

107TH CONGRESS
1ST SESSION

H. R. 1646

To authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2001

Mr. HYDE (for himself and Mr. LANTOS) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Relations Au-
5 thorization Act, Fiscal Years 2002 and 2003”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

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

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

- Sec. 101. Administration of foreign affairs.
- Sec. 102. International commissions.
- Sec. 103. United States educational and cultural programs.
- Sec. 104. Contributions to international organizations.
- Sec. 105. Contributions for international peacekeeping activities.
- Sec. 106. Grants to the Asia Foundation.
- Sec. 107. Voluntary contributions to international organizations.
- Sec. 108. Migration and refugee assistance.

Subtitle B—United States International Broadcasting Operations

- Sec. 121. Authorizations of appropriations.

TITLE II—AUTHORITIES AND ACTIVITIES OF THE DEPARTMENT
OF STATE

Subtitle A—Basic Authorities and Activities

- Sec. 201. Continuation of reporting requirements.
- Sec. 202. Continuation of other reports.
- Sec. 203. Report concerning elimination of Colombian opium.
- Sec. 204. Repeal of provision regarding housing for foreign agricultural attache.
- Sec. 205. Human rights monitoring.
- Sec. 206. Correction of Fishermen's Protective Act of 1967.
- Sec. 207. International litigation fund.
- Sec. 208. Emergency evacuation services.
- Sec. 209. Withholding of funding until submission of report on Cuban emigration policies.
- Sec. 210. Implementation of the Intercountry Adoption Act of 2000.
- Sec. 211. Report concerning the effect of Plan Colombia on Ecuador.

Subtitle B—Consular Authorities

- Sec. 231. Machine readable visas.
- Sec. 232. Establishment of a consular branch office in Lhasa, Tibet.
- Sec. 233. Establishment of a diplomatic or consular post in Equatorial Guinea.
- Sec. 234. Processing of visa applications.
- Sec. 235. United States policy with respect to Jerusalem as the capital of Israel.

Subtitle C—Migration and Refugees

- Sec. 251. United States policy regarding the involuntary return of refugees.
- Sec. 252. Report on overseas refugee processing.

TITLE III—ORGANIZATION AND PERSONNEL OF THE
DEPARTMENT OF STATE

Subtitle A—Organizational Matters

- Sec. 301. Report on workforce plan.
- Sec. 302. "Rightsizing" overseas posts.
- Sec. 303. Qualifications of certain officers of the Department of State.
- Sec. 304. United States Special Coordinator for Tibetan Issues.

Subtitle B—Personnel Matters

- Sec. 331. Report concerning retired members of the foreign service and civil service who are registered agents of a government of a foreign country.
- Sec. 332. Tibetan language training.
- Sec. 333. Dependents on family visitation travel.
- Sec. 334. Thomas Jefferson Star.
- Sec. 335. Health education and disease prevention programs.
- Sec. 336. Training authorities.
- Sec. 337. Foreign national retirement plans.
- Sec. 338. Presidential rank awards.
- Sec. 339. Emergency medical advance payments.
- Sec. 340. Unaccompanied air baggage.
- Sec. 341. Special agent authorities.
- Sec. 342. Report concerning minority employment.

TITLE IV—UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS OF THE DEPARTMENT OF STATE

- Sec. 401. Extension of requirement for scholarships for Tibetans and Burmese.
- Sec. 402. Nonprofit entities for cultural programming.
- Sec. 403. Fulbright-Hays authorities.
- Sec. 404. Ethical issues in international health research.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

- Sec. 501. Eliminating staff positions for the Advisory Board for Cuba Broadcasting.
- Sec. 502. Reports on broadcasting personnel.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

- Sec. 601. United Nations arrears payments and reform.
- Sec. 602. Travel by advisory committee members to Great Lakes Fishery Commission annual meeting.
- Sec. 603. United States policy on composition of the United Nations Human Rights Commission.
- Sec. 604. United States membership in the International Organization for Migration.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—General Provisions

- Sec. 701. Amendments to the Iran Nonproliferation Act of 2000.
- Sec. 702. Amendments to the North Korea Threat Reduction Act of 1999.
- Sec. 703. Amendments to the International Religious Freedom Act of 1998.
- Sec. 704. Continuation of United States Advisory Commission on Public Diplomacy.
- Sec. 705. Participation of South Asia countries in international law enforcement academies.

Subtitle B—Sense of Congress Provisions

- Sec. 731. Sense of congress relating to HIV/AIDS and United Nations peace-keeping operations.
- Sec. 732. Sense of congress relating to HIV/AIDS task force.

- Sec. 733. Sense of congress condemning the destruction of pre-islamic statues in Afghanistan by the Taliban regime.
- Sec. 734. Sense of congress relating to resolution of the Taiwan Strait issue.
- Sec. 735. Sense of congress relating to arsenic contamination in drinking water in Bangladesh.
- Sec. 736. Sense of congress relating to display of the American flag at the American Institute in Taiwan.
- Sec. 737. Sense of congress regarding human rights violations in West Papua and Aceh, including the murder of Jafar Siddiq Hamzah, and escalating violence in Maluku and Central Kalimantan.

TITLE VIII—SECURITY ASSISTANCE

- Sec. 801. Short title.

Subtitle A—Military and Related Assistance

CHAPTER 1—FOREIGN MILITARY SALES AND FINANCING AUTHORITIES

- Sec. 811. Official reception and representation expenses.
- Sec. 812. Quarterly report on price and availability estimates.

CHAPTER 2—EXCESS DEFENSE ARTICLE AND DRAWDOWN AUTHORITIES

- Sec. 821. Excess defense articles for certain European and other countries.
- Sec. 822. Annual report on projected availability of excess defense articles.
- Sec. 823. Expanded drawdown authority.
- Sec. 824. Leases of defense articles for foreign countries and international organizations.

CHAPTER 3—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE

- Sec. 831. International counterproliferation education and training.
- Sec. 832. Annual report on the proliferation of missiles and essential components of nuclear, biological, and chemical weapons.
- Sec. 833. Five-year international arms control and nonproliferation strategy.

Subtitle B—Strengthening the Munitions Licensing Process

- Sec. 841. License officer staffing.
- Sec. 842. Funding for database automation.
- Sec. 843. Information management priorities.
- Sec. 844. Improvements to the Automated Export System.
- Sec. 845. Congressional notification of removal of items from the Munitions List.
- Sec. 846. Congressional notification thresholds for allied countries.

Subtitle C—Authority to Transfer Naval Vessels

- Sec. 851. Authority to transfer naval vessels to certain foreign countries.

Subtitle D—Miscellaneous Provisions

- Sec. 861. Annual foreign military training reports.
- Sec. 862. Report relating to International Arms Sales Code of Conduct.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

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

8 (2) **DEPARTMENT.**—The term “Department”
9 means the Department of State.

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

12 **TITLE I—AUTHORIZATIONS OF**
13 **APPROPRIATIONS**
14 **Subtitle A—Department of State**

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

16 The following amounts are authorized to be appro-
17 priated for the Department of State under “Administra-
18 tion of Foreign Affairs” to carry out the authorities, func-
19 tions, duties, and responsibilities in the conduct of the for-
20 eign affairs of the United States and for other purposes
21 authorized by law, including public diplomacy activities
22 and the diplomatic security program:

23 (1) **DIPLOMATIC AND CONSULAR PROGRAMS.**—
24 (A) **AUTHORIZATION OF APPROPRIA-**
25 **TIONS.**—For “Diplomatic and Consular Pro-
26 grams” of the Department of State,

1 \$3,705,140,000 for the fiscal year 2002 and
2 such sums as may be necessary for the fiscal
3 year 2003.

4 (B) LIMITATIONS.—

5 (i) WORLDWIDE SECURITY UP-
6 GRADES.—Of the amounts authorized to be
7 appropriated by subparagraph (A),
8 \$487,735,000 for the fiscal year 2002 and
9 such sums as may be necessary for the fis-
10 cal year 2003 are authorized to be appro-
11 priated only for worldwide security up-
12 grades.

13 (ii) BUREAU OF DEMOCRACY, HUMAN
14 RIGHTS, AND LABOR.—Of the amounts au-
15 thorized to be appropriated by subpara-
16 graph (A), \$16,000,000 for the fiscal year
17 2002 and \$20,000,000 for the fiscal year
18 2003 are authorized to be appropriated
19 only for salaries and expenses of the Bu-
20 reau of Democracy, Human Rights, and
21 Labor.

22 (iii) RECRUITMENT OF MINORITY
23 GROUPS.—Of the amounts authorized to be
24 appropriated by subparagraph (A),
25 \$2,000,000 for the fiscal year 2002 and

1 \$2,000,000 for the fiscal year 2003 are au-
2 thorized to be appropriated only for the re-
3 cruitment of members of minority groups
4 for careers in the Foreign Service and
5 international affairs.

6 (iv) MOBILE LIBRARY FOR UNITED
7 STATES INTERESTS SECTION IN CUBA.—
8 Of the amounts authorized to be appro-
9 priated by subparagraph (A), \$70,000 for
10 the fiscal year 2002 and \$70,000 for the
11 fiscal year 2003 are authorized to be ap-
12 propriated only for the establishment and
13 operation of a mobile library at the United
14 States Interests Section in Cuba primarily
15 for use by dissidents and democracy activ-
16 ists in Cuba.

17 (2) CAPITAL INVESTMENT FUND.—For “Cap-
18 ital Investment Fund” of the Department of State,
19 \$210,000,000 for the fiscal year 2002 and such
20 sums as may be necessary for the fiscal year 2003.

21 (3) EMBASSY SECURITY, CONSTRUCTION AND
22 MAINTENANCE.—In addition to amounts otherwise
23 authorized to be appropriated for “Embassy Secu-
24 rity, Construction and Maintenance” by section 604
25 of the Admiral James W. Nance and Meg Donovan

1 Foreign Relations Authorization Act, Fiscal Years
2 2000 and 2001 (section 604 of division A of H.R.
3 3427, as enacted into law by section 1000(a)(7) of
4 Public Law 106–113; appendix G; 113 Stat. 1501A–
5 470), there are authorized to be appropriated for
6 “Embassy Security, Construction and Maintenance”,
7 \$475,046,000 for the fiscal year 2002 and such
8 sums as may be necessary for the fiscal year 2003.

9 (4) REPRESENTATION ALLOWANCES.—For
10 “Representation Allowances”, \$9,000,000 for the
11 fiscal year 2002 and \$9,000,000 for the fiscal year
12 2003.

13 (5) EMERGENCIES IN THE DIPLOMATIC AND
14 CONSULAR SERVICE.—For “Emergencies in the Dip-
15 lomatic and Consular Service”, \$15,500,000 for the
16 fiscal year 2002 and \$15,500,000 for the fiscal year
17 2003.

18 (6) OFFICE OF THE INSPECTOR GENERAL.—
19 For “Office of the Inspector General”, \$29,264,000
20 for the fiscal year 2002 and such sums as may be
21 necessary for the fiscal year 2003.

22 (7) PAYMENT TO THE AMERICAN INSTITUTE IN
23 TAIWAN.—For “Payment to the American Institute
24 in Taiwan”, \$17,044,000 for the fiscal year 2002

1 and such sums as may be necessary for the fiscal
2 year 2003.

3 (8) PROTECTION OF FOREIGN MISSIONS AND
4 OFFICIALS.—

5 (A) AMOUNTS AUTHORIZED TO BE APPRO-
6 PRIATED.—For “Protection of Foreign Missions
7 and Officials”, \$10,000,000 for the fiscal year
8 2002 and \$10,000,000 for the fiscal year 2003.

9 (B) AVAILABILITY OF FUNDS.—Each
10 amount appropriated pursuant to this para-
11 graph is authorized to remain available through
12 September 30 of the fiscal year following the
13 fiscal year for which the amount was appro-
14 priated.

15 (9) REPATRIATION LOANS.—For “Repatriation
16 Loans”, \$1,219,000 for the fiscal year 2002 and
17 \$1,219,000 for the fiscal year 2003, for administra-
18 tive expenses.

19 **SEC. 102. INTERNATIONAL COMMISSIONS.**

20 The following amounts are authorized to be appro-
21 priated under “International Commissions” for the De-
22 partment of State to carry out the authorities, functions,
23 duties, and responsibilities in the conduct of the foreign
24 affairs of the United States and for other purposes author-
25 ized by law:

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

5 (A) for “Salaries and Expenses”,
6 \$7,452,000 for the fiscal year 2002 and such
7 sums as may be necessary for the fiscal year
8 2003; and

9 (B) for “Construction”, \$25,654,000 for
10 the fiscal year 2002 and such sums as may be
11 necessary for the fiscal year 2003.

12 (2) INTERNATIONAL BOUNDARY COMMISSION,
13 UNITED STATES AND CANADA.—For “International
14 Boundary Commission, United States and Canada”,
15 \$989,000 for the fiscal year 2002 and such sums as
16 may be necessary for the fiscal year 2003.

17 (3) INTERNATIONAL JOINT COMMISSION.—For
18 “International Joint Commission”, \$7,282,000 for
19 the fiscal year 2002 and such sums as may be nec-
20 essary for the fiscal year 2003.

21 (4) INTERNATIONAL FISHERIES COMMIS-
22 SIONS.—For “International Fisheries Commissions”,
23 \$19,780,000 for the fiscal year 2002 and such sums
24 as may be necessary for the fiscal year 2003.

1 **SEC. 103. UNITED STATES EDUCATIONAL AND CULTURAL**
2 **PROGRAMS.**

3 The following amounts are authorized to be appro-
4 priated for the Department of State to carry out inter-
5 national activities and educational and cultural exchange
6 programs under the United States Information and Edu-
7 cational Exchange Act of 1948, the Mutual Educational
8 and Cultural Exchange Act of 1961, Reorganization Plan
9 Number 2 of 1977, the Center for Cultural and Technical
10 Interchange Between East and West Act of 1960, the
11 Dante B. Fascell North-South Center Act of 1991, and
12 the National Endowment for Democracy Act, and to carry
13 out other authorities in law consistent with such purposes:

14 (1) EDUCATIONAL AND CULTURAL EXCHANGE
15 PROGRAMS.—

16 (A) FULBRIGHT ACADEMIC EXCHANGE
17 PROGRAMS.—

18 (i) IN GENERAL.—For the “Fulbright
19 Academic Exchange Programs” (other
20 than programs described in subparagraph
21 (B)), \$125,000,000 for the fiscal year
22 2002 and such sums as may be necessary
23 for the fiscal year 2003.

24 (ii) NEW CENTURY SCHOLARS INITIA-
25 TIVE—HIV/AIDS.—Of the amounts author-
26 ized to be appropriated under clause (i), up

1 to \$1,000,000 for the fiscal year 2002 and
2 up to \$1,000,000 for the fiscal year 2003
3 are authorized to be available only for
4 HIV/AIDS research and mitigation strate-
5 gies under the Health Issues in a Border-
6 Less World academic program of the New
7 Century Scholars Initiative.

8 (B) OTHER EDUCATIONAL AND CULTURAL
9 EXCHANGE PROGRAMS.—

10 (i) IN GENERAL.—For other edu-
11 cational and cultural exchange programs
12 authorized by law, \$117,000,000 for the
13 fiscal year 2002 and such sums as may be
14 necessary for the fiscal year 2003.

15 (ii) SOUTH PACIFIC EXCHANGES.—Of
16 the amounts authorized to be appropriated
17 under clause (i), \$750,000 for the fiscal
18 year 2002 and \$750,000 for the fiscal year
19 2003 are authorized to be available for
20 “South Pacific Exchanges”.

21 (iii) EAST TIMORESE SCHOLAR-
22 SHIPS.—Of the amounts authorized to be
23 appropriated under clause (i), \$500,000
24 for the fiscal year 2002 and \$500,000 for
25 the fiscal year 2003 are authorized to be

1 available for “East Timorese Scholar-
2 ships”.

3 (iv) TIBETAN EXCHANGES.—Of the
4 amounts authorized to be appropriated
5 under clause (i), \$500,000 for the fiscal
6 year 2002 and \$500,000 for the fiscal year
7 2003 are authorized to be available for
8 “Ngawang Choephel Exchange Programs”
9 (formerly known as educational and cul-
10 tural exchanges with Tibet) under section
11 103(a) of the Human Rights, Refugee, and
12 Other Foreign Relations Provisions Act of
13 1996 (Public Law 104–319).

14 (v) AFRICAN EXCHANGES.—Of the
15 amounts authorized to be appropriated
16 under clause (i), \$500,000 for the fiscal
17 year 2002 and \$500,000 for the fiscal year
18 2003 are authorized to be available only
19 for “Educational and Cultural Exchanges
20 with Sub-Saharan Africa”.

21 (vi) ISRAEL-ARAB PEACE PARTNERS
22 PROGRAM.—Of the amounts authorized to
23 be appropriated under clause (i), \$750,000
24 for the fiscal year 2002 and \$750,000 for
25 the fiscal year 2003 are authorized to be

1 available only for people-to-people activities
2 (with a focus on young people) to support
3 the Middle East peace process involving
4 participants from Israel, the Palestinian
5 Authority, Arab countries, and the United
6 States, to be known as the “Israel-Arab
7 Peace Partners Program”.

8 (vii) SUDANESE SCHOLARSHIPS.—Of
9 the amounts authorized to be appropriated
10 under clause (i), \$500,000 for the fiscal
11 year 2002 and \$500,000 for the fiscal year
12 2003 are authorized to be available only
13 for scholarships for students from southern
14 Sudan for secondary or postsecondary edu-
15 cation in the United States, to be known
16 as “Sudanese Scholarships”.

17 (2) NATIONAL ENDOWMENT FOR DEMOC-
18 RACY.—For the “National Endowment for Democ-
19 racy”, \$36,000,000 for the fiscal year 2002 and
20 \$40,000,000 for the fiscal year 2003.

21 (3) REAGAN-FASCELL DEMOCRACY FELLOWS.—
22 For a fellowship program, to be known as the
23 “Reagan-Fascell Democracy Fellows”, for democ-
24 racy activists and scholars from around the world at
25 the International Forum for Democratic Studies in

1 Washington, D.C., to study, write, and exchange
2 views with other activists and scholars and with
3 Americans, \$1,000,000 for the fiscal year 2002 and
4 \$1,000,000 for the fiscal year 2003.

5 (4) DANTE B. FASCELL NORTH-SOUTH CEN-
6 TER.—For “Dante B. Fascell North-South Center”
7 \$4,000,000 for the fiscal year 2002 and \$4,000,000
8 for the fiscal year 2003.

9 (5) CENTER FOR CULTURAL AND TECHNICAL
10 INTERCHANGE BETWEEN EAST AND WEST.—For the
11 “Center for Cultural and Technical Interchange be-
12 tween East and West”, \$13,500,000 for the fiscal
13 year 2002 and \$13,500,000 for the fiscal year 2003.

14 **SEC. 104. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**
15 **TIONS.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) IN GENERAL.—There are authorized to be
18 appropriated under the heading “Contributions to
19 International Organizations” \$878,767,000 for the
20 fiscal year 2002 and such sums as may be necessary
21 for the fiscal year 2003 for the Department of State
22 to carry out the authorities, functions, duties, and
23 responsibilities in the conduct of the foreign affairs
24 of the United States with respect to international or-

1 organizations and to carry out other authorities in law
2 consistent with such purposes.

3 (2) AVAILABILITY OF FUNDS FOR CIVIL BUDG-
4 ET OF NATO.—Of the amounts authorized to be ap-
5 propriated under the heading “Contributions to
6 International Organizations” for fiscal year 2002
7 and for each fiscal year thereafter such sums as may
8 be necessary are authorized for the United States
9 assessment for the civil budget of the North Atlantic
10 Treaty Organization.

11 (b) PROHIBITION ON FUNDING OTHER FRAMEWORK
12 TREATY-BASED ORGANIZATIONS.—None of the funds
13 made available for the 2002–2003 biennium budget under
14 subsection (a) for United States contributions to the reg-
15 ular budget of the United Nations shall be available for
16 the United States proportionate share of any other frame-
17 work treaty-based organization, including the Framework
18 Convention on Global Climate Change, the International
19 Seabed Authority, and the International Criminal Court.

20 (c) FOREIGN CURRENCY EXCHANGE RATES.—

21 (1) AUTHORIZATION OF APPROPRIATIONS.—In
22 addition to amounts authorized to be appropriated
23 by subsection (a), there are authorized to be appro-
24 priated such sums as may be necessary for each of

1 fiscal years 2002 and 2003 to offset adverse fluctua-
2 tions in foreign currency exchange rates.

3 (2) AVAILABILITY OF FUNDS.—Amounts appro-
4 priated under this subsection shall be available for
5 obligation and expenditure only to the extent that
6 the Director of the Office of Management and Budg-
7 et determines and certifies to Congress that such
8 amounts are necessary due to such fluctuations.

9 (d) REFUND OF EXCESS CONTRIBUTIONS.—The
10 United States shall continue to insist that the United Na-
11 tions and its specialized and affiliated agencies shall credit
12 or refund to each member of the agency concerned its pro-
13 portionate share of the amount by which the total con-
14 tributions to the agency exceed the expenditures of the
15 regular assessed budgets of these agencies.

16 **SEC. 105. CONTRIBUTIONS FOR INTERNATIONAL PEACE-**
17 **KEEPING ACTIVITIES.**

18 There are authorized to be appropriated under the
19 heading “Contributions for International Peacekeeping
20 Activities” \$844,139,000 for the fiscal year 2002 and such
21 sums as may be necessary for the fiscal year 2003 for
22 the Department of State to carry out the authorities, func-
23 tions, duties, and responsibilities in the conduct of the for-
24 eign affairs of the United States with respect to inter-

1 national peacekeeping activities and to carry out other au-
2 thorities in law consistent with such purposes.

3 **SEC. 106. GRANTS TO THE ASIA FOUNDATION.**

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

7 “SEC. 404. There are authorized to be appropriated
8 to the Secretary of State \$15,000,000 for the fiscal year
9 2002 and \$15,000,000 for the fiscal year 2003 for grants
10 to The Asia Foundation pursuant to this title.”.

11 **SEC. 107. VOLUNTARY CONTRIBUTIONS TO INTER-**
12 **NATIONAL ORGANIZATIONS.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated for the Department of
15 State for “Voluntary Contributions to International Orga-
16 nizations”, \$186,000,000 for the fiscal year 2002 and
17 such sums as may be necessary for the fiscal year 2003.

18 (b) LIMITATIONS ON AUTHORIZATIONS OF APPRO-
19 PRIATIONS.—

20 (1) WORLD FOOD PROGRAM.—Of the amounts
21 authorized to be appropriated under subsection (a),
22 \$5,000,000 for the fiscal year 2002 and \$5,000,000
23 for the fiscal year 2003 are authorized to be appro-
24 priated only for a United States contribution to the
25 World Food Program.

1 (2) UNITED NATIONS VOLUNTARY FUND FOR
2 VICTIMS OF TORTURE.—Of the amounts authorized
3 to be appropriated under subsection (a), \$5,000,000
4 for the fiscal year 2002 and \$5,000,000 for the fis-
5 cal year 2003 are authorized to be appropriated only
6 for a United States contribution to the United Na-
7 tions Voluntary Fund for Victims of Torture.

8 (3) ORGANIZATION OF AMERICAN STATES.—Of
9 the amounts authorized to be appropriated under
10 subsection (a), \$240,000 for the fiscal year 2002
11 and \$240,000 for the fiscal year 2003 are author-
12 ized to be appropriated only for a United States con-
13 tribution to the Organization of American States for
14 the Office of the Special Rapporteur for Freedom of
15 Expression in the Western Hemisphere, solely for
16 the purpose of conducting investigations, including
17 field visits, to establish a network of nongovern-
18 mental organizations, and to hold hemispheric con-
19 ferences, of which \$6,000 for each fiscal year is au-
20 thorized to be appropriated only for the investigation
21 and dissemination of information on violations of
22 freedom of expression by the Government of Cuba,
23 \$6,000 for each fiscal year is authorized to be ap-
24 propriated only for the investigation and dissemina-
25 tion of information on violations of freedom of ex-

1 pression by the Government of Peru, \$6,000 for
2 each fiscal year is authorized to be appropriated only
3 for the investigation and dissemination of informa-
4 tion on violations of freedom of expression by the
5 Government of Colombia, and \$6,000 for each fiscal
6 year is authorized to be appropriated only for the in-
7 vestigation and dissemination of information on vio-
8 lations of freedom of expression by the Government
9 of Haiti.

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

13 (1) LIMITATION.—Of the amounts made avail-
14 able under subsection (a) for each of the fiscal years
15 2002 and 2003 for United States voluntary con-
16 tributions to the United Nations Development Pro-
17 gram an amount equal to the amount the United
18 Nations Development Program will spend in Burma
19 during each fiscal year shall be withheld unless dur-
20 ing such fiscal year the Secretary of State submits
21 to the appropriate congressional committees the cer-
22 tification described in paragraph (2).

23 (2) CERTIFICATION.—The certification referred
24 to in paragraph (1) is a certification by the Sec-
25 retary of State that all programs and activities of

1 the United Nations Development Program (including
2 United Nations Development Program—Adminis-
3 tered Funds) in Burma—

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

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

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

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

21 (d) UNICEF.—There is authorized to be appro-
22 priated \$120,000,000 for the fiscal year 2002 for a United
23 States voluntary contribution to UNICEF.

24 (e) ORGANIZATIONS AND PROGRAMS THAT SUPPORT
25 COERCIVE ABORTION OR INVOLUNTARY STERILIZA-

1 TION.—None of the funds authorized to be appropriated
2 by this Act may be made available to any organization
3 or program which, as determined by the President of the
4 United States, supports, or participates in the manage-
5 ment of, a program of coercive abortion or involuntary
6 sterilization.

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

10 **SEC. 108. MIGRATION AND REFUGEE ASSISTANCE.**

11 (a) MIGRATION AND REFUGEE ASSISTANCE.—

12 (1) AUTHORIZATION OF APPROPRIATIONS.—

13 There are authorized to be appropriated for the De-
14 partment of State for “Migration and Refugee As-
15 sistance” for authorized activities, \$817,000,000 for
16 the fiscal year 2002 and \$817,000,000 for the fiscal
17 year 2003.

18 (2) LIMITATIONS.—

19 (A) TIBETAN REFUGEES IN INDIA AND

20 NEPAL.—Of the amounts authorized to be ap-
21 propriated in paragraph (1), \$2,000,000 for the
22 fiscal year 2002 and \$2,000,000 for the fiscal
23 year 2003 are authorized to be available for hu-
24 manitarian assistance, including food, medicine,
25 clothing, and medical and vocational training,

1 to Tibetan refugees in India and Nepal who
2 have fled Chinese-occupied Tibet.

3 (B) REFUGEES RESETTLING IN ISRAEL.—

4 Of the amounts authorized to be appropriated
5 in paragraph (1), \$60,000,000 for the fiscal
6 year 2002 and \$60,000,000 for the fiscal year
7 2003 are authorized to be available only for as-
8 sistance for refugees resettling in Israel from
9 other countries.

10 (C) HUMANITARIAN ASSISTANCE FOR DIS-

11 PLACED BURMESE.—Of the amounts authorized
12 to be appropriated in paragraph (1),
13 \$2,000,000 for the fiscal year 2002 and
14 \$2,000,000 for the fiscal year 2003 are author-
15 ized to be available for humanitarian assistance
16 (including food, medicine, clothing, and medical
17 and vocational training) to persons displaced as
18 a result of civil conflict in Burma, including
19 persons still within Burma.

20 (b) AVAILABILITY OF FUNDS.—Funds appropriated

21 pursuant to this section are authorized to remain available
22 until expended.

1 **Subtitle B—United States Inter-**
2 **national Broadcasting Activities**

3 **SEC. 121. AUTHORIZATIONS OF APPROPRIATIONS.**

4 (a) IN GENERAL.—The following amounts are au-
5 thorized to be appropriated to carry out the United States
6 International Broadcasting Act of 1994, the Radio Broad-
7 casting to Cuba Act, and the Television Broadcasting to
8 Cuba Act, and to carry out other authorities in law con-
9 sistent with such purposes:

10 (1) INTERNATIONAL BROADCASTING OPER-
11 ATIONS.—

12 (A) IN GENERAL.—For “International
13 Broadcasting Operations”, \$428,234,000 for
14 the fiscal year 2002, and such sums as may be
15 necessary for the fiscal year 2003.

16 (B) LIMITATIONS.—

17 (i) TRANSMISSION FACILITIES IN
18 BELIZE.—Of the amounts authorized to be
19 appropriated under subparagraph (A),
20 \$750,000 for the fiscal year 2002 is au-
21 thorized to be appropriated only for en-
22 hancements of the transmission facilities in
23 Belize.

24 (ii) BROADCASTING TO CUBA.—Of the
25 amounts authorized to be appropriated

1 under subparagraph (A), \$25,000,000 for
2 the fiscal year 2002 and \$25,000,000 for
3 the fiscal year 2003 are authorized to be
4 appropriated only for “Broadcasting to
5 Cuba”.

6 (iii) RADIO FREE ASIA.—Of the
7 amounts authorized to be appropriated
8 under subparagraph (A), \$30,000,000 for
9 the fiscal year 2002 and \$30,000,000 for
10 the fiscal year 2003 are authorized to be
11 appropriated only for “Radio Free Asia”.

12 (2) BROADCASTING CAPITAL IMPROVE-
13 MENTS.—For “Broadcasting Capital Improve-
14 ments”, \$16,900,000 for the fiscal year 2002 and
15 such sums as may be necessary for the fiscal year
16 2003.

17 (b) CONTINUATION OF ADDITIONAL AUTHORIZATION
18 FOR BROADCASTING TO THE PEOPLE’S REPUBLIC OF
19 CHINA AND NEIGHBORING COUNTRIES.—Section 701 of
20 Public Law 106–286 (22 U.S.C. 7001) is amended—

21 (1) in subsection (a) by striking “2001” and in-
22 serting “2002”; and

23 (2) in subsection (b)(1) by striking “2001 and
24 2002” and inserting “2001, 2002, and 2003”.

1 (c) ADDITIONAL AUTHORIZATION OF APPROPRIA-
2 TIONS FOR MIDDLE EAST RADIO NETWORK OF VOICE OF
3 AMERICA.—In addition to such amounts as are made
4 available for the Middle East Radio Network of Voice of
5 America pursuant to the authorization of appropriations
6 under subsection (a), there is authorized to be appro-
7 priated \$15,000,000 for the fiscal year 2002 for the Mid-
8 dle East Radio Network of Voice of America.

9 **TITLE II—AUTHORITIES AND AC-**
10 **TIVITIES OF THE DEPART-**
11 **MENT OF STATE**

12 **Subtitle A—Basic Authorities and**
13 **Activities**

14 **SEC. 201. CONTINUATION OF REPORTING REQUIREMENTS.**

15 (a) REPORTS ON CLAIMS BY UNITED STATES FIRMS
16 AGAINST THE GOVERNMENT OF SAUDI ARABIA.—Section
17 2801(b)(1) of the Foreign Affairs Reform and Restruc-
18 turing Act of 1998 (as enacted by division G of the Omni-
19 bus Consolidated and Emergency Supplemental Appro-
20 priations Act, 1999; Public Law 105–277) is amended by
21 striking “seventh” and inserting “eleventh”.

22 (b) REPORTS ON DETERMINATIONS UNDER TITLE
23 IV OF THE LIBERTAD ACT.—Section 2802(a) of the For-
24 eign Affairs Reform and Restructuring Act of 1998 (as
25 enacted by division G of the Omnibus Consolidated and

1 Emergency Supplemental Appropriations Act, 1999; Pub-
2 lic Law 105–277) is amended by striking “September 30,
3 2001,” and inserting “September 30, 2003,”.

4 (c) RELATIONS WITH VIETNAM.—Section 2805 of
5 the Foreign Affairs Reform and Restructuring Act of
6 1998 (as enacted by division G of the Omnibus Consoli-
7 dated and Emergency Supplemental Appropriations Act,
8 1999; Public Law 105–277) is amended by striking “Sep-
9 tember 30, 2001,” and inserting “September 30, 2003,”.

10 (d) REPORTS ON BALLISTIC MISSILE COOPERATION
11 WITH RUSSIA.—Section 2705(d) of the Foreign Affairs
12 Reform and Restructuring Act of 1998 (as enacted by di-
13 vision G of the Omnibus Consolidated and Emergency
14 Supplemental Appropriations Act, 1999; Public Law 105–
15 277) is amended by striking “and January 1, 2001,” and
16 inserting “January 1, 2001, January 1, 2002, and Janu-
17 ary 1, 2003”.

18 **SEC. 202. CONTINUATION OF OTHER REPORTS.**

19 (a) SEMIANNUAL REPORTS ON UNITED STATES
20 SUPPORT FOR MEMBERSHIP OR PARTICIPATION OF
21 TAIWAN IN INTERNATIONAL ORGANIZATIONS.—Sec-
22 tion 704(a) of the Admiral James W. Nance and
23 Meg Donovan Foreign Relations Authorization Act,
24 Fiscal Years 2000 and 2001 (section 704(a) of divi-
25 sion A of H.R. 3427, as enacted into law by section

1 1000(a)(7) of Public Law 106–113, appendix G;
2 113 Stat. 1501A–460) is amended by striking “and
3 2001,” and inserting “2001, 2002, and 2003,”.

4 (b) REPORT ON TERRORIST ACTIVITY IN
5 WHICH UNITED STATES CITIZENS WERE KILLED
6 AND RELATED MATTERS.—Section 805(a) of the
7 Admiral James W. Nance and Meg Donovan For-
8 eign Relations Authorization Act, Fiscal Years 2000
9 and 2001 (section 805(a) of division A of H.R.
10 3427, as enacted into law by section 1000(a)(7) of
11 Public Law 106–113; appendix G; 113 Stat. 1501A–
12 470) is amended by striking “October 1, 2001,” and
13 inserting “October 1, 2003,”.

14 **SEC. 203. REPORT CONCERNING ELIMINATION OF COLOM-**
15 **BIAN OPIUM.**

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

18 (1) There is a growing heroin crisis in the
19 United States resulting from increasingly cheap,
20 pure, and deadly heroin flooding into this country,
21 much of it from Colombia.

22 (2) Interdicting heroin entering the United
23 States is difficult, in part because it can be traf-
24 ficked in such small quantities.

1 (3) Destruction of opium, from which heroin is
2 derived, at its source in Colombia is traditionally one
3 of the best strategies to combat the heroin crisis ac-
4 cording to Federal law enforcement officials.

5 (b) REPORT TO CONGRESS.—Not later than 60 days
6 after the date of the enactment of this Act, the Secretary
7 of State, through the Bureau of International Narcotics
8 and Law Enforcement, shall submit to the Congress a re-
9 port which outlines a comprehensive strategy to address
10 the crisis of heroin in the United States due to opium orig-
11 inating from Colombia including destruction of opium at
12 its source.

13 **SEC. 204. REPEAL OF PROVISION REGARDING HOUSING**
14 **FOR FOREIGN AGRICULTURAL ATTACHE.**

15 Section 738 of the Agriculture, Rural Development,
16 Food and Drug Administration, and Related Agencies Ap-
17 propriations Act, 2001 (as enacted into law by Public Law
18 106–387; 114 Stat. 1549A–34) is repealed.

19 **SEC. 205. HUMAN RIGHTS MONITORING.**

20 Funds authorized to be appropriated for the Bureau
21 of Democracy, Human Rights, and Labor pursuant to sec-
22 tion 101(1)(B)(ii) are authorized to be available to fund
23 positions at United States posts abroad that are primarily
24 responsible for following human rights developments in
25 foreign countries and that are assigned at the rec-

1 commendation of such bureau in conjunction with the rel-
2 evant regional bureau.

3 **SEC. 206. CORRECTION OF FISHERMEN'S PROTECTIVE ACT**
4 **OF 1967.**

5 Section 7(a)(3) of the Fishermen's Protective Act of
6 1967 (22 U.S.C. 1977(A)(3)) is amended by striking
7 "Secretary of Commerce" and inserting "Secretary of
8 State".

9 **SEC. 207. INTERNATIONAL LITIGATION FUND.**

10 Section 38 of the State Department Basic Authorities
11 Act of 1956 (22 U.S.C. 2710) is amended by adding at
12 the end the following new subsection:

13 "(e) RETENTION OF FUNDS.—

14 "(1) IN GENERAL.—To reimburse the expenses
15 of the United States Government in preparing or
16 prosecuting a claim against a foreign government or
17 other foreign entity, the Secretary of State shall re-
18 tain 1.5 percent of any amount between \$100,000
19 and \$5,000,000, and one percent of any amount
20 over \$5,000,000, received per claim under chapter
21 34 of the Act of February 27, 1896 (22 U.S.C.
22 2668a; 29 Stat. 32).

23 "(2) TREATMENT.—Amounts retained under
24 the authority of paragraph (1) shall be deposited
25 into the fund under subsection (d)."

1 **SEC. 208. EMERGENCY EVACUATION SERVICES.**

2 Section 4(b)(2)(A) of the State Department Basic
3 Authorities Act of 1956 (22 U.S.C. 2671(b)(2)(A)) is
4 amended to read as follows:

5 “(A) the evacuation when their lives are endan-
6 gered by war, civil unrest, or natural disaster of (i)
7 United States Government employees and their de-
8 pendants, and (ii) private United States citizens or
9 third-country nationals, on a reimbursable basis to
10 the extent feasible, with such reimbursements to be
11 credited to the applicable Department of State ap-
12 propriation and to remain available until expended.
13 No reimbursement shall be required which is greater
14 than the amount the person evacuated would have
15 been charged for a commercial air fare at the lowest
16 rate available immediately prior to the onset of the
17 war, civil unrest, or natural disaster giving rise to
18 the evacuation.”.

19 **SEC. 209. WITHHOLDING OF FUNDING UNTIL SUBMISSION**
20 **OF REPORT ON CUBAN EMIGRATION POLI-**
21 **CIES.**

22 (a) IN GENERAL.—Notwithstanding any other provi-
23 sion of law, none of the funds authorized to be appro-
24 priated by this Act are authorized to be made available
25 for the operation of the United States Interests Section
26 in Cuba and the Office of Cuban Affairs of the Depart-

1 ment of State until the Department of State is in compli-
2 ance with section 2245 of the Foreign Relations Author-
3 ization Act, Fiscal Years 1998 and 1999 (division G of
4 Public Law 105–277).

5 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-
6 fect 60 days after the date of the enactment of this Act.

7 **SEC. 210. IMPLEMENTATION OF THE INTERCOUNTRY ADOP-**
8 **TION ACT OF 2000.**

9 The Secretary of State, acting through the Assistant
10 Secretary of State for Consular Affairs, shall consult with
11 the appropriate congressional committees on a regular
12 basis on the implementation of the Intercountry Adoption
13 Act of 2000 (Public Law 106–279; 42 U.S.C. 14901 et
14 seq.).

15 **SEC. 211. REPORT CONCERNING THE EFFECT OF PLAN CO-**
16 **LOMBIA ON ECUADOR.**

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

19 (1) There is a growing alarm concerning the
20 spillover effect of Plan Colombia on Ecuador, a
21 frontline state. The northern region of Ecuador, in-
22 cluding the Sucumbios province, is an area of par-
23 ticular concern. It faces the Colombian Putumayo
24 zone, where there is no presence of military or law
25 enforcement personnel.

1 (2) Activities relating to the implementation of
2 Plan Colombia have resulted in incursions on Ecu-
3 dorian territory by drug traffickers and guerrilla and
4 paramilitary groups from Colombia and a concomi-
5 tant increase in the levels of violence and delin-
6 quency. Recent kidnappings of American and other
7 foreign nationals, as well as discoveries of clandes-
8 tine cocaine laboratories, are especially troublesome.

9 (3) Ecuador is receiving an influx of Colombian
10 refugees and its own indigenous communities have
11 been displaced from their ancestral villages.

12 (4) Ecuador has demonstrated its moral and
13 political commitment in the fight against drugs. The
14 agreement signed in November 1999 with the
15 United States to establish a forward operating loca-
16 tion in Manta is a clear sign of this active stance.

17 (5) Ecuador is implementing a comprehensive
18 program aimed at reinforcing its security mecha-
19 nisms in the northern border, as well as converting
20 the area into a buffer zone of peace and develop-
21 ment.

22 (b) REPORT TO CONGRESS.— Not later than 60 days
23 after the date of enactment of this Act, the Secretary of
24 State, through the Bureau of International Narcotics and
25 Law Enforcement, shall submit to Congress a report

1 which outlines a comprehensive strategy to address the
2 spillover effect of Plan Colombia on Ecuador.

3 **Subtitle B—Consular Authorities**

4 **SEC. 231. MACHINE READABLE VISAS.**

5 Section 140(a) of the Foreign Relations Authoriza-
6 tion Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351
7 note) is amended in the first sentence of paragraph (3)—

8 (1) by striking “2001, and 2002,” and insert-
9 ing “2001, 2002, and 2003,”; and

10 (2) by striking “and \$316,715,000 for fiscal
11 year 2002” and inserting “\$414,000,000 for fiscal
12 year 2002, and \$422,000,000 for fiscal year 2003,”.

13 **SEC. 232. ESTABLISHMENT OF A CONSULAR BRANCH OF-** 14 **FICE IN LHASA, TIBET.**

15 The Secretary of State shall make best efforts to es-
16 tablish a branch office in Lhasa, Tibet, of the United
17 States Consulate General in Chengdu, People’s Republic
18 of China, to monitor political, economic, and cultural de-
19 velopments in Tibet.

20 **SEC. 233. ESTABLISHMENT OF A DIPLOMATIC OR CON-** 21 **SULAR POST IN EQUATORIAL GUINEA.**

22 The Secretary of State shall establish a diplomatic
23 or consular post in Equatorial Guinea.

1 **SEC. 234. PROCESSING OF VISA APPLICATIONS.**

2 It shall be the policy of the Department of State to
3 process immigrant visa applications of immediate relatives
4 of United States citizens and nonimmigrant K–1 visa ap-
5 plications of fiances of United States citizens within 30
6 days of the receipt of all necessary documents from the
7 applicant and the Immigration and Naturalization Service.
8 In the case of an immigrant visa application where the
9 sponsor of such applicant is a relative other than an imme-
10 diate relative, it should be the policy of the Department
11 of State to process such an application within 60 days of
12 the receipt of all necessary documents from the applicant
13 and the Immigration and Naturalization Service.

14 **SEC. 235. UNITED STATES POLICY WITH RESPECT TO JERU-**
15 **SALEM AS THE CAPITAL OF ISRAEL.**

16 (a) CONGRESSIONAL STATEMENT OF POLICY.—The
17 Congress maintains its commitment to relocating the
18 United States Embassy in Israel to Jerusalem and urges
19 the President, pursuant to the Jerusalem Embassy Act
20 of 1995 (Public Law 104–45; 109 Stat. 398), to imme-
21 diately begin the process of relocating the United States
22 Embassy in Israel to Jerusalem.

23 (b) LIMITATION ON USE OF FUNDS FOR CONSULATE
24 IN JERUSALEM.—None of the funds authorized to be ap-
25 propriated by this Act may be expended for the operation
26 of a United States consulate or diplomatic facility in Jeru-

1 salem unless such consulate or diplomatic facility is under
2 the supervision of the United States Ambassador to Israel.

3 (c) LIMITATION ON USE OF FUNDS FOR PUBLICA-
4 TIONS.—None of the funds authorized to be appropriated
5 by this Act may be available for the publication of any
6 official government document which lists countries and
7 their capital cities unless the publication identifies Jeru-
8 salem as the capital of Israel.

9 (d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR
10 PASSPORT PURPOSES.—For purposes of the registration
11 of birth, certification of nationality, or issuance of a pass-
12 port of a United States citizen born in the city of Jeru-
13 salem, the Secretary of State shall, upon the request of
14 the citizen or the citizen's legal guardian, record the place
15 of birth as Israel.

16 **Subtitle C—Migration and** 17 **Refugees**

18 **SEC. 251. UNITED STATES POLICY REGARDING THE INVOL-**
19 **UNTARY RETURN OF REFUGEES.**

20 (a) IN GENERAL.—None of the funds made available
21 by this Act or by section 2(c) of the Migration and Ref-
22 ugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be
23 available to effect the involuntary return by the United
24 States of any person to a country in which the person has
25 a well-founded fear of persecution on account of race, reli-

1 gion, nationality, membership in a particular social group,
2 or political opinion, except on grounds recognized as pre-
3 cluding protection as a refugee under the United Nations
4 Convention Relating to the Status of Refugees of July 28,
5 1951, and the Protocol Relating to the Status of Refugees
6 of January 31, 1967, subject to the reservations contained
7 in the United States Senate Resolution of Ratification.

8 (b) MIGRATION AND REFUGEE ASSISTANCE.—None
9 of the funds made available by this Act or by section 2(c)
10 of the Migration and Refugee Assistance Act of 1962 (22
11 U.S.C. 2601(c)) shall be available to effect the involuntary
12 return of any person to any country unless the Secretary
13 of State first notifies the appropriate congressional com-
14 mittees, except that in the case of an emergency involving
15 a threat to human life the Secretary of State shall notify
16 the appropriate congressional committees as soon as prac-
17 ticable.

18 (c) INVOLUNTARY RETURN DEFINED.—As used in
19 this section, the term “to effect the involuntary return”
20 means to require, by means of physical force or cir-
21 cumstances amounting to a threat thereof, a person to re-
22 turn to a country against the person’s will, regardless of
23 whether the person is physically present in the United
24 States and regardless of whether the United States acts
25 directly or through an agent.

1 **SEC. 252. REPORT ON OVERSEAS REFUGEE PROCESSING.**

2 (a) REPORT ON OVERSEAS REFUGEE PROCESSING.—
3 Not later than 90 days after the date of the enactment
4 of this Act, the Secretary shall provide to the appropriate
5 congressional committees a report on overseas processing
6 of refugees for admission to the United States.

7 (b) CONTENTS.—The report shall include the fol-
8 lowing detailed information:

9 (1) United States procedures for the identifica-
10 tion of refugees who are particularly vulnerable or
11 whose individual circumstances otherwise suggest an
12 urgent need for resettlement, including the extent to
13 which the Department now insists on referral by the
14 United Nations High Commissioner for Refugees as
15 a prerequisite to consideration of such refugees for
16 resettlement in the United States, together with a
17 plan for the expanded use of alternatives to such re-
18 ferral, including the use of field-based nongovern-
19 mental organizations to identify refugees in urgent
20 need of resettlement.

21 (2) The extent to which the Department makes
22 use in overseas refugee processing of the designation
23 of groups of refugees who are of special concern to
24 the United States, together with the reasons for any
25 decline in such use over the last 10 years and a plan

1 for making more generous use of such categories in
2 the future.

3 (3) The extent to which the United States cur-
4 rently provides opportunities for resettlement in the
5 United States of individuals who are close family
6 members of citizens or lawful residents of the United
7 States, together with the reasons for any decline in
8 the extent of such provision over the last 10 years
9 and a plan for expansion of such opportunities in
10 the future.

11 (4) The extent to which opportunities for reset-
12 tlement in the United States are currently provided
13 to “urban refugees” and others who do not currently
14 reside in refugee camps, together with a plan for in-
15 creasing such opportunities, particularly for refugees
16 who are in urgent need of resettlement, who are
17 members of refugee groups of special interest to the
18 United States, or who are close family members of
19 United States citizens or lawful residents.

20 (5) The Department’s assessment of the feasi-
21 bility and desirability of modifying the Department’s
22 current list of refugee priorities to create an addi-
23 tional category for refugees whose need for resettle-
24 ment is based on a long period of residence in a ref-
25 ugee camp with no immediate prospect of safe and

1 voluntary repatriation to their country of origin or
2 last permanent residence.

3 (6) The extent to which the Department uses
4 private voluntary agencies to assist in the identifica-
5 tion of refugees for admission to the United States,
6 including the Department's assessment of the advan-
7 tages and disadvantages of private voluntary agen-
8 cies, the reasons for any decline in the Department's
9 use of voluntary agencies over the last 10 years, and
10 a plan for the expanded use of such agencies.

11 (7) The extent to which the per capita reception
12 and placement grant to voluntary agencies assisting
13 in resettlement of refugees has kept up over the last
14 10 years with the cost to such agencies of providing
15 such services.

16 (8) An estimate of the cost of each change in
17 current practice or procedure discussed in the re-
18 port, together with an estimate of any increase in
19 the annual refugee admissions ceiling that would be
20 necessary to implement each change.

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

4 **Subtitle A—Organizational Matters**

5 **SEC. 301. COMPREHENSIVE WORKFORCE PLAN.**

6 (a) WORKFORCE PLAN.— Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of State shall submit to the appropriate congressional
9 committees a comprehensive workforce plan for the De-
10 partment of State for the fiscal years 2002 through 2006.
11 The plan shall consider personnel needs in both the civil
12 service and the Foreign Service and expected domestic and
13 overseas personnel allocations. The workforce plan should
14 set forth the detailed mission of the Department, the defi-
15 nition of work to be done and cyclical personnel needs
16 based on expected retirements and the time required to
17 hire, train, and deploy new personnel.

18 (b) DOMESTIC STAFFING MODEL.— Not later than
19 one year after the date of the enactment of this Act, the
20 Secretary of State shall compile and submit to the appro-
21 priate congressional committees a domestic staffing model
22 for the Department of State.

23 **SEC. 302. “RIGHTSIZING” OVERSEAS POSTS.**

24 (a) “RIGHTSIZING” AT THE DEPARTMENT OF
25 STATE.—

1 (1) The Secretary of State shall establish a task
2 force within the Department of State on the issue of
3 “rightsizing” overseas posts.

4 (2) PRELIMINARY REPORT.—Not later than 60
5 days after the date of the enactment of this Act, the
6 Secretary of State shall submit to the appropriate
7 congressional committees a report which outlines the
8 status, plans, and activities of the task force. In ad-
9 dition to such other information as the Secretary
10 considers appropriate, the report shall include the
11 following:

12 (A) The objectives of the task force.

13 (B) Measures for achieving the objectives
14 under subparagraph (A).

15 (C) The official of the Department with
16 primary responsibility for the issue of
17 “rightsizing”.

18 (D) The plans of the Department for the
19 reallocation of staff and resources based on
20 changing needs at overseas posts and in the
21 metropolitan Washington, D.C. area.

22 (3) PERIODIC REPORTS.—Not later than 6
23 months after the date of the enactment of this Act,
24 and every 6 months thereafter during the fiscal
25 years 2002 and 2003, the Secretary of State shall

1 submit to the appropriate congressional committees
2 a report reviewing the activities and progress of the
3 task force established under paragraph (1).

4 (b) INTERAGENCY WORKING GROUP.—

5 (1) ESTABLISHMENT.—The Secretary of State
6 shall establish an interagency working group on the
7 issue of “rightsizing” the overseas presence of the
8 United States Government.

9 (2) PRELIMINARY REPORT.—Not later than 60
10 days after the date of the enactment of this Act, the
11 Secretary of State shall submit to the appropriate
12 congressional committees a report which outlines the
13 status, plans, and activities of the interagency work-
14 ing group. In addition to such other information as
15 the Secretary considers appropriate, the report shall
16 include the following:

17 (A) The objectives of the working group.

18 (B) Measures for achieving the objectives
19 under subparagraph (A).

20 (C) The official of each agency with pri-
21 mary responsibility for the issue of
22 “rightsizing”.

23 (3) PERIODIC REPORTS.—Not later than 6
24 months after the date of the enactment of this Act,
25 and every 6 months thereafter during the fiscal

1 years 2002 and 2003, the Secretary of State shall
2 submit to the appropriate congressional committees
3 a report reviewing the activities and progress of the
4 working group established under paragraph (1).

5 **SEC. 303. QUALIFICATIONS OF CERTAIN OFFICERS OF THE**
6 **DEPARTMENT OF STATE.**

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

9 (1) by striking subsections (f) and (g); and

10 (2) by inserting after subsection (e) the fol-
11 lowing new subsection (f):

12 “(f) QUALIFICATIONS OF CERTAIN OFFICERS OF THE
13 DEPARTMENT OF STATE.—

14 “(1) OFFICER HAVING PRIMARY RESPONSI-
15 BILITY FOR PERSONNEL MANAGEMENT.—The officer
16 of the Department of State with primary responsi-
17 bility for assisting the Secretary of State with re-
18 spect to matters relating to personnel in the Depart-
19 ment of State, or that officer’s principal deputy,
20 shall have substantial professional qualifications in
21 the field of human resource policy and management.

22 “(2) OFFICER HAVING PRIMARY RESPONSI-
23 BILITY FOR DIPLOMATIC SECURITY.—The officer of
24 the Department of State with primary responsibility
25 for assisting the Secretary of State with respect to

1 diplomatic security, or that officer's principal dep-
2 uty, shall have substantial professional qualifications
3 in the fields of (A) management, and (B) Federal
4 law enforcement, intelligence, or security.

5 “(3) OFFICER HAVING PRIMARY RESPONSI-
6 BILITY FOR INTERNATIONAL NARCOTICS AND LAW
7 ENFORCEMENT.—The officer of the Department of
8 State with primary responsibility for assisting the
9 Secretary of State with respect to international nar-
10 cotics and law enforcement, or that officer's prin-
11 cipal deputy, shall have substantial professional
12 qualifications in the fields of management and Fed-
13 eral law enforcement.”.

14 **SEC. 304. UNITED STATES SPECIAL COORDINATOR FOR TI-**
15 **BETAN ISSUES.**

16 (a) UNITED STATES SPECIAL COORDINATOR FOR TI-
17 BETAN ISSUES.—There shall be within the Department of
18 State a United States Special Coordinator for Tibetan
19 Issues.

20 (b) CONSULTATION.—The Secretary of State shall
21 consult with the chairman and ranking minority member
22 of the Committee on Foreign Relations of the Senate and
23 the Committee on International Relations of the House
24 of Representatives prior to the designation of the special
25 coordinator.

1 (c) CENTRAL OBJECTIVE.—The central objective of
2 the special coordinator is to promote substantive dialogue
3 between the Government of the People’s Republic of China
4 and the Dalai Lama or his representatives.

5 (d) DUTIES AND RESPONSIBILITIES.—The special co-
6 ordinator shall—

7 (1) coordinate United States Government poli-
8 cies, programs, and projects concerning Tibet;

9 (2) vigorously promote the policy of seeking to
10 protect the distinct religious, cultural, linguistic, and
11 national identity of Tibet, and pressing for improved
12 respect for human rights;

13 (3) maintain close contact with religious, cul-
14 tural, and political leaders of the Tibetan people, in-
15 cluding regular travel to Tibetan areas of the Peo-
16 ple’s Republic of China, and to Tibetan refugee set-
17 tlements in India and Nepal;

18 (4) consult with Congress on policies relevant to
19 Tibet and the future and welfare of the Tibetan peo-
20 ple;

21 (5) make efforts to establish contacts in the for-
22 eign ministries of other countries to pursue a nego-
23 tiated solution for Tibet; and

24 (6) take all appropriate steps to ensure ade-
25 quate resources, staff, and bureaucratic support to

1 fulfill the duties and responsibilities of the special
2 coordinator.

3 **Subtitle B—Personnel Matters**

4 **SEC. 331. REPORT CONCERNING RETIRED MEMBERS OF** 5 **THE FOREIGN SERVICE AND CIVIL SERVICE** 6 **WHO ARE REGISTERED AGENTS OF A GOV-** 7 **ERNMENT OF A FOREIGN COUNTRY.**

8 The Secretary of State shall submit, annually, a re-
9 port to the Committee on International Relations of the
10 House of Representatives and the Committee on Foreign
11 Affairs of the Senate which lists members of the Foreign
12 Service and the civil service who have retired, have been
13 issued an identification which authorizes access to facili-
14 ties of the Department of State, and are registered under
15 the Foreign Agents Registration Act of 1938 as an agent
16 of a government of a foreign country. The report shall
17 specify each individual and the governments represented
18 by that individual.

19 **SEC. 332. TIBETAN LANGUAGE TRAINING.**

20 The Secretary of State shall ensure that Tibetan lan-
21 guage training is available to Foreign Service officers, and
22 that every effort is made to ensure that a Tibetan-speak-
23 ing Foreign Service officer is assigned to the consulate in
24 China responsible for tracking developments in Tibet.

1 **SEC. 333. DEPENDENTS ON FAMILY VISITATION TRAVEL.**

2 (a) IN GENERAL.—Section 901(8) of the Foreign
3 Service Act of 1980 (22 U.S.C. 4081(8)) is amended by
4 striking “Service” and inserting “Service, and members
5 of his or her family,”.

6 (b) PROMULGATION OF GUIDANCE.—The Secretary
7 shall promulgate guidance for the implementation of the
8 amendment made by subsection (a) to ensure its imple-
9 mentation in a manner which does not substantially in-
10 crease the total amount of travel expenses paid or reim-
11 bursed by the Department for travel under section 901
12 of the Foreign Service Act of 1980.

13 (c) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall take effect on the date on which guid-
15 ance for implementation of such amendment is issued by
16 the Secretary.

17 **SEC. 334. THOMAS JEFFERSON STAR.**

18 Section 36A of the State Department Basic Authori-
19 ties Act of 1956 (22 U.S.C. 2708a) is amended—

20 (1) in the section heading by striking “FOR-
21 EIGN SERVICE” and inserting “THOMAS JEF-
22 FERSON”; and

23 (2) by striking “Foreign Service star” each
24 place it appears and inserting “Thomas Jefferson
25 Star”.

1 **SEC. 335. HEALTH EDUCATION AND DISEASE PREVENTION**
2 **PROGRAMS.**

3 Section 904(b) of the Foreign Service Act of 1980
4 (22 U.S.C. 4084(b)) is amended by striking “families, and
5 (3)” and inserting “families, (3) health education and dis-
6 ease prevention programs for all employees, and (4)”.

7 **SEC. 336. TRAINING AUTHORITIES.**

8 Section 2205(a) of the Foreign Affairs Reform and
9 Restructuring Act of 1998 (as enacted in division G of
10 Public Law 105–277) is amended by striking subpara-
11 graph (3).

12 **SEC. 337. FOREIGN NATIONAL RETIREMENT PLANS.**

13 Section 408(a)(1) of the Foreign Service Act of 1980
14 (22 U.S.C. 3968(a)(1)) is amended in the third sentence
15 by striking “(C)” and all that follows through “covered
16 employees.” and inserting “(C) payments by the Govern-
17 ment and employees to (i) a trust or other fund in a finan-
18 cial institution in order to finance future benefits for em-
19 ployees, including provision for retention in the fund of
20 accumulated interest and dividends for the benefit of cov-
21 ered employees; or (ii) a Foreign Service National Savings
22 Fund established in the Treasury of the United States,
23 which (I) shall be administered by the Secretary of State,
24 at whose direction the Secretary of the Treasury shall in-
25 vest amounts not required for the current needs of the
26 fund; and (II) shall be public monies, which are authorized

1 to be appropriated and remain available without fiscal
2 year limitation to pay benefits, to be invested in public
3 debt obligations bearing interest at rates determined by
4 the Secretary of the Treasury taking into consideration
5 current average market yields on outstanding marketable
6 obligations of the United States of comparable maturity,
7 and to pay administrative expenses.”.

8 **SEC. 338. PRESIDENTIAL RANK AWARDS.**

9 (a) COMPARABLE TO PAYMENTS TO MERITORIOUS
10 EXECUTIVES AND DISTINGUISHED EXECUTIVES.—Sec-
11 tion 405(b)(3) of the Foreign Service Act of 1980 (22
12 U.S.C. 3965(b)(3)) is amended by striking the second sen-
13 tence and inserting “Payments under this paragraph to
14 a member of the Senior Foreign Service may not exceed,
15 in any fiscal year, the percentage of base pay established
16 under section 4507(e)(1) of title 5, United States Code,
17 for a Meritorious Executive, except that payments of the
18 percentage of the base pay established under section
19 4507(e)(2) of title 5, United States, Code, for Distin-
20 guished Executives may be made in any fiscal year to up
21 to 1 percent of the members of the Senior Foreign Serv-
22 ice.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall take effect October 1, 2001.

1 **SEC. 339. EMERGENCY MEDICAL ADVANCE PAYMENTS.**

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

4 “(3) to an employee compensated pursuant to
5 section 408 of the Foreign Service Act of 1980,
6 who—

7 “(A) pursuant to government authorization
8 is located outside the country of employment;
9 and

10 “(B) requires medical treatment outside
11 the country of employment in circumstances
12 specified by the President in regulations.”.

13 **SEC. 340. UNACCOMPANIED AIR BAGGAGE.**

14 Section 5924(4)(B) of title 5, United States Code,
15 is amended by inserting after the first sentence the fol-
16 lowing: “At the option of the employee, in lieu of the
17 transportation of the baggage of a dependent child from
18 the dependent’s school, the costs incurred to store the bag-
19 gage at or in the vicinity of the school during the depend-
20 ent’s annual trip between the school and the employee’s
21 duty station may be paid or reimbursed to the employee.
22 The amount of the payment or reimbursement may not
23 exceed the cost that the government would incur to trans-
24 port the baggage.”.

1 **SEC. 341. SPECIAL AGENT AUTHORITIES.**

2 Section 37(a) of the State Department Basic Au-
3 thorities Act of 1956 (22 U.S.C. 2709(a)) is amended in
4 paragraph (3)(F) by inserting “or President-elect” after
5 “President”.

6 **SEC. 342. REPORT CONCERNING MINORITY EMPLOYMENT.**

7 During each of the years 2002 and 2003, the Sec-
8 retary of State shall submit a comprehensive report to the
9 Congress concerning the status of employment of members
10 of minority groups at the Department of State, including
11 the Civil Service, the Foreign Service, and State Depart-
12 ment employees serving abroad. The report shall include
13 the following data (reported in terms of real numbers and
14 percentages and not as ratios):

15 (1) For the last preceding Foreign Service ex-
16 amination and promotion cycles for which such in-
17 formation is available—

18 (A) the numbers and percentages of mem-
19 bers of all minority groups taking the written
20 Foreign Service examination;

21 (B) the numbers and percentages of mem-
22 bers of all minority groups successfully com-
23 pleting and passing the written Foreign Service
24 examination;

25 (C) the numbers and percentages of mem-
26 bers of all minority groups successfully com-

1 pleting and passing the oral Foreign Service ex-
2 amination;

3 (D) the numbers and percentages of mem-
4 bers of all minority groups entering the junior
5 officers class of the Foreign Service;

6 (E) the numbers and percentages of mem-
7 bers of all minority groups who are Foreign
8 Service officers at each grade; and

9 (F) the numbers of and percentages of
10 members of all minority groups promoted at
11 each grade of the Foreign Service Officer
12 Corps.

13 (2) For the last preceding year for Civil Service
14 employment at the Department of State for which
15 such information is available—

16 (A) numbers and percentages of members
17 of all minority groups entering the Civil Service;

18 (B) the number and percentages of mem-
19 bers of all minority groups who are civil service
20 employees at each grade of the Civil Service;
21 and

22 (C) the number of and percentages of
23 members of all minority groups promoted at
24 each grade of the Civil Service.

1 **TITLE IV—UNITED STATES EDU-**
2 **CATIONAL AND CULTURAL**
3 **PROGRAMS OF THE DEPART-**
4 **MENT OF STATE**

5 **SEC. 401. EXTENSION OF REQUIREMENT FOR SCHOLAR-**
6 **SHIPS FOR TIBETANS AND BURMESE.**

7 Section 103(b)(1) of the Human Rights, Refugee,
8 and Other Foreign Relations Provisions Act of 1996 (Pub-
9 lic Law 104–319; 22 U.S.C. 2151 note) is amended by
10 striking “for the fiscal year 2000” and inserting “for each
11 of the fiscal years 2002 and 2003”.

12 **SEC. 402. NONPROFIT ENTITIES FOR CULTURAL PROGRAM-**
13 **MING.**

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

16 (1) It is in the national interest of the United
17 States to promote mutual understanding between
18 the people of the United States and other nations.

19 (2) Among the means to be used in achieving
20 this objective are a wide range of international edu-
21 cational and cultural exchange programs, including
22 the J. William Fulbright Educational Exchange Pro-
23 gram and the International Visitors Program.

24 (3) Cultural diplomacy, especially the presen-
25 tation abroad of the finest of America’s creative, vis-

1 ual and performing arts, is an especially effective
2 means of advancing the United States national in-
3 terest.

4 (4) The financial support available for inter-
5 national cultural and scholarly exchanges has de-
6 clined by approximately 10 per cent in recent years.

7 (5) Funds appropriated for the purpose of en-
8 suring that the excellence, diversity, and vitality of
9 the arts in the United States are presented to for-
10 eign audiences by, and in cooperation with, our dip-
11 lomatic and consular representatives have declined
12 dramatically.

13 (6) One of the ways to deepen and expand cul-
14 tural and educational exchange programs is through
15 the establishment of nonprofit entities to encourage
16 the participation and financial support of corpora-
17 tions and other private sector contributors.

18 (7) The United States private sector should be
19 encouraged to cooperate closely with the Secretary of
20 State and representatives of the Department to ex-
21 pand and spread appreciation of United States cul-
22 tural and artistic accomplishments.

23 (b) AUTHORITY TO ESTABLISH NONPROFIT ENTI-
24 TIES.—Section 105 of the Mutual Educational and Cul-

1 tural Exchange Act of 1961 (22 U.S.C. 2255) is amended
2 by striking subsection (g) and inserting the following:

3 “(g) NONPROFIT ENTITIES FOR CULTURAL PRO-
4 GRAMMING.—

5 “(1) The Secretary of State is authorized to
6 provide for the establishment of private nonprofit
7 entities to assist in carrying out the purposes of this
8 subsection. Any such entity shall not be considered
9 an agency or instrumentality of the United States
10 Government and employees of such an entity shall
11 not be considered employees of the United States
12 Government for any purpose.

13 “(2) An entity established pursuant to the au-
14 thority of paragraph (1) may carry out the fol-
15 lowing:

16 “(A) Encourage participation and support
17 by United States corporations and other ele-
18 ments of the private sector for cultural, arts,
19 and educational exchange programs which will
20 enhance international appreciation of America’s
21 cultural and artistic accomplishments.

22 “(B) Solicit and receive contributions from
23 the private sector to support cultural, arts, and
24 educational exchange programs.

1 “(C) Provide grants and other assistance
2 for such programs.

3 “(3) The Secretary of State is authorized to
4 make such arrangements as are necessary to carry
5 out the purposes of any entity established pursuant
6 to paragraph (1) including the following:

7 “(A) The solicitation and receipt of funds
8 for an entity.

9 “(B) Designation of a program in recogni-
10 tion of such contributions.

11 “(C) Appointment of members of the board
12 of directors or other body established to admin-
13 ister an entity, including the appointment of
14 employees of the United States Government as
15 ex officio nonvoting members of such a board or
16 other administrative body.

17 “(D) Making recommendations with re-
18 spect to specific artistic and cultural programs
19 to be carried out by the entity.

20 “(4) For fiscal years 2002 and 2003, not to ex-
21 ceed \$500,000 of funds available to the Department
22 of State are authorized to be made available for each
23 fiscal year for administrative and other costs for the
24 establishment of entities pursuant to paragraph (1).
25 An entity established pursuant to paragraph (1) is

1 authorized to invest amounts made available to the
2 entity by the Department of State, and such
3 amounts, as well as interest or earnings on such
4 amounts, may be used by the entity to carry out its
5 purposes.

6 “(5) Each entity established pursuant to para-
7 graph (1) shall submit an annual report on the
8 sources and amount of funds and other resources re-
9 ceived and the programs funded by the entity to the
10 Committee on Foreign Relations of the Senate and
11 the Committee on International Relations of the
12 House of Representatives.

13 “(6) The financial transactions of each entity
14 established under paragraph (1) for each fiscal year
15 shall be the subject of an independent audit. A re-
16 port of each such audit shall be made available to
17 the Committee on Foreign Relations of the Senate
18 and the Committee on International Relations of the
19 House of Representatives.”.

20 **SEC. 403. FULBRIGHT-HAYS AUTHORITIES.**

21 Section 112(d) of the Mutual Educational and Cul-
22 tural Exchange Act of 1961 (22 U.S.C. 2460(d) is amend-
23 ed by striking “operating under the authority of this Act
24 and consistent with” and inserting “which operate under
25 the authority of this Act or promote”.

1 **SEC. 404. ETHICAL ISSUES IN INTERNATIONAL HEALTH RE-**
2 **SEARCH.**

3 (a) IN GENERAL.—The Secretary shall make avail-
4 able funds for public diplomacy and international ex-
5 changes, including, as appropriate, funds for international
6 visitor programs and scholarships available under the
7 United States Information and Educational Exchange Act
8 of 1948, the Mutual Educational and Cultural Exchange
9 Act of 1961 and other similar statutes, to provide opportu-
10 nities to researchers in developing countries to obtain
11 scholarships and otherwise participate in activities related
12 to ethical issues in human subject research, as described
13 in subsection (b).

14 (b) ETHICAL ISSUES IN HUMAN SUBJECT RE-
15 SEARCH.—For purposes of subsection (a), “activities re-
16 lated to ethical issues in human subject research” include
17 courses of study, conferences, and fora on development of
18 and compliance with international ethical standards for
19 clinical trials involving human subjects, particularly with
20 respect to responsibilities of researchers to individuals and
21 local communities participating in such trials, and on
22 management and monitoring of such trials based on such
23 international ethical standards.

1 **TITLE V—UNITED STATES**
2 **INTERNATIONAL BROAD-**
3 **CASTING ACTIVITIES**

4 **SEC. 501. ELIMINATING STAFF POSITIONS FOR THE ADVI-**
5 **SORY BOARD FOR CUBA BROADCASTING.**

6 (a) **ELIMINATING POSITION OF STAFF DIRECTOR.—**

7 (1) Section 245 of the Television Broadcasting
8 to Cuba Act (22 U.S.C. 1465c note) is amended by
9 striking subsection (d).

10 (2) Any funds made available through the elimi-
11 nation of the position under the amendment made
12 by paragraph (1) shall be made available for broad-
13 casting to Cuba.

14 (b) **PROHIBITING PAID STAFF POSITIONS.—**The Ad-
15 visory Board for Cuba Broadcasting is not authorized to
16 employ administrative or support staff who are com-
17 pensated by the Advisory Board.

18 **SEC. 502. REPORTS ON BROADCASTING PERSONNEL.**

19 Not later than 3 months after the date of the enact-
20 ment of this Act and every 6 months thereafter during
21 the fiscal years 2002 and 2003, the Broadcasting Board
22 of Governors shall submit to the appropriate congressional
23 committees a report regarding high-level personnel of the
24 Broadcasting Board of Governors and efforts to diversify
25 the workforce. Each report shall include the following in-

1 formation, reported separately, for the International
2 Broadcasting Bureau, Radio Free Europe/Radio Liberty,
3 and Radio Free Asia:

4 (1) A list of all personnel positions at and above
5 the GS-13 pay level.

6 (2) The number and percentage of women and
7 members of minority groups in positions under para-
8 graph (1).

9 (3) The increase or decrease in the representa-
10 tion of women and members of minority groups in
11 positions under paragraph (1) from previous years.

12 (4) The recruitment budget for each broad-
13 casting entity and the aggregate budget.

14 (5) Information concerning the recruitment ef-
15 forts of the Broadcasting Board of Governors relat-
16 ing to women and members of minority groups, in-
17 cluding the percentage of the recruitment budget
18 utilized for such efforts.

19 **TITLE VI—INTERNATIONAL OR-**
20 **GANIZATIONS AND COMMIS-**
21 **SIONS**

22 **SEC 601. UNITED NATIONS ARREARS PAYMENTS AND RE-**
23 **FORM.**

24 (a) ADDITIONAL RESTRICTIONS ON RELEASE OF AR-
25 REARAGE PAYMENTS RELATING TO UNITED STATES SOV-

1 EREIGNTY.—In addition to the satisfaction of all other
2 preconditions applicable to the obligation and expenditure
3 of funds authorized to be appropriated by section
4 911(a)(2) of the United Nations Reform Act of 1999, such
5 funds may not be obligated or expended until the Sec-
6 retary of State certifies to the appropriate congressional
7 committees that the following conditions are satisfied:

8 (1) SUPREMACY OF THE UNITED STATES CON-
9 STITUTION.—No action has been taken by the
10 United Nations or any of its specialized or affiliated
11 agencies that requires the United States to violate
12 the United States Constitution or any law of the
13 United States.

14 (2) NO UNITED NATIONS SOVEREIGNTY.—Nei-
15 ther the United Nations nor any of its specialized or
16 affiliated agencies—

17 (A) has exercised sovereignty over the
18 United States; or

19 (B) has taken any steps that require the
20 United States to cede sovereignty.

21 (3) NO UNITED NATIONS TAXATION.—

22 (A) NO LEGAL AUTHORITY.—Except as
23 provided in subparagraph (D), neither the
24 United Nations nor any of its specialized or af-
25 filiated agencies has the authority under United

1 States law to impose taxes or fees on United
2 States nationals.

3 (B) NO TAXES OR FEES.—Except as pro-
4 vided in subparagraph (D), a tax or fee has not
5 been imposed on any United States national by
6 the United Nations or any of its specialized or
7 affiliated agencies.

8 (C) NO TAXATION PROPOSALS.—Except as
9 provided in subparagraph (D), neither the
10 United Nations nor any of its specialized or af-
11 filiated agencies has, on or after October 1,
12 1996, officially approved any formal effort to
13 develop, advocate, or promote any proposal con-
14 cerning the imposition of a tax or fee on any
15 United States national in order to raise revenue
16 for the United Nations or any such agency.

17 (D) EXCEPTION.—This paragraph does
18 not apply to—

19 (i) fees for publications or other kinds
20 of fees that are not tantamount to a tax on
21 United States citizens;

22 (ii) the World Intellectual Property
23 Organization; or

1 (iii) the staff assessment costs of the
2 United Nations and its specialized or affili-
3 ated agencies.

4 (4) NO STANDING ARMY.—The United Nations
5 has not, on or after October 1, 1996, budgeted any
6 funds for, nor taken any official steps to develop,
7 create, or establish any special agreement under Ar-
8 ticle 43 of the United Nations Charter to make
9 available to the United Nations, on its call, the
10 armed forces of any member of the United Nations.

11 (5) NO INTEREST FEES.—The United Nations
12 has not, on or after October 1, 1996, levied interest
13 penalties against the United States or any interest
14 on arrearages on the annual assessment of the
15 United States, and neither the United Nations nor
16 its specialized agencies have, on or after October 1,
17 1996, amended their financial regulations or taken
18 any other action that would permit interest penalties
19 to be levied against the United States or otherwise
20 charge the United States any interest on arrearages
21 on its annual assessment.

22 (6) UNITED STATES REAL PROPERTY
23 RIGHTS.—Neither the United Nations nor any of its
24 specialized or affiliated agencies has exercised au-
25 thority or control over any United States national

1 park, wildlife preserve, monument, or real property,
2 nor has the United Nations nor any of its specialized
3 or affiliated agencies implemented plans, regulations,
4 programs, or agreements that exercise control or au-
5 thority over the private real property of United
6 States citizens located in the United States without
7 the approval of the property owner.

8 (7) TERMINATION OF BORROWING AUTHOR-
9 ITY.—

10 (A) PROHIBITION ON AUTHORIZATION OF
11 EXTERNAL BORROWING.—On or after the date
12 of enactment of this Act, neither the United
13 Nations nor any specialized agency of the
14 United Nations has amended its financial regu-
15 lations to permit external borrowing.

16 (B) PROHIBITION OF UNITED STATES PAY-
17 MENT OF INTEREST COSTS.—The United States
18 has not, on or after October 1, 1984, paid its
19 share of any interest costs made known to or
20 identified by the United States Government for
21 loans incurred, on or after October 1, 1984, by
22 the United Nations or any specialized agency of
23 the United Nations through external borrowing.

24 (b) AMENDMENTS TO THE UNITED NATIONS RE-
25 FORM ACT OF 1999.—The United Nations Reform Act of

1 1999 (title IX of division A of H.R. 3427, as enacted into
2 law by section 1000(a)(7) of Public Law 106–113; appen-
3 dix G; 113 Stat. 1501A–475) is amended as follows:

4 (1) Section 912(c) is amended by striking “sec-
5 tion 911” and inserting “section 911(a)(3)”.

6 (2) Section 931(b) is amended by—

7 (A) striking paragraph (2); and

8 (B) redesignating paragraph (3) as para-
9 graph (2).

10 (3) Section 941(a)(2) is amended—

11 (A) by striking “also”;

12 (B) by striking “in subsection (b)(4)” both
13 places it appears; and

14 (C) by striking “satisfied, if the other con-
15 ditions in subsection (b) are satisfied” and in-
16 serting “satisfied”.

17 (4) Section 941(b)(3) is amended—

18 (A) in the paragraph heading by striking
19 “NEW BUDGET PROCEDURES” and inserting
20 “BUDGET PRACTICES”;

21 (B) by striking “has established and”;

22 (C) by striking “procedures” and inserting
23 “practices”; and

1 (D) in subparagraphs (A) and (B) by
2 striking “require” both places it appears and
3 inserting in both places “result in”.

4 (5) Section 941(b)(9) is amended—

5 (A) in the paragraph heading by striking
6 “NEW BUDGET PROCEDURES” and inserting
7 “BUDGET PRACTICES”;

8 (B) by striking “Each designated special-
9 ized agency has established procedures to—”
10 and inserting “The practices of each designated
11 specialized agency—”; and

12 (C) in subparagraphs (A), (B), and (C) by
13 striking “require” each of the 3 places it ap-
14 pears such subparagraphs and inserting in the
15 3 places “result in”.

16 (c) AMENDMENT TO UNITED NATIONS PARTICIPA-
17 TION ACT.—Section 6 of the United Nations Participation
18 Act of 1945 (22 U.S.C. 287d) is amended to read as fol-
19 lows:

20 **“SEC. 6. AGREEMENTS WITH SECURITY COUNCIL.**

21 “(a) Any agreement described in subsection (b) that
22 is concluded by the President with the Security Council
23 shall not be effective unless approved by the Congress by
24 appropriate Act or joint resolution.

1 “(b) An agreement referred to in subsection (a) is
2 an agreement providing for the numbers and types of
3 United States Armed Forces, their degree of readiness and
4 general locations, or the nature of facilities and assistance,
5 including rights of passage, to be made available to the
6 Security Council for the purpose of maintaining inter-
7 national peace and security in accordance with Article 43
8 of the Charter of the United Nations.

9 “(c) Except as provided in section 7, nothing in this
10 section may be construed as an authorization to the Presi-
11 dent by the Congress to make available United States
12 Armed Forces, facilities, or assistance to the Security
13 Council.”.

14 (d) AMENDMENT TO PUBLIC LAW 103–236.—Sec-
15 tion 404(b)(2) of the Foreign Relations Authorization Act,
16 Fiscal Years 1994 and 1995 (Public Law 103–236; 22
17 U.S.C. 287e note) is amended—

18 (1) by striking “for any fiscal year after fiscal
19 year 1995” and inserting “for —

20 “(A) fiscal years 1996 through 2001, and
21 any fiscal year after fiscal year 2003”; and

22 (2) by striking “operation.” and inserting “op-
23 eration; and

24 “(B) fiscal years 2002 and 2003 shall not
25 be available for the payment of the United

1 States assessed contribution for a United Na-
2 tions peacekeeping operation in an amount
3 which is greater than 28.15 percent of the total
4 of all assessed contributions for that oper-
5 ation.”.

6 (e) CONFORMING AMENDMENT TO PUBLIC LAW 92-
7 544.—The last sentence of the paragraph headed “Con-
8 tributions to International Organizations” in Public Law
9 92-544 (22 U.S.C. 287e note), is amended—

10 (1) by striking “Appropriations are authorized”
11 and inserting “Subject to section 404(b)(2) of the
12 Foreign Relations Authorization Act, Fiscal Years
13 1994 and 1995 (Public Law 103-236, 22 U.S.C.
14 287e note), as amended, appropriations are author-
15 ized”; and

16 (2) by striking “(other than United Nations
17 peacekeeping operations) conducted” and inserting
18 “conducted by or under the auspices of the United
19 Nations or”.

20 (f) CONFORMING AMENDMENT TO PUBLIC LAW 105-
21 277.—The undesignated paragraph under the heading
22 “ARREARAGE PAYMENTS” in title IV of the Departments
23 of Commerce, Justice, and State, the Judiciary, and Re-
24 lated Agencies Appropriations Act, 1999 (as enacted into
25 law by section 101(b) of division A of the Omnibus Con-

1 solidated and Emergency Supplemental Appropriations
2 Act, 1999; 112 Stat. 2681–96) is amended by striking
3 “member, and the share of the budget for each assessed
4 United Nations peacekeeping operation does not exceed 25
5 percent for any single United Nations member.” and in-
6 serting “member.”.

7 (g) CONFORMING AMENDMENT TO PUBLIC LAW
8 106–113.—The undesignated paragraph under the head-
9 ing “ARREARAGE PAYMENTS” in title IV of the Depart-
10 ments of Commerce, Justice, and State, the Judiciary, and
11 Related Agencies Appropriations Act, 2000 (as enacted
12 into law by section 1000(a)(1) of division B of Public Law
13 106–113; appendix A; 113 Stat. 1501A–42) is amended—

14 (1) in the first proviso, by striking “the share
15 of the total of all assessed contributions for any des-
16 ignated specialized agency of the United Nations
17 does not exceed 22 percent for any single member of
18 the agency, and”; and

19 (2) by inserting immediately after the first pro-
20 viso “*Provided further*, That, none of the funds ap-
21 propriated or otherwise made available under this
22 heading for payment of arrearages may be obligated
23 or expended with respect to a designated specialized
24 agency of the United Nations until such time as the
25 share of the total of all assessed contributions for

1 that designated specialized agency does not exceed
2 22 percent for any member of the agency:”.

3 (h) EFFECTIVE DATE.—This section and the amend-
4 ments made by this section shall take effect on the date
5 of the enactment of this Act.

6 **SEC. 602. TRAVEL BY ADVISORY COMMITTEE MEMBERS TO**
7 **GREAT LAKES FISHERY COMMISSION AN-**
8 **NUAL MEETING.**

9 Section 4(c) of the Great Lakes Fishery Act of 1956
10 (70 Stat. 242; 16 U.S.C. 933(c)) is amended in the second
11 sentence—

12 (1) by striking “five” and inserting “ten”; and
13 (2) by striking “each” and inserting “the an-
14 nual”.

15 **SEC. 603. UNITED STATES POLICY ON COMPOSITION OF**
16 **THE UNITED NATIONS HUMAN RIGHTS COM-**
17 **MISSION.**

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

20 (1) The United Nations Human Rights Com-
21 mission is an important organ of the United Nations
22 that plays a significant role in monitoring inter-
23 national human rights developments and can make
24 an important contribution to advancing human
25 rights around the world.

1 (2) The membership of the Commission, how-
2 ever, continues to include countries that are them-
3 selves human rights violators.

4 (3) Countries that are on the Commission have
5 a special duty to ensure that they are prepared to
6 allow human rights monitors into their own country
7 to investigate allegations of human rights violations.

8 (b) UNITED STATES POLICY ON MEMBERSHIP OF
9 THE COMMISSION.—The President, acting through the
10 Secretary of State, the United States Permanent Rep-
11 resentative to the United Nations, and other appropriate
12 United States Government officials, shall use the voice and
13 vote of the United States at the United Nations to oppose
14 membership on the United Nations Commission on
15 Human Rights for any country that does not provide a
16 standing invitation to allow the following persons to mon-
17 itor human rights in the territory of such country:

18 (1) Designated United Nations human rights
19 investigators and rapporteurs.

20 (2) Representatives from nongovernmental or-
21 ganizations that focus on human rights.

22 **SEC. 604. UNITED STATES MEMBERSHIP IN THE INTER-**
23 **NATIONAL ORGANIZATION FOR MIGRATION.**

24 (a) CONTINUATION OF MEMBERSHIP.—The Presi-
25 dent is authorized to continue membership for the United

1 States in the International Organization for Migration in
 2 accordance with the constitution of such organization ap-
 3 proved in Venice, Italy, on October 19, 1953, as amended
 4 in Geneva, Switzerland, on November 24, 1998, upon
 5 entry into force of such amendments.

6 (b) AUTHORIZATION OF APPROPRIATIONS.—For the
 7 purpose of assisting in the movement of refugees and mi-
 8 grants, there are authorized to be appropriated such
 9 amounts as may be necessary from time to time for pay-
 10 ment by the United States of its contributions to the
 11 International Organization for Migration and all necessary
 12 salaries and expenses incidental to United States partici-
 13 pation in such organization.

14 **TITLE VII—MISCELLANEOUS**
 15 **PROVISIONS**

16 **Subtitle A—General Provisions**

17 **SEC. 701. AMENDMENTS TO THE IRAN NONPROLIFERATION**
 18 **ACT OF 2000.**

19 (a) REPORTS ON PROLIFERATION TO IRAN.—Section
 20 2 of the Iran Nonproliferation Act of 2000 (Public Law
 21 106–178; 114 Stat. 39; 50 U.S.C. 1701 note) is amended
 22 by inserting after subsection (d) the following new sub-
 23 section:

24 “(e) CONTENT OF REPORTS.—Each report under
 25 subsection (a) shall contain, with respect to each foreign

1 person identified in such report, a brief description of the
2 type and quantity of the goods, services, or technology
3 transferred by that person to Iran, the circumstances sur-
4 rounding the transfer, the usefulness of the transfer to
5 Iranian weapons programs, and the probable awareness or
6 lack thereof of the transfer on the part of the government
7 with primary jurisdiction over the person.”.

8 (b) DETERMINATION EXEMPTING FOREIGN PERSONS
9 FROM CERTAIN MEASURES UNDER THE ACT.—Section
10 5(a)(2) of such Act is amended by striking “systems” and
11 inserting “systems, or conventional weapons”.

12 **SEC. 702. AMENDMENTS TO THE NORTH KOREA THREAT**
13 **REDUCTION ACT OF 1999.**

14 Section 822(a) of the North Korea Threat Reduction
15 Act of 1999 (subtitle B of title VIII of division A of H.R.
16 3427, as enacted into law by section 1000(a)(7) of Public
17 Law 106–113; appendix G; 113 Stat. 1501A–472) is
18 amended by striking “such agreement,” both places it ap-
19 pears and inserting in both places “such agreement (or
20 that are controlled under the Export Trigger List of the
21 Nuclear Suppliers Group),”.

1 **SEC. 703. AMENDMENTS TO THE INTERNATIONAL RELI-**
2 **GIUS FREEDOM ACT OF 1998.**

3 (a) REPEAL OF TERMINATION OF COMMISSION.—
4 The International Religious Freedom Act of 1998 (22
5 U.S.C. 6401 et seq.) is amended by striking section 209.

6 (b) AUTHORIZATIONS OF APPROPRIATIONS.—Section
7 207(a) of such Act (22 U.S.C. 6435(a)) is amended by
8 inserting “for each of the fiscal years 2002 and 2003”
9 after “\$3,000,000”.

10 (c) ELECTION OF CHAIR OF COMMISSION.—Section
11 201(d) of such Act (22 U.S.C. 6431(d)) is amended by
12 striking “in each calendar” and inserting “after May 30
13 of each”.

14 (d) PROCUREMENT OF NONGOVERNMENTAL SERV-
15 ICES.—Section 208(c)(1) of such Act (22 U.S.C.
16 6435a(c)(1)) is amended by striking “authority other than
17 that allowed under this title” and inserting “authority, in
18 excess of \$75,000 annually, except as otherwise provided
19 in this title”.

20 (e) DONATION OF SERVICES.—Section 208(d)(1) of
21 such Act (22 U.S.C. 6435a(d)(1)) is amended by striking
22 “services or” both places it appears.

23 (f) ESTABLISHMENT OF STAGGERED TERMS OF
24 MEMBERS OF COMMISSION.—Section 201(c) of such Act
25 (22 U.S.C. 6431(c)) is amended by adding after para-
26 graph (1) the following new paragraph:

1 “(2) ESTABLISHMENT OF STAGGERED
2 TERMS.—Notwithstanding paragraph (1), members
3 of the Commission appointed to serve on the Com-
4 mission during the period May 15, 2003, through
5 May 14, 2005, shall be appointed to terms in ac-
6 cordance with the provisions of this paragraph. Of
7 the 3 members of the Commission appointed by the
8 President under subsection (b)(1)(B)(i), 2 shall be
9 appointed to a one-year term and 1 shall be ap-
10 pointed to a two-year term. Of the 3 members of the
11 Commission appointed by the President pro tempore
12 of the Senate under subsection (b)(1)(B)(ii), 1 of
13 the appointments made upon the recommendation of
14 the leader in the Senate of the political party that
15 is not the political party of the President shall be
16 appointed to a one-year term, and the other 2 ap-
17 pointments under such clause shall be two-year
18 terms. Of the 3 members of the Commission ap-
19 pointed by the Speaker of the House of Representa-
20 tives under subsection (b)(1)(B)(iii), 1 of the ap-
21 pointments made upon the recommendation of the
22 leader in the House of the political party that is not
23 the political party of the President shall be to a one-
24 year term, and the other 2 appointments under such
25 clause shall be two-year terms. The term of each

1 member of the Commission appointed to a one-year
2 term shall be considered to have begun on May 15,
3 2003, and shall end on May 14, 2004, regardless of
4 the date of the appointment to the Commission.
5 Each vacancy which occurs upon the expiration of
6 the term of a member appointed to a one-year term
7 shall be filled by the appointment of a successor to
8 a two-year term.”.

9 (g) VACANCIES.—Section 201(g) of such Act (22
10 U.S.C. 6431(g)) is amended by adding at the end the fol-
11 lowing: “A member may serve after the expiration of that
12 member’s term until a successor has taken office. Any
13 member appointed to fill a vacancy occurring before the
14 expiration of the term for which the member’s predecessor
15 was appointed shall be appointed only for the remainder
16 of that term. ”.

17 **SEC. 704. CONTINUATION OF UNITED STATES ADVISORY**
18 **COMMISSION ON PUBLIC DIPLOMACY.**

19 (a) AUTHORITY TO CONTINUE COMMISSION.—Sec-
20 tion 1334 of the Foreign Affairs Reform and Restruc-
21 turing Act of 1998 (as enacted in division G of the Omni-
22 bus Consolidated and Emergency Supplemental Appro-
23 priations Act, 1999: Public Law 105–277) is amended by
24 striking “October 1, 2001” and inserting “October 1,
25 2005”.

1 (b) REPEAL.—Section 404(c) of the Admiral James
2 W. Nance and Meg Donovan Foreign Relations Authoriza-
3 tion Act, Fiscal Years 2000 and 2001 (section 404(c) of
4 division A of H.R. 3427, as enacted into law by section
5 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat.
6 1501A–446) is amended by striking paragraph (2).

7 **SEC. 705. PARTICIPATION OF SOUTH ASIA COUNTRIES IN**
8 **INTERNATIONAL LAW ENFORCEMENT.**

9 The Secretary of State shall ensure, where prac-
10 ticable, that appropriate government officials from coun-
11 tries in the South Asia region shall be eligible to attend
12 courses at the International Law Enforcement Academy
13 located in Bangkok, Thailand, and Budapest, Hungary,
14 consistent with other provisions of law, with the goal of
15 enhancing regional cooperation in the fight against
16 transnational crime.

17 **Subtitle B—Sense of Congress**
18 **Provisions**

19 **SEC. 731. SENSE OF CONGRESS RELATING TO HIV/AIDS AND**
20 **UNITED NATIONS PEACEKEEPING OPER-**
21 **ATIONS.**

22 It is the sense of the Congress that the President
23 should direct the Secretary of State and the United States
24 Representative to the United Nations to urge the United

1 Nations to adopt an HIV/AIDS mitigation strategy as a
2 component of United Nations peacekeeping operations.

3 **SEC. 732. SENSE OF CONGRESS RELATING TO HIV/AIDS**
4 **TASK FORCE.**

5 It is the sense of the Congress that the Secretary of
6 State should establish an international HIV/AIDS inter-
7 vention, mitigation, and coordination task force to coordi-
8 nate activities on international HIV/AIDS programs ad-
9 ministered by agencies of the Federal Government and to
10 work with international public and private entities working
11 to combat the HIV/AIDS pandemic.

12 **SEC. 733. SENSE OF CONGRESS CONDEMNING THE DE-**
13 **STRUCTION OF PRE-ISLAMIC STATUES IN AF-**
14 **GHANISTAN BY THE TALIBAN REGIME.**

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

17 (1) Many of the oldest and most significant
18 Buddhist statues in the world are in Afghanistan,
19 which, at the time that many of the statues were
20 carved, was one of the most cosmopolitan regions in
21 the world and hosted merchants, travelers, and art-
22 ists from China, India, central Asia, and the Roman
23 Empire.

1 (2) Such statues are part of the common herit-
2 age of mankind, which must be preserved for future
3 generations.

4 (3) On February 26, 2001, the leader of the
5 Taliban regime, Mullah Mohammad Omar, ordered
6 the destruction of all pre-Islamic statues in Afghani-
7 stan, among them a pair of 1,600-year-old, 100-foot-
8 tall statues of Buddha that are carved out of a
9 mountainside.

10 (4) The religion of Islam and Buddhist statues
11 have coexisted in Afghanistan as part of the unique
12 historical and cultural heritage of that nation for
13 more than 1,100 years.

14 (5) The destruction of the pre-Islamic statues
15 contradicts the basic tenet of the Islamic religion
16 that other religions should be tolerated.

17 (6) People of all faiths and nationalities have
18 condemned the destruction of the statues in Afghan-
19 istan, including Muslim communities around the
20 world.

21 (7) The destruction of the statues violates the
22 United Nations Convention Concerning the Protec-
23 tion of the World Cultural and Natural Heritage,
24 which was ratified by Afghanistan on March 20,
25 1979.

1 (b) SENSE OF CONGRESS.—The Congress—

2 (1) joins with people and governments around
3 the world in condemning the destruction of pre-Is-
4 lamic statues in Afghanistan by the Taliban regime;

5 (2) urges the Taliban regime to stop destroying
6 such statues; and

7 (3) calls upon the Taliban regime to grant
8 international organizations immediate access to Af-
9 ghanistan to survey the damage and facilitate inter-
10 national efforts to preserve and safeguard the re-
11 maining statues.

12 **SEC. 734. SENSE OF CONGRESS RELATING TO RESOLUTION**
13 **OF THE TAIWAN STRAIT ISSUE.**

14 It is the sense of the Congress that Taiwan is a ma-
15 ture democracy and it is the policy of the United States
16 that any resolution of the Taiwan Strait issue must be
17 peaceful and include the assent of the people of Taiwan.

18 **SEC. 735. SENSE OF CONGRESS RELATING TO ARSENIC**
19 **CONTAMINATION IN DRINKING WATER IN**
20 **BANGLADESH.**

21 (a) FINDINGS.—In the early 1970s, the United Na-
22 tions Children’s Fund (UNICEF) and the Bangladeshi
23 Department of Public Health Engineering, in an attempt
24 to bring clean drinking water to the people of Bangladesh,
25 installed tube wells to access shallow aquifers. This was

1 done to provide an alternative to contaminated surface
2 water sources. However, at the time the wells were in-
3 stalled, arsenic was not recognized as a problem in water
4 supplies and standard water testing procedures did not in-
5 clude arsenic tests. Naturally occurring inorganic arsenic
6 contamination of water in those tube-wells was confirmed
7 in 1993 in the Nawabganj district in Bangladesh. The
8 health effects of ingesting arsenic-contaminated drinking
9 water appear slowly. This makes preventative measures,
10 including drawing arsenic out of the existing tube well and
11 finding alternate sources of water, critical to preventing
12 future contamination in large numbers of the Bangladeshi
13 population. Health effects of exposure to arsenic in both
14 adults and children include skin lesions, skin cancer, and
15 mortality from internal cancers.

16 (b) SENSE OF CONGRESS.—The Secretary of State
17 should work with appropriate United States Government
18 agencies, national laboratories, universities in the United
19 States, the Government of Bangladesh, international fi-
20 nancial institutions and organizations, and international
21 donors to identify a long term solution to the arsenic-con-
22 taminated drinking water problem.

23 (c) REPORT TO CONGRESS.—The Secretary of State
24 should report to the Congress on proposals to bring about
25 arsenic-free drinking water to Bangladeshis and to facili-

1 tate treatment for those who have already been affected
2 by arsenic-contaminated drinking water in Bangladesh.

3 **SEC. 736. SENSE OF CONGRESS RELATING TO DISPLAY OF**
4 **THE AMERICAN FLAG AT THE AMERICAN IN-**
5 **STITUTE IN TAIWAN.**

6 It is the sense of the Congress that the chancery of
7 the American Institute in Taiwan and the residence of the
8 director of the American Institute in Taiwan should pub-
9 licly display the flag of the United States in the same man-
10 ner as United States embassies, consulates, and official
11 residences throughout the world.

12 **SEC. 737. SENSE OF CONGRESS REGARDING HUMAN**
13 **RIGHTS VIOLATIONS IN WEST PAPUA AND**
14 **ACEH, INCLUDING THE MURDER OF JAFAR**
15 **SIDDIQ HAMZAH, AND ESCALATING VIO-**
16 **LENCE IN MALUKU AND CENTRAL**
17 **KALIMANTAN.**

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

20 (1) Human rights violations by elements of the
21 Indonesian Government continue to worsen in West
22 Papua (Irian Jaya) and Aceh, while other areas in-
23 cluding the Moluccas (Maluku) and Central
24 Kalimantan have experienced outbreaks of violence
25 by militia forces and other organized groups.

1 (2) Seven West Papuans were shot dead by In-
2 donesian security forces following a flag-raising cere-
3 mony in the town of Merauke on December 2, 2000,
4 and in a separate incident four others were report-
5 edly killed by Indonesian security forces after a West
6 Papuan flag was raised in Tiom on December 18,
7 2000.

8 (3) Indonesian police have attacked peaceful
9 West Papuan civilians, including students in their
10 dormitories at Cenderawasih University on Decem-
11 ber 6, 2000. This attack resulted in the beating and
12 arrests of some 100 students as well as the deaths
13 of three students, including one in police custody in
14 the capital city of Jayapura.

15 (4) To escape Indonesian security forces, hun-
16 dreds of peaceful West Papuans have sought safety
17 in refugee camps across the border in the neigh-
18 boring state of Papua New Guinea (PNG).

19 (5) The Indonesian armed forces have an-
20 nounced that they are initiating “limited military op-
21 erations” in Aceh, where the Exxon-Mobil gas com-
22 pany has suspended operations due to security con-
23 cerns.

24 (6) On September 7, 2000, the body of
25 Acehnese human rights lawyer Jafar Siddiq

1 Hamzah, who had been missing for a month, was
2 identified along with four other badly decomposed
3 bodies, whose faces were bashed in and whose hands
4 and feet were bound with barbed wire, in a forested
5 area outside of Medan, in North Sumatra.

6 (7) Hamzah, a permanent resident of the
7 United States who resided in Queens, New York,
8 was last seen alive on August 5, 2000, in Medan,
9 after which he failed to keep an appointment and his
10 family lost all contact with him.

11 (8) As the founder and director of the Inter-
12 national Forum on Aceh, which works for peace and
13 human rights in Aceh, Hamzah was an important
14 voice of moderation and an internationally known
15 representative of his people who made irreplaceable
16 contributions to peace and respect for human rights
17 in his homeland.

18 (9) The Indonesian government has failed to re-
19 lease the results of Jafar Siddiq Hamzah's autopsy
20 report, and the inaccessibility of the report has de-
21 layed the investigation which could lead to bringing
22 the murderers to justice.

23 (10) There is supporting documentation from
24 the United States Department of State and other re-
25 liable sources that Indonesian military and police

1 forces have committed widespread acts of torture,
2 rape, disappearance and extra-judicial executions
3 against West Papuan and Acehnese civilians.

4 (11) In Maluku, where Muslim and Christian
5 peoples lived in peace and respected with each other
6 for decades, thousands have been killed and tens of
7 thousands displaced during outbreaks of violence
8 over the past three years.

9 (12) Militia forces known as the Laskar Jihad
10 have arrived from Java and other islands outside
11 Maluku to inflame hatred and perpetrate violence
12 against Christians, and to create religious intoler-
13 ance among the people of Maluku, and the Laskar
14 Jihad has been openly encouraged by some Indo-
15 nesian leaders including Amien Rais, Chair of the
16 People's Consultative Assembly.

17 (13) Muslim and Christian leaders alike have
18 called for the arrest of militia leaders in Maluku and
19 asking for international assistance in ending this
20 devastating conflict.

21 (14) The most recent instance of widespread vi-
22 olence in Indonesia has broken out on the island of
23 Kalimantan (Borneo), in the province of Central
24 Kalimantan, where indigenous Dayaks brutally at-

1 tacked migrant Madurese, killing hundreds and
2 causing thousands of others to flee.

3 (15) The people of the island of Madura who
4 were resettled in Kalimantan under the auspices of
5 the Soeharto government's transmigration program,
6 which served to strengthen the political control of
7 the regime, have become scapegoats for official gov-
8 ernment policy, while the Dayaks have suffered from
9 this policy and from official exploitation of the nat-
10 ural resources of their homeland.

11 (b) SENSE OF CONGRESS.—The Congress—

12 (1) expresses its deep concern over ongoing
13 human rights violations committed by Indonesian
14 military and police forces against civilians in West
15 Papua and Aceh, as well as over violence by militias
16 and others in Maluku, Central Kalimantan, and else-
17 where in Indonesia;

18 (2) calls upon the United States Department of
19 State to publicly protest the reemergence of political
20 imprisonment in Indonesia and to take necessary
21 steps to release, immediately and unconditionally, all
22 political prisoners, including Rev. Obed Komba, Rev.
23 Yudas Meage, Yafet Yelemaken, Murjono Murib and
24 Amelia Yigibalom of West Papua, and Muhammad
25 Nazar of Aceh, all adopted by Amnesty International

1 as Prisoners of Conscience, and student demonstra-
2 tors Matius Rumbrapuk, Laon Wenda, Jenderal
3 Achmad Yani, Joseph Wenda and Hans Gobay of
4 West Papua.

5 (3) calls upon the Department of State to sup-
6 port and encourage the Government of Indonesia to
7 engage in peaceful dialogue with respected West
8 Papuan community leaders and other members of
9 West Papuan civil society, as prescribed by the 1999
10 Terms of Reference for the National Dialogue on
11 Irian Jaya, and to urge the Governor of West Papua
12 to create an environment conducive to the peaceful
13 repatriation of West Papuan refugees and “illegal
14 border crossers” who now reside in Papua New
15 Guinea.

16 (4) calls upon the United States Government to
17 press the Government of Indonesia to permit access
18 to West Papua and Aceh, including the project areas
19 of the United States-owned Freeport mine and
20 Exxon-Mobil facilities, by independent human rights
21 and environmental monitors, including the United
22 Nations special rapporteurs on torture and extra-ju-
23 dicial execution, as well as by humanitarian non-
24 governmental organizations;

1 (5) calls upon the United States Government to
2 press for the withdrawal of nonorganic troops from
3 West Papua and Aceh, and an overall reduction of
4 force numbers in those areas, particularly along the
5 PNG border;

6 (6) calls upon the Government of Indonesia to
7 release the autopsy report of Jafar Siddiq Hamzah
8 immediately, to conduct a thorough, open, and
9 transparent investigation of the murder of Hamzah
10 and the four others with whom he was found, to
11 offer full access and support to independent inves-
12 tigators and forensics experts brought in to examine
13 these cases, and to ensure that the perpetrators of
14 these atrocities are brought to justice through open
15 and fair trials;

16 (7) condemns the recent atrocities in Central
17 Kalimantan the failure of Indonesian police and
18 other security forces to intervene to stop these atroc-
19 ities, as well as the underlying social and economic
20 conditions caused by systematic transmigration pro-
21 grams, imported labor, and inequitable and destruc-
22 tive exploitation of local natural resources that have
23 worsened the poverty and discrimination which were
24 contributing factors in their commission;

1 (8) condemns comparable Indonesian Govern-
2 ment policies in Maluku and the failure of Indo-
3 nesian police and other security forces in and around
4 Ambon to halt sectarian violence, including the oper-
5 ations of the Laskar Jihad militia;

6 (9) calls upon the Government of Indonesia to
7 take decisive action to halt sectarian violence in
8 Maluku and to arrest those guilty of violence, includ-
9 ing Laskar Jihad militia leaders and armed forces
10 officers guilty of complicity in their operations
11 against civilians, and to make significant progress
12 towards rehabilitation and reestablishment of local
13 communities displaced by the violence and rebuild
14 the physical infrastructure of the communities;

15 (10) calls upon the Department of State to sup-
16 port United Nations and other international delega-
17 tions and monitoring efforts by international and
18 nongovernmental agencies in West Papua, Aceh,
19 Maluku, Central Kalimantan, West Timor, and other
20 areas of Indonesia in order to deter further human
21 rights violations, and to encourage and support
22 international and nongovernmental agencies in ef-
23 forts to help the people of Indonesia rebuild and re-
24 habilitate communities torn by violence, particularly
25 by assisting in the return of internally displaced peo-

1 ples and in efforts at reconciliation within and
2 among communities;

3 (11) calls upon the Department of State to en-
4 sure that all appropriate information regarding cur-
5 rent conditions in the West Papua, Aceh, Maluku,
6 Kalimantan, and elsewhere in Indonesia is included
7 in the Annual Country Reports on Human Rights
8 Practices and the Annual Report on International
9 Religious Freedom;

10 (12) calls upon the Government of Indonesia to
11 devote official attention, in an atmosphere of open-
12 ness and transparency and oversight, to investiga-
13 tions into the numerous cases of disappearances,
14 extrajudicial killings, and other serious human rights
15 violations in West Papua, Aceh, Maluku, Central
16 Kalimantan, elsewhere in Indonesia, and occupied
17 East Timor; and

18 (13) calls upon the United States Government
19 to continue to insist upon vigorous investigation into
20 all such violations, and upon trials according to
21 international standards for military and police offi-
22 cers, militia leaders, and others accused of such vio-
23 lations.

1 **TITLE VIII—SECURITY**
2 **ASSISTANCE**

3 **SEC. 801. SHORT TITLE.**

4 This title may be cited as the “Security Assistance
5 Act of 2001”.

6 **Subtitle A—Military and Related**
7 **Assistance**

8 **CHAPTER 1—FOREIGN MILITARY SALES**
9 **AND FINANCING AUTHORITIES**

10 **SEC. 811. OFFICIAL RECEPTION AND REPRESENTATION EX-**
11 **PENSES.**

12 Section 43(c) of the Arms Export Control Act (22
13 U.S.C. 2792(c)) is amended by striking “\$72,500” and
14 inserting “\$86,500”.

15 **SEC. 812. QUARTERLY REPORT ON PRICE AND AVAIL-**
16 **ABILITY ESTIMATES.**

17 Chapter 2 of the Arms Export Control Act (22
18 U.S.C. 2761 et seq.) is amended by adding at the end
19 the following:

20 **“SEC. 28. QUARTERLY REPORT ON PRICE AND AVAIL-**
21 **ABILITY ESTIMATES.**

22 “(a) QUARTERLY REPORT.—Not later than 15 days
23 after the end of each calendar quarter, the President shall
24 transmit to the Committee on International Relations of
25 the House of Representatives and the Committee on For-

1 eign Relations of the Senate a report that contains the
2 information described in subsection (b).

3 “(b) INFORMATION.—The information described in
4 this subsection is the following:

5 “(1)(A) Each price and availability estimate
6 provided by the United States Government during
7 such calendar quarter to a foreign country with re-
8 spect to a possible sale under this Act of major de-
9 fense articles having a cost of \$7,000,000 or more,
10 or of any other defense articles or services having a
11 cost of \$25,000,000 or more.

12 “(B) The name of each foreign country to
13 which an estimate described in subparagraph (A)
14 was provided, the defense articles or services in-
15 volved, the quantity of the articles or services in-
16 volved, and the price estimate.

17 “(2)(A) Each request received by the United
18 States Government from a foreign country during
19 such calendar quarter for the issuance of a letter of
20 offer to sell defense articles or defense services if the
21 proposed sale does not include a price and avail-
22 ability estimate (as described in paragraph (1)(A)).

23 “(B) The name of each foreign country that
24 makes a request described in subparagraph (A), the
25 date of the request, the defense articles or services

1 involved, the quantity of the articles or services in-
2 volved, and the price and availability terms re-
3 quested.”.

4 **CHAPTER 2—EXCESS DEFENSE ARTICLE**
5 **AND DRAWDOWN AUTHORITIES**

6 **SEC. 821. EXCESS DEFENSE ARTICLES FOR CERTAIN EURO-**
7 **PEAN AND OTHER COUNTRIES.**

8 (a) CENTRAL AND SOUTHERN EUROPEAN COUN-
9 TRIES.—Section 105 of Public Law 104–164 (110 Stat.
10 1427) is amended by striking “2000 and 2001” and in-
11 serting “2001, 2002, and 2003”.

12 (b) CERTAIN OTHER COUNTRIES.—Notwithstanding
13 section 516(e) of the Foreign Assistance Act of 1961 (22
14 U.S.C. 2321j(e), during each of the fiscal years 2002 and
15 2003, funds available to the Department of Defense may
16 be expended for crating, packing, handling, and transpor-
17 tation of excess defense articles transferred under the au-
18 thority of section 516 of such Act to Albania, Bulgaria,
19 Croatia, Estonia, the Former Yugoslavia Republic of Mac-
20 edonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lith-
21 uania, Moldova, Mongolia, Slovakia, Turkmenistan,
22 Ukraine, and Uzbekistan.

23 (c) CONTENT OF CONGRESSIONAL NOTIFICATION.—
24 Each notification required to be submitted under section
25 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C.

1 2321j(f)) with respect to a proposed transfer of a defense
2 article described in subsection (b) shall include an esti-
3 mate of the amount of funds to be expended under such
4 subsection with respect to that transfer.

5 **SEC. 822. ANNUAL REPORT ON PROJECTED AVAILABILITY**
6 **OF EXCESS DEFENSE ARTICLES.**

7 (a) REPORT.—Not later than 30 days prior to the
8 commencement of each fiscal year, the Secretary of De-
9 fense shall transmit to the Secretary of State a report set-
10 ting forth, to the maximum extent feasible, the availability
11 of excess defense articles for the next fiscal year for the
12 purpose of enabling the Department of State to factor
13 such availability into annual security assistance plans.

14 (b) DEFINITION.—The term “excess defense article”
15 has the meaning given the term in section 644(g) of the
16 Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)).

17 **SEC. 823. EXPANDED DRAWDOWN AUTHORITY.**

18 Section 506(c) of the Foreign Assistance Act of 1961
19 (22 U.S.C. 2318(c)) is amended to read as follows:

20 “(c) For the purposes of any provision of law that
21 authorizes the drawdown of defense or other articles or
22 commodities, or defense or other services from an agency
23 of the United States Government, such drawdown may in-
24 clude the supply of commercial transportation and related
25 services and defense or other articles or commodities, or

1 defense or other services, that are acquired by contract
2 for the purposes of the drawdown in question, if the cost
3 to acquire such items or services is less than the cost to
4 the United States Government of providing such items or
5 services from existing agency assets.”.

6 **SEC. 824. LEASES OF DEFENSE ARTICLES FOR FOREIGN**
7 **COUNTRIES AND INTERNATIONAL ORGANIZA-**
8 **TIONS.**

9 Section 61(b) of the Arms Export Control Act (22
10 U.S.C. 2796(b)) is amended—

11 (1) by striking “(b) Each lease agreement” and
12 inserting “(b)(1) Each lease agreement”; and

13 (2) by striking “of not to exceed five years”
14 and inserting “which may not exceed (A) five years,
15 and (B) a specified period of time required to com-
16 plete major refurbishment work of the leased articles
17 to be performed prior to the delivery of the leased
18 articles,”; and

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

20 “(2) In this subsection, the term ‘major refurbish-
21 ment work’ means work for which the period of perform-
22 ance is six months or more”.

1 **CHAPTER 3—NONPROLIFERATION AND**
2 **EXPORT CONTROL ASSISTANCE**

3 **SEC. 831. INTERNATIONAL COUNTERPROLIFERATION EDU-**
4 **CATION AND TRAINING.**

5 Chapter 9 of part II of the Foreign Assistance Act
6 of 1961 (22 U.S.C. 2349bb et seq.) is amended—

7 (1) by redesignating sections 584 and 585 as
8 sections 585 and 586, respectively; and

9 (2) by inserting after section 583 the following:

10 **“SEC. 584. INTERNATIONAL COUNTER-PROLIFERATION**
11 **EDUCATION AND TRAINING.**

12 “(a) GENERAL AUTHORITY.—The President is au-
13 thorized to furnish, on such terms and conditions con-
14 sistent with this chapter (but whenever feasible on a reim-
15 bursable basis), education and training to foreign govern-
16 mental and military personnel for the purpose of enhanc-
17 ing the nonproliferation and export control capabilities of
18 such personnel through their attendance in special courses
19 of instruction in the United States.

20 “(b) ADMINISTRATION OF COURSES.—The Secretary
21 of State shall have overall responsibility for the develop-
22 ment and conduct of international nonproliferation edu-
23 cation and training programs, but may rely upon any of
24 the following agencies to recommend personnel for the

1 education and training, and to administer specific courses
2 of instruction:

3 “(1) The Department of Defense (including na-
4 tional weapons laboratories under contract with the
5 Department).

6 “(2) The Department of Energy (including na-
7 tional weapons laboratories under contract with the
8 Department).

9 “(3) The Department of Commerce.

10 “(4) The intelligence community (as defined in
11 section 3(4) of the National Security Act of 1947
12 (50 U.S.C. 401a(4)).

13 “(5) The United States Customs Service.

14 “(6) The Federal Bureau of Investigation.

15 “(c) PURPOSES.—Education and training activities
16 conducted under this section shall be—

17 “(1) of a technical nature, emphasizing tech-
18 niques for detecting, deterring, monitoring, inter-
19 dicting, and countering proliferation;

20 “(2) designed to encourage effective and mutu-
21 ally beneficial relations and increased understanding
22 between the United States and friendly countries;
23 and

24 “(3) designed to improve the ability of friendly
25 countries to utilize their resources, including defense

1 articles and defense services obtained by them from
2 the United States, with maximum effectiveness,
3 thereby contributing to greater self-reliance by such
4 countries.”.

5 **SEC. 832. ANNUAL REPORT ON THE PROLIFERATION OF**
6 **MISSILES AND ESSENTIAL COMPONENTS OF**
7 **NUCLEAR, BIOLOGICAL, AND CHEMICAL**
8 **WEAPONS.**

9 (a) REPORT.—

10 (1) IN GENERAL.—The President shall transmit
11 to the appropriate congressional committees an an-
12 nual report on the transfer by any country of weap-
13 ons, technology, components, or materials that can
14 be used to deliver, manufacture (including research
15 and experimentation), or weaponize nuclear, biologi-
16 cal, or chemical weapons (hereinafter in this section
17 referred to as “NBC weapons”) to any country other
18 than a country referred to in subsection (c) that is
19 seeking to possess or otherwise acquire such weap-
20 ons, technology, or materials, or other system that
21 the Secretary of State or Secretary of Defense has
22 reason to believe could be used to develop, acquire,
23 or deliver NBC weapons.

24 (2) DEADLINE FOR INITIAL REPORT.—The first
25 such report shall be submitted not later than 90

1 days after the date of the enactment of this Act and
2 on April 1 of each year thereafter.

3 (b) MATTERS TO BE INCLUDED.—Each such report
4 shall include, but not be limited to—

5 (1) the transfer of all aircraft, cruise missiles,
6 artillery weapons, unguided rockets and multiple
7 rocket systems, and related bombs, shells, warheads
8 and other weaponization technology and materials
9 that the Secretary of State or the Secretary of De-
10 fense has reason to believe may be intended for the
11 delivery of NBC weapons;

12 (2) international transfers of MTCR equipment
13 or technology to any country that is seeking to ac-
14 quire such equipment or any other system that the
15 Secretary of State or the Secretary of Defense has
16 reason to believe may be used to deliver NBC weap-
17 ons; and

18 (3) the transfer of technology, test equipment,
19 radioactive materials, feedstocks and cultures, and
20 all other specialized materials that the Secretary of
21 State or the Secretary of Defense has reason to be-
22 lieve could be used to manufacture NBC weapons.

23 (c) CONTENT OF REPORT.—Each such report shall in-
24 clude the following with respect to preceding calendar
25 year:

1 (1) The status of missile, aircraft, and other
2 NBC weapons delivery and weaponization programs
3 in any such country, including efforts by such coun-
4 try or by any subnational group to acquire MTCR-
5 controlled equipment, NBC-capable aircraft, or any
6 other weapon or major weapon component which
7 may be utilized in the delivery of NBC weapons,
8 whose primary use is the delivery of NBC weapons,
9 or that the Secretary of State or the Secretary of
10 Defense has reason to believe could be used to de-
11 liver NBC weapons.

12 (2) The status of NBC weapons development, ac-
13 quisition, manufacture, stockpiling, and deployment
14 programs in any such country, including efforts by
15 such country or by any subnational group to acquire
16 essential test equipment, manufacturing equipment
17 and technology, weaponization equipment and tech-
18 nology, and radioactive material, feedstocks or com-
19 ponents of feedstocks, and biological cultures and
20 toxins.

21 (3) A description of assistance provided by any
22 person or government, after the date of the enact-
23 ment of this Act, to any such country or subnational
24 group in the acquisition or development of—

25 (A) NBC weapons;

1 (B) missile systems, as defined in the
2 MTCR or that the Secretary of State or the
3 Secretary of Defense has reason to believe may
4 be used to deliver NBC weapons; and

5 (C) aircraft and other delivery systems and
6 weapons that the Secretary of State or the Sec-
7 retary of Defense has reason to believe could be
8 used to deliver NBC weapons.

9 (4) A listing of those persons and countries
10 which continue to provide such equipment or tech-
11 nology described in paragraph (3) to any country or
12 subnational group as of the date of submission of
13 the report, including the extent to which foreign per-
14 sons and countries were found to have knowingly
15 and materially assisted such programs.

16 (5) A description of the use of, or substantial
17 preparations to use, the equipment of technology de-
18 scribed in paragraph (3) by any foreign country or
19 subnational group.

20 (6) A description of the diplomatic measures that
21 the United States, and that other adherents to the
22 MTCR and other arrangements affecting the acqui-
23 sition and delivery of NBC weapons, have made with
24 respect to activities and private persons and govern-

1 ments suspected of violating the MTCR and such
2 other arrangements.

3 (7) An analysis of the effectiveness of the regu-
4 latory and enforcement regimes of the United States
5 and other countries that adhere to the MTCR and
6 other arrangements affecting the acquisition and de-
7 livery of NBC weapons in controlling the export of
8 MTCR and other NBC weapons and delivery system
9 equipment or technology.

10 (8) A summary of advisory opinions issued under
11 section 11B(b)(4) of the Export Administration Act
12 of 1979 (50 U.S.C. App. 2401b(b)(4)) and under
13 section 73(d) of the Arms Export Control Act (22
14 U.S.C. 2797b(d)).

15 (9) An explanation of United States policy re-
16 garding the transfer of MTCR equipment or tech-
17 nology to foreign missile programs, including pro-
18 grams involving launches of space vehicles.

19 (10) A description of each transfer by any per-
20 son or government during the preceding 12-month
21 period which is subject to sanctions under the Iran-
22 Iraq Arms Non-Proliferation Act of 1992 (title XVI
23 of Public Law 102–484).

24 (c) EXCLUSIONS.—The countries excluded under sub-
25 section (a) are Australia, Belgium, Canada, Denmark,

1 France, Germany, Greece, Iceland, Italy, Japan, Luxem-
2 bourg, the Netherlands, Norway, Portugal, Spain, Turkey,
3 the United Kingdom, and the United States.

4 (d) CLASSIFICATION OF REPORT.—The Secretary of
5 State shall make every effort to submit all of the informa-
6 tion required by this section in unclassified form. When-
7 ever the Secretary submits any such information in classi-
8 fied form, the Secretary shall submit such classified infor-
9 mation in an addendum and shall also submit concurrently
10 a detailed summary, in unclassified form, of that classified
11 information.

12 (e) DEFINITIONS.—In this section:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committee on Appropriations, the
17 Committee on Armed Services, and the Com-
18 mittee on International Relations of the House
19 of Representatives; and

20 (B) the Committees on Appropriations, the
21 Committee on Armed Services, and the Com-
22 mittee on Foreign Relations of the Senate.

23 (2) MISSILE; MTCR; MTCR EQUIPMENT OR
24 TECHNOLOGY.—The terms “missile”, “MTCR”, and
25 “MTCR equipment or technology” have the mean-

1 ings given those terms in section 74 of the Arms Ex-
2 port Control Act (22 U.S.C. 2797e).

3 (3) PERSON.—The term “person” means any
4 United States or foreign individual, partnership, cor-
5 poration, or other form of association, or any of its
6 successor entities, parents, or subsidiaries.

7 (4) WEAPONIZE; WEAPONIZATION.—The term
8 “weaponize” or “weaponization” means to incor-
9 porate into, or the incorporation into, usable ord-
10 nance or other militarily useful means of delivery.

11 (f) REPEALS.—

12 (1) IN GENERAL.—The following provisions of
13 law are repealed:

14 (A) Section 1097 of the National Defense
15 Authorization Act for Fiscal Years 1992 and
16 1993 (22 U.S.C. 2751 note).

17 (B) Section 308 of the Chemical and Bio-
18 logical Weapons Control and Warfare Elimini-
19 nation Act of 1991 (22 U.S.C. 5606).

20 (C) Section 1607(a) of the Iran-Iraq Arms
21 Non-Proliferation Act of 1992 (Public Law
22 102–484).

23 (D) Paragraph (d) of section 585 of the
24 Foreign Operations, Export Financing, and Re-
25 lated Programs Appropriations Act, 1997 (as

1 contained in section 101(c) of title I of division
2 A of Public Law 104–208).

3 (2) CONFORMING AMENDMENTS.—Section 585
4 of the Foreign Operations, Export Financing, and
5 Related Programs Appropriations Act, 1997, is
6 amended—

7 (A) in paragraph (b), by adding “and” at
8 the end; and

9 (B) in paragraph (c), by striking “; and”
10 and inserting a period.

11 **SEC. 833. FIVE-YEAR INTERNATIONAL ARMS CONTROL AND**
12 **NONPROLIFERATION STRATEGY.**

13 (a) STRATEGY.—Not later than 180 days after the
14 date of the enactment of this Act, the Secretary of State
15 shall prepare and submit to the appropriate congressional
16 committees a five-year international arms control and non-
17 proliferation strategy. The strategy shall contain the fol-
18 lowing:

19 (1) A five-year plan for the reduction of exist-
20 ing nuclear, chemical, and biological weapons and
21 ballistic missiles and for controlling the proliferation
22 of these weapons.

23 (2) Identification of the goals and objectives of
24 the United States with respect to arms control and

1 nonproliferation of weapons of mass destruction and
2 their delivery systems.

3 (3) A description of the programs, projects, and
4 activities of the Department of State intended to ac-
5 complish goals and objectives described in paragraph
6 (2).

7 (b) DEFINITION.—In this section, the term “appro-
8 priate congressional committees” means the Committee on
9 International Relations of the House of Representatives
10 and the Committee on Foreign Relations of the Senate.

11 **Subtitle B—Strengthening the** 12 **Munitions Licensing Process**

13 **SEC. 841. LICENSE OFFICER STAFFING.**

14 (a) FUNDING.—Of the amounts authorized to be ap-
15 propriated under the appropriations account entitled
16 “DIPLOMATIC AND CONSULAR PROGRAMS” for fiscal years
17 2002 and 2003, not less than \$10,000,000 shall be made
18 available each such fiscal year for the Office of Defense
19 Trade Controls of the Department of State for salaries
20 and expenses.

21 (b) ASSIGNMENT OF LICENSE REVIEW OFFICERS.—
22 Effective January 1, 2002, the Secretary of State shall
23 assign to the Office of Defense Trade Controls of the De-
24 partment of State a sufficient number of license review

1 officers to ensure that the average weekly caseload for
2 each officer does not exceed 40.

3 (c) DETAILEES.—Given the priority placed on expe-
4 dited license reviews in recent years by the Department
5 of Defense, the Secretary of Defense should ensure that
6 10 military officers are continuously detailed to the Office
7 of Defense Trade Controls of the Department of State on
8 a nonreimbursable basis.

9 **SEC. 842. FUNDING FOR DATABASE AUTOMATION.**

10 Of the amounts authorized to be appropriated under
11 the appropriations account entitled “CAPITAL INVEST-
12 MENT FUND” for fiscal years 2002 and 2003, not less
13 than \$4,000,000 shall be made available each such fiscal
14 year for the Office of Defense Trade Controls of the De-
15 partment of State for the modernization of information
16 management systems.

17 **SEC. 843. INFORMATION MANAGEMENT PRIORITIES.**

18 (a) OBJECTIVE.—The Secretary of State shall estab-
19 lish a secure, Internet-based system for the filing and re-
20 view of applications for export of Munitions List items.

21 (b) ESTABLISHMENT OF A MAINFRAME.—Of the
22 amounts made available pursuant to section 842, not less
23 than \$3,000,000 each such fiscal year shall be made avail-
24 able to fully automate the Defense Trade Application Sys-
25 tem, and to ensure that the system—

1 (1) is an electronic system for the filing and re-
2 view of Munitions List license applications;

3 (2) is secure, with modules available through
4 the Internet; and

5 (3) is capable of exchanging data with—

6 (A) the Foreign Disclosure and Technology
7 Information System and the USXPORTS sys-
8 tems of the Department of Defense;

9 (B) the Export Control System of the Cen-
10 tral Intelligence Agency; and

11 (C) the Proliferation Information Network
12 System of the Department of Energy.

13 (c) MUNITIONS LIST DEFINED.—In this section, the
14 term “Munitions List” means the United States Muni-
15 tions List of defense articles and defense services con-
16 trolled under section 38 of the Arms Export Control Act
17 (22 U.S.C. 2778).

18 **SEC. 844. IMPROVEMENTS TO THE AUTOMATED EXPORT**
19 **SYSTEM.**

20 (a) MANDATORY FILING.—The Secretary of Com-
21 merce, with the concurrence of the Secretary of State,
22 shall publish regulations in the Federal Register to re-
23 quire, upon the effective date of those regulations, the
24 mandatory filing through the Automated Export System
25 for the remainder of exports requiring an export license

1 that were not covered by regulations issued pursuant to
2 section 1252(b) of the Security Assistance Act of 1999
3 (113 Stat. 1501A–506), as enacted into law by section
4 1000(a)(7) of Public Law 106–113.

5 (b) PLANS FOR INCLUSION OF COMMODITY DOCU-
6 MENTATION.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of enactment of this Act, the Sec-
9 retary of Commerce, in consultation with the Secre-
10 taries of State, Defense, Energy, and Treasury, and
11 the Director of Central Intelligence, shall submit a
12 report to the appropriate congressional committees
13 discussing the economic impact, and national secu-
14 rity implications, of requiring all exporters to file
15 commodity documentation through the Automated
16 Export System.

17 (2) DEFINITION.—In this subsection, the term
18 “appropriate congressional committees” means the
19 Committee on Foreign Relations of the Senate and
20 the Committee on International Relations of the
21 House of Representatives.

22 (c) REQUIREMENT FOR INFORMATION SHARING.—
23 The Secretary of State shall conclude an information shar-
24 ing arrangement with the heads of United States Customs
25 Service and the Census Bureau—

1 (1) to allow the Department of State to access
2 information on controlled exports made through the
3 United States Postal Service; and

4 (2) to adjust the Automated Export System to
5 parallel information currently collected by the De-
6 partment of State.

7 **SEC. 845. CONGRESSIONAL NOTIFICATION OF REMOVAL OF**
8 **ITEMS FROM THE MUNITIONS LIST.**

9 Section 38(f)(1) of the Arms Export Control Act (22
10 U.S.C. 2778(f)(1)) is amended in the third sentence to
11 read as follows: “The President may not remove any item
12 from the Munitions List until 30 days after the date on
13 which the President has provided notice of the proposed
14 removal to the Committee on International Relations of
15 the House of Representatives and to the Committee on
16 Foreign Relations of the Senate in accordance with the
17 procedures applicable to reprogramming notifications
18 under section 634A(a) of the Foreign Assistance Act of
19 1961. Such notice shall describe the nature of any controls
20 to be imposed on that item under any other provision of
21 law.”.

22 **SEC. 846. CONGRESSIONAL NOTIFICATION THRESHOLDS**
23 **FOR ALLIED COUNTRIES.**

24 The Arms Export Control Act (22 U.S.C. 2751 et
25 seq.) is amended—

1 (1) in paragraphs (1) and (3)(A) of section
2 3(d), by adding after “at \$50,000,000 or more”
3 each place it appears the following: “(or, in the case
4 of a transfer to a country which is a member coun-
5 try of the North Atlantic Treaty Organization
6 (NATO) or Australia, Japan, or New Zealand, any
7 major defense equipment valued (in terms of its
8 original acquisition cost) at \$25,000,000 or more, or
9 of defense articles or defense services valued (in
10 terms of its original acquisition cost) at
11 \$100,000,000 or more”;

12 (2) in section 36(b)(1), by adding after “for
13 \$14,000,000 or more” the following: “(or, in the
14 case of a letter of offer to sell to a country which
15 is a member country of the North Atlantic Treaty
16 Organization (NATO) or Australia, Japan, or New
17 Zealand, any major defense equipment under this
18 Act for \$25,000,000 or more, any defense articles or
19 services for \$100,000,000 or more, or any design
20 and construction services for \$300,000,000 or
21 more)”;

22 (3) in section 36(b)(5)(C), by adding after “or
23 \$200,000,000 or more in the case of design or con-
24 struction services” the following: “(or, in the case of
25 a letter of offer to sell to a country which is a mem-

1 ber country of the North Atlantic Treaty Organiza-
2 tion (NATO) or Australia, Japan, or New Zealand,
3 any major defense equipment for \$25,000,000 or
4 more, any defense articles or services for
5 \$100,000,000 or more, or any design and construc-
6 tion services for \$300,000,000 or more)”;

7 (4) in section 36(c)(1), by adding after
8 “\$50,000,000 or more” the following: “(or, in the
9 case of an application by a person (other than with
10 regard to a sale under section 21 or section 22 of
11 this Act) for a license for the export to a country
12 which is a member country of the North Atlantic
13 Treaty Organization (NATO) or Australia, Japan,
14 or New Zealand, of any major defense equipment
15 sold under a contract in the amount of \$25,000,000
16 or more or of defense articles or defense services
17 sold under a contract in the amount of
18 \$100,000,000 or more)”; and

19 (5) in section 63(a), by adding after
20 “\$50,000,000 or more” the following: “(or, in the
21 case of such an agreement with a country which is
22 a member country of the North Atlantic Treaty Or-
23 ganization (NATO) or Australia, Japan, or New
24 Zealand, (i) major defense equipment valued (in
25 terms of its replacement cost less any depreciation

1 in its value) at \$25,000,000 or more, or (ii) defense
2 articles valued (in terms of their replacement cost
3 less any depreciation in their value) at \$100,000,000
4 or more)”.
5

6 **Subtitle C—Authority to Transfer** 7 **Naval Vessels**

8 **SEC. 851. AUTHORITY TO TRANSFER NAVAL VESSELS TO** 9 **CERTAIN FOREIGN COUNTRIES.**

10 (a) **AUTHORITY TO TRANSFER.—**

11 (1) **BRAZIL.**—The President is authorized to
12 transfer to the Government of Brazil the “Newport”
13 class tank landing ship Peoria (LST 1183). Such
14 transfer shall be on a sale basis under section 21 of
15 the Arms Export Control Act (22 U.S.C. 2761).

16 (2) **POLAND.**—The President is authorized to
17 transfer to the Government of Poland the “Oliver
18 Hazard Perry” class guided missile frigate Wads-
19 worth (FFG 9). Such transfer shall be on a grant
20 basis under section 516 of the Foreign Assistance
21 Act of 1961 (22 U.S.C. 2321j).

22 (3) **TAIWAN.**—The President is authorized to
23 transfer to the Taipei Economic and Cultural Rep-
24 resentative Office in the United States (which is the
25 Taiwan instrumentality designated pursuant to sec-
tion 10(a) of the Taiwan Relations Act) the “Kidd”

1 class guided missile destroyers Kidd (DDG 993),
2 Callaghan (DDG 994), Scott (DDG 995), and Chan-
3 dler (DDG 996). Such transfers shall be on a sales
4 basis under section 21 of the Arms Export Control
5 Act (22 U.S.C. 2761).

6 (4) TURKEY.—The President is authorized to
7 transfer to the “Oliver Hazard Perry” class guided
8 missile frigates Estocin (FFG 15) and Samuel Eliot
9 Morrison (FFG 13). Each such transfer shall be on
10 a sale basis under section 21 of the Arms Export
11 Control Act (22 U.S.C. 2761). The President is fur-
12 ther authorized to transfer to the Government of
13 Turkey the “Knox” class frigates Capadanno (FF
14 1093), Thomas C. Hart (FF 1092), Donald B.
15 Beary (FF 1085), McCandless (FF 1084), Reasoner
16 (FF 1063), and Bowen (FF 1079). The transfer of
17 these 6 “Knox” class frigates shall be on a grant
18 basis under section 516 of the Foreign Assistance
19 Act of 1961 (22 U.S.C. 2321j).

20 (b) GRANTS NOT COUNTED IN ANNUAL TOTAL OF
21 TRANSFERRED EXCESS DEFENSE ARTICLES.—The value
22 of a vessel transferred to another country on a grant basis
23 under section 516 of the Foreign Assistance Act of 1961
24 (22 U.S.C. 2321j) pursuant to authority provided by sub-
25 sections (a) and (b) shall not be counted for the purposes

1 of subsection (g) of that section in the aggregate value
2 of excess defense articles transferred to countries under
3 that section in any fiscal year.

4 (c) COSTS OF TRANSFERS.—Notwithstanding section
5 516(e)(1) of the Foreign Assistance Act of 1961 (22
6 U.S.C. 2321j(e)(1)), any expense incurred by the United
7 States in connection with a transfer authorized to be made
8 on a grant basis under subsection (a) or (b) shall be
9 charged to the recipient.

10 (d) REPAIR AND REFURBISHMENT IN UNITED
11 STATES SHIPYARDS.—To the maximum extent prac-
12 ticable, the President shall require, as a condition of the
13 transfer of a vessel under this section, that the country
14 to which the vessel is transferred have such repair or re-
15 furbishment of the vessel as is needed, before the vessel
16 joins the naval forces of that country, performed at a
17 United States Navy shipyard or other shipyard located in
18 the United States.

19 (e) EXPIRATION OF AUTHORITY.—The authority pro-
20 vided under subsections (a) and (b) shall expire at the end
21 of the 2-year period beginning on the date of the enact-
22 ment of this Act.

1 **Subtitle D—Miscellaneous**
2 **Provisions**

3 **SEC. 861. ANNUAL FOREIGN MILITARY TRAINING REPORTS.**

4 Section 656(a) of the Foreign Assistance Act of 1961
5 (22 U.S.C. 2416) is amended—

6 (1) by striking “Not later than January 31 of
7 each year,” and inserting “Upon written request by
8 the chairman or ranking member of the Committee
9 on International Relations of the House of Rep-
10 resentatives or the Committee on Foreign Relations
11 of the Senate,”; and

12 (2) by inserting “of a country specified in the
13 request” after “personnel”.

14 **SEC. 862. REPORT RELATING TO INTERNATIONAL ARMS**
15 **SALES CODE OF CONDUCT.**

16 Section 1262(c) of the Admiral James W. Nance and
17 Meg Donovan Foreign Relations Authorization Act, Fiscal
18 Years 2000 and 2001 (as enacted by section 1000(a)(7)
19 of Public Law 106–113; 113 Stat 1501A–508) is
20 amended—

21 (1) in paragraph (1)—

22 (A) by striking “commencement of the ne-
23 gotiations under subsection (a),” and inserting

24 “date of the enactment of the Foreign Relations

1 Authorization Act, Fiscal Years 2002 and
2 2003,”; and

3 (B) by striking “during these negotia-
4 tions.” and inserting “to begin negotiations and
5 any progress made to conclude an agreement
6 during negotiations.”; and

7 (2) in paragraph (2), by striking “subsection
8 (a)” and inserting “subsection (b)”.

○