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107TH CONGRESS
1ST SESSION

H. R. 1646

[Report No. 107-57]

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

MAY 4, 2001

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 27, 2001]

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”.*

1 SEC. 2. TABLE OF CONTENTS.

2 *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 Activities

- Sec. 121. Authorizations of appropriations.*

Subtitle C—Global Democracy Promotion Act of 2001

- Sec. 131. Short title.*
Sec. 132. Findings.
Sec. 133. Assistance for foreign nongovernmental organizations under part I of the Foreign Assistance Act of 1961.

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. Royal Ulster Constabulary training.
Sec. 204. Report concerning elimination of Colombian opium.
Sec. 205. Repeal of provision regarding housing for foreign agricultural attache.
Sec. 206. Human rights monitoring.
Sec. 207. Correction of Fishermen’s Protective Act of 1967.
Sec. 208. International litigation fund.
Sec. 209. Emergency evacuation services.
Sec. 210. Implementation of the Intercountry Adoption Act of 2000.
Sec. 211. Report concerning the effect of Plan Colombia on Ecuador.
Sec. 212. Report concerning efforts to promote Israel’s diplomatic relations with other countries.
Sec. 213. Reports on activities in the Republic of Colombia.

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.*
Sec. 236. Denial of visas to supporters of Colombian illegal armed groups.

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

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- Sec. 301. Comprehensive 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.
Sec. 305. United States Special Envoy for Sudan 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.
Sec. 343. Use of funds authorized for minority recruitment.

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

- Sec. 401. Extension of requirement for scholarships for Tibetans and Burmese.*
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Sec. 403. Fulbright-Hays authorities.
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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.
Sec. 503. Personal services contracting pilot program.
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Sec. 505. Repeal of ban on United States transmitter in Kuwait.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

- Sec. 601. United Nations arrears payments and reform.*
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Sec. 603. United States policy on composition of the United Nations Human Rights Commission.
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TITLE VII—MISCELLANEOUS PROVISIONS

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Sec. 702. Amendments to the North Korea Threat Reduction Act of 1999.
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Sec. 705. Participation of South Asia countries in international law enforcement.

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.
Sec. 738. Sense of Congress supporting properly conducted elections in Kosova during 2001.
Sec. 739. Sense of Congress relating to policy review of relations with the People's Republic of China.
Sec. 740. Sense of Congress relating to broadcasting in the Macedonian language by Radio Free Europe.
Sec. 741. Sense of Congress relating to Magen David Adom Society.
Sec. 742. Sense of Congress urging the return of portraits painted by Dina Babbitt during her internment at Auschwitz that are now in the possession of the Auschwitz-Birkenau State Museum.
Sec. 743. Sense of Congress regarding Vietnamese refugee families.
Sec. 744. Sense of Congress relating to membership of the United States in UNESCO.
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Sec. 822. *Leases of defense articles for foreign countries and international organizations.*

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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.*

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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 commit-*
5*tees” means the Committee on International Relations*

1 *of the House of Representatives and the Committee*
2 *on Foreign Relations of the Senate.*

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

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

7 ***TITLE I—AUTHORIZATIONS OF***
8 ***APPROPRIATIONS***
9 ***Subtitle A—Department of State***

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

11 *The following amounts are authorized to be appro-*
12 *priated for the Department of State under “Administration*
13 *of Foreign Affairs” to carry out the authorities, functions,*
14 *duties, and responsibilities in the conduct of the foreign af-*
15 *fairs of the United States and for other purposes authorized*
16 *by law, including public diplomacy activities and the diplo-*
17 *matic security program:*

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

19 (A) *AUTHORIZATION OF APPROPRIA-*
20 *TIONS.*—*For “Diplomatic and Consular Pro-*
21 *grams” of the Department of State,*
22 *\$3,705,140,000 for the fiscal year 2002 and such*
23 *sums as may be necessary for the fiscal year*
24 *2003.*

25 (B) *LIMITATIONS.*—

1 (i) *WORLDWIDE SECURITY UP-*
2 *GRADES.—Of the amounts authorized to be*
3 *appropriated by subparagraph (A),*
4 *\$487,735,000 for the fiscal year 2002 and*
5 *such sums as may be necessary for the fiscal*
6 *year 2003 are authorized to be appropriated*
7 *only for worldwide security upgrades.*

8 (ii) *BUREAU OF DEMOCRACY, HUMAN*
9 *RIGHTS, AND LABOR.—Of the amounts au-*
10 *thorized to be appropriated by subpara-*
11 *graph (A), \$16,000,000 for the fiscal year*
12 *2002 and \$20,000,000 for the fiscal year*
13 *2003 are authorized to be appropriated only*
14 *for salaries and expenses of the Bureau of*
15 *Democracy, Human Rights, and Labor.*

16 (iii) *RECRUITMENT OF MINORITY*
17 *GROUPS.—Of the amounts authorized to be*
18 *appropriated by subparagraph (A),*
19 *\$2,000,000 for the fiscal year 2002 and*
20 *\$2,000,000 for the fiscal year 2003 are au-*
21 *thorized to be appropriated only for the re-*
22 *ruitment of members of minority groups*
23 *for careers in the Foreign Service and inter-*
24 *national affairs.*

1 (iv) *MOBILE LIBRARY FOR UNITED*
2 *STATES INTERESTS SECTION IN CUBA.*—Of
3 *the amounts authorized to be appropriated*
4 *by subparagraph (A), \$70,000 for the fiscal*
5 *year 2002 and \$70,000 for the fiscal year*
6 *2003 are authorized to be appropriated only*
7 *for the establishment and operation of a mo-*
8 *bile library at the United States Interests*
9 *Section in Cuba primarily for use by dis-*
10 *sidents and democracy activists in Cuba.*

11 (2) *CAPITAL INVESTMENT FUND.*—For “*Capital*
12 *Investment Fund*” of the Department of State,
13 *\$210,000,000 for the fiscal year 2002 and such sums*
14 *as may be necessary for the fiscal year 2003.*

15 (3) *EMBASSY SECURITY, CONSTRUCTION AND*
16 *MAINTENANCE.*—In addition to amounts otherwise
17 *authorized to be appropriated for “Embassy Security,*
18 *Construction and Maintenance” by section 604 of the*
19 *Admiral James W. Nance and Meg Donovan Foreign*
20 *Relations Authorization Act, Fiscal Years 2000 and*
21 *2001 (section 604 of division A of H.R. 3427, as en-*
22 *acted into law by section 1000(a)(7) of Public Law*
23 *106–113; appendix G; 113 Stat. 1501A–470), there*
24 *are authorized to be appropriated for “Embassy Secu-*
25 *urity, Construction and Maintenance”, \$475,046,000*

1 for the fiscal year 2002 and such sums as may be nec-
2 essary for the fiscal year 2003.

3 (4) *REPRESENTATION ALLOWANCES.*—For “Rep-
4 resentation Allowances”, \$9,000,000 for the fiscal year
5 2002 and \$9,000,000 for the fiscal year 2003.

6 (5) *EMERGENCIES IN THE DIPLOMATIC AND CON-*
7 *SULAR SERVICE.*—For “Emergencies in the Diplo-
8 matic and Consular Service”, \$15,500,000 for the fis-
9 cal year 2002 and \$15,500,000 for the fiscal year
10 2003.

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

15 (7) *PAYMENT TO THE AMERICAN INSTITUTE IN*
16 *TAIWAN.*—For “Payment to the American Institute in
17 Taiwan”, \$17,044,000 for the fiscal year 2002 and
18 such sums as may be necessary for the fiscal year
19 2003.

20 (8) *PROTECTION OF FOREIGN MISSIONS AND OF-*
21 *FICIALS.*—

22 (A) *AMOUNTS AUTHORIZED TO BE APPRO-*
23 *PRIATED.*—For “Protection of Foreign Missions
24 and Officials”, \$10,000,000 for the fiscal year
25 2002 and \$10,000,000 for the fiscal year 2003.

1 (B) *AVAILABILITY OF FUNDS.—Each*
2 *amount appropriated pursuant to this para-*
3 *graph is authorized to remain available through*
4 *September 30 of the fiscal year following the fis-*
5 *cal year for which the amount was appropriated.*

6 (9) *REPATRIATION LOANS.—For “Repatriation*
7 *Loans”, \$1,219,000 for the fiscal year 2002 and*
8 *\$1,219,000 for the fiscal year 2003, for administrative*
9 *expenses.*

10 **SEC. 102. INTERNATIONAL COMMISSIONS.**

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

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

20 (A) *for “Salaries and Expenses”,*
21 *\$7,452,000 for the fiscal year 2002 and such*
22 *sums as may be necessary for the fiscal year*
23 *2003; and*

1 (B) for “Construction”, \$25,654,000 for the
2 fiscal year 2002 and such sums as may be nec-
3 essary for the fiscal year 2003.

4 (2) *INTERNATIONAL BOUNDARY COMMISSION,*
5 *UNITED STATES AND CANADA.—For “International*
6 *Boundary Commission, United States and Canada”,*
7 *\$989,000 for the fiscal year 2002 and such sums as*
8 *may be necessary for the fiscal year 2003.*

9 (3) *INTERNATIONAL JOINT COMMISSION.—For*
10 *“International Joint Commission”, \$7,282,000 for the*
11 *fiscal year 2002 and such sums as may be necessary*
12 *for the fiscal year 2003.*

13 (4) *INTERNATIONAL FISHERIES COMMISSIONS.—*
14 *For “International Fisheries Commissions”,*
15 *\$19,780,000 for the fiscal year 2002 and such sums*
16 *as may be necessary for the fiscal year 2003.*

17 **SEC. 103. UNITED STATES EDUCATIONAL AND CULTURAL**
18 **PROGRAMS.**

19 *The following amounts are authorized to be appro-*
20 *priated for the Department of State to carry out inter-*
21 *national activities and educational and cultural exchange*
22 *programs under the United States Information and Edu-*
23 *cational Exchange Act of 1948, the Mutual Educational*
24 *and Cultural Exchange Act of 1961, Reorganization Plan*
25 *Number 2 of 1977, the Center for Cultural and Technical*

1 *Interchange Between East and West Act of 1960, the Dante*
2 *B. Fascell North-South Center Act of 1991, and the Na-*
3 *tional Endowment for Democracy Act, and to carry out*
4 *other authorities in law consistent with such purposes:*

5 (1) *EDUCATIONAL AND CULTURAL EXCHANGE*
6 *PROGRAMS.—*

7 (A) *FULBRIGHT ACADEMIC EXCHANGE PRO-*
8 *GRAMS.—*

9 (i) *IN GENERAL.—For the “Fulbright*
10 *Academic Exchange Programs” (other than*
11 *programs described in subparagraph (B)),*
12 *\$125,000,000 for the fiscal year 2002 and*
13 *such sums as may be necessary for the fiscal*
14 *year 2003.*

15 (ii) *NEW CENTURY SCHOLARS INITIA-*
16 *TIVE—HIV/AIDS.—Of the amounts author-*
17 *ized to be appropriated under clause (i), up*
18 *to \$1,000,000 for the fiscal year 2002 and*
19 *up to \$1,000,000 for the fiscal year 2003*
20 *are authorized to be available only for HIV/*
21 *AIDS research and mitigation strategies*
22 *under the Health Issues in a Border-Less*
23 *World academic program of the New Cen-*
24 *tury Scholars Initiative.*

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

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

14 (i) *IN GENERAL.*—For other edu-
15 cational and cultural exchange programs
16 authorized by law, \$117,000,000 for the fis-
17 cal year 2002 and such sums as may be
18 necessary for the fiscal year 2003.

19 (ii) *SOUTH PACIFIC EXCHANGES.*—Of
20 the amounts authorized to be appropriated
21 under clause (i), \$750,000 for the fiscal
22 year 2002 and \$750,000 for the fiscal year
23 2003 are authorized to be available for
24 “South Pacific Exchanges”.

1 (iii) *EAST TIMORESE SCHOLAR-*
2 *SHIPS.—Of the amounts authorized to be*
3 *appropriated under clause (i), \$500,000 for*
4 *the fiscal year 2002 and \$500,000 for the*
5 *fiscal year 2003 are authorized to be avail-*
6 *able for “East Timorese Scholarships”.*

7 (iv) *AFRICAN EXCHANGES.—Of the*
8 *amounts authorized to be appropriated*
9 *under clause (i), \$500,000 for the fiscal*
10 *year 2002 and \$500,000 for the fiscal year*
11 *2003 are authorized to be available only for*
12 *“Educational and Cultural Exchanges with*
13 *Sub-Saharan Africa”.*

14 (v) *ISRAEL-ARAB PEACE PARTNERS*
15 *PROGRAM.—Of the amounts authorized to be*
16 *appropriated under clause (i), \$750,000 for*
17 *the fiscal year 2002 and \$750,000 for the*
18 *fiscal year 2003 are authorized to be avail-*
19 *able only for people-to-people activities*
20 *(with a focus on young people) to support*
21 *the Middle East peace process involving*
22 *participants from Israel, the Palestinian*
23 *Authority, Arab countries, and the United*
24 *States, to be known as the “Israel-Arab*
25 *Peace Partners Program”.*

1 (vi) *SUDANESE SCHOLARSHIPS.*—Of
2 the amounts authorized to be appropriated
3 under clause (i), \$500,000 for the fiscal
4 year 2002 and \$500,000 for the fiscal year
5 2003 are authorized to be available only for
6 scholarships for students from southern
7 Sudan for secondary or postsecondary edu-
8 cation in the United States, to be known as
9 “Sudanese Scholarships”.

10 (2) *NATIONAL ENDOWMENT FOR DEMOCRACY.*—
11 For the “National Endowment for Democracy”,
12 \$36,000,000 for the fiscal year 2002 and \$40,000,000
13 for the fiscal year 2003.

14 (3) *REAGAN-FASCELL DEMOCRACY FELLOWS.*—
15 For a fellowship program, to be known as the
16 “Reagan-Fascell Democracy Fellows”, for democracy
17 activists and scholars from around the world at the
18 International Forum for Democratic Studies in
19 Washington, D.C., to study, write, and exchange
20 views with other activists and scholars and with
21 Americans, \$1,000,000 for the fiscal year 2002 and
22 \$1,000,000 for the fiscal year 2003.

23 (4) *DANTE B. FASCELL NORTH-SOUTH CEN-*
24 *TER.*—For “Dante B. Fascell North-South Center”

1 \$4,000,000 for the fiscal year 2002 and \$4,000,000
2 for the fiscal year 2003.

3 (5) CENTER FOR CULTURAL AND TECHNICAL
4 INTERCHANGE BETWEEN EAST AND WEST.—For the
5 “Center for Cultural and Technical Interchange be-
6 tween East and West”, \$13,500,000 for the fiscal year
7 2002 and \$13,500,000 for the fiscal year 2003.

8 **SEC. 104. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**
9 **TIONS.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) IN GENERAL.—There are authorized to be ap-
12 propriated under the heading “Contributions to Inter-
13 national Organizations” \$944,067,000 for the fiscal
14 year 2002 and such sums as may be necessary for the
15 fiscal year 2003 for the Department of State to carry
16 out the authorities, functions, duties, and responsibil-
17 ities in the conduct of the foreign affairs of the United
18 States with respect to international organizations and
19 to carry out other authorities in law consistent with
20 such purposes.

21 (2) UNESCO.—

22 (A) Of the amounts authorized to be
23 appropriated under paragraph (1),
24 \$59,800,000 for the fiscal year 2002 and
25 \$59,800,000 for the fiscal year 2003 is au-

1 *thorized to be appropriated only for pay-*
2 *ment of assessed contributions of the United*
3 *States to the United Nations Educational,*
4 *Scientific and Cultural Organization*
5 *(UNESCO).*

6 *(B) Of the amounts authorized to be*
7 *appropriated under paragraph (1) for the*
8 *fiscal year 2002, \$5,500,000 is authorized to*
9 *be appropriated only for payments to the*
10 *UNESCO Working Capital Fund.*

11 *(b) AVAILABILITY OF FUNDS FOR CIVIL BUDGET OF*
12 *NATO.—Of the amounts authorized to be appropriated*
13 *under the heading “Contributions to International Organi-*
14 *zations” for fiscal year 2002 and for each fiscal year there-*
15 *after such sums as may be necessary are authorized for the*
16 *United States assessment for the civil budget of the North*
17 *Atlantic Treaty Organization.*

18 *(c) PROHIBITION ON FUNDING OTHER FRAMEWORK*
19 *TREATY-BASED ORGANIZATIONS.—None of the funds made*
20 *available for the 2002–2003 biennium budget under sub-*
21 *section (a) for United States contributions to the regular*
22 *budget of the United Nations shall be available for the*
23 *United States proportionate share of any other framework*
24 *treaty-based organization, including the Framework Con-*

1 *vention on Global Climate Change, the International Sea-*
2 *bed Authority, and the International Criminal Court.*

3 *(d) FOREIGN CURRENCY EXCHANGE RATES.—*

4 *(1) AUTHORIZATION OF APPROPRIATIONS.—In*
5 *addition to amounts authorized to be appropriated by*
6 *subsection (a), there are authorized to be appropriated*
7 *such sums as may be necessary for each of fiscal years*
8 *2002 and 2003 to offset adverse fluctuations in for-*
9 *ign currency exchange rates.*

10 *(2) AVAILABILITY OF FUNDS.—Amounts appro-*
11 *priated under this subsection shall be available for ob-*
12 *ligation and expenditure only to the extent that the*
13 *Director of the Office of Management and Budget de-*
14 *termines and certifies to Congress that such amounts*
15 *are necessary due to such fluctuations.*

16 *(e) REFUND OF EXCESS CONTRIBUTIONS.—The*
17 *United States shall continue to insist that the United Na-*
18 *tions and its specialized and affiliated agencies shall credit*
19 *or refund to each member of the agency concerned its pro-*
20 *portionate share of the amount by which the total contribu-*
21 *tions to the agency exceed the expenditures of the regular*
22 *assessed budgets of these agencies.*

1 **SEC. 105. CONTRIBUTIONS FOR INTERNATIONAL PEACE-**
2 **KEEPING ACTIVITIES.**

3 *There are authorized to be appropriated under the*
4 *heading “Contributions for International Peacekeeping Ac-*
5 *tivities” \$844,139,000 for the fiscal year 2002 and such*
6 *sums as may be necessary for the fiscal year 2003 for the*
7 *Department of State to carry out the authorities, functions,*
8 *duties, and responsibilities in the conduct of the foreign af-*
9 *fairs of the United States with respect to international*
10 *peacekeeping activities and to carry out other authorities*
11 *in law consistent with such purposes.*

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

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

16 *“SEC. 404. There are authorized to be appropriated*
17 *to the Secretary of State \$15,000,000 for the fiscal year*
18 *2002 and \$15,000,000 for the fiscal year 2003 for grants*
19 *to The Asia Foundation pursuant to this title.”.*

20 **SEC. 107. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL**
21 **ORGANIZATIONS.**

22 *(a) AUTHORIZATION OF APPROPRIATIONS.—There are*
23 *authorized to be appropriated for the Department of State*
24 *for “Voluntary Contributions to International Organiza-*
25 *tions”, \$186,000,000 for the fiscal year 2002 and such sums*
26 *as may be necessary for the fiscal year 2003.*

1 **(b) LIMITATIONS ON AUTHORIZATIONS OF APPROPRIA-**
2 **TIONS.—**

3 **(1) WORLD FOOD PROGRAM.—***Of the amounts*
4 *authorized to be appropriated under subsection (a),*
5 *\$5,000,000 for the fiscal year 2002 and \$5,000,000 for*
6 *the fiscal year 2003 are authorized to be appropriated*
7 *only for a United States contribution to the World*
8 *Food Program.*

9 **(2) UNITED NATIONS VOLUNTARY FUND FOR VIC-**
10 **TIMS OF TORTURE.—***Of the amounts authorized to be*
11 *appropriated under subsection (a), \$5,000,000 for the*
12 *fiscal year 2002 and \$5,000,000 for the fiscal year*
13 *2003 are authorized to be appropriated only for a*
14 *United States contribution to the United Nations Vol-*
15 *untary Fund for Victims of Torture.*

16 **(3) ORGANIZATION OF AMERICAN STATES.—***Of*
17 *the amounts authorized to be appropriated under sub-*
18 *section (a), \$240,000 for the fiscal year 2002 and*
19 *\$240,000 for the fiscal year 2003 are authorized to be*
20 *appropriated only for a United States contribution to*
21 *the Organization of American States for the Office of*
22 *the Special Rapporteur for Freedom of Expression in*
23 *the Western Hemisphere, solely for the purpose of con-*
24 *ducting investigations, including field visits, to estab-*
25 *lish a network of nongovernmental organizations, and*

1 *to hold hemispheric conferences, of which \$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 Gov-*
5 *ernment of Cuba, \$6,000 for each fiscal year is au-*
6 *thorized to be appropriated only for the investigation*
7 *and dissemination of information on violations of*
8 *freedom of expression by the Government of Peru,*
9 *\$6,000 for each fiscal year is authorized to be appro-*
10 *priated only for the investigation and dissemination*
11 *of information on violations of freedom of expression*
12 *by the Government of Colombia, and \$6,000 for each*
13 *fiscal year is authorized to be appropriated only for*
14 *the investigation and dissemination of information on*
15 *violations of freedom of expression by the Government*
16 *of Haiti.*

17 *(c) RESTRICTIONS ON UNITED STATES VOLUNTARY*
18 *CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT PRO-*
19 *GRAM.—*

20 *(1) LIMITATION.—Of the amounts made avail-*
21 *able under subsection (a) for each of the fiscal years*
22 *2002 and 2003 for United States voluntary contribu-*
23 *tions to the United Nations Development Program an*
24 *amount equal to the amount the United Nations De-*
25 *velopment Program will spend in Burma during each*

1 *fiscal year shall be withheld unless during such fiscal*
2 *year the Secretary of State submits to the appropriate*
3 *congressional committees the certification described in*
4 *paragraph (2).*

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

11 (A) *are focused on eliminating human suf-*
12 *fering and addressing the needs of the poor;*

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

22 (C) *provide no financial, political, or mili-*
23 *tary benefit to the SPDC; and*

24 (D) *are carried out only after consultation*
25 *with the leadership of the National League for*

1 *Democracy and the leadership of the National*
2 *Coalition Government of the Union of Burma.*

3 *(d) UNICEF.—There is authorized to be appropriated*
4 *\$120,000,000 for the fiscal year 2002 for a United States*
5 *voluntary contribution to UNICEF.*

6 *(e) ORGANIZATIONS AND PROGRAMS THAT SUPPORT*
7 *COERCIVE ABORTION OR INVOLUNTARY STERILIZATION.—*
8 *None of the funds authorized to be appropriated by this Act*
9 *may be made available to any organization or program*
10 *which, as determined by the President of the United States,*
11 *supports, or participates in the management of, a program*
12 *of coercive abortion or involuntary sterilization.*

13 *(f) AVAILABILITY OF FUNDS.—Amounts authorized to*
14 *be appropriated under subsection (a) are authorized to re-*
15 *main available until expended.*

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

17 *(a) MIGRATION AND REFUGEE ASSISTANCE.—*

18 *(1) AUTHORIZATION OF APPROPRIATIONS.—*
19 *There are authorized to be appropriated for the De-*
20 *partment of State for “Migration and Refugee Assist-*
21 *ance” for authorized activities, \$817,000,000 for the*
22 *fiscal year 2002 and \$817,000,000 for the fiscal year*
23 *2003.*

24 *(2) LIMITATIONS.—*

1 (A) *TIBETAN REFUGEES IN INDIA AND*
2 *NEPAL.*—*Of the amounts authorized to be appro-*
3 *propriated in paragraph (1), \$2,000,000 for the fis-*
4 *cal year 2002 and \$2,000,000 for the fiscal year*
5 *2003 are authorized to be available for humani-*
6 *tarian assistance, including food, medicine,*
7 *clothing, and medical and vocational training,*
8 *to Tibetan refugees in India and Nepal who have*
9 *fled Chinese-occupied Tibet.*

10 (B) *REFUGEES RESETTLING IN ISRAEL.*—*Of*
11 *the amounts authorized to be appropriated in*
12 *paragraph (1), \$60,000,000 for the fiscal year*
13 *2002 and \$60,000,000 for the fiscal year 2003*
14 *are authorized to be available only for assistance*
15 *for refugees resettling in Israel from other coun-*
16 *tries.*

17 (C) *HUMANITARIAN ASSISTANCE FOR DIS-*
18 *PLACED BURMESE.*—*Of the amounts authorized*
19 *to be appropriated in paragraph (1), \$2,000,000*
20 *for the fiscal year 2002 and \$2,000,000 for the*
21 *fiscal year 2003 are authorized to be available*
22 *for humanitarian assistance (including food,*
23 *medicine, clothing, and medical and vocational*
24 *training) to persons displaced as a result of civil*

1 *conflict in Burma, including persons still within*
2 *Burma.*

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

6 **Subtitle B—United States Inter-**
7 **national Broadcasting Activities**

8 **SEC. 121. AUTHORIZATIONS OF APPROPRIATIONS.**

9 **(a) IN GENERAL.**—*The following amounts are author-*
10 *ized to be appropriated to carry out the United States*
11 *International Broadcasting Act of 1994, the Radio Broad-*
12 *casting to Cuba Act, and the Television Broadcasting to*
13 *Cuba Act, and to carry out other authorities in law con-*
14 *sistent with such purposes:*

15 **(1) INTERNATIONAL BROADCASTING OPER-**
16 **ATIONS.**—

17 **(A) IN GENERAL.**—*For “International*
18 *Broadcasting Operations”, \$428,234,000 for the*
19 *fiscal year 2002, and such sums as may be nec-*
20 *essary for the fiscal year 2003.*

21 **(B) LIMITATIONS.**—

22 **(i) TRANSMISSION FACILITIES IN**
23 **BELIZE.**—*Of the amounts authorized to be*
24 *appropriated under subparagraph (A),*
25 *\$750,000 for the fiscal year 2002 is author-*

1 ized to be appropriated only for enhance-
2 ments to and costs of transmission from the
3 facilities in Belize.

4 (ii) *RADIO FREE ASIA*.—Of the
5 amounts authorized to be appropriated
6 under subparagraph (A), \$30,000,000 for
7 the fiscal year 2002 and \$30,000,000 for the
8 fiscal year 2003 are authorized to be appro-
9 priated only for “Radio Free Asia”.

10 (2) *BROADCASTING CAPITAL IMPROVEMENTS*.—
11 For “Broadcasting Capital Improvements”,
12 \$16,900,000 for the fiscal year 2002 and such sums
13 as may be necessary for the fiscal year 2003.

14 (3) *BROADCASTING TO CUBA*.—For “Broad-
15 casting to Cuba”, \$25,000,000 for the fiscal year 2002
16 and \$25,000,000 for the fiscal year 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 APPROPRIATIONS*
2 *FOR MIDDLE EAST RADIO NETWORK OF VOICE OF AMER-*
3 *ICA.—In addition to such amounts as are made available*
4 *for the Middle East Radio Network of Voice of America pur-*
5 *suant to the authorization of appropriations under sub-*
6 *section (a), there is authorized to be appropriated*
7 *\$15,000,000 for the fiscal year 2002 for the Middle East*
8 *Radio Network of Voice of America.*

9 ***Subtitle C—Global Democracy***
10 ***Promotion Act of 2001***

11 ***SEC. 131. SHORT TITLE.***

12 *This title may be cited as the “Global Democracy Pro-*
13 *motion Act of 2001”.*

14 ***SEC. 132. FINDINGS.***

15 *The Congress finds the following:*

16 (1) *It is a fundamental principle of American*
17 *medical ethics and practice that health care providers*
18 *should, at all times, deal honestly and openly with*
19 *patients. Any attempt to subvert the private and sen-*
20 *sitive physician-patient relationship would be intoler-*
21 *able in the United States and is an unjustifiable in-*
22 *trusion into the practices of health care providers*
23 *when attempted in other countries.*

24 (2) *Freedom of speech is a fundamental Amer-*
25 *ican value. The ability to exercise the right to free*

1 *speech, which includes the “right of the people peace-*
2 *ably to assemble, and to petition the government for*
3 *a redress of grievances” is essential to a thriving de-*
4 *mocracy and is protected under the United States*
5 *Constitution.*

6 *(3) The promotion of democracy is a principal*
7 *goal of United States foreign policy and critical to*
8 *achieving sustainable development. It is enhanced*
9 *through the encouragement of democratic institutions*
10 *and the promotion of an independent and politically*
11 *active civil society in developing countries.*

12 *(4) Limiting eligibility for United States devel-*
13 *opment and humanitarian assistance upon the will-*
14 *ingness of a foreign nongovernmental organization to*
15 *forgo its right to use its own funds to address, within*
16 *the democratic process, a particular issue affecting the*
17 *citizens of its own country directly undermines a key*
18 *goal of United States foreign policy and would violate*
19 *the United States Constitution if applied to United*
20 *States-based organizations.*

21 *(5) Similarly, limiting the eligibility for United*
22 *States assistance on a foreign nongovernmental orga-*
23 *nization’s willingness to forgo its right to provide,*
24 *with its own funds, medical services that are legal in*
25 *its own country and would be legal if provided in the*

1 *United States constitutes unjustifiable interference*
2 *with the ability of independent organizations to serve*
3 *the critical health needs of their fellow citizens and*
4 *demonstrates a disregard and disrespect for the laws*
5 *of sovereign nations as well as for the laws of the*
6 *United States.*

7 **SEC. 133. ASSISTANCE FOR FOREIGN NONGOVERNMENTAL**
8 **ORGANIZATIONS UNDER PART I OF THE FOR-**
9 **EIGN ASSISTANCE ACT OF 1961.**

10 *Notwithstanding any other provision of law, regula-*
11 *tion, or policy, in determining eligibility for assistance au-*
12 *thorized under part I of the Foreign Assistance Act of 1961*
13 *(22 U.S.C. 2151 et seq.), foreign nongovernmental*
14 *organizations—*

15 *(1) shall not be ineligible for such assistance sole-*
16 *ly on the basis of health or medical services including*
17 *counseling and referral services, provided by such or-*
18 *ganizations with non-United States Government*
19 *funds if such services do not violate the laws of the*
20 *country in which they are being provided and would*
21 *not violate United States Federal law if provided in*
22 *the United States; and*

23 *(2) shall not be subject to requirements relating*
24 *to the use of non-United States Government funds for*
25 *advocacy and lobbying activities other than those that*

1 *apply to United States nongovernmental organiza-*
2 *tions receiving assistance under part I of such Act.*

3 **TITLE II—AUTHORITIES AND AC-**
4 **TIVITIES OF THE DEPART-**
5 **MENT OF STATE**

6 **Subtitle A—Basic Authorities and**
7 **Activities**

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

9 *(a) REPORTS ON CLAIMS BY UNITED STATES FIRMS*
10 *AGAINST THE GOVERNMENT OF SAUDI ARABIA.—Section*
11 *2801(b)(1) of the Foreign Affairs Reform and Restructuring*
12 *Act of 1998 (as enacted by division G of the Omnibus Con-*
13 *solidated and Emergency Supplemental Appropriations*
14 *Act, 1999; Public Law 105–277) is amended by striking*
15 *“seventh” and inserting “eleventh”.*

16 *(b) REPORTS ON DETERMINATIONS UNDER TITLE IV*
17 *OF THE LIBERTAD ACT.—Section 2802(a) of the Foreign*
18 *Affairs Reform and Restructuring Act of 1998 (as enacted*
19 *by division G of the Omnibus Consolidated and Emergency*
20 *Supplemental Appropriations Act, 1999; Public Law 105–*
21 *277) is amended by striking “September 30, 2001,” and*
22 *inserting “September 30, 2003,”.*

23 *(c) RELATIONS WITH VIETNAM.—Section 2805 of the*
24 *Foreign Affairs Reform and Restructuring Act of 1998 (as*
25 *enacted by division G of the Omnibus Consolidated and*

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

4 (d) *REPORTS ON BALLISTIC MISSILE COOPERATION*
5 *WITH RUSSIA.*—Section 2705(d) of the *Foreign Affairs Re-*
6 *form and Restructuring Act of 1998 (as enacted by division*
7 *G of the Omnibus Consolidated and Emergency Supple-*
8 *mental Appropriations Act, 1999; Public Law 105–277) is*
9 *amended by striking “and January 1, 2001,” and inserting*
10 *“January 1, 2001, January 1, 2002, and January 1,*
11 *2003”.*

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

13 (a) *SEMIANNUAL REPORTS ON UNITED STATES SUP-*
14 *PORT FOR MEMBERSHIP OR PARTICIPATION OF TAIWAN IN*
15 *INTERNATIONAL ORGANIZATIONS.*—Section 704(a) of the
16 *Admiral James W. Nance and Meg Donovan Foreign Rela-*
17 *tions Authorization Act, Fiscal Years 2000 and 2001 (sec-*
18 *tion 704(a) of division A of H.R. 3427, as enacted into law*
19 *by section 1000(a)(7) of Public Law 106–113, appendix G;*
20 *113 Stat. 1501A–460) is amended by striking “and 2001,”*
21 *and inserting “, 2001, 2002, and 2003,”.*

22 (b) *REPORT ON TERRORIST ACTIVITY IN WHICH*
23 *UNITED STATES CITIZENS WERE KILLED AND RELATED*
24 *MATTERS.*—Section 805(a) of the *Admiral James W. Nance*
25 *and Meg Donovan Foreign Relations Authorization Act,*

1 *Fiscal Years 2000 and 2001 (section 805(a) of division A*
2 *of H.R. 3427, as enacted into law by section 1000(a)(7)*
3 *of Public Law 106–113; appendix G; 113 Stat. 1501A–470)*
4 *is amended by striking “October 1, 2001,” and inserting*
5 *“October 1, 2003,”.*

6 **SEC. 203. ROYAL ULSTER CONSTABULARY TRAINING.**

7 (a) *REPORT ON PAST TRAINING PROGRAMS.—Section*
8 *405(b) of the Admiral James W. Nance and Meg Donovan*
9 *Foreign Relations Authorization Act, Fiscal Years 2000*
10 *and 2001 (as enacted into law by section 1000(a)(7) of Pub-*
11 *lic Law 106–113; 113 Stat. 1501A–447) is amended in the*
12 *matter preceding paragraph (1)—*

13 (1) *by striking “The President” and inserting*
14 *“Not later than 60 days after the date of the enact-*
15 *ment of the Foreign Relations Authorization Act, Fis-*
16 *cal Years 2002 and 2003, the President”;* and

17 (2) *by striking “during fiscal years 1994 through*
18 *1999” and inserting “during each of the fiscal years*
19 *1994 through 2000”.*

20 (b) *REPORT ON RELATED MATTERS.—Section 405 of*
21 *the Admiral James W. Nance and Meg Donovan Foreign*
22 *Relations Authorization Act, Fiscal Years 2000 and 2001,*
23 *is amended—*

24 (1) *by redesignating subsection (c) as subsection*
25 *(d); and*

1 (2) *by inserting after subsection (b) the fol-*
2 *lowing:*

3 “(c) *REPORT ON RELATED MATTERS.—Not later than*
4 *60 days after the date of the enactment of the Foreign Rela-*
5 *tions Authorization Act, Fiscal Years 2002 and 2003, the*
6 *President shall report on the following:*

7 “(1) *The extent to which the Government of the*
8 *United Kingdom has implemented the recommenda-*
9 *tions relating to the 175 policing reforms contained*
10 *in the Patten Commission report issued on September*
11 *9, 1999, including a description of the progress of the*
12 *integration of human rights, as well as recruitment*
13 *procedures aimed at increasing Catholic representa-*
14 *tion, in the new Northern Ireland police force.*

15 “(2) *The status of the investigations into the*
16 *murders of Patrick Finucane, Rosemary Nelson, and*
17 *Robert Hamill, including the extent to which progress*
18 *has been made on recommendations for independent*
19 *judicial inquiries into these murders.”.*

20 “(c) *CONFORMING AMENDMENTS.—Section 405 of the*
21 *Admiral James W. Nance and Meg Donovan Foreign Rela-*
22 *tions Authorization Act, Fiscal Years 2000 and 2001, as*
23 *amended by subsections (a) and (b), is further amended—*

24 (1) *in subsection (a)—*

1 (A) by striking “the report required by sub-
2 section (b)” and inserting “the reports required
3 by subsections (b) and (c)”; and

4 (B) by striking “subsection (c)(1)” and in-
5 serting “subsection (d)(1)”; and

6 (2) in subsection (d)(2) (as redesignated)—

7 (A) in the heading, by striking “2001” and
8 inserting “2003”; and

9 (B) by striking “2001” and inserting
10 “2003”.

11 **SEC. 204. REPORT CONCERNING ELIMINATION OF COLOM-**
12 **BIAN OPIUM.**

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

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

19 (2) *Interdicting heroin entering the United*
20 *States is difficult, in part because it can be trafficked*
21 *in such small quantities.*

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

1 (b) *REPORT TO CONGRESS.*—Not later than 60 days
2 after the date of the enactment of this Act, the Secretary
3 of State, through the Bureau of International Narcotics and
4 Law Enforcement, shall submit to the Congress a report
5 which outlines a comprehensive strategy to address the cri-
6 sis of heroin in the United States due to opium originating
7 from Colombia including destruction of opium at its source.

8 **SEC. 205. REPEAL OF PROVISION REGARDING HOUSING**
9 **FOR FOREIGN AGRICULTURAL ATTACHE.**

10 Section 738 of the Agriculture, Rural Development,
11 Food and Drug Administration, and Related Agencies Ap-
12 propriations Act, 2001 (as enacted into law by Public Law
13 106–387; 114 Stat. 1549A–34) is repealed.

14 **SEC. 206. HUMAN RIGHTS MONITORING.**

15 Funds authorized to be appropriated for the Bureau
16 of Democracy, Human Rights, and Labor pursuant to sec-
17 tion 101(1)(B)(i) are authorized to be available to fund
18 positions at United States posts abroad that are primarily
19 responsible for following human rights developments in for-
20 eign countries and that are assigned at the recommendation
21 of such bureau in conjunction with the relevant regional
22 bureau.

1 **SEC. 207. CORRECTION OF FISHERMEN'S PROTECTIVE ACT**
2 **OF 1967.**

3 *Section 7(a)(3) of the Fishermen's Protective Act of*
4 *1967 (22 U.S.C. 1977(A)(3)) is amended by striking "Sec-*
5 *retary of Commerce" and inserting "Secretary of State".*

6 **SEC. 208. INTERNATIONAL LITIGATION FUND.**

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

10 *"(e) RETENTION OF FUNDS.—*

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

20 *"(2) TREATMENT.—Amounts retained under the*
21 *authority of paragraph (1) shall be deposited into the*
22 *fund under subsection (d)."*

23 **SEC. 209. EMERGENCY EVACUATION SERVICES.**

24 *Section 4(b)(2)(A) of the State Department Basic Au-*
25 *thorities Act of 1956 (22 U.S.C. 2671(b)(2)(A)) is amended*
26 *to read as follows:*

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

15 **SEC. 210. IMPLEMENTATION OF THE INTERCOUNTRY ADOP-**
16 **TION ACT OF 2000.**

17 *The Secretary of State, acting through the Assistant*
18 *Secretary of State for Consular Affairs, shall consult with*
19 *the appropriate congressional committees on a regular basis*
20 *on the implementation of the Intercountry Adoption Act of*
21 *2000 (Public Law 106–279; 42 U.S.C. 14901 et seq.).*

22 **SEC. 211. REPORT CONCERNING THE EFFECT OF PLAN CO-**
23 **LOMBIA ON ECUADOR.**

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

1 (1) *There is a growing alarm concerning the*
2 *spillover effect of Plan Colombia on Ecuador, a front-*
3 *line state. The northern region of Ecuador, including*
4 *the Sucumbios province, is an area of particular con-*
5 *cern. It faces the Colombian Putumayo zone, where*
6 *there is no presence of military or law enforcement*
7 *personnel.*

8 (2) *Activities relating to the implementation of*
9 *Plan Colombia have resulted in incursions on Ecua-*
10 *dorian territory by drug traffickers and guerrilla and*
11 *paramilitary groups from Colombia and a concomi-*
12 *tant increase in the levels of violence and delinquency.*
13 *Recent kidnappings of American and other foreign*
14 *nationals, as well as discoveries of clandestine cocaine*
15 *laboratories, are especially troublesome.*

16 (3) *Ecuador is receiving an influx of Colombian*
17 *refugees and its own indigenous communities have*
18 *been displaced from their ancestral villages.*

19 (4) *Ecuador has demonstrated its moral and po-*
20 *litical commitment in the fight against drugs. The*
21 *agreement signed in November 1999 with the United*
22 *States to establish a forward operating location in*
23 *Manta is a clear sign of this active stance.*

24 (5) *Ecuador is implementing a comprehensive*
25 *program aimed at reinforcing its security mecha-*

1 *nisms in the northern border, as well as converting*
2 *the area into a buffer zone of peace and development.*

3 *(b) REPORT TO CONGRESS.—Not later than 60 days*
4 *after the date of enactment of this Act, the Secretary of*
5 *State, through the Bureau of International Narcotics and*
6 *Law Enforcement, shall submit to Congress a report which*
7 *outlines a comprehensive strategy to address the spillover*
8 *effect of Plan Colombia on Ecuador.*

9 **SEC. 212. REPORT CONCERNING EFFORTS TO PROMOTE**
10 **ISRAEL'S DIPLOMATIC RELATIONS WITH**
11 **OTHER COUNTRIES.**

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

14 *(1) Israel is a friend and ally of the United*
15 *States whose security is vital to regional stability and*
16 *United States interests.*

17 *(2) Israel currently maintains diplomatic rela-*
18 *tions with 162 countries. Approximately 25 countries*
19 *do not have any diplomatic relations with Israel and*
20 *another 4 countries have only limited relations.*

21 *(3) The government of Israel has been actively*
22 *seeking to establish formal relations with a number of*
23 *countries.*

24 *(4) The United States should assist its ally,*
25 *Israel, in its efforts to establish diplomatic relations.*

1 (5) *After 52 years of existence, Israel deserves to*
2 *be treated as an equal nation by its neighbors and the*
3 *world community.*

4 ***(b) REPORT CONCERNING UNITED STATES EFFORTS***
5 ***TO PROMOTE ISRAEL'S DIPLOMATIC RELATIONS WITH***
6 ***OTHER COUNTRIES.—Not later than 60 days after the date***
7 ***of the enactment of this Act, and annually thereafter, the***
8 ***Secretary of State shall submit a report which includes the***
9 ***following information (in classified or unclassified form, as***
10 ***appropriate) to the Committee on Foreign Relations and***
11 ***the Committee on Appropriations of the Senate and the***
12 ***Committee on International Relations and the Committee***
13 ***on Appropriations of the House of Representatives:***

14 (1) *Actions taken by representatives of the*
15 *United States to encourage other countries to establish*
16 *full diplomatic relations with Israel.*

17 (2) *Specific responses solicited and received by*
18 *the Secretary of State from countries that do not*
19 *maintain full diplomatic relations with Israel with*
20 *respect to the status of negotiations to enter into dip-*
21 *lomatic relations with Israel.*

22 (3) *Other measures being undertaken, and meas-*
23 *ures that will be undertaken, by the United States to*
24 *ensure and promote Israel's full participation in the*
25 *world diplomatic community.*

1 **SEC. 213. REPORTS ON ACTIVITIES IN THE REPUBLIC OF**
2 **COLOMBIA.**

3 *(a) REPORT ON REFORM ACTIVITIES.—*

4 *(1) IN GENERAL.—Not later than 180 days after*
5 *the date of the enactment of this Act, and every 180*
6 *days thereafter, the Secretary of State shall submit to*
7 *the appropriate congressional committees a report on*
8 *the status of activities funded or authorized, in whole*
9 *or in part, by the Department of State in the Repub-*
10 *lic of Colombia to promote alternative development,*
11 *recovery and resettlement of internally displaced per-*
12 *sons, judicial reform, the peace process, and human*
13 *rights.*

14 *(2) CONTENTS.—Each such report shall contain*
15 *the following:*

16 *(A) A summary of activities described in*
17 *paragraph (1) during the previous 180-day pe-*
18 *riod.*

19 *(B) An estimated timetable for the conduct*
20 *of such activities in the subsequent 180-day pe-*
21 *riod.*

22 *(C) An explanation of any delays in meet-*
23 *ing timetables contained in previous reports sub-*
24 *mitted in accordance with this subsection.*

25 *(D) An assessment of steps to be taken to*
26 *correct any delays in meeting such timetables.*

1 **(b) REPORT ON CERTAIN COUNTERNARCOTICS ACTIVI-**
2 **TIES.—**

3 **(1) DECLARATION OF POLICY.—***It is the policy of*
4 *the United States to encourage the transfer of counter-*
5 *narcotics activities carried out in the Republic of Co-*
6 *lombia by United States businesses that have entered*
7 *into agreements with the Department of State to con-*
8 *duct such activities, to Colombian nationals, in par-*
9 *ticular personnel of the Colombian antinarcotics po-*
10 *lice, when properly qualified personnel are available.*

11 **(2) REPORT.—***Not later than 90 days after the*
12 *date of the enactment of this Act, and not later than*
13 *March 1 of each year thereafter, the Secretary of State*
14 *shall submit to the appropriate congressional commit-*
15 *tees a report on the activities of United States busi-*
16 *nesses that have entered into agreements with the De-*
17 *partment of State to carry out counternarcotics ac-*
18 *tivities in the Republic of Colombia.*

19 **(3) CONTENTS.—***Each such report shall contain*
20 *the following:*

21 **(A)** *The name of each United States busi-*
22 *ness described in paragraph (2) and description*
23 *of the counternarcotics activities carried out by*
24 *the business in Colombia.*

1 (B) *The total value of all payments by the*
2 *Department of State to each such business for*
3 *such activities.*

4 (C) *A written statement justifying the deci-*
5 *sion by the Department of State to enter into an*
6 *agreement with each such business for such ac-*
7 *tivities.*

8 (D) *An assessment of the risks to personal*
9 *safety and potential involvement in hostilities*
10 *incurred by employees of each such business as*
11 *a result of their activities in Colombia.*

12 (E) *A plan to provide for the transfer of the*
13 *counternarcotics activities carried out by such*
14 *United States businesses to Colombian nationals,*
15 *in particular personnel of the Colombian*
16 *antinarcotics police.*

17 (4) *DEFINITION.—In this subsection, the term*
18 *“United States business” means any corporation,*
19 *partnership, or other organization that employs 3 or*
20 *more individuals and is organized under the laws of*
21 *the United States.*

1 **Subtitle B—Consular Authorities**

2 **SEC. 231. MACHINE READABLE VISAS.**

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

6 *(1) by striking “2001, and 2002,” and inserting*
7 *“2001, 2002, and 2003,”; and*

8 *(2) by striking “and \$316,715,000 for fiscal year*
9 *2002” and inserting “\$414,000,000 for fiscal year*
10 *2002, and \$422,000,000 for fiscal year 2003,”.*

11 **SEC. 232. ESTABLISHMENT OF A CONSULAR BRANCH OF-** 12 **FICE IN LHASA, TIBET.**

13 *The Secretary of State shall make best efforts to estab-*
14 *lish a branch office in Lhasa, Tibet, of the United States*
15 *Consulate General in Chengdu, People’s Republic of China,*
16 *to monitor political, economic, and cultural developments*
17 *in Tibet.*

18 **SEC. 233. ESTABLISHMENT OF A DIPLOMATIC OR CON-** 19 **SULAR POST IN EQUATORIAL GUINEA.**

20 *The Secretary of State shall establish a diplomatic or*
21 *consular post in Equatorial Guinea.*

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

23 *It shall be the policy of the Department of State to*
24 *process immigrant visa applications of immediate relatives*
25 *of United States citizens and nonimmigrant K–1 visa ap-*

1 *plications of fiances of United States citizens within 30*
2 *days of the receipt of all necessary documents from the ap-*
3 *plicant and the Immigration and Naturalization Service.*
4 *In the case of an immigrant visa application where the*
5 *sponsor of such applicant is a relative other than an imme-*
6 *diante relative, it should be the policy of the Department of*
7 *State to process such an application within 60 days of the*
8 *receipt of all necessary documents from the applicant and*
9 *the Immigration and Naturalization Service.*

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

12 (a) *CONGRESSIONAL STATEMENT OF POLICY.—The*
13 *Congress maintains its commitment to relocating the*
14 *United States Embassy in Israel to Jerusalem and urges*
15 *the President, pursuant to the Jerusalem Embassy Act of*
16 *1995 (Public Law 104–45; 109 Stat. 398), to immediately*
17 *begin the process of relocating the United States Embassy*
18 *in Israel to Jerusalem.*

19 (b) *LIMITATION ON USE OF FUNDS FOR CONSULATE*
20 *IN JERUSALEM.—None of the funds authorized to be appro-*
21 *priated by this Act may be expended for the operation of*
22 *a United States consulate or diplomatic facility in Jeru-*
23 *salem unless such consulate or diplomatic facility is under*
24 *the supervision of the United States Ambassador to Israel.*

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

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

14 **SEC. 236. DENIAL OF VISAS TO SUPPORTERS OF COLOM-**
15 **BIAN ILLEGAL ARMED GROUPS.**

16 (a) *DENIAL OF VISAS TO PERSONS SUPPORTING CO-*
17 *LOMBIAN INSURGENT AND PARAMILITARY GROUPS.*—Sub-
18 *ject to subsection (b), the Secretary of State shall not issue*
19 *a visa to any alien who the Secretary determines, based*
20 *on credible evidence—*

21 (1) *has willfully provided direct or indirect sup-*
22 *port to the Revolutionary Armed Forces of Colombia*
23 *(FARC), the National Liberation Army (ELN), or the*
24 *United Self-Defense Forces of Colombia (AUC); or*

1 (2) *has willfully conspired to allow, facilitate, or*
2 *promote the illegal activities of any group listed in*
3 *paragraph (1).*

4 (b) *WAIVER.—Subsection (a) shall not apply if the*
5 *Secretary of State determines and certifies to the appro-*
6 *priate congressional committees, on a case-by-case basis,*
7 *that issuance of a visa to the alien is necessary to support*
8 *the peace process in Colombia, for urgent humanitarian*
9 *reasons, for significant public benefit, or to further the na-*
10 *tional security interests of the United States.*

11 ***Subtitle C—Migration and Refugees***

12 ***SEC. 251. UNITED STATES POLICY REGARDING THE INVOL-*** 13 ***UNTARY RETURN OF REFUGEES.***

14 (a) *IN GENERAL.—None of the funds made available*
15 *by this Act or by section 2(c) of the Migration and Refugee*
16 *Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be avail-*
17 *able to effect the involuntary return by the United States*
18 *of any person to a country in which the person has a well-*
19 *founded fear of persecution on account of race, religion, na-*
20 *tionality, membership in a particular social group, or po-*
21 *litical opinion, except on grounds recognized as precluding*
22 *protection as a refugee under the United Nations Conven-*
23 *tion Relating to the Status of Refugees of July 28, 1951,*
24 *and the Protocol Relating to the Status of Refugees of Janu-*

1 ary 31, 1967, subject to the reservations contained in the
2 United States Senate Resolution of Ratification.

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

13 (c) *INVOLUNTARY RETURN DEFINED*.—As used in this
14 section, the term “to effect the involuntary return” means
15 to require, by means of physical force or circumstances
16 amounting to a threat thereof, a person to return to a coun-
17 try against the person’s will, regardless of whether the per-
18 son is physically present in the United States and regard-
19 less of whether the United States acts directly or through
20 an agent.

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

22 (a) *REPORT ON OVERSEAS REFUGEE PROCESSING*.—
23 Not later than 90 days after the date of the enactment of
24 this Act, the Secretary shall provide to the appropriate con-

1 *gressional committees a report on overseas processing of ref-*
2 *ugees for admission to the United States.*

3 (b) *CONTENTS.*—*The report shall include the following*
4 *detailed information:*

5 (1) *United States procedures for the identifica-*
6 *tion of refugees who are particularly vulnerable or*
7 *whose individual circumstances otherwise suggest an*
8 *urgent need for resettlement, including the extent to*
9 *which the Department now insists on referral by the*
10 *United Nations High Commissioner for Refugees as a*
11 *prerequisite to consideration of such refugees for reset-*
12 *tlement in the United States, together with a plan for*
13 *the expanded use of alternatives to such referral, in-*
14 *cluding the use of field-based nongovernmental orga-*
15 *nizations to identify refugees in urgent need of reset-*
16 *tlement.*

17 (2) *The extent to which the Department makes*
18 *use in overseas refugee processing of the designation*
19 *of groups of refugees who are of special concern to the*
20 *United States, together with the reasons for any de-*
21 *cline in such use over the last 10 years and a plan*
22 *for making more generous use of such categories in*
23 *the future.*

24 (3) *The extent to which the United States cur-*
25 *rently provides opportunities for resettlement in the*

1 *United States of individuals who are close family*
2 *members of citizens or lawful residents of the United*
3 *States, together with the reasons for any decline in*
4 *the extent of such provision over the last 10 years and*
5 *a plan for expansion of such opportunities in the fu-*
6 *ture.*

7 *(4) The extent to which opportunities for resettle-*
8 *ment in the United States are currently provided to*
9 *“urban refugees” and others who do not currently re-*
10 *side in refugee camps, together with a plan for in-*
11 *creasing such opportunities, particularly for refugees*
12 *who are in urgent need of resettlement, who are mem-*
13 *bers of refugee groups of special interest to the United*
14 *States, or who are close family members of United*
15 *States citizens or lawful residents.*

16 *(5) The Department’s assessment of the feasi-*
17 *bility and desirability of modifying the Department’s*
18 *current list of refugee priorities to create an addi-*
19 *tional category for refugees whose need for resettle-*
20 *ment is based on a long period of residence in a ref-*
21 *ugee camp with no immediate prospect of safe and*
22 *voluntary repatriation to their country of origin or*
23 *last permanent residence.*

24 *(6) The extent to which the Department uses pri-*
25 *vate voluntary agencies to assist in the identification*

1 of refugees for admission to the United States, includ-
2 ing the Department's assessment of the advantages
3 and disadvantages of private voluntary agencies, the
4 reasons for any decline in the Department's use of
5 voluntary agencies over the last 10 years, and a plan
6 for the expanded use of such agencies.

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

12 (8) An estimate of the cost of each change in cur-
13 rent practice or procedure discussed in the report, to-
14 gether with an estimate of any increase in the annual
15 refugee admissions ceiling that would be necessary to
16 implement each change.

17 **TITLE III—ORGANIZATION AND**
18 **PERSONNEL OF THE DEPART-**
19 **MENT OF STATE**

20 **Subtitle A—Organizational Matters**

21 **SEC. 301. COMPREHENSIVE WORKFORCE PLAN.**

22 (a) *WORKFORCE PLAN.*—Not later than 180 days after
23 the date of the enactment of this Act, the Secretary of State
24 shall submit to the appropriate congressional committees a
25 comprehensive workforce plan for the Department of State

1 *for the fiscal years 2002 through 2006. The plan shall con-*
2 *sider personnel needs in both the civil service and the For-*
3 *ign Service and expected domestic and overseas personnel*
4 *allocations. The workforce plan should set forth the detailed*
5 *mission of the Department, the definition of work to be done*
6 *and cyclical personnel needs based on expected retirements*
7 *and the time required to hire, train, and deploy new per-*
8 *sonnel.*

9 **(b) DOMESTIC STAFFING MODEL.**—*Not later than one*
10 *year after the date of the enactment of this Act, the Sec-*
11 *retary of State shall compile and submit to the appropriate*
12 *congressional committees a domestic staffing model for the*
13 *Department of State.*

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

15 **(a) “RIGHTSIZING” AT THE DEPARTMENT OF**
16 **STATE.**—

17 **(1)** *The Secretary of State shall establish a task*
18 *force within the Department of State on the issue of*
19 *“rightsizing” overseas posts.*

20 **(2) PRELIMINARY REPORT.**—*Not later than 60*
21 *days after the date of the enactment of this Act, the*
22 *Secretary of State shall submit to the appropriate*
23 *congressional committees a report which outlines the*
24 *status, plans, and activities of the task force. In addi-*
25 *tion to such other information as the Secretary con-*

1 *siders appropriate, the report shall include the fol-*
2 *lowing:*

3 *(A) The objectives of the task force.*

4 *(B) Measures for achieving the objectives*
5 *under subparagraph (A).*

6 *(C) The official of the Department with pri-*
7 *mary responsibility for the issue of “rightsizing”.*

8 *(D) The plans of the Department for the re-*
9 *allocation of staff and resources based on chang-*
10 *ing needs at overseas posts and in the metropoli-*
11 *tan Washington, D.C. area.*

12 *(3) PERIODIC REPORTS.—Not later than 6*
13 *months after the date of the enactment of this Act,*
14 *and every 6 months thereafter during the fiscal years*
15 *2002 and 2003, the Secretary of State shall submit to*
16 *the appropriate congressional committees a report re-*
17 *viewing the activities and progress of the task force*
18 *established under paragraph (1).*

19 *(b) INTERAGENCY WORKING GROUP.—*

20 *(1) ESTABLISHMENT.—The Secretary of State*
21 *shall establish an interagency working group on the*
22 *issue of “rightsizing” the overseas presence of the*
23 *United States Government.*

24 *(2) PRELIMINARY REPORT.—Not later than 60*
25 *days after the date of the enactment of this Act, the*

1 Secretary of State shall submit to the appropriate
2 congressional committees a report which outlines the
3 status, plans, and activities of the interagency work-
4 ing group. In addition to such other information as
5 the Secretary considers appropriate, the report shall
6 include the following:

7 (A) The objectives of the working group.

8 (B) Measures for achieving the objectives
9 under subparagraph (A).

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

12 (3) *PERIODIC REPORTS.*—Not later than 6
13 months after the date of the enactment of this Act,
14 and every 6 months thereafter during the fiscal years
15 2002 and 2003, the Secretary of State shall submit to
16 the appropriate congressional committees a report re-
17 viewing the activities and progress of the working
18 group established under paragraph (1).

19 **SEC. 303. QUALIFICATIONS OF CERTAIN OFFICERS OF THE**
20 **DEPARTMENT OF STATE.**

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

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

24 (2) by inserting after subsection (e) the following
25 new subsection (f):

1 “(f) *QUALIFICATIONS OF CERTAIN OFFICERS OF THE*
2 *DEPARTMENT OF STATE.—*

3 “(1) *OFFICER HAVING PRIMARY RESPONSIBILITY*
4 *FOR PERSONNEL MANAGEMENT.—The officer of the*
5 *Department of State with primary responsibility for*
6 *assisting the Secretary of State with respect to mat-*
7 *ters relating to personnel in the Department of State,*
8 *or that officer’s principal deputy, shall have substan-*
9 *tial professional qualifications in the field of human*
10 *resource policy and management.*

11 “(2) *OFFICER HAVING PRIMARY RESPONSIBILITY*
12 *FOR DIPLOMATIC SECURITY.—The officer of the De-*
13 *partment of State with primary responsibility for as-*
14 *suming the Secretary of State with respect to diplo-*
15 *matic security, or that officer’s principal deputy,*
16 *shall have substantial professional qualifications in*
17 *the fields of (A) management, and (B) Federal law*
18 *enforcement, intelligence, or security.*

19 “(3) *OFFICER HAVING PRIMARY RESPONSIBILITY*
20 *FOR INTERNATIONAL NARCOTICS AND LAW ENFORCE-*
21 *MENT.—The officer of the Department of State with*
22 *primary responsibility for assisting the Secretary of*
23 *State with respect to international narcotics and law*
24 *enforcement, or that officer’s principal deputy, shall*

1 *have substantial professional qualifications in the*
2 *fields of management and Federal law enforcement.”.*

3 **SEC. 304. UNITED STATES SPECIAL COORDINATOR FOR TI-**
4 **BETAN ISSUES.**

5 *(a) UNITED STATES SPECIAL COORDINATOR FOR TI-*
6 *BETAN ISSUES.—There shall be within the Department of*
7 *State a United States Special Coordinator for Tibetan*
8 *Issues.*

9 *(b) CONSULTATION.—The Secretary of State shall con-*
10 *sult with the chairman and ranking minority member of*
11 *the Committee on Foreign Relations of the Senate and the*
12 *Committee on International Relations of the House of Rep-*
13 *resentatives prior to the designation of the special coordi-*
14 *nator.*

15 *(c) CENTRAL OBJECTIVE.—The central objective of the*
16 *special coordinator is to promote substantive dialogue be-*
17 *tween the Government of the People’s Republic of China and*
18 *the Dalai Lama or his representatives.*

19 *(d) DUTIES AND RESPONSIBILITIES.—The special co-*
20 *ordinator shall—*

21 *(1) coordinate United States Government poli-*
22 *cies, programs, and projects concerning Tibet;*

23 *(2) vigorously promote the policy of seeking to*
24 *protect the distinct religious, cultural, linguistic, and*

1 *national identity of Tibet, and pressing for improved*
 2 *respect for human rights;*

3 *(3) maintain close contact with religious, cul-*
 4 *tural, and political leaders of the Tibetan people, in-*
 5 *cluding regular travel to Tibetan areas of the People’s*
 6 *Republic of China, and to Tibetan refugee settlements*
 7 *in India and Nepal;*

8 *(4) consult with Congress on policies relevant to*
 9 *Tibet and the future and welfare of the Tibetan peo-*
 10 *ple;*

11 *(5) make efforts to establish contacts in the for-*
 12 *eign ministries of other countries to pursue a nego-*
 13 *tiated solution for Tibet; and*

14 *(6) take all appropriate steps to ensure adequate*
 15 *resources, staff, and bureaucratic support to fulfill the*
 16 *duties and responsibilities of the special coordinator.*

17 **SEC. 305. UNITED STATES SPECIAL ENVOY FOR SUDAN**
 18 **ISSUES.**

19 *Section 1 of the State Department Basic Authorities*
 20 *Act of 1956 (22 U.S.C. 2651a) is amended by inserting after*
 21 *subsection (f) (as added by section 303 of this Act) the fol-*
 22 *lowing new subsection (g):*

23 “(g) **UNITED STATES SPECIAL ENVOY FOR SUDAN**
 24 **ISSUES.**—

1 “(1) *IN GENERAL.*—*There shall be within the De-*
2 *partment of State a United States Special Envoy for*
3 *Sudan Issues who shall be appointed by the President,*
4 *by and with the advice and consent of the Senate.*

5 “(2) *DUTIES.*—*In addition to such duties as the*
6 *President and Secretary of State shall prescribe, the*
7 *envoy shall work for a peaceful resolution of the con-*
8 *flict in Sudan and an end to abuses of human rights,*
9 *including religious freedom, in Sudan.”.*

10 ***Subtitle B—Personnel Matters***

11 ***SEC. 331. REPORT CONCERNING RETIRED MEMBERS OF*** 12 ***THE FOREIGN SERVICE AND CIVIL SERVICE*** 13 ***WHO ARE REGISTERED AGENTS OF A GOV-*** 14 ***ERNMENT OF A FOREIGN COUNTRY.***

15 *The Secretary of State shall submit, annually, a report*
16 *to the Committee on International Relations of the House*
17 *of Representatives and the Committee on Foreign Affairs*
18 *of the Senate which lists members of the Foreign Service*
19 *and the civil service who have retired, have been issued an*
20 *identification which authorizes access to facilities of the De-*
21 *partment of State, and are registered under the Foreign*
22 *Agents Registration Act of 1938 as an agent of a govern-*
23 *ment of a foreign country. The report shall specify each in-*
24 *dividual and the governments represented by that indi-*
25 *vidual.*

1 **SEC. 332. TIBETAN LANGUAGE TRAINING.**

2 *The Secretary of State shall ensure that Tibetan lan-*
3 *guage training is available to Foreign Service officers, and*
4 *that every effort is made to ensure that a Tibetan-speaking*
5 *Foreign Service officer is assigned to the consulate in China*
6 *responsible for tracking developments in Tibet.*

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

8 *(a) IN GENERAL.—Section 901(8) of the Foreign Serv-*
9 *ice Act of 1980 (22 U.S.C. 4081(8)) is amended by striking*
10 *“Service” and inserting “Service, and members of his or*
11 *her family,”.*

12 *(b) PROMULGATION OF GUIDANCE.—The Secretary*
13 *shall promulgate guidance for the implementation of the*
14 *amendment made by subsection (a) to ensure its implemen-*
15 *tation in a manner which does not substantially increase*
16 *the total amount of travel expenses paid or reimbursed by*
17 *the Department for travel under section 901 of the Foreign*
18 *Service Act of 1980.*

19 *(c) EFFECTIVE DATE.—The amendment made by sub-*
20 *section (a) shall take effect on the date on which guidance*
21 *for implementation of such amendment is issued by the Sec-*
22 *retary.*

23 **SEC. 334. THOMAS JEFFERSON STAR.**

24 *Section 36A of the State Department Basic Authorities*
25 *Act of 1956 (22 U.S.C. 2708a) is amended—*

1 (1) *in the section heading by striking “FOR-*
2 *EIGN SERVICE” and inserting “THOMAS JEF-*
3 *FERSON”; and*

4 (2) *by striking “Foreign Service star” each place*
5 *it appears and inserting “Thomas Jefferson Star”.*

6 **SEC. 335. HEALTH EDUCATION AND DISEASE PREVENTION**
7 **PROGRAMS.**

8 *Section 904(b) of the Foreign Service Act of 1980 (22*
9 *U.S.C. 4084(b)) is amended by striking “families, and (3)”*
10 *and inserting “families, (3) health education and disease*
11 *prevention programs for all employees, and (4)”.*

12 **SEC. 336. TRAINING AUTHORITIES.**

13 *Section 2205(a) of the Foreign Affairs Reform and Re-*
14 *structuring Act of 1998 (as enacted in division G of Public*
15 *Law 105–277) is amended by striking paragraph (3).*

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

17 *Section 408(a)(1) of the Foreign Service Act of 1980*
18 *(22 U.S.C. 3968(a)(1)) is amended in the third sentence*
19 *by striking “(C)” and all that follows through “covered em-*
20 *ployees.” and inserting “(C) payments by the Government*
21 *and employees to (i) a trust or other fund in a financial*
22 *institution in order to finance future benefits for employees,*
23 *including provision for retention in the fund of accumu-*
24 *lated interest and dividends for the benefit of covered em-*
25 *ployees; or (ii) a Foreign Service National Savings Fund*

1 *established in the Treasury of the United States, which (I)*
2 *shall be administered by the Secretary of State, at whose*
3 *direction the Secretary of the Treasury shall invest amounts*
4 *not required for the current needs of the fund; and (II) shall*
5 *be public monies, which are authorized to be appropriated*
6 *and remain available without fiscal year limitation to pay*
7 *benefits, to be invested in public debt obligations bearing*
8 *interest at rates determined by the Secretary of the Treas-*
9 *ury taking into consideration current average market yields*
10 *on outstanding marketable obligations of the United States*
11 *of comparable maturity, and to pay administrative ex-*
12 *penses.”.*

13 **SEC. 338. PRESIDENTIAL RANK AWARDS.**

14 *(a) COMPARABLE TO PAYMENTS TO MERITORIOUS EX-*
15 *ECUTIVES AND DISTINGUISHED EXECUTIVES.—Section*
16 *405(b)(3) of the Foreign Service Act of 1980 (22 U.S.C.*
17 *3965(b)(3)) is amended by striking the second sentence and*
18 *inserting “Payments under this paragraph to a member of*
19 *the Senior Foreign Service may not exceed, in any fiscal*
20 *year, the percentage of base pay established under section*
21 *4507(e)(1) of title 5, United States Code, for a Meritorious*
22 *Executive, except that payments of the percentage of the*
23 *base pay established under section 4507(e)(2) of title 5,*
24 *United States, Code, for Distinguished Executives may be*

1 *made in any fiscal year to up to 1 percent of the members*
2 *of the Senior Foreign Service.”.*

3 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
4 *section (a) shall take effect October 1, 2001.*

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

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

8 “(3) *to an employee compensated pursuant to*
9 *section 408 of the Foreign Service Act of 1980, who—*

10 “(A) *pursuant to government authorization*
11 *is located outside the country of employment;*
12 *and*

13 “(B) *requires medical treatment outside the*
14 *country of employment in circumstances speci-*
15 *fied by the President in regulations.”.*

16 **SEC. 340. UNACCOMPANIED AIR BAGGAGE.**

17 *Section 5924(4)(B) of title 5, United States Code, is*
18 *amended by inserting after the first sentence the following:*

19 *“At the option of the employee, in lieu of the transportation*
20 *of the baggage of a dependent child from the dependent’s*
21 *school, the costs incurred to store the baggage at or in the*
22 *vicinity of the school during the dependent’s annual trip*
23 *between the school and the employee’s duty station may be*
24 *paid or reimbursed to the employee. The amount of the pay-*

1 *ment or reimbursement may not exceed the cost that the*
2 *government would incur to transport the baggage.”.*

3 **SEC. 341. SPECIAL AGENT AUTHORITIES.**

4 *Section 37(a) of the State Department Basic Authori-*
5 *ties Act of 1956 (22 U.S.C. 2709(a)) is amended in para-*
6 *graph (3)(F) by inserting “or President-elect” after “Presi-*
7 *dent”.*

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

9 *During each of the years 2002 and 2003, the Secretary*
10 *of State shall submit a comprehensive report to the Congress*
11 *concerning the status of employment of members of minor-*
12 *ity groups at the Department of State, including the Civil*
13 *Service, the Foreign Service, and State Department em-*
14 *ployees serving abroad. The report shall include the fol-*
15 *lowing data (reported in terms of real numbers and percent-*
16 *ages and not as ratios):*

17 *(1) For the last preceding Foreign Service exam-*
18 *ination and promotion cycles for which such informa-*
19 *tion is available—*

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

23 *(B) the numbers and percentages of mem-*
24 *bers of all minority groups successfully com-*

1 *pleting and passing the written Foreign Service*
2 *examination;*

3 *(C) the numbers and percentages of mem-*
4 *bers of all minority groups successfully com-*
5 *pleting and passing the oral Foreign Service ex-*
6 *amination;*

7 *(D) the numbers and percentages of mem-*
8 *bers of all minority groups entering the junior*
9 *officers class of the Foreign Service;*

10 *(E) the numbers and percentages of mem-*
11 *bers of all minority groups who are Foreign*
12 *Service officers at each grade; and*

13 *(F) the numbers of and percentages of mem-*
14 *bers of all minority groups promoted at each*
15 *grade of the Foreign Service Officer Corps.*

16 *(2) For the last preceding year for Civil Service*
17 *employment at the Department of State for which*
18 *such information is available—*

19 *(A) numbers and percentages of members of*
20 *all minority groups entering the Civil Service;*

21 *(B) the number and percentages of members*
22 *of all minority groups who are civil service em-*
23 *ployees at each grade of the Civil Service; and*

1 (C) the number of and percentages of mem-
2 bers of all minority groups promoted at each
3 grade of the Civil Service.

4 **SEC. 343. USE OF FUNDS AUTHORIZED FOR MINORITY RE-**
5 **CRUITMENT.**

6 (a) *CONDUCT OF RECRUITMENT ACTIVITIES.*—

7 (1) *IN GENERAL.*—Amounts authorized to be ap-
8 propriated for minority recruitment under section
9 101(1)(B)(iii) shall be used only for activities directly
10 related to minority recruitment, such as recruitment
11 materials designed to target members of minority
12 groups and the travel expenses of recruitment trips to
13 colleges, universities, and other institutions or loca-
14 tions.

15 (2) *LIMITATION.*—Amounts authorized to be ap-
16 propriated for minority recruitment under section
17 101(1)(B)(iii) may not be used to pay salaries of em-
18 ployees of the Department of State.

19 (b) *RECRUITMENT ACTIVITIES AT ACADEMIC INSTITU-*
20 *TIONS.*—The Secretary of State shall expand the recruit-
21 *ment efforts of the Department of State to include not less*
22 *than 25 percent of the part B institutions (as defined under*
23 *section 322 of the Higher Education Act of 1965) in the*
24 *United States and not less than 25 percent of the Hispanic-*

1 *...serving institutions (as defined in section 502(a)(5) of such*
2 *Act) in the United States.*

3 (c) *EVALUATION OF RECRUITMENT EFFORTS.—The*
4 *Secretary of State shall establish a database relating to ef-*
5 *forts to recruit members of minority groups into the Foreign*
6 *Service and the Civil Service and shall report to the appro-*
7 *priate congressional committees annually on the evaluation*
8 *of efforts to recruit such individuals, including an analysis*
9 *of the information collected in the database created under*
10 *this subsection. For each of the years 2002 and 2003, such*
11 *a report may be part of the report required under section*
12 *342.*

13 **TITLE IV—UNITED STATES EDU-**
14 **CATIONAL AND CULTURAL**
15 **PROGRAMS OF THE DEPART-**
16 **MENT OF STATE**

17 **SEC. 401. EXTENSION OF REQUIREMENT FOR SCHOLAR-**
18 **SHIPS FOR TIBETANS AND BURMESE.**

19 Section 103(b)(1) of the Human Rights, Refugee, and
20 Other Foreign Relations Provisions Act of 1996 (Public
21 Law 104–319; 22 U.S.C. 2151 note) is amended by striking
22 “for the fiscal year 2000” and inserting “for each of the
23 fiscal years 2002 and 2003”.

1 **SEC. 402. NONPROFIT ENTITIES FOR CULTURAL PRO-**
2 **GRAMS.**

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

5 (1) *It is in the national interest of the United*
6 *States to promote mutual understanding between the*
7 *people of the United States and other nations.*

8 (2) *Among the means to be used in achieving*
9 *this objective are a wide range of international edu-*
10 *cational and cultural exchange programs, including*
11 *the J. William Fulbright Educational Exchange Pro-*
12 *gram and the International Visitors Program.*

13 (3) *Cultural diplomacy, especially the presen-*
14 *tation abroad of the finest of America's creative, vis-*
15 *ual and performing arts, is an especially effective*
16 *means of advancing the United States national inter-*
17 *est.*

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

21 (5) *Funds appropriated for the purpose of ensur-*
22 *ing that the excellence, diversity, and vitality of the*
23 *arts in the United States are presented to foreign au-*
24 *diences by, and in cooperation with, our diplomatic*
25 *and consular representatives have declined dramati-*
26 *cally.*

1 (6) *One of the ways to deepen and expand cul-*
2 *tural and educational exchange programs is through*
3 *the establishment of nonprofit entities to encourage*
4 *the participation and financial support of corpora-*
5 *tions and other private sector contributors.*

6 (7) *The United States private sector should be*
7 *encouraged to cooperate closely with the Secretary of*
8 *State and representatives of the Department to ex-*
9 *pand and spread appreciation of United States cul-*
10 *tural and artistic accomplishments.*

11 (b) *AUTHORITY TO ESTABLISH NONPROFIT ENTI-*
12 *TIES.—Section 105 of the Mutual Educational and Cul-*
13 *tural Exchange Act of 1961 (22 U.S.C. 2255) is amended*
14 *by striking subsection (g) and inserting the following:*

15 “(g) *NONPROFIT ENTITIES FOR CULTURAL PROGRAM-*
16 *MING.—*

17 “(1) *The Secretary of State is authorized to pro-*
18 *vide for the establishment of private nonprofit entities*
19 *to assist in carrying out the purposes of this sub-*
20 *section. Any such entity shall not be considered an*
21 *agency or instrumentality of the United States Gov-*
22 *ernment and employees of such an entity shall not be*
23 *considered employees of the United States Government*
24 *for any purpose.*

1 “(2) *An entity established pursuant to the au-*
2 *thority of paragraph (1) may carry out the following:*

3 “(A) *Encourage participation and support*
4 *by United States corporations and other elements*
5 *of the private sector for cultural, arts, and edu-*
6 *cational exchange programs which will enhance*
7 *international appreciation of America’s cultural*
8 *and artistic accomplishments.*

9 “(B) *Solicit and receive contributions from*
10 *the private sector to support cultural, arts, and*
11 *educational exchange programs.*

12 “(C) *Provide grants and other assistance for*
13 *such programs.*

14 “(3) *The Secretary of State is authorized to*
15 *make such arrangements as are necessary to carry out*
16 *the purposes of any entity established pursuant to*
17 *paragraph (1) including the following:*

18 “(A) *The solicitation and receipt of funds*
19 *for an entity.*

20 “(B) *Designation of a program in recogni-*
21 *tion of such contributions.*

22 “(C) *Appointment of members of the board*
23 *of directors or other body established to admin-*
24 *ister an entity, including the appointment of em-*
25 *ployees of the United States Government as ex*

1 *officio nonvoting members of such a board or*
2 *other administrative body.*

3 “(D) *Making recommendations with respect*
4 *to specific artistic and cultural programs to be*
5 *carried out by the entity.*

6 “(4) *For fiscal years 2002 and 2003, not to ex-*
7 *ceed \$500,000 of funds available to the Department of*
8 *State are authorized to be made available for each fis-*
9 *cal year for administrative and other costs for the es-*
10 *tablishment of entities pursuant to paragraph (1). An*
11 *entity established pursuant to paragraph (1) is au-*
12 *thorized to invest amounts made available to the enti-*
13 *ty by the Department of State, and such amounts, as*
14 *well as interest or earnings on such amounts, may be*
15 *used by the entity to carry out its purposes.*

16 “(5) *Each entity established pursuant to para-*
17 *graph (1) shall submit an annual report on the*
18 *sources and amount of funds and other resources re-*
19 *ceived and the programs funded by the entity to the*
20 *Committee on Foreign Relations of the Senate and the*
21 *Committee on International Relations of the House of*
22 *Representatives.*

23 “(6) *The financial transactions of each entity es-*
24 *tablished under paragraph (1) for each fiscal year*
25 *shall be the subject of an independent audit. A report*

1 of each such audit shall be made available to the
2 Committee on Foreign Relations of the Senate and the
3 Committee on International Relations of the House of
4 Representatives.”.

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

6 Section 112(d) of the Mutual Educational and Cul-
7 tural Exchange Act of 1961 (22 U.S.C. 2460(d) is amended
8 by striking “operating under the authority of this Act and
9 consistent with” and inserting “which operate under the
10 authority of this Act or promote”.

11 **SEC. 404. ETHICAL ISSUES IN INTERNATIONAL HEALTH RE-**
12 **SEARCH.**

13 (a) *IN GENERAL.*—The Secretary shall make available
14 funds for public diplomacy and international exchanges,
15 including, as appropriate, funds for international visitor
16 programs and scholarships available under the United
17 States Information and Educational Exchange Act of 1948,
18 the Mutual Educational and Cultural Exchange Act of 1961
19 and other similar statutes, to provide opportunities to re-
20 searchers in developing countries to obtain scholarships and
21 otherwise participate in activities related to ethical issues
22 in human subject research, as described in subsection (b).

23 (b) *ETHICAL ISSUES IN HUMAN SUBJECT RE-*
24 *SEARCH.*—For purposes of subsection (a), “activities related
25 to ethical issues in human subject research” include courses

1 of study, conferences, and fora on development of and com-
2 pliance with international ethical standards for clinical
3 trials involving human subjects, particularly with respect
4 to responsibilities of researchers to individuals and local
5 communities participating in such trials, and on manage-
6 ment and monitoring of such trials based on such inter-
7 national ethical standards.

8 **TITLE V—UNITED STATES**
9 **INTERNATIONAL BROAD-**
10 **CASTING ACTIVITIES**

11 **SEC. 501. ELIMINATING STAFF POSITIONS FOR THE ADVI-**
12 **SORY BOARD FOR CUBA BROADCASTING.**

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

14 (1) *Section 245 of the Television Broadcasting to*
15 *Cuba Act (22 U.S.C. 1465c note) is amended by strik-*
16 *ing subsection (d).*

17 (2) *Any funds made available through the elimi-*
18 *nation of the position under the amendment made by*
19 *paragraph (1) shall be made available for broad-*
20 *casting to Cuba.*

21 (b) *PROHIBITING PAID STAFF POSITIONS.*—*The Advi-*
22 *sory Board for Cuba Broadcasting is not authorized to em-*
23 *ploy administrative or support staff who are compensated*
24 *by the Advisory Board.*

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

2 *Not later than 3 months after the date of the enactment*
3 *of this Act and every 6 months thereafter during the fiscal*
4 *years 2002 and 2003, the Broadcasting Board of Governors*
5 *shall submit to the appropriate congressional committees a*
6 *report regarding high-level personnel of the Broadcasting*
7 *Board of Governors and efforts to diversify the workforce.*
8 *Each report shall include the following information, re-*
9 *ported separately, for the International Broadcasting Bu-*
10 *reau, Radio Free Europe/Radio Liberty, and Radio Free*
11 *Asia:*

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

14 *(2) The number and percentage of women and*
15 *members of minority groups in positions under para-*
16 *graph (1).*

17 *(3) The increase or decrease in the representation*
18 *of women and members of minority groups in posi-*
19 *tions under paragraph (1) from previous years.*

20 *(4) The recruitment budget for each broadcasting*
21 *entity and the aggregate budget.*

22 *(5) Information concerning the recruitment ef-*
23 *forts of the Broadcasting Board of Governors relating*
24 *to women and members of minority groups, including*
25 *the percentage of the recruitment budget utilized for*
26 *such efforts.*

1 **SEC. 503. PERSONAL SERVICES CONTRACTING PILOT PRO-**
2 **GRAM.**

3 (a) *IN GENERAL.*—*The Director of the International*
4 *Broadcasting Bureau is authorized to establish a pilot pro-*
5 *gram for the purpose of hiring United States citizens or*
6 *aliens as personal services contractors, without regard to*
7 *civil service and classification laws, for service in the*
8 *United States as broadcasters, producers, and writers in the*
9 *International Broadcasting Bureau to respond to new or*
10 *emerging broadcasting needs or to augment broadcast serv-*
11 *ices.*

12 (b) *LIMITATION ON AUTHORITY.*—*The Director is au-*
13 *thorized to use such pilot program authority subject to the*
14 *following limitations:*

15 (1) *The Director shall determine that existing*
16 *personnel resources are insufficient and the need is of*
17 *limited or unknown duration.*

18 (2) *The Director shall approve each contract for*
19 *a personal services contractor.*

20 (3) *The length of any personal services contract*
21 *may not exceed 2 years, unless the Director finds that*
22 *exceptional circumstances justify an extension of not*
23 *more than 1 additional year.*

24 (4) *Not more than 50 United States citizens or*
25 *aliens shall be employed at any time as personal serv-*
26 *ices contractors under the pilot program.*

1 (c) *TERMINATION OF AUTHORITY.*—The authority to
2 award personal services contracts under the pilot program
3 authorized by this section shall terminate on December 31,
4 2005. A contract entered into prior to the termination date
5 under this subsection may remain in effect for a period not
6 to exceed 6 months after such termination date.

7 **SEC. 504. PAY PARITY FOR SENIOR EXECUTIVES OF RADIO**
8 **FREE EUROPE AND RADIO LIBERTY.**

9 Section 308(h)(1) of the United States International
10 Broadcasting Act of 1994 (22 U.S.C. 6207(h)(1)) is
11 amended—

12 (1) by inserting after subparagraph (B) the fol-
13 lowing new subparagraph:

14 “(C) Notwithstanding the limitations under sub-
15 paragraph (A), grant funds provided under this sec-
16 tion may be used by RFE/RL, Incorporated to pay
17 up to 2 employees employed in Washington, D.C. sal-
18 ary or other compensation not to exceed the rate of
19 pay payable for level III of the Executive Schedule
20 under section 5314 of title 5, United States Code.”;
21 and

22 (2) in subparagraph (A) by striking “(B),” and
23 inserting “(B) or (C),”.

1 **SEC. 505. REPEAL OF BAN ON UNITED STATES TRANS-**
2 **MITTER IN KUWAIT.**

3 *The Foreign Relations Authorization Act, Fiscal Years*
4 *1994 and 1995 (Public Law 103–236) is amended—*

5 *(1) by striking section 226; and*

6 *(2) by striking the item relating to section 226*
7 *in the table of sections.*

8 **TITLE VI—INTERNATIONAL OR-**
9 **GANIZATIONS AND COMMIS-**
10 **SIONS**

11 **SEC 601. UNITED NATIONS ARREARS PAYMENTS AND RE-**
12 **FORM.**

13 *(a) ADDITIONAL RESTRICTIONS ON RELEASE OF AR-*
14 *REARAGE PAYMENTS RELATING TO UNITED STATES SOV-*
15 *EREIGNTY.—In addition to the satisfaction of all other pre-*
16 *conditions applicable to the obligation and expenditure of*
17 *funds authorized to be appropriated by section 911(a)(2)*
18 *of the United Nations Reform Act of 1999, such funds may*
19 *not be obligated or expended until the Secretary of State*
20 *certifies to the appropriate congressional committees that*
21 *the following conditions are satisfied:*

22 *(1) SUPREMACY OF THE UNITED STATES CON-*
23 *STITUTION.—No action has been taken by the United*
24 *Nations or any of its specialized or affiliated agencies*
25 *that requires the United States to violate the United*
26 *States Constitution or any law of the United States.*

1 (2) *NO UNITED NATIONS SOVEREIGNTY.*—Neither
2 the United Nations nor any of its specialized or affili-
3 ated agencies—

4 (A) *has exercised sovereignty over the*
5 *United States; or*

6 (B) *has taken any steps that require the*
7 *United States to cede sovereignty.*

8 (3) *NO UNITED NATIONS TAXATION.*—

9 (A) *NO LEGAL AUTHORITY.*—Except as pro-
10 *vided in subparagraph (D), neither the United*
11 *Nations nor any of its specialized or affiliated*
12 *agencies has the authority under United States*
13 *law to impose taxes or fees on United States na-*
14 *tionals.*

15 (B) *NO TAXES OR FEES.*—Except as pro-
16 *vided in subparagraph (D), a tax or fee has not*
17 *been imposed on any United States national by*
18 *the United Nations or any of its specialized or*
19 *affiliated agencies.*

20 (C) *NO TAXATION PROPOSALS.*—Except as
21 *provided in subparagraph (D), neither the*
22 *United Nations nor any of its specialized or af-*
23 *iliated agencies has, on or after October 1, 1996,*
24 *officially approved any formal effort to develop,*
25 *advocate, or promote any proposal concerning*

1 *the imposition of a tax or fee on any United*
2 *States national in order to raise revenue for the*
3 *United Nations or any such agency.*

4 (D) *EXCEPTION.—This paragraph does not*
5 *apply to—*

6 (i) *fees for publications or other kinds*
7 *of fees that are not tantamount to a tax on*
8 *United States citizens;*

9 (ii) *the World Intellectual Property*
10 *Organization; or*

11 (iii) *the staff assessment costs of the*
12 *United Nations and its specialized or affili-*
13 *ated agencies.*

14 (4) *NO STANDING ARMY.—The United Nations*
15 *has not, on or after October 1, 1996, budgeted any*
16 *funds for, nor taken any official steps to develop, cre-*
17 *ate, or establish any special agreement under Article*
18 *43 of the United Nations Charter to make available*
19 *to the United Nations, on its call, the armed forces of*
20 *any member of the United Nations.*

21 (5) *NO INTEREST FEES.—The United Nations*
22 *has not, on or after October 1, 1996, levied interest*
23 *penalties against the United States or any interest on*
24 *arrears on the annual assessment of the United*
25 *States, and neither the United Nations nor its spe-*

1 *cialized agencies have, on or after October 1, 1996,*
2 *amended their financial regulations or taken any*
3 *other action that would permit interest penalties to be*
4 *levied against the United States or otherwise charge*
5 *the United States any interest on arrearages on its*
6 *annual assessment.*

7 (6) *UNITED STATES REAL PROPERTY RIGHTS.—*
8 *Neither the United Nations nor any of its specialized*
9 *or affiliated agencies has exercised authority or con-*
10 *trol over any United States national park, wildlife*
11 *preserve, monument, or real property, nor has the*
12 *United Nations nor any of its specialized or affiliated*
13 *agencies implemented plans, regulations, programs, or*
14 *agreements that exercise control or authority over the*
15 *private real property of United States citizens located*
16 *in the United States without the approval of the*
17 *property owner.*

18 (7) *TERMINATION OF BORROWING AUTHORITY.—*

19 (A) *PROHIBITION ON AUTHORIZATION OF*
20 *EXTERNAL BORROWING.—On or after the date of*
21 *enactment of this Act, neither the United Nations*
22 *nor any specialized agency of the United Nations*
23 *has amended its financial regulations to permit*
24 *external borrowing.*

1 (B) *PROHIBITION OF UNITED STATES PAY-*
2 *MENT OF INTEREST COSTS.—The United States*
3 *has not, on or after October 1, 1984, paid its*
4 *share of any interest costs made known to or*
5 *identified by the United States Government for*
6 *loans incurred, on or after October 1, 1984, by*
7 *the United Nations or any specialized agency of*
8 *the United Nations through external borrowing.*

9 (b) *AMENDMENTS TO THE UNITED NATIONS REFORM*
10 *ACT OF 1999.—The United Nations Reform Act of 1999*
11 *(title IX of division A of H.R. 3427, as enacted into law*
12 *by section 1000(a)(7) of Public Law 106–113; appendix G;*
13 *113 Stat. 1501A–475) is amended as follows:*

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

16 (2) *Section 931(b) is amended by—*

17 (A) *striking paragraph (2); and*

18 (B) *redesignating paragraph (3) as para-*
19 *graph (2).*

20 (3) *Section 941(a)(2) is amended—*

21 (A) *by striking “also”;*

22 (B) *by striking “in subsection (b)(4)” both*
23 *places it appears; and*

1 (C) by striking “satisfied, if the other condi-
2 tions in subsection (b) are satisfied” and insert-
3 ing “satisfied”.

4 (4) Section 941(b)(3) is amended—

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

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

9 (C) by striking “procedures” and inserting
10 “practices”; and

11 (D) in subparagraphs (A) and (B) by strik-
12 ing “require” both places it appears and insert-
13 ing in both places “result in”.

14 (5) Section 941(b)(9) is amended—

15 (A) in the paragraph heading by striking
16 “NEW BUDGET PROCEDURES” and inserting
17 “BUDGET PRACTICES”;

18 (B) by striking “Each designated special-
19 ized agency has established procedures to—” and
20 inserting “The practices of each designated spe-
21 cialized agency—”; and

22 (C) in subparagraphs (A), (B), and (C) by
23 striking “require” each of the 3 places it appears
24 such subparagraphs and inserting in the 3 places
25 “result in”.

1 (c) *AMENDMENT TO UNITED NATIONS PARTICIPATION*
2 *ACT.*—Section 6 of the United Nations Participation Act
3 of 1945 (22 U.S.C. 287d) is amended to read as follows:

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

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

9 “(b) An agreement referred to in subsection (a) is an
10 agreement providing for the numbers and types of United
11 States Armed Forces, their degree of readiness and general
12 locations, or the nature of facilities and assistance, includ-
13 ing rights of passage, to be made available to the Security
14 Council for the purpose of maintaining international peace
15 and security in accordance with Article 43 of the Charter
16 of the United Nations.

17 “(c) Except as provided in section 7, nothing in this
18 section may be construed as an authorization to the Presi-
19 dent by the Congress to make available United States
20 Armed Forces, facilities, or assistance to the Security Coun-
21 cil.”.

22 (d) *AMENDMENT TO PUBLIC LAW 103–236.*—Section
23 404(b)(2) of the Foreign Relations Authorization Act, Fis-
24 cal Years 1994 and 1995 (Public Law 103–236; 22 U.S.C.
25 287e note) is amended—

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

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

5 (2) by striking “operation.” and inserting “oper-
6 ation; and

7 “(B) fiscal years 2002 and 2003 shall not
8 be available for the payment of the United States
9 assessed contribution for a United Nations peace-
10 keeping operation in an amount which is greater
11 than 28.15 percent of the total of all assessed
12 contributions for that operation.”.

13 (e) *CONFORMING AMENDMENT TO PUBLIC LAW 92–*
14 *544.—The last sentence of the paragraph headed “Contribu-*
15 *tions to International Organizations” in Public Law 92–*
16 *544 (22 U.S.C. 287e note), is amended—*

17 (1) by striking “Appropriations are authorized”
18 and inserting “Subject to section 404(b)(2) of the *For-*
19 *oreign Relations Authorization Act, Fiscal Years 1994*
20 *and 1995 (Public Law 103–236, 22 U.S.C. 287e*
21 *note), as amended, appropriations are authorized”;*
22 and

23 (2) by striking “(other than United Nations
24 peacekeeping operations) conducted” and inserting

1 *“conducted by or under the auspices of the United*
2 *Nations or”.*

3 (f) *CONFORMING AMENDMENT TO PUBLIC LAW 105–*
4 *277.—The undesignated paragraph under the heading “AR-*
5 *REARAGE PAYMENTS” in title IV of the Departments of*
6 *Commerce, Justice, and State, the Judiciary, and Related*
7 *Agencies Appropriations Act, 1999 (as enacted into law by*
8 *section 101(b) of division A of the Omnibus Consolidated*
9 *and Emergency Supplemental Appropriations Act, 1999;*
10 *112 Stat. 2681–96) is amended by striking “member, and*
11 *the share of the budget for each assessed United Nations*
12 *peacekeeping operation does not exceed 25 percent for any*
13 *single United Nations member.” and inserting “member.”.*

14 (g) *CONFORMING AMENDMENT TO PUBLIC LAW 106–*
15 *113.—The undesignated paragraph under the heading “AR-*
16 *REARAGE PAYMENTS” in title IV of the Departments of*
17 *Commerce, Justice, and State, the Judiciary, and Related*
18 *Agencies Appropriations Act, 2000 (as enacted into law by*
19 *section 1000(a)(1) of division B of Public Law 106–113;*
20 *appendix A; 113 Stat. 1501A–42) is amended—*

21 (1) *in the first proviso, by striking “the share of*
22 *the total of all assessed contributions for any des-*
23 *ignated specialized agency of the United Nations does*
24 *not exceed 22 percent for any single member of the*
25 *agency, and”;* and

1 (2) *by inserting immediately after the first pro-*
2 *viso “Provided further, That, none of the funds appro-*
3 *priated or otherwise made available under this head-*
4 *ing for payment of arrearages may be obligated or ex-*
5 *pended with respect to a designated specialized agen-*
6 *cy of the United Nations until such time as the share*
7 *of the total of all assessed contributions for that des-*
8 *ignated specialized agency does not exceed 22 percent*
9 *for any member of the agency:”.*

10 (h) *EFFECTIVE DATE.—This section and the amend-*
11 *ments made by this section shall take effect on the date of*
12 *the enactment of this Act.*

13 **SEC. 602. TRAVEL BY ADVISORY COMMITTEE MEMBERS TO**
14 **GREAT LAKES FISHERY COMMISSION ANNUAL**
15 **MEETING.**

16 *Section 4(c) of the Great Lakes Fishery Act of 1956*
17 *(70 Stat. 242; 16 U.S.C. 933(c)) is amended in the second*
18 *sentence—*

19 (1) *by striking “five” and inserting “ten”; and*
20 (2) *by striking “each” and inserting “the an-*
21 *nual”.*

1 **SEC. 603. UNITED STATES POLICY ON COMPOSITION OF**
2 **THE UNITED NATIONS HUMAN RIGHTS COM-**
3 **MISSION.**

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

6 (1) *The United Nations Human Rights Commis-*
7 *sion is an important organ of the United Nations*
8 *that plays a significant role in monitoring inter-*
9 *national human rights developments and can make*
10 *an important contribution to advancing human*
11 *rights around the world.*

12 (2) *The membership of the Commission, however,*
13 *continues to include countries that are themselves*
14 *human rights violators.*

15 (3) *Countries that are on the Commission have*
16 *a special duty to ensure that they are prepared to*
17 *allow human rights monitors into their own country*
18 *to investigate allegations of human rights violations.*

19 (b) **UNITED STATES POLICY ON MEMBERSHIP OF THE**
20 **COMMISSION.—The President, acting through the Secretary**
21 **of State, the United States Permanent Representative to the**
22 **United Nations, and other appropriate United States Gov-**
23 **ernment officials, shall use the voice and vote of the United**
24 **States at the United Nations to oppose membership on the**
25 **United Nations Commission on Human Rights for any**
26 **country that does not provide a standing invitation to allow**

1 *the following persons to monitor human rights in the terri-*
2 *tory of such country:*

3 (1) *Designated United Nations human rights in-*
4 *vestigators and rapporteurs.*

5 (2) *Representatives from nongovernmental orga-*
6 *nizations that focus on human rights.*

7 **SEC. 604. UNITED STATES MEMBERSHIP IN THE INTER-**
8 **NATIONAL ORGANIZATION FOR MIGRATION.**

9 (a) *CONTINUATION OF MEMBERSHIP.*—*The President*
10 *is authorized to continue membership for the United States*
11 *in the International Organization for Migration in accord-*
12 *ance with the constitution of such organization approved*
13 *in Venice, Italy, on October 19, 1953, as amended in Gene-*
14 *va, Switzerland, on November 24, 1998, upon entry into*
15 *force of such amendments.*

16 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*For the*
17 *purpose of assisting in the movement of refugees and mi-*
18 *grants, there are authorized to be appropriated such*
19 *amounts as may be necessary from time to time for pay-*
20 *ment by the United States of its contributions to the Inter-*
21 *national Organization for Migration and all necessary sal-*
22 *aries and expenses incidental to United States participa-*
23 *tion in such organization.*

1 **SEC. 605. REPORT RELATING TO COMMISSION ON SECURITY**
2 **AND COOPERATION IN EUROPE.**

3 *Section 5 of the Act entitled “An Act to establish a*
4 *Commission on Security and Cooperation in Europe”*
5 *(Public Law 94–304; 22 U.S.C. 3005) is amended to read*
6 *as follows:*

7 *“SEC. 5. In order to assist the Commission in carrying*
8 *out its duties, the Secretary of State shall submit to the*
9 *Commission an annual report discussing the overall United*
10 *States policy objectives that are advanced through meetings*
11 *of decision-making bodies of the Organization on Security*
12 *and Cooperation in Europe (OSCE), the OSCE implemen-*
13 *tation review process, and other activities of the OSCE. The*
14 *report shall also include a summary of specific United*
15 *States policy objectives with respect to participating states*
16 *where there is a particular concern relating to the imple-*
17 *mentation of Organization on Security and Cooperation in*
18 *Europe commitments or where an OSCE presence exists.*
19 *Such summary shall address the role played by Organiza-*
20 *tion on Security and Cooperation in Europe institutions,*
21 *mechanisms, or field activities in achieving United States*
22 *policy objectives. Each annual report shall cover the period*
23 *January 1 through December 31, shall be submitted not*
24 *more than 90 days after the end of the reporting period,*
25 *and shall be posted on the website of the Department of*
26 *State.”.*

1 **SEC. 606. REPORTS TO CONGRESS ON UNITED NATIONS AC-**
2 **TIVITIES.**

3 (a) *AMENDMENTS TO UNITED NATIONS PARTICIPA-*
4 *TION ACT.*—Section 4 of the United Nations Participation
5 Act (22 U.S.C. 287b) is amended—

6 (1) *by striking subsections (b) and (c);*

7 (2) *by inserting after subsection (a) the following*
8 *new subsection:*

9 “(b) *ANNUAL REPORT ON FINANCIAL CONTRIBU-*
10 *TIONS.*—Not later than July 1 of each year, the Secretary
11 of State shall submit a report to the designated congress-
12 sional committees on the extent and disposition of all finan-
13 cial contributions made by the United States during the
14 preceding year to international organizations in which the
15 United States participates as a member.”;

16 (3) *in subsection (e)(5) by striking subparagraph*
17 *(B) and inserting the following:*

18 “(B) *ANNUAL REPORT.*—The President shall
19 submit an annual report to the designated con-
20 gressional committees on all assistance provided
21 by the United States during the preceding cal-
22 endar year to the United Nations to support
23 peacekeeping operations. Each such report shall
24 describe the assistance provided for each such op-
25 eration, listed by category of assistance.”; and

1 (4) by redesignating subsections (d), (e), (f), and
2 (g) as subsections (c), (d), (e), and (f) respectively.

3 (b) *CONFORMING AMENDMENTS.*—

4 (1) Section 2 of Public Law 81–806 (22 U.S.C.
5 262a) is amended by striking the last sentence.

6 (2) Section 409 of the Foreign Relations Author-
7 ization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
8 287e note) is amended by striking subsection (d).

9 **TITLE VII—MISCELLANEOUS**
10 **PROVISIONS**

11 **Subtitle A—General Provisions**

12 **SEC. 701. AMENDMENTS TO THE IRAN NONPROLIFERATION**

13 **ACT OF 2000.**

14 (a) *REPORTS ON PROLIFERATION TO IRAN.*—Section
15 2 of the Iran Nonproliferation Act of 2000 (Public Law
16 106–178; 114 Stat. 39; 50 U.S.C. 1701 note) is amended
17 by inserting after subsection (d) the following new sub-
18 section:

19 “(e) *CONTENT OF REPORTS.*—Each report under sub-
20 section (a) shall contain, with respect to each foreign person
21 identified in such report, a brief description of the type and
22 quantity of the goods, services, or technology transferred by
23 that person to Iran, the circumstances surrounding the
24 transfer, the usefulness of the transfer to Iranian weapons
25 programs, and the probable awareness or lack thereof of the

1 *transfer on the part of the government with primary juris-*
 2 *diction over the person.”.*

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

7 **SEC. 702. AMENDMENTS TO THE NORTH KOREA THREAT RE-**
 8 **DUCTION ACT OF 1999.**

9 Section 822(a) of the North Korea Threat Reduction
 10 Act of 1999 (subtitle B of title VIII of division A of H.R.
 11 3427, as enacted into law by section 1000(a)(7) of Public
 12 Law 106–113; appendix G; 113 Stat. 1501A–472) is
 13 amended by striking “such agreement,” both places it ap-
 14 pears and inserting in both places “such agreement (or that
 15 are controlled under the Export Trigger List of the Nuclear
 16 Suppliers Group),”.

17 **SEC. 703. AMENDMENTS TO THE INTERNATIONAL RELI-**
 18 **GIUS FREEDOM ACT OF 1998.**

19 (a) *REPEAL OF TERMINATION OF COMMISSION.*—The
 20 *International Religious Freedom Act of 1998 (22 U.S.C.*
 21 *6401 et seq.) is amended by striking section 209.*

22 (b) *AUTHORIZATIONS OF APPROPRIATIONS.*—Section
 23 *207(a) of such Act (22 U.S.C. 6435(a)) is amended by in-*
 24 *serting “for each of the fiscal years 2002 and 2003” after*
 25 *“\$3,000,000”.*

1 (c) *ELECTION OF CHAIR OF COMMISSION.*—Section
2 201(d) of such Act (22 U.S.C. 6431(d)) is amended by strik-
3 ing “in each calendar” and inserting “after May 30 of
4 each”.

5 (d) *PROCUREMENT OF NONGOVERNMENTAL SERV-*
6 *ICES.*—Section 208(c)(1) of such Act (22 U.S.C.
7 6435a(c)(1)) is amended by striking “authority other than
8 that allowed under this title” and inserting “authority, in
9 excess of \$75,000 annually, except as otherwise provided in
10 this title”.

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

14 (f) *ESTABLISHMENT OF STAGGERED TERMS OF MEM-*
15 *BERS OF COMMISSION.*—Section 201(c) of such Act (22
16 U.S.C. 6431(c)) is amended by adding after paragraph (1)
17 the following new paragraph:

18 “(2) *ESTABLISHMENT OF STAGGERED TERMS.*—
19 Notwithstanding paragraph (1), members of the Com-
20 mission appointed to serve on the Commission during
21 the period May 15, 2003, through May 14, 2005, shall
22 be appointed to terms in accordance with the provi-
23 sions of this paragraph. Of the 3 members of the Com-
24 mission appointed by the President under subsection
25 (b)(1)(B)(i), 2 shall be appointed to a one-year term

1 *and 1 shall be appointed to a two-year term. Of the*
2 *3 members of the Commission appointed by the Presi-*
3 *dent pro tempore of the Senate under subsection*
4 *(b)(1)(B)(ii), 1 of the appointments made upon the*
5 *recommendation of the leader in the Senate of the po-*
6 *litical party that is not the political party of the*
7 *President shall be appointed to a one-year term, and*
8 *the other 2 appointments under such clause shall be*
9 *two-year terms. Of the 3 members of the Commission*
10 *appointed by the Speaker of the House of Representa-*
11 *tives under subsection (b)(1)(B)(iii), 1 of the appoint-*
12 *ments made upon the recommendation of the leader*
13 *in the House of the political party that is not the po-*
14 *litical party of the President shall be to a one-year*
15 *term, and the other 2 appointments under such clause*
16 *shall be two-year terms. The term of each member of*
17 *the Commission appointed to a one-year term shall be*
18 *considered to have begun on May 15, 2003, and shall*
19 *end on May 14, 2004, regardless of the date of the ap-*
20 *pointment to the Commission. Each vacancy which*
21 *occurs upon the expiration of the term of a member*
22 *appointed to a one-year term shall be filled by the ap-*
23 *pointment of a successor to a two-year term.”.*

24 *(g) VACANCIES.—Section 201(g) of such Act (22 U.S.C.*
25 *6431(g)) is amended by adding at the end the following:*

1 “A member may serve after the expiration of that member’s
2 term until a successor has taken office. Any member ap-
3 pointed to fill a vacancy occurring before the expiration of
4 the term for which the member’s predecessor was appointed
5 shall be appointed only for the remainder of that term.”.

6 **SEC. 704. CONTINUATION OF UNITED STATES ADVISORY**
7 **COMMISSION ON PUBLIC DIPLOMACY.**

8 (a) *AUTHORITY TO CONTINUE COMMISSION.*—Section
9 1334 of the *Foreign Affairs Reform and Restructuring Act*
10 of 1998 (as enacted in division G of the *Omnibus Consoli-*
11 *dated and Emergency Supplemental Appropriations Act,*
12 1999: Public Law 105–277) is amended by striking “Octo-
13 ber 1, 2001” and inserting “October 1, 2005”.

14 (b) *REPEAL.*—Section 404(c) of the *Admiral James W.*
15 *Nance and Meg Donovan Foreign Relations Authorization*
16 *Act, Fiscal Years 2000 and 2001* (section 404(c) of division
17 A of H.R. 3427, as enacted into law by section 1000(a)(7)
18 of Public Law 106–113; appendix G; 113 Stat. 1501A–446)
19 is amended by striking paragraph (2).

20 **SEC. 705. PARTICIPATION OF SOUTH ASIA COUNTRIES IN**
21 **INTERNATIONAL LAW ENFORCEMENT.**

22 *The Secretary of State shall ensure, where practicable,*
23 *that appropriate government officials from countries in the*
24 *South Asia region shall be eligible to attend courses at the*
25 *International Law Enforcement Academy located in Bang-*

1 *kok, Thailand, and Budapest, Hungary, consistent with*
2 *other provisions of law, with the goal of enhancing regional*
3 *cooperation in the fight against transnational crime.*

4 ***Subtitle B—Sense of Congress***
5 ***Provisions***

6 ***SEC. 731. SENSE OF CONGRESS RELATING TO HIV/AIDS AND***
7 ***UNITED NATIONS PEACEKEEPING OPER-***
8 ***ATIONS.***

9 *It is the sense of the Congress that the President should*
10 *direct the Secretary of State and the United States Rep-*
11 *resentative to the United Nations to urge the United Na-*
12 *tions to adopt an HIV/AIDS mitigation strategy as a com-*
13 *ponent of United Nations peacekeeping operations.*

14 ***SEC. 732. SENSE OF CONGRESS RELATING TO HIV/AIDS***
15 ***TASK FORCE.***

16 *It is the sense of the Congress that the Secretary of*
17 *State should establish an international HIV/AIDS inter-*
18 *vention, mitigation, and coordination task force to coordi-*
19 *nate activities on international HIV/AIDS programs ad-*
20 *ministered by agencies of the Federal Government and to*
21 *work with international public and private entities working*
22 *to combat the HIV/AIDS pandemic.*

1 **SEC. 733. SENSE OF CONGRESS CONDEMNING THE DE-**
2 **STRUCTION OF PRE-ISLAMIC STATUES IN AF-**
3 **GHANISTAN BY THE TALIBAN REGIME.**

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

6 (1) *Many of the oldest and most significant Bud-*
7 *dhist statues in the world are in Afghanistan, which,*
8 *at the time that many of the statues were carved, was*
9 *one of the most cosmopolitan regions in the world and*
10 *hosted merchants, travelers, and artists from China,*
11 *India, central Asia, and the Roman Empire.*

12 (2) *Such statues are part of the common heritage*
13 *of mankind, which must be preserved for future gen-*
14 *erations.*

15 (3) *On February 26, 2001, the leader of the*
16 *Taliban regime, Mullah Mohammad Omar, ordered*
17 *the destruction of all pre-Islamic statues in Afghani-*
18 *stan, among them a pair of 1,600-year-old, 100-foot-*
19 *tall statues of Buddha that are carved out of a moun-*
20 *tainside.*

21 (4) *The religion of Islam and Buddhist statues*
22 *have coexisted in Afghanistan as part of the unique*
23 *historical and cultural heritage of that nation for*
24 *more than 1,100 years.*

1 (5) *The destruction of the pre-Islamic statues*
2 *contradicts the basic tenet of the Islamic religion that*
3 *other religions should be tolerated.*

4 (6) *People of all faiths and nationalities have*
5 *condemned the destruction of the statues in Afghani-*
6 *stan, including Muslim communities around the*
7 *world.*

8 (7) *The destruction of the statues violates the*
9 *United Nations Convention Concerning the Protection*
10 *of the World Cultural and Natural Heritage, which*
11 *was ratified by Afghanistan on March 20, 1979.*

12 (b) *SENSE OF CONGRESS.—The Congress—*

13 (1) *joins with people and governments around*
14 *the world in condemning the destruction of pre-Is-*
15 *lamic statues in Afghanistan by the Taliban regime;*

16 (2) *urges the Taliban regime to stop destroying*
17 *such statues; and*

18 (3) *calls upon the Taliban regime to grant inter-*
19 *national organizations immediate access to Afghani-*
20 *stan to survey the damage and facilitate inter-*
21 *national efforts to preserve and safeguard the remain-*
22 *ing statues.*

1 **SEC. 734. SENSE OF CONGRESS RELATING TO RESOLUTION**
2 **OF THE TAIWAN STRAIT ISSUE.**

3 *It is the sense of the Congress that Taiwan is a mature*
4 *democracy that fully respects human rights and it is the*
5 *policy of the United States that any resolution of the Tai-*
6 *wan Strait issue must be peaceful and include the assent*
7 *of the people of Taiwan.*

8 **SEC. 735. SENSE OF CONGRESS RELATING TO ARSENIC**
9 **CONTAMINATION IN DRINKING WATER IN**
10 **BANGLADESH.**

11 *(a) FINDINGS.—In the early 1970s, the United Nations*
12 *Children’s Fund (UNICEF) and the Bangladeshi Depart-*
13 *ment of Public Health Engineering, in an attempt to bring*
14 *clean drinking water to the people of Bangladesh, installed*
15 *tube wells to access shallow aquifers. This was done to pro-*
16 *vide an alternative to contaminated surface water sources.*
17 *However, at the time the wells were installed, arsenic was*
18 *not recognized as a problem in water supplies and standard*
19 *water testing procedures did not include arsenic tests. Natu-*
20 *rally occurring inorganic arsenic contamination of water*
21 *in those tube-wells was confirmed in 1993 in the Nawabganj*
22 *district in Bangladesh. The health effects of ingesting ar-*
23 *senic-contaminated drinking water appear slowly. This*
24 *makes preventative measures, including drawing arsenic*
25 *out of the existing tube well and finding alternate sources*
26 *of water, critical to preventing future contamination in*

1 *large numbers of the Bangladeshi population. Health effects*
2 *of exposure to arsenic in both adults and children include*
3 *skin lesions, skin cancer, and mortality from internal can-*
4 *cers.*

5 (b) *SENSE OF CONGRESS.—The Secretary of State*
6 *should work with appropriate United States Government*
7 *agencies, national laboratories, universities in the United*
8 *States, the Government of Bangladesh, international finan-*
9 *cial institutions and organizations, and international do-*
10 *nors to identify a long term solution to the arsenic-contami-*
11 *nated drinking water problem.*

12 (c) *REPORT TO CONGRESS.—The Secretary of State*
13 *should report to the Congress on proposals to bring about*
14 *arsenic-free drinking water to Bangladeshis and to facili-*
15 *tate treatment for those who have already been affected by*
16 *arsenic-contaminated drinking water in Bangladesh.*

17 **SEC. 736. SENSE OF CONGRESS RELATING TO DISPLAY OF**
18 **THE AMERICAN FLAG AT THE AMERICAN IN-**
19 **STITUTE IN TAIWAN.**

20 *It is the sense of the Congress that the chancery of the*
21 *American Institute in Taiwan and the residence of the di-*
22 *rector of the American Institute in Taiwan should publicly*
23 *display the flag of the United States in the same manner*
24 *as United States embassies, consulates, and official resi-*
25 *dences throughout the world.*

1 **SEC. 737. SENSE OF CONGRESS REGARDING HUMAN RIGHTS**
2 **VIOLATIONS IN WEST PAPUA AND ACEH, IN-**
3 **CLUDING THE MURDER OF JAFAR SIDDIQ**
4 **HAMZAH, AND ESCALATING VIOLENCE IN**
5 **MALUKU AND CENTRAL KALIMANTAN.**

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

8 (1) *Human rights violations by elements of the*
9 *Indonesian Government continue to worsen in West*
10 *Papua (Irian Jaya) and Aceh, while other areas in-*
11 *cluding the Moluccas (Maluku) and Central*
12 *Kalimantan have experienced outbreaks of violence by*
13 *militia forces and other organized groups.*

14 (2) *Seven West Papuans were shot dead by Indo-*
15 *nesian security forces following a flag-raising cere-*
16 *mony in the town of Merauke on December 2, 2000,*
17 *and in a separate incident four others were reportedly*
18 *killed by Indonesian security forces after a West Pap-*
19 *uan flag was raised in Tiom on December 18, 2000.*

20 (3) *Indonesian police have attacked peaceful*
21 *West Papuan civilians, including students in their*
22 *dormitories at Cenderawasih University on December*
23 *6, 2000. This attack resulted in the beating and ar-*
24 *rests of some 100 students as well as the deaths of*
25 *three students, including one in police custody in the*
26 *capital city of Jayapura.*

1 (4) *To escape Indonesian security forces, hun-*
2 *dreds of peaceful West Papuans have sought safety in*
3 *refugee camps across the border in the neighboring*
4 *state of Papua New Guinea (PNG).*

5 (5) *The Indonesian armed forces have announced*
6 *that they are initiating “limited military operations”*
7 *in Aceh, where the Exxon-Mobil gas company has sus-*
8 *pended operations due to security concerns.*

9 (6) *On September 7, 2000, the body of Acehnese*
10 *human rights lawyer Jafar Siddiq Hamzah, who had*
11 *been missing for a month, was identified along with*
12 *four other badly decomposed bodies, whose faces were*
13 *bashed in and whose hands and feet were bound with*
14 *barbed wire, in a forested area outside of Medan, in*
15 *North Sumatra.*

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

21 (8) *As the founder and director of the Inter-*
22 *national Forum on Aceh, which works for peace and*
23 *human rights in Aceh, Hamzah was an important*
24 *voice of moderation and an internationally known*
25 *representative of his people who made irreplaceable*

1 *contributions to peace and respect for human rights*
2 *in his homeland.*

3 *(9) The Indonesian government has failed to re-*
4 *lease the results of Jafar Siddiq Hamzah's autopsy*
5 *report, and the inaccessibility of the report has de-*
6 *layed the investigation which could lead to bringing*
7 *the murderers to justice.*

8 *(10) There is supporting documentation from the*
9 *United States Department of State and other reliable*
10 *sources that Indonesian military and police forces*
11 *have committed widespread acts of torture, rape, dis-*
12 *appearance and extra-judicial executions against*
13 *West Papuan and Acehnese civilians.*

14 *(11) In Maluku, where Muslim and Christian*
15 *peoples lived in peace and respected with each other*
16 *for decades, thousands have been killed and tens of*
17 *thousands displaced during outbreaks of violence over*
18 *the past three years.*

19 *(12) Militia forces known as the Laskar Jihad*
20 *have arrived from Java and other islands outside*
21 *Maluku to inflame hatred and perpetrate violence*
22 *against Christians, and to create religious intolerance*
23 *among the people of Maluku, and the Laskar Jihad*
24 *has been openly encouraged by some Indonesian lead-*

1 *ers including Amien Rais, Chair of the People's Con-*
2 *sultative Assembly.*

3 *(13) Muslim and Christian leaders alike have*
4 *called for the arrest of militia leaders in Maluku and*
5 *asking for international assistance in ending this dev-*
6 *astating conflict.*

7 *(14) The most recent instance of widespread vio-*
8 *lence in Indonesia has broken out on the island of*
9 *Kalimantan (Borneo), in the province of Central*
10 *Kalimantan, where indigenous Dayaks brutally at-*
11 *tacked migrant Madurese, killing hundreds and caus-*
12 *ing thousands of others to flee.*

13 *(15) The people of the island of Madura who*
14 *were resettled in Kalimantan under the auspices of*
15 *the Soeharto government's transmigration program,*
16 *which served to strengthen the political control of the*
17 *regime, have become scapegoats for official govern-*
18 *ment policy, while the Dayaks have suffered from this*
19 *policy and from official exploitation of the natural re-*
20 *sources of their homeland.*

21 *(b) SENSE OF CONGRESS.—The Congress—*

22 *(1) expresses its deep concern over ongoing*
23 *human rights violations committed by Indonesian*
24 *military and police forces against civilians in West*
25 *Papua and Aceh, as well as over violence by militias*

1 *and others in Maluku, Central Kalimantan, and else-*
2 *where in Indonesia;*

3 *(2) calls upon the United States Department of*
4 *State to publicly protest the reemergence of political*
5 *imprisonment in Indonesia and to take necessary*
6 *steps to release, immediately and unconditionally, all*
7 *political prisoners, including Rev. Obed Komba, Rev.*
8 *Yudas Meage, Yafet Yelemaken, Murjono Murib and*
9 *Amelia Yigibalom of West Papua, and Muhammad*
10 *Nazar of Aceh, all adopted by Amnesty International*
11 *as Prisoners of Conscience, and student demonstrators*
12 *Matius Rumbrapuk, Laon Wenda, Jenderal Achmad*
13 *Yani, Joseph Wenda and Hans Gobay of West Papua;*

14 *(3) calls upon the Department of State to sup-*
15 *port and encourage the Government of Indonesia to*
16 *engage in peaceful dialogue with respected West Pap-*
17 *uan community leaders and other members of West*
18 *Papuan civil society, as prescribed by the 1999 Terms*
19 *of Reference for the National Dialogue on Irian Jaya,*
20 *and to urge the Governor of West Papua to create an*
21 *environment conducive to the peaceful repatriation of*
22 *West Papuan refugees and “illegal border crossers”*
23 *who now reside in Papua New Guinea;*

24 *(4) calls upon the United States Government to*
25 *press the Government of Indonesia to permit access to*

1 *West Papua and Aceh, including the project areas of*
2 *the United States-owned Freeport mine and Exxon-*
3 *Mobil facilities, by independent human rights and en-*
4 *vironmental monitors, including the United Nations*
5 *special rapporteurs on torture and extra-judicial exe-*
6 *cution, as well as by humanitarian nongovernmental*
7 *organizations;*

8 *(5) calls upon the United States Government to*
9 *press for the withdrawal of nonorganic troops from*
10 *West Papua and Aceh, and an overall reduction of*
11 *force numbers in those areas, particularly along the*
12 *PNG border;*

13 *(6) calls upon the Government of Indonesia to*
14 *release the autopsy report of Jafar Siddiq Hamzah*
15 *immediately, to conduct a thorough, open, and trans-*
16 *parent investigation of the murder of Hamzah and*
17 *the four others with whom he was found, to offer full*
18 *access and support to independent investigators and*
19 *forensics experts brought in to examine these cases,*
20 *and to ensure that the perpetrators of these atrocities*
21 *are brought to justice through open and fair trials;*

22 *(7) condemns the recent atrocities in Central*
23 *Kalimantan the failure of Indonesian police and*
24 *other security forces to intervene to stop these atroc-*
25 *ities, as well as the underlying social and economic*

1 *conditions caused by systematic transmigration pro-*
2 *grams, imported labor, and inequitable and destruc-*
3 *tive exploitation of local natural resources that have*
4 *worsened the poverty and discrimination which were*
5 *contributing factors in their commission;*

6 (8) *condemns comparable Indonesian Govern-*
7 *ment policies in Maluku and the failure of Indo-*
8 *nesian police and other security forces in and around*
9 *Ambon to halt sectarian violence, including the oper-*
10 *ations of the Laskar Jihad militia;*

11 (9) *calls upon the Government of Indonesia to*
12 *take decisive action to halt sectarian violence in*
13 *Maluku and to arrest those guilty of violence, includ-*
14 *ing Laskar Jihad militia leaders and armed forces of-*
15 *ficers guilty of complicity in their operations against*
16 *civilians, and to make significant progress towards*
17 *rehabilitation and reestablishment of local commu-*
18 *nities displaced by the violence and rebuild the phys-*
19 *ical infrastructure of the communities;*

20 (10) *calls upon the Department of State to sup-*
21 *port United Nations and other international delega-*
22 *tions and monitoring efforts by international and*
23 *nongovernmental agencies in West Papua, Aceh,*
24 *Maluku, Central Kalimantan, West Timor, and other*
25 *areas of Indonesia in order to deter further human*

1 *rights violations, and to encourage and support inter-*
2 *national and nongovernmental agencies in efforts to*
3 *help the people of Indonesia rebuild and rehabilitate*
4 *communities torn by violence, particularly by assist-*
5 *ing in the return of internally displaced peoples and*
6 *in efforts at reconciliation within and among commu-*
7 *nities;*

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

15 *(12) calls upon the Government of Indonesia to*
16 *devote official attention, in an atmosphere of openness*
17 *and transparency and oversight, to investigations*
18 *into the numerous cases of disappearances,*
19 *extrajudicial killings, and other serious human rights*
20 *violations in West Papua, Aceh, Maluku, Central*
21 *Kalimantan, elsewhere in Indonesia, and occupied*
22 *East Timor; and*

23 *(13) calls upon the United States Government to*
24 *continue to insist upon vigorous investigation into all*
25 *such violations, and upon trials according to inter-*

1 *national standards for military and police officers,*
 2 *militia leaders, and others accused of such violations.*

3 **SEC. 738. SENSE OF CONGRESS SUPPORTING PROPERLY**
 4 **CONDUCTED ELECTIONS IN KOSOVA DURING**
 5 **2001.**

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

8 *(1) Former Yugoslav President Slobodan*
 9 *Milosevic perpetrated a brutal campaign of ethnic*
 10 *cleansing against the ethnic Albanian population of*
 11 *Kosova, resulting in thousands of deaths and rapes*
 12 *and the displacement of nearly 1 million people.*

13 *(2) Prior to the disintegration of the former*
 14 *Yugoslavia, Kosova was a separate political and legal*
 15 *entity with a separate and distinct financial sector,*
 16 *police force, government, education system, judiciary,*
 17 *and health care system.*

18 *(3) During that time, the people of Kosova suc-*
 19 *cessfully administered the province.*

20 *(4) During the Milosevic era, Kosovar citizens*
 21 *demonstrated again their ability to govern themselves*
 22 *by creating parallel governmental and social institu-*
 23 *tions.*

24 *(5) Local elections held in Kosova in 2000 were*
 25 *considered free and fair by international observers.*

1 (6) *United Nations Security Council Resolution*
2 *1244 authorizes the United Nations Mission in*
3 *Kosova to provide for transitional administration*
4 *while establishing and overseeing the development of*
5 *democratic and self-governing institutions, including*
6 *the holding of elections, to ensure conditions for a*
7 *peaceful and normal life for all inhabitants of*
8 *Kosova.*

9 (7) *The United Nations Mission in Kosova and*
10 *the Organization for Security and Cooperation in*
11 *Europe should ensure that the conditions for properly*
12 *conducted elections in Kosova are in place prior to*
13 *the election.*

14 (b) *SENSE OF CONGRESS.—It is the sense of the Con-*
15 *gress that—*

16 (1) *the United Nations Mission in Kosova should*
17 *hold properly conducted elections throughout Kosova*
18 *during the year 2001;*

19 (2) *the only way to maintain a true and lasting*
20 *peace in the region is through the creation of demo-*
21 *cratic Kosovar institutions with real governing au-*
22 *thority and responsibility, and Kosova-wide jurisdic-*
23 *tion;*

1 (3) *all persons, regardless of ethnicity, are en-*
2 *couraged to participate in elections throughout*
3 *Kosova; and*

4 (4) *the United States should work with the*
5 *United Nations Mission in Kosova and the Organiza-*
6 *tion for Security and Cooperation in Europe to en-*
7 *sure that the transition to Kosovar self-government*
8 *under the terms and conditions of United Nations Se-*
9 *curity Council Resolution 1244 proceeds peacefully,*
10 *successfully, expeditiously, and in a spirit of ethnic*
11 *inclusiveness.*

12 **SEC. 739. SENSE OF CONGRESS RELATING TO POLICY RE-**
13 **VIEW OF RELATIONS WITH THE PEOPLE'S RE-**
14 **PUBLIC OF CHINA.**

15 *It is the sense of Congress that—*

16 (1) *the President of the United States and his*
17 *advisors should be commended for their success and*
18 *the diplomatic skill with which they negotiated the*
19 *safe return of the 24 American crew members of the*
20 *United States Navy reconnaissance aircraft that*
21 *made an emergency landing on the Chinese island of*
22 *Hainan on April 1, 2001; and*

23 (2) *the United States Government should conduct*
24 *a policy review of the nature of its relations with the*

1 *Government of the People's Republic of China in light*
2 *of recent events.*

3 **SEC. 740. SENSE OF CONGRESS RELATING TO BROAD-**
4 **CASTING IN THE MACEDONIAN LANGUAGE BY**
5 **RADIO FREE EUROPE.**

6 *It is the sense of the Congress that the Broadcasting*
7 *Board of Governors should initiate surrogate broadcasting*
8 *by Radio Free Europe in the Macedonian language to Mac-*
9 *edonian-speaking areas of the Former Yugoslav Republic of*
10 *Macedonia.*

11 **SEC. 741. SENSE OF CONGRESS RELATING TO MAGEN DAVID**
12 **ADOM SOCIETY.**

13 *(a) FINDINGS.—Congress finds the following:*

14 *(1) It is the mission of the International Red*
15 *Cross and Red Crescent Movement to prevent and al-*
16 *leviate human suffering wherever it may be found,*
17 *without discrimination.*

18 *(2) The International Red Cross and Red Cres-*
19 *cent Movement is a worldwide institution in which*
20 *all national Red Cross and Red Crescent societies*
21 *have equal status.*

22 *(3) The Magen David Adom Society is the na-*
23 *tional humanitarian society in the state of Israel.*

1 (4) *The Magen David Adom Society follows all*
2 *the principles of the International Red Cross and Red*
3 *Crescent Movement.*

4 (5) *Since the founding of the Magen David*
5 *Adom Society in 1930, the American Red Cross has*
6 *regarded it as a sister national society and close*
7 *working ties have been established between the two so-*
8 *cieties.*

9 (6) *The Magen David Adom Society has used the*
10 *Red Shield of David as its humanitarian emblem*
11 *since its founding in 1930 for the same purposes that*
12 *other national Red Cross and Red Crescent societies*
13 *use their respective emblems.*

14 (7) *Since 1949 Magen David Adom has been re-*
15 *fused admission into the International Red Cross and*
16 *Red Crescent Movement and has been relegated to ob-*
17 *server status without a vote because it has used the*
18 *Red Shield of David.*

19 (8) *Magen David Adom is the only humani-*
20 *tarian organization equivalent to a national Red*
21 *Cross or Red Crescent society in a sovereign nation*
22 *that is denied membership into the International Red*
23 *Cross and Red Crescent Movement.*

24 (9) *The American Red Cross has consistently ad-*
25 *vocated recognition and membership of the Magen*

1 *David Adom Society in the International Red Cross*
2 *and Red Crescent Movement.*

3 (10) *The House of Representatives adopted H.*
4 *Res. 464 on May 3, 2000, and the Senate adopted S.*
5 *Res. 343 on October 18, 2000, expressing the sense of*
6 *the House of Representatives and the sense of the Sen-*
7 *ate, respectively, that the International Red Cross and*
8 *Red Crescent Movement should recognize and admit*
9 *to full membership Israel's Magen David Adom Soci-*
10 *ety with its emblem, the Red Shield of David.*

11 (11) *The Secretary of State testified before the*
12 *Committee on the Budget of the Senate on March 14,*
13 *2001, and stated that admission of Magen David*
14 *Adom into the International Red Cross movement is*
15 *a priority.*

16 (12) *The United States provided \$119,230,000*
17 *for the International Committee of the Red Cross in*
18 *fiscal year 2000.*

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

21 (1) *the International Committee of the Red Cross*
22 *should immediately recognize the Magen David Adom*
23 *Society;*

24 (2) *the Federation of Red Cross and Red Cres-*
25 *cent Societies should grant full membership to the*

1 *Magen David Adom Society immediately following*
2 *recognition by the International Committee of the Red*
3 *Cross of the Magen David Adom Society as a full*
4 *member of the International Committee of the Red*
5 *Cross;*

6 (3) *the Red Shield of David should be accorded*
7 *the same protections under international law as the*
8 *Red Cross and the Red Crescent; and*

9 (4) *the United States should continue to press for*
10 *full membership for the Magen David Adom in the*
11 *International Red Cross Movement.*

12 **SEC. 742. SENSE OF CONGRESS URGING THE RETURN OF**
13 **PORTRAITS PAINTED BY DINA BABBITT DUR-**
14 **ING HER INTERNMENT AT AUSCHWITZ THAT**
15 **ARE NOW IN THE POSSESSION OF THE**
16 **AUSCHWITZ-BIRKENAU STATE MUSEUM.**

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

19 (1) *Dina Babbitt (formerly known as Dinah*
20 *Gottliebova), a United States citizen now in her late*
21 *70's, has requested the return of watercolor portraits*
22 *she painted while suffering a year-and-a-half-long in-*
23 *ternment at the Auschwitz death camp during World*
24 *War II.*

1 (2) *Dina Babbitt was ordered to paint the por-*
2 *traits by the infamous war criminal Dr. Josef*
3 *Mengele.*

4 (3) *Dina Babbitt's life, and her mother's life,*
5 *were spared only because she painted portraits of*
6 *doomed inmates of Auschwitz-Birkenau, under orders*
7 *from Dr. Josef Mengele.*

8 (4) *These paintings are currently in the posses-*
9 *sion of the Auschwitz-Birkenau State Museum.*

10 (5) *Dina Babbitt is unquestionably the rightful*
11 *owner of the artwork, since the paintings were pro-*
12 *duced by her own talented hands as she endured the*
13 *unspeakable conditions that existed at the Auschwitz*
14 *death camp.*

15 (6) *The artwork is not available for the public*
16 *to view at the Auschwitz-Birkenau State Museum and*
17 *therefore this unique and important body of work is*
18 *essentially lost to history.*

19 (7) *This continued injustice can be righted*
20 *through cooperation between agencies of the United*
21 *States and Poland.*

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

23 (1) *recognizes the moral right of Dina Babbitt to*
24 *obtain the artwork she created, and recognizes her*
25 *courage in the face of the evils perpetrated by the*

1 *Nazi command of the Auschwitz-Birkenau death*
2 *camp, including the atrocities committed by Dr. Josef*
3 *Mengele;*

4 (2) *urges the President to make all efforts nec-*
5 *essary to retrieve the seven watercolor portraits Dina*
6 *Babbitt painted, while suffering a year-and-a-half-*
7 *long internment at the Auschwitz death camp, and re-*
8 *turn them to her;*

9 (3) *urges the Secretary of State to make imme-*
10 *diate diplomatic efforts to facilitate the transfer of the*
11 *seven original watercolors painted by Dina Babbitt*
12 *from the Auschwitz-Birkenau State Museum to Dina*
13 *Babbitt, their rightful owner;*

14 (4) *urges the Government of Poland to imme-*
15 *diately facilitate the return to Dina Babbitt of the*
16 *artwork painted by her that is now in the possession*
17 *of the Auschwitz-Birkenau State Museum; and*

18 (5) *urges the officials of the Auschwitz-Birkenau*
19 *State Museum to transfer the seven original paintings*
20 *to Dina Babbitt as expeditiously as possible.*

21 **SEC. 743. SENSE OF CONGRESS REGARDING VIETNAMESE**
22 **REFUGEE FAMILIES.**

23 *It is the sense of the Congress that Vietnamese refugees*
24 *who served substantial sentences in re-education camps due*
25 *to their wartime associations with the United States and*

1 *who, subsequently, were resettled in the United States*
2 *should be permitted to include their unmarried sons and*
3 *daughters as family members for purposes of such resettle-*
4 *ment.*

5 **SEC. 744. SENSE OF CONGRESS RELATING TO MEMBERSHIP**
6 **OF THE UNITED STATES IN UNESCO.**

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

9 (1) *The United Nations Educational, Scientific,*
10 *and Cultural Organization (UNESCO) was created*
11 *in 1946 with the support of the United States as an*
12 *integral part of the United Nations systems, designed*
13 *to promote international cooperation and exchanges*
14 *in the fields of education, science, culture, and com-*
15 *munication with the larger purpose of constructing*
16 *the defense of peace against intolerance and incite-*
17 *ment to war.*

18 (2) *In 1984, the United States withdrew from*
19 *membership in UNESCO over serious questions of in-*
20 *ternal management and political polarization.*

21 (3) *Since the United States withdrew from the*
22 *organization, UNESCO addressed such criticisms by*
23 *electing new leadership, tightening financial controls,*
24 *cutting budget and staff, restoring recognition of in-*

1 *tellectual property rights, and supporting the prin-*
2 *ciple of a free and independent international press.*

3 *(4) In 1993, the General Accounting Office, after*
4 *conducting an extensive review of UNESCO's progress*
5 *in implementing changes, concluded that the organi-*
6 *zation's member states, the Director General of*
7 *UNESCO, managers and employee associations dem-*
8 *onstrated a commitment to management reform*
9 *through their actions.*

10 *(5) On September 28, 2000, former Secretary of*
11 *State George P. Schultz, who implemented the with-*
12 *drawal of the United States from UNESCO with a*
13 *letter to the organization's Director General in 1984,*
14 *indicated his support for the United States renewal of*
15 *membership in UNESCO.*

16 *(6) The participation of the United States in*
17 *UNESCO programs offers a means for furthering the*
18 *foreign policy interests of the United States through*
19 *the promotion of cultural understanding and the*
20 *spread of knowledge critical to strengthening civil so-*
21 *cietly.*

22 *(b) SENSE OF CONGRESS.—It is the sense of the Con-*
23 *gress that the President should take all necessary steps to*
24 *renew the membership and participation of the United*

1 *States in the United Nations Educational, Scientific and*
2 *Cultural Organization (UNESCO).*

3 **SEC. 745. SENSE OF CONGRESS RELATING TO GLOBAL**
4 **WARMING.**

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

7 (1) *Global climate change poses a significant*
8 *threat to national security, the American economy,*
9 *public health and welfare, and the global environ-*
10 *ment.*

11 (2) *The Intergovernmental Panel on Climate*
12 *Change (IPCC) has found that most of the observed*
13 *warming over the last fifty years is attributable to*
14 *human activities, including fossil fuel-generated car-*
15 *bon dioxide emissions.*

16 (3) *The IPCC has stated that global average sur-*
17 *face temperatures have risen since 1861.*

18 (4) *The IPCC has stated that in the last forty*
19 *years, the global average sea level has risen, ocean*
20 *heat content has increased, and snow cover and ice*
21 *extent have decreased which threatens to inundate*
22 *low-lying Pacific island nations and coastal regions*
23 *throughout the world.*

24 (5) *The Environmental Protection Agency pre-*
25 *dicts that global warming will harm United States*

1 *citizens by altering crop yields, causing sea levels to*
2 *rise, and increasing the spread of tropical infectious*
3 *diseases.*

4 (6) *Industrial nations are the largest producers*
5 *today of fossil fuel-generated carbon dioxide emis-*
6 *sions.*

7 (7) *The United States has ratified the United*
8 *Nations Framework on Climate Change which states,*
9 *in part, “the Parties to the Convention are to imple-*
10 *ment policies with the aim of returning...to their 1990*
11 *levels anthropogenic emissions of carbon dioxide and*
12 *other greenhouse gases”.*

13 (8) *The United Nations Framework Convention*
14 *on Climate Change further states that “developed*
15 *country Parties should take the lead in combating cli-*
16 *mate change and the adverse effects thereof”.*

17 (9) *Action by the United States to reduce emis-*
18 *sions, taken in concert with other industrialized na-*
19 *tions, will promote action by developing countries to*
20 *reduce their own emissions.*

21 (10) *A growing number of major American busi-*
22 *nesses are expressing a need to know how governments*
23 *worldwide will respond to the threat of global warm-*
24 *ing.*

1 (11) *More efficient technologies and renewable*
2 *energy sources will mitigate global warming and will*
3 *make the United States economy more productive and*
4 *create hundreds of thousands of jobs.*

5 (b) *SENSE OF CONGRESS.—It is the sense of the Con-*
6 *gress that the United States should demonstrate inter-*
7 *national leadership and responsibility in mitigating the*
8 *health, environmental, and economic threats posed by global*
9 *warming by—*

10 (1) *taking responsible action to ensure signifi-*
11 *cant and meaningful reductions in emissions of car-*
12 *bon dioxide and other greenhouse gases from all sec-*
13 *tors; and*

14 (2) *continuing to participate in international*
15 *negotiations with the objective of completing the rules*
16 *and guidelines for the Kyoto Protocol in a manner*
17 *that is consistent with the interests of the United*
18 *States and that ensures the environmental integrity of*
19 *the protocol.*

20 **SEC. 746. SENSE OF CONGRESS REGARDING THE BAN ON**
21 **SINN FEIN MINISTERS FROM THE NORTH-**
22 **SOUTH MINISTERIAL COUNCIL IN NORTHERN**
23 **IRELAND.**

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

1 (1) *The Good Friday Agreement established the*
2 *North-South Ministerial Council to bring together*
3 *those with executive responsibilities in Northern Ire-*
4 *land and the Republic of Ireland to discuss matters*
5 *of mutual interest on a cross-border and all-island*
6 *basis.*

7 (2) *The Ulster Unionist Party, Social Demo-*
8 *cratic and Labour Party, Sinn Fein and the Demo-*
9 *cratic Unionist Party comprise the Northern Ireland*
10 *executive.*

11 (3) *First Minister David Trimble continues to*
12 *ban Sinn Fein Ministers Martin McGuinness and*
13 *Bairbre de Brun from attending North-South Min-*
14 *isterial Council meetings.*

15 (4) *On January 30, 2001, the Belfast High*
16 *Court ruled First Minister Trimble had acted illegally*
17 *in preventing the Sinn Fein Ministers from attending*
18 *the North-South Ministerial Council meetings.*

19 (b) *SENSE OF CONGRESS.—The Congress calls upon*
20 *First Minister David Trimble to adhere to the terms of the*
21 *Good Friday Agreement and lift the ban on the participa-*
22 *tion of Sinn Fein Ministers on the North-South Ministerial*
23 *Council.*

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

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

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

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

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

10 **SEC. 811. QUARTERLY REPORT ON PRICE AND AVAIL-**
11 **ABILITY ESTIMATES.**

12 *Chapter 2 of the Arms Export Control Act (22 U.S.C.*
13 *2761 et seq.) is amended by adding at the end the following:*

14 **“SEC. 28. QUARTERLY REPORT ON PRICE AND AVAIL-**
15 **ABILITY ESTIMATES.**

16 *“(a) QUARTERLY REPORT.—Not later than 15 days*
17 *after the end of each calendar quarter, the President shall*
18 *transmit to the Committee on International Relations of the*
19 *House of Representatives and the Committee on Foreign Re-*
20 *lations of the Senate a report that contains the information*
21 *described in subsection (b).*

22 *“(b) INFORMATION.—The information described in this*
23 *subsection is the following:*

24 *“(1)(A) Each price and availability estimate*
25 *provided by the United States Government during*

1 *such calendar quarter to a foreign country with re-*
2 *spect to a possible sale under this Act of major defense*
3 *articles having a cost of \$7,000,000 or more, or of any*
4 *other defense articles or services having a cost of*
5 *\$25,000,000 or more.*

6 *“(B) The name of each foreign country to which*
7 *an estimate described in subparagraph (A) was pro-*
8 *vided, the defense articles or services involved, the*
9 *quantity of the articles or services involved, and the*
10 *price estimate.*

11 *“(2)(A) Each request received by the United*
12 *States Government from a foreign country during*
13 *such calendar quarter for the issuance of a letter of*
14 *offer to sell defense articles or defense services if the*
15 *proposed sale does not include a price and avail-*
16 *ability estimate (as described in paragraph (1)(A)).*

17 *“(B) The name of each foreign country that*
18 *makes a request described in subparagraph (A), the*
19 *date of the request, the defense articles or services in-*
20 *volved, the quantity of the articles or services in-*
21 *volved, and the price and availability terms re-*
22 *quested.”.*

1 **SEC. 812. OFFICIAL RECEPTION AND REPRESENTATION EX-**
2 **PENSES.**

3 *Section 43(c) of the Arms Export Control Act (22*
4 *U.S.C. 2792(c)) is amended by striking “\$72,500” and in-*
5 *serting “\$86,500”.*

6 **SEC. 813. TREATMENT OF TAIWAN RELATING TO TRANS-**
7 **FERS OF DEFENSE ARTICLES AND SERVICES.**

8 *Notwithstanding any other provision of law, for pur-*
9 *poses of the transfer or potential transfer of defense articles*
10 *or defense services under the Arms Export Control Act (22*
11 *U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961*
12 *(22 U.S.C. 2151 et seq.), or any other provision of law, Tai-*
13 *wan shall be treated as the equivalent of a major non-NATO*
14 *ally.*

15 **SEC. 814. UNITED STATES POLICY WITH REGARD TO TAI-**
16 **WAN.**

17 *(a) CONSULTATION WITH CONGRESS.—Not later than*
18 *30 days prior to consultations with Taiwan described in*
19 *subsection (b), the President shall consult, on a classified*
20 *basis, with Congress regarding the following matters with*
21 *respect to the availability of defense articles and services*
22 *for Taiwan:*

23 *(1) The request by Taiwan to the United States*
24 *for the purchase of defense articles and defense serv-*
25 *ices.*

1 (2) *The President's assessment of the legitimate*
 2 *defense needs of Taiwan taking into account Taiwan's*
 3 *request described in paragraph (1).*

4 (3) *The decisionmaking process used by the*
 5 *President to consider such request.*

6 (b) *CONSULTATION WITH TAIWAN.—At least once*
 7 *every calendar year, the President, or the President's des-*
 8 *ignee, shall consult with representatives of the armed forces*
 9 *of Taiwan, at not less than the level of Vice Chief of the*
 10 *General Staff, concerning the nature and quantity of de-*
 11 *fense articles and services to be made available to Taiwan*
 12 *in accordance with section 3(b) of the Taiwan Relations*
 13 *Act (22 U.S.C. 3302(b)). Such consultations shall take place*
 14 *in Washington, D.C.*

15 **CHAPTER 2—EXCESS DEFENSE ARTICLE**
 16 **AND DRAWDOWN AUTHORITIES**

17 **SEC. 821. EXCESS DEFENSE ARTICLES FOR CERTAIN EURO-**
 18 **PEAN AND OTHER COUNTRIES.**

19 (a) *CENTRAL AND SOUTHERN EUROPEAN COUN-*
 20 *TRIES.—Section 105 of Public Law 104–164 (110 Stat.*
 21 *1427) is amended by striking “2000 and 2001” and insert-*
 22 *ing “2001, 2002, and 2003”.*

23 (b) *CERTAIN OTHER COUNTRIES.—Notwithstanding*
 24 *section 516(e) of the Foreign Assistance Act of 1961 (22*
 25 *U.S.C. 2321j(e)), during each of the fiscal years 2002 and*

1 2003, funds available to the Department of Defense may
2 be expended for crating, packing, handling, and transpor-
3 tation of excess defense articles transferred under the au-
4 thority of section 516 of such Act to Albania, Bulgaria, Cro-
5 atia, Estonia, the Former Yugoslavia Republic of Mac-
6 edonia, Georgia, Kyrgyzstan, Latvia, Lithuania, Mongolia,
7 the Philippines, Slovakia, and Uzbekistan.

8 (c) *CONTENT OF CONGRESSIONAL NOTIFICATION.*—
9 Each notification required to be submitted under section
10 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C.
11 2321j(f)) with respect to a proposed transfer of a defense
12 article described in subsection (b) shall include an estimate
13 of the amount of funds to be expended under such subsection
14 with respect to that transfer.

15 **SEC. 822. LEASES OF DEFENSE ARTICLES FOR FOREIGN**
16 **COUNTRIES AND INTERNATIONAL ORGANIZA-**
17 **TIONS.**

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

20 (1) by striking “(b) Each lease agreement” and
21 inserting “(b)(1) Each lease agreement”; and

22 (2) by striking “of not to exceed five years” and
23 inserting “which may not exceed (A) five years, and
24 (B) a specified period of time required to complete
25 major refurbishment work of the leased articles to be

1 *performed prior to the delivery of the leased articles,”;*

2 *and*

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

4 *“(2) In this subsection, the term ‘major refurbishment*
5 *work’ means work for which the period of performance is*
6 *six months or more.”.*

7 **SEC. 823. PRIORITY WITH RESPECT TO TRANSFER OF EX-**
8 **CESS DEFENSE ARTICLES.**

9 *Section 516(c)(2) of the Foreign Assistance Act of 1961*
10 *(22 U.S.C. 2321j(c)(2)) is amended by striking “and to*
11 *major non-NATO allies on such southern and southeastern*
12 *flank” and inserting “, to major non-NATO allies on such*
13 *southern and southeastern flank, and to the Philippines”.*

14 **CHAPTER 3—NONPROLIFERATION AND**
15 **EXPORT CONTROL ASSISTANCE**

16 **SEC. 831. INTERNATIONAL COUNTERPROLIFERATION EDU-**
17 **CATION AND TRAINING.**

18 *Chapter 9 of part II of the Foreign Assistance Act of*
19 *1961 (22 U.S.C. 2349bb et seq.) is amended—*

20 *(1) by redesignating sections 584 and 585 as sec-*
21 *tions 585 and 586, respectively; and*

22 *(2) by inserting after section 583 the following:*

1 **“SEC. 584. INTERNATIONAL COUNTER-PROLIFERATION**
2 **EDUCATION AND TRAINING.**

3 “(a) *GENERAL AUTHORITY.*—*The President is author-*
4 *ized to furnish, on such terms and conditions consistent*
5 *with this chapter (but whenever feasible on a reimbursable*
6 *basis), education and training to foreign governmental and*
7 *military personnel for the purpose of enhancing the non-*
8 *proliferation and export control capabilities of such per-*
9 *sonnel through their attendance in special courses of in-*
10 *struction in the United States.*

11 “(b) *ADMINISTRATION OF COURSES.*—*The Secretary of*
12 *State shall have overall responsibility for the development*
13 *and conduct of international nonproliferation education*
14 *and training programs, but may rely upon any of the fol-*
15 *lowing agencies to recommend personnel for the education*
16 *and training, and to administer specific courses of instruc-*
17 *tion:*

18 “(1) *The Department of Defense (including na-*
19 *tional weapons laboratories under contract with the*
20 *Department).*

21 “(2) *The Department of Energy (including na-*
22 *tional weapons laboratories under contract with the*
23 *Department).*

24 “(3) *The Department of Commerce.*

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

4 “(5) *The United States Customs Service.*

5 “(6) *The Federal Bureau of Investigation.*

6 “(c) *PURPOSES.—Education and training activities*
7 *conducted under this section shall be—*

8 “(1) *of a technical nature, emphasizing tech-*
9 *niques for detecting, deterring, monitoring, inter-*
10 *dicting, and countering proliferation;*

11 “(2) *designed to encourage effective and mutu-*
12 *ally beneficial relations and increased understanding*
13 *between the United States and friendly countries; and*

14 “(3) *designed to improve the ability of friendly*
15 *countries to utilize their resources, including defense*
16 *articles and defense services obtained by them from*
17 *the United States, with maximum effectiveness, there-*
18 *by contributing to greater self-reliance by such coun-*
19 *tries.”.*

20 **SEC. 832. ANNUAL REPORT ON THE PROLIFERATION OF**
21 **MISSILES AND ESSENTIAL COMPONENTS OF**
22 **NUCLEAR, BIOLOGICAL, AND CHEMICAL**
23 **WEAPONS.**

24 (a) *REPORT.—*

1 (1) *IN GENERAL.*—*The President shall transmit*
2 *to the designated congressional committees an annual*
3 *report on the transfer by any country of weapons,*
4 *technology, components, or materials that can be used*
5 *to deliver, manufacture (including research and ex-*
6 *perimentation), or weaponize nuclear, biological, or*
7 *chemical weapons (hereinafter in this section referred*
8 *to as “NBC weapons”)* *to any country other than a*
9 *country referred to in subsection (c) that is seeking to*
10 *possess or otherwise acquire such weapons, technology,*
11 *or materials, or other system that the Secretary of*
12 *State or Secretary of Defense has reason to believe*
13 *could be used to develop, acquire, or deliver NBC*
14 *weapons.*

15 (2) *DEADLINE FOR INITIAL REPORT.*—*The first*
16 *such report shall be submitted not later than 90 days*
17 *after the date of the enactment of this Act and on*
18 *April 1 of each year thereafter.*

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

21 (1) *the transfer of all aircraft, cruise missiles,*
22 *artillery weapons, unguided rockets and multiple*
23 *rocket systems, and related bombs, shells, warheads*
24 *and other weaponization technology and materials*
25 *that the Secretary of State or the Secretary of Defense*

1 *has reason to believe may be intended for the delivery*
2 *of NBC weapons;*

3 *(2) international transfers of MTCR equipment*
4 *or technology to any country that is seeking to ac-*
5 *quire such equipment or any other system that the*
6 *Secretary of State or the Secretary of Defense has rea-*
7 *son to believe may be used to deliver NBC weapons;*
8 *and*

9 *(3) the transfer of technology, test equipment, ra-*
10 *dioactive materials, feedstocks and cultures, and all*
11 *other specialized materials that the Secretary of State*
12 *or the Secretary of Defense has reason to believe could*
13 *be used to manufacture NBC weapons.*

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

16 *(1) The status of missile, aircraft, and other*
17 *NBC weapons delivery and weaponization programs*
18 *in any such country, including efforts by such coun-*
19 *try or by any subnational group to acquire MTCR-*
20 *controlled equipment, NBC-capable aircraft, or any*
21 *other weapon or major weapon component which may*
22 *be utilized in the delivery of NBC weapons, whose*
23 *primary use is the delivery of NBC weapons, or that*
24 *the Secretary of State or the Secretary of Defense has*

1 *reason to believe could be used to deliver NBC weap-*
2 *ons.*

3 (2) *The status of NBC weapons development, ac-*
4 *quisition, manufacture, stockpiling, and deployment*
5 *programs in any such country, including efforts by*
6 *such country or by any subnational group to acquire*
7 *essential test equipment, manufacturing equipment*
8 *and technology, weaponization equipment and tech-*
9 *nology, and radioactive material, feedstocks or compo-*
10 *nents of feedstocks, and biological cultures and toxins.*

11 (3) *A description of assistance provided by any*
12 *person or government, after the date of the enactment*
13 *of this Act, to any such country or subnational group*
14 *in the acquisition or development of—*

15 (A) *NBC weapons;*

16 (B) *missile systems, as defined in the*
17 *MTCR or that the Secretary of State or the Sec-*
18 *retary of Defense has reason to believe may be*
19 *used to deliver NBC weapons; and*

20 (C) *aircraft and other delivery systems and*
21 *weapons that the Secretary of State or the Sec-*
22 *retary of Defense has reason to believe could be*
23 *used to deliver NBC weapons.*

24 (4) *A listing of those persons and countries*
25 *which continue to provide such equipment or tech-*

1 *nology described in paragraph (3) to any country or*
2 *subnational group as of the date of submission of the*
3 *report, including the extent to which foreign persons*
4 *and countries were found to have knowingly and ma-*
5 *terially assisted such programs.*

6 *(5) A description of the use of, or substantial*
7 *preparations to use, the equipment of technology de-*
8 *scribed in paragraph (3) by any foreign country or*
9 *subnational group.*

10 *(6) A description of the diplomatic measures that*
11 *the United States, and that other adherents to the*
12 *MTCR and other arrangements affecting the acquisi-*
13 *tion and delivery of NBC weapons, have made with*
14 *respect to activities and private persons and govern-*
15 *ments suspected of violating the MTCR and such*
16 *other arrangements.*

17 *(7) An analysis of the effectiveness of the regu-*
18 *latory and enforcement regimes of the United States*
19 *and other countries that adhere to the MTCR and*
20 *other arrangements affecting the acquisition and de-*
21 *livery of NBC weapons in controlling the export of*
22 *MTCR and other NBC weapons and delivery system*
23 *equipment or technology.*

24 *(8) A summary of advisory opinions issued*
25 *under section 11B(b)(4) of the Export Administration*

1 *Act of 1979 (50 U.S.C. App. 2401b(b)(4)) and under*
2 *section 73(d) of the Arms Export Control Act (22*
3 *U.S.C. 2797b(d)).*

4 *(9) An explanation of United States policy re-*
5 *garding the transfer of MTCR equipment or tech-*
6 *nology to foreign missile programs, including pro-*
7 *grams involving launches of space vehicles.*

8 *(10) A description of each transfer by any per-*
9 *son or government during the preceding 12-month pe-*
10 *riod which is subject to sanctions under the Iran-Iraq*
11 *Arms Non-Proliferation Act of 1992 (title XVI of*
12 *Public Law 102-484).*

13 *(d) EXCLUSIONS.—The countries excluded under sub-*
14 *section (a) are Australia, Belgium, Canada, the Czech Re-*
15 *public, Denmark, France, Germany, Greece, Hungary, Ice-*
16 *land, Italy, Japan, Luxembourg, the Netherlands, Norway,*
17 *Poland, Portugal, Spain, Turkey, the United Kingdom, and*
18 *the United States.*

19 *(e) CLASSIFICATION OF REPORT.—The Secretary of*
20 *State shall make every effort to submit all of the informa-*
21 *tion required by this section in unclassified form. Whenever*
22 *the Secretary submits any such information in classified*
23 *form, the Secretary shall submit such classified information*
24 *in an addendum and shall also submit concurrently a de-*

1 *tailed summary, in unclassified form, of that classified in-*
2 *formation.*

3 *(f) DEFINITIONS.—In this section:*

4 *(1) DESIGNATED CONGRESSIONAL COMMIT-*
5 *TEES.—The term “designated congressional commit-*
6 *tees” means—*

7 *(A) the Committee on Appropriations, the*
8 *Committee on Armed Services, and the Com-*
9 *mittee on International Relations of the House of*
10 *Representatives; and*

11 *(B) the Committees on Appropriations, the*
12 *Committee on Armed Services, and the Com-*
13 *mittee on Foreign Relations of the Senate.*

14 *(2) MISSILE; MTCR; MTCR EQUIPMENT OR TECH-*
15 *NOLOGY.—The terms “missile”, “MTCR”, and*
16 *“MTCR equipment or technology” have the meanings*
17 *given those terms in section 74 of the Arms Export*
18 *Control Act (22 U.S.C. 2797c).*

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

23 *(4) WEAPONIZE; WEAPONIZATION.—The term*
24 *“weaponize” or “weaponization” means to incor-*

1 *porate into, or the incorporation into, usable ord-*
2 *nance or other militarily useful means of delivery.*

3 *(g) REPEALS.—*

4 *(1) IN GENERAL.—The following provisions of*
5 *law are repealed:*

6 *(A) Section 1097 of the National Defense*
7 *Authorization Act for Fiscal Years 1992 and*
8 *1993 (22 U.S.C. 2751 note).*

9 *(B) Section 308 of the Chemical and Bio-*
10 *logical Weapons Control and Warfare Elimini-*
11 *ation Act of 1991 (22 U.S.C. 5606).*

12 *(C) Section 1607(a) of the Iran-Iraq Arms*
13 *Non-Proliferation Act of 1992 (Public Law 102–*
14 *484).*

15 *(D) Paragraph (d) of section 585 of the*
16 *Foreign Operations, Export Financing, and Re-*
17 *lated Programs Appropriations Act, 1997 (as*
18 *contained in section 101(c) of title I of division*
19 *A of Public Law 104–208).*

20 *(2) CONFORMING AMENDMENTS.—Section 585 of*
21 *the Foreign Operations, Export Financing, and Re-*
22 *lated Programs Appropriations Act, 1997, is*
23 *amended—*

24 *(A) in paragraph (b), by adding “and” at*
25 *the end; and*

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

3 **SEC. 833. FIVE-YEAR INTERNATIONAL ARMS CONTROL AND**
4 **NONPROLIFERATION STRATEGY.**

5 Not later than 180 days after the date of the enactment
6 of this Act, the Secretary of State shall prepare and submit
7 to the appropriate congressional committees a five-year
8 international arms control and nonproliferation strategy.
9 The strategy shall contain the following:

10 (1) A five-year plan for the reduction of existing
11 nuclear, chemical, and biological weapons and bal-
12 listic missiles and for controlling the proliferation of
13 these weapons.

14 (2) Identification of the goals and objectives of
15 the United States with respect to arms control and
16 nonproliferation of weapons of mass destruction and
17 their delivery systems.

18 (3) A description of the programs, projects, and
19 activities of the Department of State intended to ac-
20 complish goals and objectives described in paragraph
21 (2).

1 ***Subtitle B—Strengthening the***
2 ***Munitions Licensing Process***

3 **SEC. 841. LICENSE OFFICER STAFFING.**

4 (a) *FUNDING.*—Of the amounts authorized to be ap-
5 propriated under the appropriations account entitled “DIP-
6 LOMATIC AND CONSULAR PROGRAMS” for fiscal years 2002
7 and 2003, not less than \$10,000,000 shall be made available
8 each such fiscal year for the Office of Defense Trade Controls
9 of the Department of State for salaries and expenses.

10 (b) *ASSIGNMENT OF LICENSE REVIEW OFFICERS.*—Ef-
11 fective January 1, 2002, the Secretary of State shall assign
12 to the Office of Defense Trade Controls of the Department
13 of State a sufficient number of license review officers to en-
14 sure that the average weekly caseload for each officer does
15 not exceed 40.

16 (c) *DETAILEES.*—Given the priority placed on expe-
17 dited license reviews in recent years by the Department of
18 Defense, the Secretary of Defense should ensure that 10
19 military officers are continuously detailed to the Office of
20 Defense Trade Controls of the Department of State on a
21 nonreimbursable basis.

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

23 Of the amounts authorized to be appropriated under
24 the appropriations account entitled “CAPITAL INVESTMENT
25 FUND” for fiscal years 2002 and 2003, not less than

1 \$4,000,000 shall be made available each such fiscal year
2 for the Office of Defense Trade Controls of the Department
3 of State for the modernization of information management
4 systems.

5 **SEC. 843. INFORMATION MANAGEMENT PRIORITIES.**

6 (a) *OBJECTIVE.*—The Secretary of State shall establish
7 a secure, Internet-based system for the filing and review of
8 applications for export of Munitions List items.

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

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

16 (2) is secure, with modules available through the
17 Internet; and

18 (3) is capable of exchanging data with—

19 (A) the Foreign Disclosure and Technology
20 Information System and the USXPORTS sys-
21 tems of the Department of Defense;

22 (B) the Export Control System of the Cen-
23 tral Intelligence Agency; and

24 (C) the Proliferation Information Network
25 System of the Department of Energy.

1 (c) *MUNITIONS LIST DEFINED.*—*In this section, the*
2 *term “Munitions List” means the United States Munitions*
3 *List of defense articles and defense services controlled under*
4 *section 38 of the Arms Export Control Act (22 U.S.C. 2778).*

5 **SEC. 844. IMPROVEMENTS TO THE AUTOMATED EXPORT**
6 **SYSTEM.**

7 (a) *MANDATORY FILING.*—*The Secretary of Commerce,*
8 *with the concurrence of the Secretary of State and the Sec-*
9 *retary of the Treasury, shall publish regulations in the Fed-*
10 *eral Register to require, upon the effective date of those regu-*
11 *lations, the mandatory filing through the Automated Ex-*
12 *port System for the remainder of exports that were not cov-*
13 *ered by regulations issued pursuant to section 1252(b) of*
14 *the Security Assistance Act of 1999 (113 Stat. 1501A–506),*
15 *as enacted into law by section 1000(a)(7) of Public Law*
16 *106–113.*

17 (b) *REQUIREMENT FOR INFORMATION SHARING.*—*The*
18 *Secretary of State shall conclude an information sharing*
19 *arrangement with the heads of United States Customs Serv-*
20 *ice and the Census Bureau to adjust the Automated Export*
21 *System to parallel information currently collected by the*
22 *Department of State.*

23 (c) *SECRETARY OF TREASURY FUNCTIONS.*—*Section*
24 *303 of title 13, United States Code, is amended by striking*
25 *“, other than by mail,”.*

1 (d) *FILING EXPORT INFORMATION, DELAYED FILINGS,*
2 *PENALTIES FOR FAILURE TO FILE.*—Section 304 of title
3 13, United States Code, is amended—

4 (1) in subsection (a)—

5 (A) in the first sentence, by striking “the
6 penal sum of \$1,000” and inserting “a penal
7 sum of \$10,000”; and

8 (B) in the third sentence, by striking “a
9 penalty not to exceed \$100 for each day’s delin-
10 quency beyond the prescribed period, but not
11 more than \$1,000, shall be exacted” and insert-
12 ing “the Secretary of Commerce (and officers
13 and employees of the Department of Commerce
14 designated by the Secretary) may impose a civil
15 penalty not to exceed \$1,000 for each day’s delin-
16 quency beyond the prescribed period, but not
17 more than \$10,000 per violation”;

18 (2) by redesignating subsection (b) as subsection
19 (c); and

20 (3) by inserting after subsection (a) the fol-
21 lowing:

22 “(b) Any person, other than a person described in
23 subsection (a), required to submit export information, shall
24 file such information in accordance with any rule, regula-
25 tion, or order issued pursuant to this chapter. In the event

1 *any such information or reports are not filed within such*
2 *prescribed period, the Secretary of Commerce (and officers*
3 *and employees of the Department of Commerce designated*
4 *by the Secretary) may impose a civil penalty not to exceed*
5 *\$1,000 for each day's delinquency beyond the prescribed*
6 *period, but not more than \$10,000 per violation.”.*

7 *(e) ADDITIONAL PENALTIES.—*

8 *(1) IN GENERAL.—Section 305 of title 13,*
9 *United States Code, is amended to read as follows:*

10 **“§305. Penalties for unlawful export information ac-**
11 **tivities**

12 *“(a) CRIMINAL PENALTIES.—(1) Any person who*
13 *knowingly fails to file or knowingly submits false or mis-*
14 *leading export information through the Shippers Export*
15 *Declaration (SED) (or any successor document) or the*
16 *Automated Export System (AES) shall be subject to a fine*
17 *not to exceed \$10,000 per violation or imprisonment for not*
18 *more than 5 years, or both.*

19 *“(2) Any person who knowingly reports any informa-*
20 *tion on or uses the SED or the AES to further any illegal*
21 *activity shall be subject to a fine not to exceed \$10,000 per*
22 *violation or imprisonment for not more than 5 years, or*
23 *both.*

1 “(3) *Any person who is convicted under this subsection*
2 *shall, in addition to any other penalty, forfeit to the United*
3 *States—*

4 “(A) *any of that person’s interest in, security of,*
5 *claim against, or property or contractual rights of*
6 *any kind in the goods or tangible items that were the*
7 *subject of the violation;*

8 “(B) *any of that person’s interest in, security of,*
9 *claim against, or property or contractual rights of*
10 *any kind in tangible property that was used in the*
11 *export or attempt to export that was the subject of the*
12 *violation; and*

13 “(C) *any of that person’s property constituting,*
14 *or derived from, any proceeds obtained directly or in-*
15 *directly as a result of the violation.*

16 “(b) *CIVIL PENALTIES.—The Secretary (and officers*
17 *and employees of the Department of Commerce specifically*
18 *designated by the Secretary) may impose a civil penalty*
19 *not to exceed \$10,000 per violation on any person violating*
20 *the provisions of this chapter or any rule, regulation, or*
21 *order issued thereunder, except as provided in section 304.*
22 *Such penalty may be in addition to any other penalty im-*
23 *posed by law.*

24 “(c) *CIVIL PENALTY PROCEDURE.—(1) When a civil*
25 *penalty is sought for a violation of this section or of section*

1 304, the charged party is entitled to receive a formal com-
2 plaint specifying the charges and, at his or her request, to
3 contest the charges in a hearing before an administrative
4 law judge. Any such hearing shall be conducted in accord-
5 ance with sections 556 and 557 of title 5, United States
6 Code.

7 “(2) If any person fails to pay a civil penalty imposed
8 under this chapter, the Secretary may ask the Attorney
9 General to commence a civil action in an appropriate dis-
10 trict court of the United States to recover the amount im-
11 posed (plus interest at currently prevailing rates from the
12 date of the final order). No such action may be commenced
13 more than 5 years after the order imposing the civil penalty
14 becomes final. In such action, the validity, amount, and
15 appropriateness of such penalty shall not be subject to re-
16 view.

17 “(3) The Secretary may remit or mitigate any pen-
18 alties imposed under paragraph (1) if, in his or her
19 opinion—

20 “(A) the penalties were incurred without willful
21 negligence or fraud; or

22 “(B) other circumstances exist that justify a re-
23 mission or mitigation.

24 “(4) If, pursuant to section 306, the Secretary dele-
25 gates functions under this section to another agency, the

1 *provisions of law of that agency relating to penalty assess-*
2 *ment, remission or mitigation of such penalties, collection*
3 *of such penalties, and limitations of actions and com-*
4 *promise of claims, shall apply.*

5 “(5) *Any amount paid in satisfaction of a civil pen-*
6 *alty imposed under this section or section 304 shall be de-*
7 *posited into the general fund of the Treasury and credited*
8 *as miscellaneous receipts.*

9 “(d) *ENFORCEMENT.—(1) The Secretary of Commerce*
10 *may designate officers or employees of the Office of Export*
11 *Enforcement to conduct investigations pursuant to this*
12 *chapter. In conducting such investigations, those officers or*
13 *employees may, to the extent necessary or appropriate to*
14 *the enforcement of this chapter, exercise such authorities as*
15 *are conferred upon them by other laws of the United States,*
16 *subject to policies and procedures approved by the Attorney*
17 *General.*

18 “(2) *The Commissioner of Customs may designate offi-*
19 *cers or employees of the Customs Service to enforce the pro-*
20 *visions of this chapter, or to conduct investigations pursu-*
21 *ant to this chapter.*

22 “(e) *REGULATIONS.—The Secretary of Commerce shall*
23 *promulgate regulations for the implementation and enforce-*
24 *ment of this section.*

1 “(f) *EXEMPTION.*—*The criminal fines provided for in*
2 *this section are exempt from the provisions of section 3571*
3 *of title 18, United States Code.*”.

4 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
5 *tions at the beginning of chapter 9 of title 13, United*
6 *States Code, is amended by striking the item relating*
7 *to section 305 and inserting the following:*

“305. *Penalties for unlawful export information activities.*”.

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

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

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

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

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

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

20 (3) in section 36(b)(5)(C), by adding after “or
21 \$200,000,000 or more in the case of design or con-
22 struction services” the following: “(or, in the case of
23 a letter of offer to sell to a country which is a member
24 country of the North Atlantic Treaty Organization
25 (NATO) or Australia, Japan, or New Zealand, any

1 *major defense equipment for \$25,000,000 or more,*
2 *any defense articles or services for \$100,000,000 or*
3 *more, or any design and construction services for*
4 *\$300,000,000 or more)”;*

5 (4) *in section 36(c)(1), by adding after*
6 *“\$50,000,000 or more” the following: “(or, in the case*
7 *of an application by a person (other than with regard*
8 *to a sale under section 21 or section 22 of this Act)*
9 *for a license for the export to a country which is a*
10 *member country of the North Atlantic Treaty Organi-*
11 *zation (NATO) or Australia, Japan, or New Zealand,*
12 *of any major defense equipment sold under a contract*
13 *in the amount of \$25,000,000 or more or of defense*
14 *articles or defense services sold under a contract in*
15 *the amount of \$100,000,000 or more)”; and*

16 (5) *in section 63(a), by adding after*
17 *“\$50,000,000 or more” the following: “(or, in the case*
18 *of such an agreement with a country which is a mem-*
19 *ber country of the North Atlantic Treaty Organiza-*
20 *tion (NATO) or Australia, Japan, or New Zealand,*
21 *(i) major defense equipment valued (in terms of its*
22 *replacement cost less any depreciation in its value) at*
23 *\$25,000,000 or more, or (ii) defense articles valued*
24 *(in terms of their replacement cost less any deprecia-*
25 *tion in their value) at \$100,000,000 or more)”.*

1 **Subtitle C—Authority to Transfer**
2 **Naval Vessels**

3 **SEC. 851. AUTHORITY TO TRANSFER NAVAL VESSELS TO**
4 **CERTAIN FOREIGN COUNTRIES.**

5 (a) *AUTHORITY TO TRANSFER.*—

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

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

17 (3) *TAIWAN.*—*The President is authorized to*
18 *transfer to the Taipei Economic and Cultural Rep-*
19 *resentative Office in the United States (which is the*
20 *Taiwan instrumentality designated pursuant to sec-*
21 *tion 10(a) of the Taiwan Relations Act) the “Kidd”*
22 *class guided missile destroyers Kidd (DDG 993),*
23 *Callaghan (DDG 994), Scott (DDG 995), and Chan-*
24 *dlar (DDG 996). Such transfers shall be on a sales*

1 *basis under section 21 of the Arms Export Control*
2 *Act (22 U.S.C. 2761).*

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

17 (b) *GRANTS NOT COUNTED IN ANNUAL TOTAL OF*
18 *TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of*
19 *a vessel transferred to another country on a grant basis*
20 *under section 516 of the Foreign Assistance Act of 1961 (22*
21 *U.S.C. 2321j) pursuant to authority provided by subsection*
22 *(a) shall not be counted for the purposes of subsection (g)*
23 *of that section in the aggregate value of excess defense arti-*
24 *cles transferred to countries under that section in any fiscal*
25 *year.*

1 (c) *COSTS OF TRANSFERS.*—Notwithstanding section
2 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C.
3 2321j(e)(1)), any expense incurred by the United States in
4 connection with a transfer authorized to be made on a grant
5 basis under subsection (a) shall be charged to the recipient.

6 (d) *REPAIR AND REFURBISHMENT IN UNITED STATES*
7 *SHIPYARDS.*—To the maximum extent practicable, the
8 President shall require, as a condition of the transfer of a
9 vessel under this section, that the country to which the vessel
10 is transferred have such repair or refurbishment of the vessel
11 as is needed, before the vessel joins the naval forces of that
12 country, performed at a United States Navy shipyard or
13 other shipyard located in the United States.

14 (e) *EXPIRATION OF AUTHORITY.*—The authority pro-
15 vided under subsection (a) shall expire at the end of the
16 2-year period beginning on the date of the enactment of this
17 Act.

18 **Subtitle D—Miscellaneous**

19 **Provisions**

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

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

23 (1) by striking “Not later than January 31 of
24 each year,” and inserting “Upon written request by
25 the chairman or ranking member of the Committee on

1 *International Relations of the House of Representa-*
2 *tives or the Committee on Foreign Relations of the*
3 *Senate,”; and*

4 *(2) by inserting “of a country specified in the re-*
5 *quest” after “personnel”.*

6 **SEC. 862. REPORT RELATING TO INTERNATIONAL ARMS**
7 **SALES CODE OF CONDUCT.**

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

12 *(1) in paragraph (1)—*

13 *(A) by striking “commencement of the nego-*
14 *tiations under subsection (a),” and inserting*
15 *“date of the enactment of the Foreign Relations*
16 *Authorization Act, Fiscal Years 2002 and*
17 *2003,”; and*

18 *(B) by striking “during these negotiations.”*
19 *and inserting “to begin negotiations and any*
20 *progress made to conclude an agreement during*
21 *negotiations.”; and*

22 *(2) in paragraph (2), by striking “subsection*
23 *(a)” and inserting “subsection (b)”.*

Union Calendar No. 34

107TH CONGRESS
1ST SESSION

H. R. 1646

[Report No. 107-57]

A BILL

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

MAY 4, 2001

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed