CONGRESS.—

"(1) NOTIFICATION.—Except as provided in paragraph (2), the President shall notify the congressional committees specified in section 634A(a) at least 15 days before obligating any funds under this section in accordance with the procedures applicable to reprogramming notifications under section 634A(a).

"(2) EXCEPTION.—The President may waive the requirement contained in paragraph (1) if the President determines that complying with such requirement would pose a substantial risk to human health or welfare. If the President exercises the waiver under the preceding sentence, the President shall notify the congressional committees specified in section 634A(a) as early as practicable, but in no event later than 3 days after the date on which the President took the action to which such notification requirement was applicable."

(b) REPEAL.—Chapter 5 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2261; relating to contingencies) is hereby repealed.

SEC. 3403. SPECIAL WAIVER AUTHORITY.

Section 614 of the Foreign Assistance Act of 1961 (22 U.S.C. 2364) is amended to read as follows:

"SEC. 614. SPECIAL WAIVER AUTHORITY.

"(a) AUTHORITY.—The President may provide assistance and make loans under the

provisions of law described in subsection (b), notwithstanding any other provision of law, if the President determines that to do so is vital to the national interests of the United States.

“(b) LAWS WHICH MAY BE WAIVED.—The provisions of law described in this subsection are—

“(1) this Act;

“(2) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

“(3) any provision of law authorizing the provision of assistance to foreign countries or making appropriations for such assistance; and

“(4) any other provision of law that restricts the authority to provide assistance or make loans under a provision of law described in paragraph (1), (2), or (3).

“(c) CONSULTATION WITH CONGRESS.—Before exercising the authority under subsection (a), the President shall consult with, and shall provide a written policy justification to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

“(d) NOTIFICATION TO CONGRESS.—A determination under subsection (a) shall be effective only if the President notifies the congressional committees specified in subsection (c) in writing of that determination.

“(e) ANNUAL CEILINGS.—

“(1) IN GENERAL.—The authority of this section may not be used in any fiscal year to authorize—

“(A) more than \$750,000,000 in sales or leases to be made under the Arms Export Control Act (22 U.S.C. 2751 et seq.);

“(B) the use of more than \$250,000,000 of funds made available under this Act or the Arms Export Control Act; or

“(C) the use of more than \$100,000,000 of foreign currencies accruing under this Act or any other provision of law.

“(2) SALES UNDER THE ARMS EXPORT CONTROL ACT.—If the authority of this section is used both to authorize a sale or lease under the Arms Export Control Act and to authorize funds to be used under this Act with respect to the financing of that sale or lease, then the use of the funds shall be counted against the limitation in paragraph (1)(B) and the portion, if any, of the sale or lease which is not so financed shall be counted against the limitation in paragraph (1)(A).

“(3) LEASES.—For purposes of paragraph (1)(A) the replacement cost, less any depreciation in the value, of the defense articles authorized to be leased shall be counted against the limitation in that paragraph.

“(4) COUNTRY LIMITS.—(A) Not more than \$75,000,000 of the \$250,000,000 limitation provided in paragraph (1)(B) may be allocated to any one country in any fiscal year unless that country is a victim of active aggression.

“(B) Not more than \$500,000,000 of the aggregate limitation of \$1,000,000,000 provided in paragraph (1)(A) and (1)(B) may be allocated to any one country in any fiscal year.”

SEC. 3404. TERMINATION OF ASSISTANCE.

Section 617 of the Foreign Assistance Act of 1961 (22 U.S.C. 2367) is amended to read as follows:

“SEC. 617. TERMINATION OF ASSISTANCE.

“(a) IN GENERAL.—(1) In order to ensure the effectiveness of assistance provided under this Act, funds made available under this Act to carry out any program, project, or activity of assistance shall remain available for obligation for a period not to exceed 8 months after the date of termination of such assistance for the necessary expenses of winding up such programs, projects, or activities and, notwithstanding any other pro-

vision of law, funds so obligated may remain available until expended.

“(2) Funds obligated to carry out any program, project, or activity of assistance before the effective date of the termination of such assistance are authorized to be available for expenditure for the necessary expenses of winding up such programs, projects, and activities, notwithstanding any provision of law restricting the expenditure of funds, and may be reobligated to meet any other necessary expenses arising from the termination of such assistance.

“(3) The necessary expenses of winding up programs, projects, and activities of assistance include the obligation and expenditure of funds to complete the training or studies outside their countries of origin of students whose course of study or training program began before assistance was terminated.

“(b) LIABILITY TO CONTRACTORS.—For the purpose of making an equitable settlement of termination claims under extraordinary contractual relief standards, the President is authorized to adopt as a contract or other obligation of the United States Government, and assume (in whole or in part) any liabilities arising thereunder, any contract with a United States or third-country contractor to carry out any program, project, or activity of assistance under this Act that was subsequently terminated pursuant to law.

“(c) GUARANTEE PROGRAMS.—Provisions of this or any other Act requiring the termination of assistance under this Act shall not be construed to require the termination of guarantee commitments that were entered into before the effective date of the termination of assistance.”

CHAPTER 2—OTHER PROVISIONS

SEC. 3411. CONGRESSIONAL PRESENTATION DOCUMENTS.

Section 634 of the Foreign Assistance Act of 1961 (22 U.S.C. 2394) is amended to read as follows:

“SEC. 634. CONGRESSIONAL PRESENTATION DOCUMENTS.

“(a) REQUIREMENT FOR SUBMISSION.—As part of the annual requests for enactment of authorizations and appropriations for foreign assistance programs for each fiscal year, the President shall prepare and transmit to the Congress annual congressional presentation documents for the programs authorized under this Act and the Arms Export Control Act (22 U.S.C. 2751 et seq.).

“(b) MATERIALS TO BE INCLUDED.—The documents submitted pursuant to subsection (a) shall include—

“(1) the rationale for the allocation of assistance or contributions to each country, regional, or centrally funded program, or organization, as the case may be;

“(2) a description of how each such program or contribution supports the objectives of this Act or the Arms Export Control Act, as the case may be;

“(3) a description of planned country, regional, or centrally funded programs or contributions to international organizations and programs for the coming fiscal year; and

“(4) for each country for which assistance is requested under this Act or the Arms Export Control Act—

“(A) the total number of years since 1946 that the United States has provided assistance;

“(B) the total amount of bilateral assistance provided by the United States since 1946, including the principal amount of all loans, credits, and guarantees; and

“(C) the total amount of assistance provided to such country from all multilateral organizations to which the United States is a member, including all international financial institutions, the United Nations, and other international organizations.

“(c) GRADUATION FROM DEVELOPMENT ASSISTANCE.—

“(1) DETERMINATION.—As part of the congressional presentation documents transmitted to the Congress under this section, the Secretary of State shall make a separate determination for each country identified in such documents for which bilateral development assistance is requested, estimating the year in which each such country will no longer be receiving bilateral development assistance.

“(2) DEVELOPMENT ASSISTANCE DEFINED.—For purposes of this section, the term ‘development assistance’ means assistance under—

“(A) chapter 1 of part I of this Act;

“(B) chapter 10 of part I of this Act;

“(C) chapter 11 of part I of this Act; and

“(D) the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.).”

SEC. 3412. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS ENGAGED IN ESPIONAGE AGAINST THE UNITED STATES.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

“SEC. 620J. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS ENGAGED IN ESPIONAGE AGAINST THE UNITED STATES.

“(a) PROHIBITION.—None of the funds made available to carry out this Act or the Arms Export Control Act (22 U.S.C. 2751 et seq.) (other than humanitarian assistance or assistance for refugees) may be provided to any foreign government which the President determines is engaged in intelligence activities within the United States harmful to the national security of the United States.

“(b) PERIODIC REPORTS.—Beginning one year after the date of enactment of this section, and annually thereafter, the President shall prepare and transmit to the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives a report, in classified and unclassified forms, listing all foreign governments which the President determines are conducting intelligence activities within the United States harmful to the national security of the United States.

“(c) DEFINITION.—As used in this section, the term ‘humanitarian assistance’ means food (including the monetization of food), clothing, medicine, and medical supplies.”

SEC. 3413. DEBT RESTRUCTURING FOR FOREIGN ASSISTANCE.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

“SEC. 620K. SPECIAL DEBT RELIEF FOR POOR COUNTRIES.

“(a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States Government by a country described in subsection (b) as a result of—

“(1) loans or guarantees issued under this Act; or

“(2) credits extended or guarantees issued under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

“(b) COUNTRY DESCRIBED.—A country described in this subsection is a country—

“(1) with a heavy debt burden that is eligible to borrow from the International Development Association but not from the International Bank for Reconstruction and Development (commonly referred to as an ‘IDA-only’ country); and

“(2) the government of which—

“(A) does not have an excessive level of military expenditures;

“(B) has not repeatedly provided support for acts of international terrorism; and

“(C) is cooperating with the United States on international narcotics control matters;

“(3) (including the military or other security forces of such government) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

“(4) is not prohibited from receiving assistance described in section 527(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 by reason of such section.

“(c) LIMITATIONS.—The authority under subsection (a) may be exercised—

“(1) only to implement multilateral official debt relief ad referendum agreements (commonly referred to as ‘Paris Club Agreed Minutes’); and

“(2) only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

“(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to the exercise of authority under subsection (a)—

“(1) shall not be considered assistance for purposes of any provision of law limiting assistance to a country; and

“(2) may be exercised notwithstanding section 620(r) of this Act or any comparable provision of law.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to the President for the purpose of carrying out this section \$7,000,000 for each of the fiscal years 1996 and 1997.

“(2) AVAILABILITY.—Amounts authorized to be appropriated under paragraph (1) are authorized to remain available until expended.”.

SEC. 3414. DEBT BUYBACKS OR SALES FOR DEBT SWAPS.

Part IV of the Foreign Assistance Act of 1961 (22 U.S.C. 2430 et seq.) is amended by adding at the end the following new section: “**SEC. 711. AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES.**

“(a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

“(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, to the government of any eligible country pursuant to this Act, or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

“(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

“(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

“(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

“(3) ADMINISTRATION.—The Facility shall notify the administrator of the agency pri-

marily responsible for administering part I of this Act of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

“(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

“(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in an account or accounts established in the Treasury for the repayment of such loan.

“(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

“(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President shall consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—For the sale, reduction, and cancellation of loans or portions thereof pursuant to this section, there are authorized to be appropriated to the President \$3,000,000 for each of the fiscal years 1996 and 1997.

“(2) AVAILABILITY.—Amounts authorized to be appropriated under paragraph (1) are authorized to remain available until expended.”.

SEC. 3415. IMPACT ON JOBS IN THE UNITED STATES.

Section 636 of the Foreign Assistance Act of 1961 (22 U.S.C. 2396) is amended by adding at the end the following new subsection:

“(j)(1) Funds made available to carry out the provisions of this Act may not be made available to provide—

“(A) any financial incentive to a business enterprise located in the United States for the purpose of inducing that enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of individuals employed in the United States by that enterprise because that enterprise would replace production in the United States with production outside the United States;

“(B) assistance for the purpose of establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety laws of that country do not apply, in part or in whole, to activities carried out within that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States; or

“(C) subject to paragraph (2), assistance for any project or activity that contributes to the violation of internationally recognized workers rights (as defined in section 502(a)(4) of the Trade Act of 1974) of workers in the foreign country, including in any designated zone or area in that country.

“(2) Paragraph (1)(C) shall not apply with respect to the provision of assistance for the informal sector, microenterprises and small-scale enterprises, and small-holder agriculture of the foreign country.”.

SEC. 3416. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

(a) IN GENERAL.—Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370), as amended by this Act, is further amended by adding at the end the following new subsection:

“(z)(1) No assistance may be provided under this Act or the Arms Export Control Act to any foreign government that provides lethal military equipment to a country, the government of which the Secretary of State has determined pursuant to section 40(d) of the Arms Export Control Act is a government that has repeatedly provided support for acts of international terrorism.

“(2) The prohibition under paragraph (1) with respect to a foreign government shall terminate 12 months after the date on which that government ceases to provide such lethal military equipment.

“(3) The President may waive the requirements of paragraph (1) if the President determines that the provision of such assistance is important to the national security interests of the United States.

“(4) Whenever the waiver of paragraph (3) is exercised, the President shall prepare and transmit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers the national interests of the United States.

“(5) For purposes of this subsection, the term ‘appropriate congressional committees’ means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.”.

(b) EFFECTIVE DATE.—Section 620(z) of the Foreign Assistance Act of 1961, as added by subsection (a), applies with respect to lethal military equipment provided pursuant to a contract entered into on or after the date of enactment of this Act.

SEC. 3417. PROHIBITION ON ASSISTANCE TO COUNTRIES THAT CONSISTENTLY OPPOSE THE UNITED STATES POSITION IN THE UNITED NATIONS GENERAL ASSEMBLY.

(a) PROHIBITION.—United States assistance may not be provided to a country that consistently opposed the United States position in the United Nations General Assembly during the most recent session of the General Assembly.

(b) CHANGE IN GOVERNMENT.—If—

(1) the Secretary of State determines that, since the beginning of the most recent session of the General Assembly, there has been a fundamental change in the leadership and policies of the government of a country to which the prohibition in subsection (a) applies, and

(2) the Secretary believes that because of that change the government of that country will no longer consistently oppose the United States position in the General Assembly,

the Secretary may exempt that country from that prohibition. Any such exemption shall be effective only until submission of the next report under section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991. The Secretary shall submit to the Congress a certification of each exemption made under this subsection. Such certification shall be accompanied by a discussion of the basis for the Secretary’s determination and belief with respect to such exemption.

(c) **WAIVER AUTHORITY.**—The Secretary of State may waive the requirement of subsection (a) if the Secretary determines and reports to the Congress that despite the United Nations voting pattern of a particular country, the provision of United States assistance to that country is necessary to promote United States foreign policy objectives.

(d) **DEFINITIONS.**—As used in this section—

(1) the term “consistently opposed the United States position” means that the country’s votes in the United Nations General Assembly coincided with the United States position less than 25 percent of the time, using for this purpose the overall percentage-of-voting coincidences set forth in the annual report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991;

(2) the term “most recent session of the General Assembly” means the most recently completed plenary session of the General Assembly for which overall percentage-of-voting coincidences is set forth in the most recent report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991; and

(3) the term “United States assistance” means assistance under—

(A) chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund),

(B) chapter 5 of part II of that Act (relating to international military education and training), or

(C) the “Foreign Military Financing Program” account under section 23 of the Arms Export Control Act,

except that such term does not include assistance under chapter 8 of part I of the Foreign Assistance Act of 1961 (relating to international narcotics control) or assistance under chapter 8 of part II of such Act (relating to antiterrorism assistance).

(e) **EFFECTIVE DATE.**—This section takes effect upon the date of the submission to the Congress of the report pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, that is required to be submitted by March 31, 1996.

SEC. 3418. LIMITATION ON ASSISTANCE TO COUNTRIES THAT RESTRICT THE TRANSPORT OR DELIVERY OF UNITED STATES HUMANITARIAN ASSISTANCE.

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

(1) The United States Federal budget deficit and spending constraints require the maximum efficiency in the usage of United States foreign assistance.

(2) The delivery of humanitarian assistance to people in need is consistent with the fundamental values of our Nation and is an important component of United States foreign policy.

(3) As a matter of principle and in furtherance of fiscal prudence, the United States should seek to promote the delivery of humanitarian assistance to people in need in a manner that is both timely and cost effective.

(4) Recipients of United States assistance should not hinder or delay the transport or delivery of United States humanitarian assistance to other countries.

(b) **PROHIBITION ON ASSISTANCE.**—Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370), as amended by this Act, is further amended by adding at the end the following new subsection:

“(aa)(1) Notwithstanding any other provision of law, United States assistance may not be made available for any country whose government prohibits or otherwise restricts,

directly or indirectly, the transport or delivery of United States humanitarian assistance.

“(2) The prohibition on United States assistance contained in paragraph (1) shall not apply if the President determines and notifies the Congress in writing that providing such assistance to a country is in the national security interest of the United States.

“(3) A suspension or termination of United States assistance for any country under paragraph (1) shall cease to be effective when the President certifies in writing to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate that such country is no longer prohibiting or otherwise restricting, either directly or indirectly, the transport or delivery of United States humanitarian assistance.

“(4)(A) At the time of the annual budget submission to Congress, the President shall submit a report to the Congress describing any information available to the President concerning prohibitions or restrictions, direct or indirect, on the transport or delivery of United States humanitarian assistance by the government of any country receiving or eligible to receive United States foreign assistance during the current or preceding fiscal year.

“(B) The President shall include in the report required by subparagraph (A) a statement as to whether the prohibition in paragraph (1) is being applied to each country for which the President has information available to him concerning prohibitions or restrictions, direct or indirect, on the transport or delivery of United States humanitarian assistance.

“(5) As used in this subsection, the term ‘United States assistance’ has the same meaning given that term in section 481(e)(4) of this Act.”

SEC. 3419. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS, PRIVATE AND VOLUNTARY ORGANIZATIONS, AND OTHER ENTITIES THAT INHIBIT UNITED STATES-SUPPORTED DEMINING OPERATIONS AND ACTIVITIES.

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act may be made available to any foreign government, private and voluntary organization, or any other entity which the Secretary of State determines inhibits United States-supported demining operations and activities through the imposition of discriminatory customs duties, tariffs, or any other barrier to the entry of equipment or personnel designated for use or participation in such operations and activities.

(b) **EXCEPTION.**—(1) The prohibition contained in subsection (a) shall not apply with respect to a foreign government, private and voluntary organization, or any other entity if the President determines and reports to the congressional committees specified in section 634A of the Foreign Assistance Act of 1961 (in accordance with procedures applicable to reprogramming notifications under that section) that the provision of assistance to such government, organization, or other entity, as the case may be, is important to the national interest of the United States.

(2) Any determination under paragraph (1) shall include a detailed justification of how the provision of assistance furthers United States national interests.

CHAPTER 3—REPEALS

SEC. 3421. REPEAL OF OBSOLETE PROVISIONS.

(a) 1988 FOREIGN OPERATIONS APPROPRIATIONS ACT.—Section 537(h)(2) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, as included in Public Law 100-202, is hereby repealed.

(b) 1987 FOREIGN ASSISTANCE APPROPRIATIONS ACT.—Section 539(g)(2) of the Foreign Assistance and Related Programs Appropriations Act, 1987, as included in Public Law 99-591, is hereby repealed.

(c) 1986 ASSISTANCE ACT.—The Special Foreign Assistance Act of 1986 is hereby repealed except for section 1 and section 204.

(d) 1985 ASSISTANCE ACT.—The International Security and Development Cooperation Act of 1985 is hereby repealed except for section 1, section 131, section 132, section 504, section 505, part B of title V (other than section 558 and section 559), section 1302, section 1303, and section 1304.

(e) 1985 JORDAN SUPPLEMENTAL ACT.—The Jordan Supplemental Economic Assistance Authorization Act of 1985 is hereby repealed.

(f) 1985 AFRICAN FAMINE ACT.—The African Famine Relief and Recovery Act of 1985 is hereby repealed.

(g) 1983 ASSISTANCE ACT.—The International Security and Development Assistance Authorization Act of 1983 is hereby repealed.

(h) 1983 LEBANON ASSISTANCE ACT.—The Lebanon Emergency Assistance Act of 1983 is hereby repealed.

(i) 1981 ASSISTANCE ACT.—The International Security and Development Cooperation Act of 1981 is hereby repealed except for section 1, section 709, and section 714.

(j) 1980 ASSISTANCE ACT.—The International Security and Development Cooperation Act of 1980 is hereby repealed except for section 1, section 110, section 316, and title V.

(k) 1979 DEVELOPMENT ASSISTANCE ACT.—The International Development Cooperation Act of 1979 is hereby repealed.

(l) 1979 SECURITY ASSISTANCE ACT.—The International Security Assistance Act of 1979 is hereby repealed.

(m) 1979 SPECIAL SECURITY ASSISTANCE ACT.—The Special International Security Assistance Act of 1979 is hereby repealed.

(n) 1978 DEVELOPMENT ASSISTANCE ACT.—The International Development and Food Assistance Act of 1978 is hereby repealed, except for section 1, title IV, and section 603(a)(2).

(o) 1978 SECURITY ASSISTANCE ACT.—The International Security Assistance Act of 1978 is hereby repealed.

(p) 1977 DEVELOPMENT ASSISTANCE ACT.—The International Development and Food Assistance Act of 1977 is hereby repealed except for section 1, section 132(b), and section 133.

(q) 1977 SECURITY ASSISTANCE ACT.—The International Security Assistance Act of 1977 is hereby repealed.

(r) 1976 SECURITY ASSISTANCE ACT.—The International Security Assistance and Arms Export Control Act of 1976 is hereby repealed except for section 1, section 201(b), section 212(b), section 601, and section 608.

(s) 1975 DEVELOPMENT ASSISTANCE ACT.—The International Development and Food Assistance Act of 1975 is hereby repealed.

(t) 1975 BIB ACT.—Public Law 94-104 is hereby repealed.

(u) 1974 ASSISTANCE ACT.—The Foreign Assistance Act of 1974 is hereby repealed.

(v) 1973 EMERGENCY ASSISTANCE ACT.—The Emergency Security Assistance Act of 1973 is hereby repealed.

(w) 1973 ASSISTANCE ACT.—The Foreign Assistance Act of 1973 is hereby repealed.

(x) 1971 ASSISTANCE ACT.—The Foreign Assistance Act of 1971 is hereby repealed.

(y) 1971 SPECIAL ASSISTANCE ACT.—The Special Foreign Assistance Act of 1971 is hereby repealed.

(z) 1969 ASSISTANCE ACT.—The Foreign Assistance Act of 1969 is hereby repealed except for the first section and part IV.

(aa) 1968 ASSISTANCE ACT.—The Foreign Assistance Act of 1968 is hereby repealed.

(bb) 1964 ASSISTANCE ACT.—The Foreign Assistance Act of 1964 is hereby repealed.

(cc) LATIN AMERICAN DEVELOPMENT ACT.—The Latin American Development Act is hereby repealed.

(dd) 1959 MUTUAL SECURITY ACT.—The Mutual Security Act of 1959 is hereby repealed.

(ee) 1954 MUTUAL SECURITY ACT.—Sections 402 and 417 of the Mutual Security Act of 1954 are hereby repealed.

(ff) DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 1982 and 1983.—Section 109 of the Department of State Authorization Act, Fiscal Years 1982 and 1983, is hereby repealed.

(gg) DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 1984 AND 1985.—Sections 1004 and 1005(a) of the Department of State Authorization Act, Fiscal Years 1984 and 1985, are hereby repealed.

(hh) SAVINGS PROVISION.—Except as otherwise provided in this Act, the repeal by this Act of any provision of law that amended or repealed another provision of law does not affect in any way that amendment or repeal.

TITLE XXXV—EFFECTIVE DATE

SEC. 3501. EFFECTIVE DATE.

Except as otherwise provided in this Act, this division, and the amendments made by this division, shall take effect on the date of the enactment of this Act or October 1, 1995, whichever occurs later.

The CHAIRMAN. The bill will be considered for amendment under the 5-minute rule for an initial period of 10 hours.

After that initial period, amendments shall be debatable only as provided in clause 6 of rule XXIII, or section 2 of House Resolution 155. Consideration of the bill for amendment will not continue beyond 2:30 p.m. on Thursday, May 25, 1995.

Other than pro forma amendments for the purpose of debate and amendments en bloc described in section 2 of the resolution, no amendment to the committee amendment in the nature of a substitute, as modified, is in order unless printed in the CONGRESSIONAL RECORD.

It shall be in order for the chairman of the Committee on International Relations or a designee to offer amendments en bloc consisting of printed amendments or germane modifications thereto. Those amendments en bloc shall be considered as read, except that the modifications shall be reported, shall not be subject to amendment or to a demand for a division of the question, and shall be debatable for 10 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.

The original proponents of the amendment offered en bloc shall have permission to insert statements in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. BROWBACK

Mr. BROWBACK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWBACK: In section 2101(a)(1) (relating to the Diplomatic and Consular Programs) strike "\$1,676,903,000" and insert "\$1,656,903,000".

In section 2101(a)(2) (relating to the Salaries and Expenses) strike "\$355,287,000" and insert "\$335,287,000".

In section 2101(a)(4) (relating to Acquisition and Maintenance of Buildings Aboard) strike "\$391,760,000 for fiscal year 1997" and insert "\$376,760,000 for fiscal year 1997".

In section 2101(a)(7) (relating to the Office of the Inspector General) strike "\$23,469,000 for fiscal year 1997" and insert "\$21,469,000 for fiscal year 1997".

In section 2101(a)(8) (relating to the Payment to the American Institute in Taiwan) strike "\$14,710,000" and insert "\$13,710,000".

In section 2102(a) (relating to the Assessed Contributions to International Organizations) strike "\$867,050,000" and insert "\$828,388,000".

In section 2102(b)(1) (relating to the Voluntary Contributions to International Organizations) strike "\$302,920,000" and insert "\$290,680,000".

In section 2102(c)(1) (relating to Assessed Contributions for International Peacekeeping) strike "\$345,000,000" and insert "\$300,000,000".

In section 2102(d)(1) (relating to the Voluntary Contributions to Peacekeeping Operations) strike "and \$68,260,000 for fiscal year 1997" and insert "and \$62,260,000 for fiscal year 1997".

In section 2102(e)(1) (relating to the International Conferences and Contingencies) strike "\$6,000,000" and insert "\$5,000,000".

In section 2106(1) (relating to Salaries and Expenses) strike "\$428,080,000" and insert "\$407,080,000".

In section 2106(3)(A) (relating to Fulbright Academic Exchange Programs) strike "\$113,680,000" and insert "\$93,680,000".

In section 2106(3)(F) (relating to Other Programs) strike "\$87,341,400" and insert "\$67,341,400".

In section 2106(4)(A) (relating to International Broadcasting Activities) strike "\$286,191,000" and insert "\$256,191,000".

In section 2106(5) (relating to Radio Construction) strike "\$67,647,000" and insert "\$57,647,000".

In section 2106(9) (relating to the Center for Cultural and Technical Interchange between East and West) strike "\$10,000,000" and insert "\$8,000,000".

In section 2106(10) (relating to the National Endowment for Democracy) strike "\$34,000,000 for fiscal year 1997" and insert "\$32,000,000 for fiscal year 1997".

In section 2107(1) (relating to the Arms Control and Disarmament Agency) strike "\$40,500,000" and insert "\$39,500,000".

In section 3101 (relating to the Foreign Military Financing Program) strike "\$3,240,020,000" and insert "\$3,226,020,000".

In section 3201 (relating to the Economic Support Fund) strike "\$2,283,478,000" and insert "\$2,248,478,000".

In section 3221(a)(1) (relating to the Development Assistance Fund) strike "for each of fiscal years 1996 and 1997" and insert "for fiscal year 1996 and \$745,000,000 for fiscal year 1997".

In section 3221(a)(2) (relating to the Development Fund for Africa) strike "for each of fiscal years 1996 and 1997" and insert "for fiscal year 1996 and \$614,214,000 for fiscal year 1997".

In section 3221(a)(3) (relating to the Assistance for Independent States for the Former Soviet Union) strike "\$650,000,000" and insert "\$625,000,000".

In section 3221(a)(5) (relating to the Inter-American Foundation) strike "\$10,000,000" and insert "\$7,000,000".

In section 3221(a)(6) (relating to the African Development Foundation) strike "\$5,000,000" and insert "\$4,000,000".

In section 3222(3) (relating to the Operating Expenses of the Office of the Inspector Gen-

eral) strike "\$31,685,000" and insert "\$30,685,000".

In section 3261 (relating to the Peace Corps) strike "for each of the fiscal years 1966 and 1977" and insert "fiscal year 1996 and \$215,000,000 for fiscal year 1997".

Mr. BROWBACK (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

(Mr. BROWBACK asked and was given permission to revise and extend his remarks.)

Mr. BROWBACK. Mr. Chairman, in cooperation with the gentleman from New York [Mr. GILMAN], the chairman, we are offering this amendment to bring H.R. 1561 in line with the budget resolution adopted last week. This amendment seeks further reductions and efficiencies without cutting essential functions that would support our national security, trade, or humanitarian interests.

Members will recall we voted to support \$18.2 billion for function 150 spending in fiscal year 1996. Working with the chairman and the other members of the Committee on International Relations, we have crafted a bill to cut approximately \$1 billion from programs under our jurisdiction, which, along with cuts from programs outside our jurisdiction, reaches the Committee on the Budget's targets.

For fiscal year 1997, the Committee on International Relations cut \$1.5 billion from the foreign affairs budget, but since the Committee on International Relations was preparing this bill at the same time as the Committee on the Budget was crafting the budget resolution, we were not able to conform our numbers to the budget resolution. Therefore, my amendment is necessary to cut an additional \$477.9 million from the bill so we can reach the Committee on the Budget's mandate and what this House voted on of \$16.8 billion for fiscal year 1997.

There are some very clear and specific reasons why we need to do this. This amendment is crucial, first of all, Mr. Chairman, because we are broke. I want to turn Members' attention to the chart I have here which shows just where we are going with the Federal debt. We are at nearly \$5 trillion today.

Under President Clinton's proposed budget, we would get to nearly \$7 trillion by the year 2000, and the red ink continues to pile on. We cannot afford to continue to spend as much as we have on any program. That is why we passed a budget resolution last week that balances the budget by 2002 so our kids do not have to pay off our red ink. That is why we have to bring H.R. 1561 into compliance with that resolution.

□ 1600

People on the other side of the aisle will say that we are isolationists. I would refute that because of the number of things the Republican Party has

done over the years to disprove that, and I would further say we may become a nation of isolationists if we do not get our fiscal house in order, because we are not going to have any more credit to be able to extend across the rest of the globe because of being broke.

There will be those that will say, as well, that this amendment is an outrage, that we cannot make these types of cuts, that it will kill U.S. foreign policy. To them I respond that what is outrageous to the American people is that Congress has mindlessly spent them into debt to the tune of nearly \$5 trillion. It is an outrage that we have left this mortgage on America to our kids.

I would ask, will it kill foreign policy if we cut funding to the U.N. Industrial Development Organization, when we already have provided multilateral development assistance through the World Bank? Will it kill foreign policy if we force the State Department to close extraneous consulates and reduce the size of bloated embassy staffs? Will it kill foreign policy if we reduce educational and cultural exchange programs?

We are all going to have to sacrifice to balance this budget, to be able to get it in line so we do not sacrifice our kids because we were not willing to make the tough choices and the tough cuts. The sacrifices that we are asking to recipients of foreign aid are not inordinate, not whatsoever, given our precarious financial situation and the mountains and mountains of debt that we are piling on future generations.

We must sacrifice to achieve fiscal stability. We must get our own fiscal house in order for this country to be strong and grow into the future so our children can have a foreign policy, so they can push the initiatives that we desire rather than paying off our debt. For that, I think we should ask this of the recipients of our foreign aid, to make these responsible and reasonable cuts.

I submit this amendment, Mr. Chairman. I urge my colleagues to support and vote for the Brownback amendment. It gets us in line with the budget resolution passed by this body last week. It staunches the flow of red ink.

Mr. FARR. Mr. Chairman, I rise in strong opposition to the Brownback amendment.

Mr. Chairman, this is not even a pennywise issue. It is an issue that goes to the very heart of cutting what I think is one of the most important programs that this country has to offer, the U.S. Peace Corps.

The gentleman from New York [Mr. GILMAN], the chairman, has already reduced the President's request for the Peace Corps by \$3 million. In tight times, although I do not like the reduction, I think we can live with that, but this amendment goes far beyond that. Now is the time in American history when we need to strengthen American awareness and American involvement in cost-effective ways abroad, and I think the Peace Corps does that.

Now is the time we need Americans working in Eastern Europe and South America, in Eastern Asia. I know, and nine other colleagues of mine in this body know what it is like to have been working in the Peace Corps because we were all former Peace Corps volunteers.

The 2 years that we spent overseas really taught us, and I think each of us and all of the other thousands of returned Peace Corps volunteers have been able to come home with a language, with an understanding of a culture, with an understanding of foreign governments, with an understanding of how to build infrastructure in a cost-effective way. Let me give one example.

We talk a lot about foreign aid and how we are going to try to get the world community into education. Most people do not realize that in developing countries, the youth of those countries in the rural areas have to deal with the basic necessities of life. Most of their time is spent gathering water. Indeed, if you want to have children go to school, you have to build a water system, because they are needed for the labor to support the families.

That is not going to be done by sophisticated foreign aid projects or international diplomacy. That is going to be done by people in the very areas, in the rural areas of this world being able to work with the people to develop the self-help programs that they need, to develop the infrastructure so that indeed we can have a stabilized world.

Also I would like to mention that the Peace Corps has been, throughout its history, strongly supported in a bipartisan fashion. I think to take this partisan amendment and to reduce the Peace Corps is essentially a blow to the strongest program that we have had throughout this world. There is not a country where the Peace Corps has served or is being asked to serve that does not realize the benefit that they provide in having a two-way system where volunteers from the United States of all ages can go and spend 2 years of their life working in a country, and at the same time come back with the strength of knowing the rest of the world.

I am in strong support of reauthorizing the program. I regret that it is going to be even reduced by the \$3 million from what the President has requested, but this amendment goes much further than that. It is very destructive, and I urge its defeat.

Mr. SALMON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Kansas [Mr. BROWNBACK].

Mr. BROWNBACK. Mr. Chairman, I thank the gentleman from Arizona [Mr. SALMON] for yielding.

Mr. Chairman, to respond quickly to the comment on the cuts in the Peace Corps, which I think is an excellent program, a very worthwhile program, I would note in our cuts that we are proposing it is a 2-percent cut in the Peace

Corps. At a time when we have just got to balance the budget and we cannot afford to stack more debt on future generations, I think that is a responsible cut so that our future kids and our children can be in the Peace Corps as well.

Mr. SALMON. Mr. Chairman, I urge support for the well-crafted Brownback amendment. It is never easy to reduce Government spending but this amendment protects our top priorities while meeting our obligations to our children and our grandchildren to balance the budget by the year 2002. This amendment protects critical aid to our allies, Israel and Egypt, and ensures substantial levels of aid to the hungry and the needy across the world, while acknowledging that given \$200 billion annual deficits, some programs like cultural exchange programs will have to look more to the private sector that to taxpayers and to deficit spending.

I urge bipartisan support for the Brownback amendment.

Mr. Chairman, I yield to the gentleman from Ohio [Mr. CHABOT].

Mr. CHABOT. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I commend the gentleman from Kansas [Mr. BROWNBACK] for this important amendment. The people of this country spoke loudly and clearly last November. They clearly said, "Balance the budget," and not by raising taxes but by cutting spending.

One area that the American people said to cut is foreign aid. While I strongly agree with the sentiment of the American people that foreign aid must be cut, what the gentleman from Kansas does in this amendment is to make additional cuts of approximately \$477 million. If we are going to ask some Americans, for example, those who are dependent upon welfare, to be less dependent on the Government, then surely we must insist that other countries be less dependent on our Government as well.

I strongly support the Brownback amendment and I urge its adoption.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SALMON. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, let me end up by saying when the budget resolution was passed, it was passed about the same time we were working on this bill. We are \$477 million short of what the budget resolution requires, so it is really important that we pass this amendment.

It is going to take the overall foreign aid cuts down by about \$2 billion, but at a time when the American people are being asked to bite the bullet as far as spending is concerned, it is only reasonable to say that we ought to cut foreign spending as well, so the cut of \$2 billion and this additional cut of \$477 million is in order. I urge my colleagues to support this amendment.

Mr. HAMILTON. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, this afternoon the President said in his news conference that we should not handcuff the President. "If this bill passes," he is referring to the bill we are debating now on the floor, "if this bill passes in its present form, I will veto it."

I think all of us understand that it takes the Congress and the President working together to make American foreign policy. What we have now is kind of two ships passing in the night without dialog, without discussion and without debate, and we simply are fooling ourselves on this floor if we think we are making foreign policy. At the present time we are really engaged in kind of a political exercise, so far as I can see.

If this amendment passes, it will only make more difficult the accommodation that simply has to come about eventually between the President and the U.S. Congress in making foreign policy.

I am fully aware, of course, of the great popularity of cutting the budget and of cutting foreign aid. There are very few among us who do not recognize that that is a popular exercise. I want to lay out on the record, although I think I know how the votes fall here, the impact of this amendment.

Foreign aid has already been cut since 1985 by 40 percent. All of the foreign affairs agencies have undergone downsizing, and more downsizing is scheduled to come this year.

The committee bill that has been reported out unanimously on the majority side already cuts current levels of foreign assistance by 9 percent. The Brownback amendment increases that cut to 12 percent. One really wonders how far you go in this cutting game and still be able to maintain a semblance of leadership in the world. If cutting 12 is good, then why not cut 20, 30, 40, or 50 percent? Why stop now?

This amendment cuts another \$58 million from the State Department. That is on top of \$90 million in cuts in the bill already from 1995 levels. This amendment cuts 13 percent from an already low authorization for U.N. peacekeeping. We are adding almost weekly additional burdens on the United Nations for peacekeeping, and we are demanding more and more of the United Nations while we cut their budget more and more.

This amendment cuts another 4½ percent from our assessed international organization contributions. It cuts almost 9 percent from the contributions we make voluntarily for international peacekeeping, and it makes further additional cuts in economic assistance, especially development assistance. It would cut development assistance another 13 percent, and that results in a total cut of nearly 45 percent between fiscal year 1995 and fiscal year 1997.

I understand that I have thrown a lot of statistics out, but I hope, in sum, they convey to Members how deeply these cuts are impacting, or will impact, American foreign policy and one of its important tools, the foreign aid bill.

The New Independent States will take additional reductions here on top of the 20 percent from the President's fiscal year 1996 request. As my colleague from California has argued, we will also be cutting the Peace Corps, one of the most successful programs that we have had and one that enjoys overwhelming bipartisan support.

That, then, is the impact. But let me return to the principal point. The President has made his position clear. Are we in this House going to be a part of the process and work with him for an accommodation, or are we simply going to play a political game here with no real relevance to the foreign policymaking process?

I urge my colleagues to vote against this amendment.

□ 1615

Miss COLLINS of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment offered by Representative BROWNBACK. Foreign aid must not be sacrificed in order to fund the Republican effort to balance the budget by any means necessary. Just as no man is an island, no country is isolated. America has always been a leader in foreign relations. We must continue to encourage diplomacy with our international neighbors.

This amendment will diminish our leadership in world affairs. U.S. interests and security dictate that we play a vital role in world affairs. This amendment will ensure that this legislation serves as a wall between ourselves and other countries.

Foreign aid is in the best interest of the United States. Maintaining effective aid programs will help developing countries make gains in health care, educational opportunities and small business development. We must be committed to creating an environment that promotes fair trade and investment opportunities. This will lead to sustained economic progress for both sides.

If we leave our world neighbors in the lurch it will certainly come back to haunt us. In a dangerous world, we are foregoing the protection that foreign assistance can often provide. This amendment undercuts our ability to conduct diplomacy, create new markets, and protect U.S. interests.

Foreign aid programs should not be singled out to fund the Republican goal of reducing the Federal budget by any means necessary. This amendment will undermine U.S. leadership in the world. This bill is a step in the wrong direction.

Mr. Chairman, I urge my colleagues to oppose this measure.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just want to make a couple of real brief points. We are going to be spending \$17½ billion, that is \$17.5 billion, in foreign assistance. Sure, we are cutting \$2 billion, but we are still sending \$17½ billion of taxpayers' money overseas. That is a lot of money.

For my colleagues who know we are under severe budgetary constraints, to say we are not doing enough for the rest of the world, they need to start telling us where they think we ought to cut. We have not had many suggestions from the other side on where to cut spending. Every time we bring a bill to the floor that cuts spending to get us on a trend line to a balanced budget, everybody starts complaining and says, oh my gosh, you are going to hurt these people, and this group and this group. The fact of the matter is the people who are getting hurt the most in the country are the American taxpayers, because the deficit continues to go up and up and up and the interest on the debt goes up and we have to do something about it.

So, the \$2 billion out of the \$19.5 billion we are sending overseas, a \$2 billion cut is justifiable. We are not relinquishing our position in the world as the world leader, we are still helping wherever we can. We are going to be helping starving children, we are going to be helping countries do a lot of things, but at the same time we are doing it in a much more responsible way, we are watching taxpayers' money and spending taxpayers' dollar wisely, and that is the thing we should be doing.

So when my good friends on the other side of the aisle start complaining about where we are making these cuts, I hope everybody will remember the cuts have to be made. Otherwise we are going to have a fiscal disaster in the country in about the next 6 or 7 years. We have to have a balanced budget by the year 2002. We in the Republican leadership are heading in that direction, and this is one step that must be taken.

Mr. BERMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I understand this amendment would reduce from the committee-passed bill an additional \$478 million in fiscal year 1997 authorizations. So on top of the \$2 billion reduction in the 150 account that the budget resolution and this bill impose on our diplomatic and foreign relations account, the amendment further squeezes the whole series of accounts in the foreign affairs budget.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield.

Mr. BERMAN. Sure; I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, as I understand it, the cut originally proposed is \$1.5 billion, and this

takes us close to \$2 billion, so it was not \$2 billion initially, and this takes us to \$477 million more.

Mr. BERMAN. The 150 account covers the items in this bill and the multilateral banks which are all tools of our foreign policy interests and the PL-480 program, which is not authorized in this bill. The 150 function, the most reduced function in the Federal Government over the last 10 years, which accounts for about 1.3 percent of our Federal spending, is being reduced as I understand it by close to \$2 billion below last year's spending, \$3 billion below the administration's request, and now in fiscal year 1997 we have a further cut.

I do not understand, and I would like to hear laid out at some point in this thing just how you think the foreign relations functions of the Federal Government are going to work to serve American interests. I listened during the general debate on this bill to your colleague from Oregon who said functions run by the Arms Control and Disarmament Agency, functions run by the Agency for International Development, functions run by the USIA are irrelevant in the post-cold war era. He does not think that verification and monitoring of arms control agreements has relevance simply because the cold war has ended? The fact that the republics, that Russia in particular has a substantial number of nuclear weapons left, that we are going to try and ratify and enforce a chemical weapons treaty to get rid of these functions, he does not think that radio broadcasts into totalitarian countries which do not allow free press still have some relevance, and world is all safe, the cold war is over?

We know that many of you do not believe that because you are concerned, understandably and correctly, about the level of defense spending. We know what history has brought us. We know the end of World War I led to just this kind of dynamic pullout from the world, go back, Fortress America. We heard one member of our committee talk about America First and for once, as if being involved with an active diplomatic agenda was not putting America first, that this was not all about serving America's interests.

We know the history of what happened between the wars. We know what happened after World War II. We know that the bipartisan leadership after World War II decided to do it a different way, and the result was that we had a long and difficult and expensive cold war, but ultimately we won it.

But we also know that there are threats of terrorism and proliferation and famine and poverty, all of which, apart from the humanitarian interests, undermine our own interests in the strength of future global markets, of regional stability, of controlling the proliferation of nuclear weapons, and I am telling you, I understand your focus on the deficit. I do not share where you want to go in the end, but I really

think taking the function of government which has been the most cut for the past 10 years and thinking you can through drastic cuts and micromanagement run foreign policy in a way that maintains America's international leadership is terribly mistaken.

I urge this amendment be defeated. I think this is no longer a bill that just constrains the cuts to what were originally proposed. You are now going further, slashing even more than the bill that the committee brought to the floor, and I urge that the Brownback amendment be defeated.

Mr. ROHRBACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. BROWBACK. Mr. Chairman, will the gentleman yield?

Mr. ROHRBACHER. I yield to the gentleman from Kansas.

Mr. BROWBACK. Mr. Chairman, I thank the gentleman for yielding. I just point out in response to the last speaker briefly that was saying that we are pulling out completely away from the world, going isolationist on our policies, that what my amendment proposes is a 3-percent cut overall in the 150 account. A 3-percent cut it seems to me hardly qualifies for us completely disengaging in the world, particularly how engaged the United States is militarily, trade security. And also I would point out specifically on the Arms Control and Disarmament Agency area cut, it is an additional \$1 million, \$1 million cut, which again I do not believe really qualifies for the overstatement the gentleman has given of we are pulling out of the world.

What these are are targeted, specific cuts that, what we are trying to get at is balancing the budget, and if not this area, then somewhere else.

Mr. ROHRBACHER. Mr. Chairman, I rise in strong support of the Brownback amendment. First of all, we are cutting the budget in order to balance the budget in the long run. And in doing so, we are cutting domestic programs, not drastically, but we are making prudent cuts throughout our domestic programs.

What we are suggesting here is that American foreign aid and what we give to others through, for our benevolence and other reasons, should also be reduced to be fair to our own people during this time of domestic budget cuts.

Overall, as we put the budget together, we plan to cut 9 percent, that is \$1.5 billion, from the spending level from last year, and the gentleman from Oregon [Mr. BROWBACK] is simply adding another 3 percent to that level of cuts, which leaves us \$16.7 billion in aid left.

In the post-cold-war world that should make sense to the American people. If the American people want us to spend more and more money, more than \$16.7 billion on direct foreign aid, let me note in terms of our foreign policy and in terms of foreign aid, in terms of what we are doing overseas, \$16.7 billion outside of the military and

what we are doing in the military seems like a prudent number.

In the post-cold-war world we do not have to spend as much as we did in the cold-war era. That makes sense, and it is not fair to our own people if we do not make prudent cuts. And we are not withdrawing from the world. We are just saying from now on, because we bore the whole burden of the cold war, because we, the American people, decided that we had to protect the world against communism and yes, before that, against fascism and Japanese militarism, and yes, before that, against the Germans invading Western Europe, but the fact of the matter is the American people do not have to bear all of the burdens of the world any longer. What we are saying is not isolationism, but that when we are spending our hard-earned tax dollars we must, No. 1, make sure that all of those dollars are being spent in the interests of the United States, and yes, there is a benevolent interest to the United States, but in essence we want to make sure that we are spending money that is in our interest, and also that the dollars are being spent effectively.

We are spending things in this, even left in the budget, we are spending things like for example paying for birth control for India, at a time when India ends up spending their money on developing nuclear weapons. That is not even cut out of this budget. I will tell Members if it was up to this Congressman we would cut a lot more out of the budget. And the gentleman from Oregon [Mr. BROWBACK] has been absolutely responsible. I salute him, and I salute the gentleman from New York [Mr. GILMAN]. They have done a tremendous job, and I think they are trying to make our foreign aid more effective and they are trying to do what is in the interests of this country.

The CHAIRMAN. The time of the gentleman from California [Mr. ROHRBACHER] has expired.

(On request of Mr. BERMAN, and by unanimous consent, Mr. ROHRBACHER was allowed to proceed for 2 additional minutes.)

Mr. BERMAN. Mr. Chairman, will the gentleman yield?

Mr. ROHRBACHER. I yield to the gentleman from California.

Mr. BERMAN. Mr. Chairman, I thank the gentleman for yielding. We can go through foreign aid budgets and we can talk about any specific program, but I have worked with the gentleman on a number of issues, and, for instance, I know of his support and the importance he gives, unlike some of his colleagues, to, for instance, the surrogate broadcasting, the getting information into countries where there is not either a well-developed institutional free press and broadcasting, or totalitarian states where they block it.

Mr. ROHRBACHER. That is correct.

Mr. BERMAN. I look at the Brownback amendment and I say we started out with a bill that in fiscal year 1996, \$121 million in reductions for

USIA, USIA's presence abroad cut by 10 percent, a thousand positions in USIA eliminated. Broadcasting cut by over 10 percent, impairing the agency's ability to broadcast to the Middle East, Eastern Europe, the former Soviet Union, other important areas.

□ 1630

Let me just make the last one. Then under the Brownback amendment, we cut an additional \$10 million for radio construction.

You and I, I thought, were hoping to create a support for Radio Free Asia transmitters, Free Asia transmitters construction expenses, get radio, get information into China, \$30 million more in additional cuts, millions for broadcasting. I feel like I hear a mechanistic debate. We talk numbers, only 3 percent, 5 percent.

Mr. ROHRBACHER. Reclaiming my time, I will give you a better example. As you know, both of us have worked together for National Endowment for Democracy. No one has been a stronger supporter for National Endowment for Democracy than I have been. Yet, in the Brownback amendment, I understand they take another \$2 million out of the NED budget. Yet we are in a situation where we owe it to our own people, even though we have priorities we would like to spend money on, to cut moneys out to make them more effective. Cutting the budget does not mean it is less effectively spent.

Mr. ROTH. Mr. Chairman, I move to strike the requisite number of words.

You know, this debate that we are having here today is more than just about dollars. This debate basically is about political power. What we are hearing today is the President down at the Rose Garden saying that Congress is going to clip his wings. That is not true at all.

When our forefathers met in Philadelphia, they set up a Government with a separation of powers, some powers delegated to the executive, some to the judicial, some to the executive, legislative.

Since up to the Second World War, Congress was always involved in foreign affairs, but during the Second World War and after, because of the cold war and the President had to respond quickly, Congress abdicated these powers to the executive.

What we are saying now basically is that we are going to take some of these powers back. So it is not that we are cutting a billion dollars out of the \$17 billion we are shipping overseas, which is really a pittance, the real issue here is what is Congress' role in foreign affairs? What is Congress' role in foreign policy?

And we, the more conservative element, are saying Congress should be involved because Congress speaks for the people, and when our forefathers set up the Constitution, they said, for example, the President our Executive, can ask for a declaration of war, but only Congress can declare war.

All the way down the line we have certain responsibilities given to the Congress, certain to the Presidency, certain to the judiciary, but in the last 50 years Congress has abdicated all of its powers and given them to the Presidency.

Now, in this particular bill we have some \$17 billion in cuts. The argument here has been made with the \$250 billion deficit, is that too much to ask? I do not think so. One of reasons the Soviet Union fell, we no longer have the Soviet Union, it is ancient history, is because they went bankrupt. Why? Because they spent themselves into bankruptcy.

While we are richer than old Soviet Union was, the truth of the matter is we are facing a \$4.9 trillion national debt. We cannot keep going in this direction.

I know it is hard to change. Machiavelli told us that in his famous book "The Prince," that one of most difficult things to do is change, and we are changing. But there is still old thinking, the old mentality of the liberal welfare state; yes, we have welfare at home and we are going to have welfare overseas.

While we are changing the welfare at home, why not change the welfare overseas, too? You know, the only time a family can help itself and help its neighbors is when the family is able to take care of itself. When a family spends itself into bankruptcy, they cannot take care of their brothers or sisters or anyone else down the street. That is basically what we are saying here today. We have got to start taking care of our own problems here at home or else we will not be able to take care of anyone's problems.

We are now to the point, with a \$4.9 trillion national debt, that we have got to stop and say, hey, wait a minute, we have got to stop and say, hey, wait a minute, we have got to stop and analyze where we are going.

There is a beautiful book, not a beautiful book but an interesting book, called "Wild Ride." You see it on the newsstand today. It is about that famous Kentucky horse farm, Calumet. They had so much money they thought they would never come to the end of dollars. What happened one day, they woke up and they were broke. You know something, when you see what happened to that farm, it is the same thing, a metaphor of what is happening here in the Congress and our own Government.

Let us start taking care of the problems we have got at home. Let us watch the dollars we have in our pocket because these pockets are empty and we have got to start analyzing where our money is going to come from and how we are going to set our priorities.

There are many areas in this budget, when we passed the balanced budget on Thursday, that cut much, much deeper than we are cutting in foreign aid. We do not need the crocodile tears on foreign aid. We are still sending billions

overseas, and we are not nearly cutting as much in foreign aid as we are some of our domestic programs.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. ROTH. I yield to the gentleman from Ohio.

Mr. KASICH. I just want to take a minute here and compliment the gentleman from Kansas for trying to get this overall spending level in 1997 to concur with the spending level in the Committee on the Budget resolution, and I want to associate myself with the remarks from various speakers who have risen in support of the amendment offered by the gentleman from Kansas [Mr. BROWNBACK].

We will still have a very robust program.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. ROTH] has expired.

(At the request of Mr. KASICH and by unanimous consent, Mr. ROTH was allowed to proceed for 2 additional minutes.)

Mr. KASICH. If the gentleman will yield further, we will still have a robust program that will promote U.S. interests around the world, but, frankly, I think that the foreign aid budget for too long has represented an awful lot of interests that are not necessarily in line with promoting direct U.S. national interests.

Frankly, I think that the foreign aid bill to a large degree has become a bill that represents corporate welfare, and we have a number of changes in this bill.

This is only part of our attempt to get in the middle of reform. Frankly, the multilateral banks are another area where we will be directing some change.

But I think that the gentleman from Kansas is proposing makes good sense, and, frankly, I would be pretty well surprised if we did not get strong bipartisan support for this proposal.

I mean, if you are interested in responding to what your constituents want, which is a tight-fisted, responsible foreign aid budget, you want to come to the floor and support BROWNBACK, and this will be able to accomplish our goals around the world, but do it in a way that is responsive to hardworking Americans.

So I want to appreciate the gentleman yielding this time to me and would urge all of my colleagues on both sides of the aisle to come to the floor, conform this to the budget resolution, support the Brownback amendment.

Mr. ROTH. I thank the gentleman for his contribution.

I think it is true when you take a look at, for example, AID, and the gentleman from Ohio was talking about corporate welfare, well, we have a lot of waste, fraud, and abuse in these programs, and if the American people were voting here today, believe me, they would have much deeper cuts than we are asking for.

The President just had a news conference at the Rose Garden. Again, I want to point this out, he said that the Congress basically is going to be clipping his wings. He needs more power in foreign affairs. The truth of the matter is that he has had all the power in foreign affairs.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. BURTON of Indiana) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

□ 1637

AMERICAN OVERSEAS INTERESTS ACT OF 1995

The committee resumed its sitting.

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Kansas [Mr. BROWNBACK].

Mr. BROWNBACK. I thank the distinguished chairman of the Committee on International Relations.

I just wanted to clarify one other point, if I could, of what is taking place here.

There has been some discussion about Radio Free Asia, and I do not touch any of the funding for Radio Free Asia in the amendment that I am putting in front of this body.

Furthermore, I just would point out that I think the gentleman from Ohio [Mr. KASICH] makes some good points about what has the foreign aid been used for, at different points in time. Is it really being used for foreign aid, or is it being used for some forms of corporate welfare, like Robert Riech, the Secretary of Labor, has talked about? I think there is a fair amount, and with the streamlining with this reasonable 3-percent cut, we can hope to get back some of that.

Mr. GILMAN. I thank the gentleman for his remarks, and I urge my colleagues to support the gentleman from Kansas in order to bring this bill within the budgetary resolution so that we can move forward.

Mr. FUNDERBURK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me first begin my remarks by complimenting the distinguished chairman of the Committee on International Relations for bringing to the floor of the House the first attempt to change the basic course of American foreign policy in several decades.

H.R. 1561 does send a message that America will no longer tolerate nations who receive the helping hand of the United States at the same time they thumb their noses at our generosity by voting against us at the United Nations.

That said, Mr. Chairman, the Committee on International Relations needs to do more. America's foreign policy structure needs to be overhauled immediately. The current system is a relic of the 1950's and 1960's.

The State Department is a labyrinth of competing and overlapping agencies, offices and bureaus whose redundancy and waste has hampered our national interest over the last 30 years. It is up to this Congress to abolish the residue of the cold war and bring the State Department in line with the diplomatic and security needs of the American people as we head into a new century.

Mr. Chairman, the new Republican Congress was sent to Washington to get America's priorities straight. Last week we began the glide path toward a balanced budget. It is not an easy process.

We will eliminate entire Cabinet departments, cut out the welfare programs of the 1960's, and end most Federal subsidies across the board.

Each of us has heard from students, seniors, veterans, and farmers in our districts. Many of them are upset, and they are looking at this bill. They have every right to be. How can we go home and say we are cutting out Commerce, Energy, and Education and perhaps HUD, and reducing the size of every Federal department at the same time we leave the State Department virtually untouched? Despite what some in Foggy Bottom and the bureaucracy there will tell you, will, cuts that are proposed by the Brownback amendment are not Draconian cuts, and the cuts which I would suggest that we also put into the process are not Draconian cuts.

According to the report the chairman, the gentleman from Ohio [Mr. KASICH], delivered to the House last week, the State Department budget has grown from \$1.7 billion in the mid-1980's to \$2.6 billion this fiscal year 1995. The Budget Committee's review notes that the continued increase in State Department funding has come from the growth in salaries and expenses, areas that should be addressed.

We need to wake up the State Department. We need to send the word that business as usual has ended.

I am sure that some will say that any cuts in the State Department will hurt our fight against terrorism and out-of-control immigration. Such cuts will do no such thing. The way to combat terrorism and immigration abuses is not to spend more on bureaucrats and diplomatic staff, but it is to boost the morale of our foreign and domestic intelligence agencies, to increase the rapid response capability of our Armed Forces, and to lower the numbers of people who can come to this country at any one time.

Mr. Chairman, the State Department employees over 33,000 people. We have over 300 embassies, consulates, consular agencies, and missions overseas.

The committee bill folds the USIA, the ACDA, and AID into the State Department, and in that sense the bureaucracy will continue to grow. The cuts proposed by both the Committee on International Relations and the Clinton administration merely accept the status quo, albeit on a slightly smaller scale.

As the American people said last year, the status quo is not good enough. America's foreign policy priorities need radical surgery. We can start the process by cutting the fat at Foggy Bottom.

We need to tell the American people we are serious about cutting the budget and we are serious about streamlining and downsizing the bloated bureaucracy at the State Department.

□ 1645

AMENDMENT OFFERED BY MR. FUNDERBURK TO THE AMENDMENT OFFERED BY MR. BROWNBACK

Mr. FUNDERBURK. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. FUNDERBURK to the amendment offered by Mr. BROWNBACK: In the matter amending section 2101(a)(2) of the bill (relating to authorizations of appropriations for salaries and expenses of the Department of State) strike "\$355,287,000 for the fiscal year 1996" and insert "\$337,522,265 for the fiscal year 1996 and

The CHAIRMAN. The gentleman from North Carolina [Mr. FUNDERBURK] is recognized for 5 minutes in support of his amendment.

Mr. FUNDERBURK. Mr. Chairman, this amendment reduces the bill's authorization level for State Department salaries and expenses for 5 percent for the fiscal year 1996.

Mr. Chairman, I feel that since we are asking the American people to cut the rate of growth and to cut in actual expenditures across the board, that the Gilman and the Brownback bills and amendments have cut USIA, ACDA, and AID drastically but have only asked for a very minimal cut of 1 or 2 percent in the State Department. The State Department should not be sacrosanct, and I feel, having worked in the State Department as a U.S. Ambassador overseas for 4 years, that there is a lot of waste and that we have too much money being spent in that area, in the modern age of high technology and instant communications, and what we have had and what we have seen there in the last few years is that, while other Government agencies and programs are being cut back or using a reasonable measure of trying to cut wasteful expenditures, we have actually had an increase in the building of consulates in countries where we really have no major problems and an increase in the building of embassies, and the salaries have been increasing at too high a level.

Now most of the people in this country are being asked to tighten their