

106<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2415

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## AN ACT

To enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.

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To enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

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

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

5 The table of contents is as follows:

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

DIVISION A—DEPARTMENT OF STATE AND RELATED PROVISIONS

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

CHAPTER 1—DEPARTMENT OF STATE

- Sec. 101. Administration of foreign affairs.
- Sec. 102. International organizations.
- Sec. 103. International commissions.
- Sec. 104. Migration and refugee assistance.
- Sec. 105. Public diplomacy programs.
- Sec. 106. Voluntary contributions to international organizations.
- Sec. 107. Grants to the Asia Foundation.

CHAPTER 2—BROADCASTING BOARD OF GOVERNORS

- Sec. 121. International broadcasting.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND  
ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

- Sec. 201. Authority to lease aircraft to respond to a terrorist attack abroad.
- Sec. 202. Report on Cuban drug trafficking.
- Sec. 203. Report on compliance with the Hague Convention on International  
Child Abduction.
- Sec. 204. Elimination of obsolete reports.
- Sec. 205. Continuation of reporting requirements.
- Sec. 206. International arms sales code of conduct.
- Sec. 207. Human rights and democracy fellowships.
- Sec. 208. Joint funds under agreements for cooperation in environmental, sci-  
entific, cultural, and related areas.
- Sec. 209. Report on international extradition.
- Sec. 210. Effective regulation of satellite export activities.
- Sec. 211. Report concerning attack in Cambodia.
- Sec. 212. Gender Related Persecution Task Force.
- Sec. 213. Report concerning the diplomatic initiatives of the United States and  
other interested parties in the Federal Republic of Yugoslavia.
- Sec. 214. Report concerning proliferation of small arms.

CHAPTER 2—CONSULAR AND RELATED ACTIVITIES

- Sec. 251. Deaths and estates of United States citizens abroad.
- Sec. 252. Duties of consular officers.
- Sec. 253. Machine readable visas.
- Sec. 254. Processing of visa applications.
- Sec. 255. Repeal of outdated provision on passport fees.
- Sec. 256. Fees relating to affidavits of support.
- Sec. 257. Report on terrorist activity in which United States citizens were killed and related matters.
- Sec. 258. Denial of passports to noncustodial parents subject to State arrest warrants in cases of nonpayment of child support.
- Sec. 259. Issuance of passports for the first time to children under age 14.

#### CHAPTER 3—REFUGEES

- Sec. 271. United States policy regarding the involuntary return of refugees.
- Sec. 272. Human rights reports.
- Sec. 273. Guidelines for refugee processing posts.
- Sec. 274. Vietnamese refugees.

### TITLE III—ORGANIZATION OF THE DEPARTMENT OF STATE; PERSONNEL OF THE DEPARTMENT OF STATE AND FOREIGN SERVICE

#### CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

- Sec. 301. Establishment of Bureau for International Information Programs and Bureau for Educational and Cultural Exchange Programs.
- Sec. 302. Correction of designation of Inspector General of the Department of State.
- Sec. 303. Science and Technology Adviser to Secretary of State.

#### CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE

- Sec. 321. Establishment of Foreign Service Star.
- Sec. 322. United States citizens hired abroad.
- Sec. 323. Border equalization adjustment.
- Sec. 324. Treatment of grievance records.
- Sec. 325. Report concerning financial disadvantages for administrative and technical personnel.
- Sec. 326. Extension of overseas hiring authority.
- Sec. 327. Medical emergency assistance.
- Sec. 328. Families of deceased foreign service personnel.
- Sec. 329. Parental choice in education.
- Sec. 330. Workforce planning for foreign service personnel by federal agencies.
- Sec. 331. Compensation for survivors of terrorist attacks overseas.
- Sec. 332. Preservation of diversity in reorganization.

### TITLE IV—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS

- Sec. 401. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
- Sec. 402. Conduct of certain educational and cultural exchange programs.
- Sec. 403. Notification to Congress of grants.
- Sec. 404. National security measures.
- Sec. 405. Designation of North/South Center as the Dante B. Fascell North-South Center.

- Sec. 406. Advisory Commission on Public Diplomacy.
- Sec. 407. International expositions.
- Sec. 408. Royal Ulster Constabulary.

#### TITLE V—INTERNATIONAL BROADCASTING

- Sec. 501. Permanent authorization for Radio Free Asia.
- Sec. 502. Preservation of RFE/RL (Radio Free Europe/Radio Liberty).
- Sec. 503. Immunity from civil liability for Broadcasting Board of Governors.

#### TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

- Sec. 601. Interparliamentary groups.
- Sec. 602. Authority to assist State and local governments.
- Sec. 603. International Boundary and Water Commission.
- Sec. 604. Concerning United Nations General Assembly Resolution ES-10/6.

#### TITLE VII—GENERAL PROVISIONS

- Sec. 701. Sense of the Congress concerning support for democracy and human rights activists in Cuba.
- Sec. 702. Relating to Cyprus.
- Sec. 703. Recognition of the Magen David Adom Society in Israel as a full member of the International Red Cross and Red Crescent Movement.
- Sec. 704. Annual reporting on war crimes, crimes against humanity, and genocide.
- Sec. 705. Sense of the Congress supporting humanitarian assistance to the people of Burma.
- Sec. 706. Restrictions on nuclear cooperation with North Korea.
- Sec. 707. Self-determination in East Timor.
- Sec. 708. Sense of the Congress relating to Linda Shenwick.
- Sec. 709. Sense of the Congress regarding sewage treatment along the border between the United States and Mexico.
- Sec. 710. Sense of the Congress regarding Colombia.
- Sec. 711. Sense of the House of representatives concerning Haitian elections.
- Sec. 712. Sense of the Congress commending the people of Israel for reaffirming the democratic ideals of Israel in its elections.
- Sec. 713. Sense of the Congress regarding the sovereignty of territories in the Aegean Sea.
- Sec. 714. Sense of the Congress that the President should seek a public renunciation by the People's Republic of China of any use of force, or threat to use force, against taiwan, and that the United States should help Taiwan in case of threats or a military attack by the People's Republic of China.
- Sec. 715. Sense of the Congress regarding support for the Iraqi democratic opposition.
- Sec. 716. Kosovar Albanian prisoners held in Serbia.

#### TITLE VIII—LIMITATION ON PROCUREMENT OUTSIDE THE UNITED STATES

- Sec. 801. Limitation on procurement outside the United States.

#### TITLE IX—GULF WAR VETERANS' IRAQI CLAIMS PROTECTION

- Sec. 901. Short title.

- Sec. 902. Adjudication of claims.
- Sec. 903. Claims funds.
- Sec. 904. Authority to vest Iraqi assets.
- Sec. 905. Reimbursement for administrative expenses.
- Sec. 906. Payments.
- Sec. 907. Authority to transfer records.
- Sec. 908. Statute of limitations; disposition of unused funds.
- Sec. 909. Definitions.

#### DIVISION B—SECURITY ASSISTANCE PROVISIONS

- Sec. 1001. Short title.

#### TITLE XI—TRANSFERS OF EXCESS DEFENSE ARTICLES

- Sec. 1101. Excess defense articles for central european countries.
- Sec. 1102. Excess defense articles for certain independent States of the former Soviet Union.

#### TITLE XII—FOREIGN MILITARY SALES AUTHORITIES

- Sec. 1201. Termination of foreign military financed training.
- Sec. 1202. Sales of excess Coast Guard property.
- Sec. 1203. Competitive pricing for sales of defense articles.
- Sec. 1204. Reporting of offset agreements.
- Sec. 1205. Notification of upgrades to direct commercial sales.
- Sec. 1206. Expanded prohibition on incentive payments.
- Sec. 1207. Administrative fees for leasing of defense articles.

#### TITLE XIII—STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

- Sec. 1301. Additions to United States war reserve stockpiles for allies.
- Sec. 1302. Transfer of certain obsolete or surplus defense articles in the war reserves stockpile for allies.

#### TITLE XIV—INTERNATIONAL ARMS SALES CODE OF CONDUCT ACT OF 1999

- Sec. 1401. Short title.
- Sec. 1402. Findings.
- Sec. 1403. International arms sales code of conduct.

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

- Sec. 1501. Waiver authority.
- Sec. 1502. Consultation.
- Sec. 1503. Reporting requirement.
- Sec. 1504. Appropriate congressional committees defined.

#### TITLE XVI—TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES

- Sec. 1601. Authority to transfer naval vessels.
- Sec. 1602. Inapplicability of aggregate annual limitation on value of transferred excess defense articles.
- Sec. 1603. Costs of transfers.

- Sec. 1604. Expiration of authority.  
 Sec. 1605. Repair and refurbishment of vessels in United States shipyards.  
 Sec. 1606. Sense of the Congress relating to transfer of naval vessels and aircraft to the Government of the Philippines.

#### TITLE XVII—MISCELLANEOUS PROVISIONS

- Sec. 1701. Annual military assistance reports.  
 Sec. 1702. Publication of arms sales certifications.  
 Sec. 1703. Notification requirements for commercial export of significant military equipment on United States munitions list.  
 Sec. 1704. Enforcement of Arms Export Control Act.  
 Sec. 1705. Violations relating to material support to terrorists.  
 Sec. 1706. Authority to consent to third party transfer of ex-U.S.S. Bowman County to USS LST Ship Memorial, Inc.  
 Sec. 1707. Exceptions relating to prohibitions on assistance to countries involved in transfer or use of nuclear explosive devices.  
 Sec. 1708. Continuation of the export control regulations under IEEPA.

### 1 **SEC. 3. DEFINITIONS.**

2 In this Act:

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

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

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

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

6 **CHAPTER 1—DEPARTMENT OF STATE**

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

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

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

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

20 (B) **LIMITATIONS.—**

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (a) MIGRATION AND REFUGEE ASSISTANCE.—

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

24 (2) LIMITATIONS.—

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (C) the UNFPA does not fund abortions.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (4) BROADCASTING TO CUBA.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (2) in paragraph (2) by striking “abducted.”

25 and inserting “abducted, are being wrongfully re-

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

7               (3) in paragraph (3)—

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

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

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

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

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

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

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

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

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

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

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

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

26 (1) by striking “the earlier of—”;

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

2           (3) by striking the designation for paragraph

3           (2) and adjusting the tabulation.

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

15           (ii) disappearances;

16           (iii) torture or severe mistreatment;

17           (iv) prolonged arbitrary imprisonment;

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

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

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

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

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

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

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

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

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

25 (c) REPORTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

19 **ACTIVITIES.**

20 (a) LICENSING REGIME.—

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 “(a) CONSERVATION OF ESTATES ABROAD.—

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

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

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

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

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

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

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

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

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

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

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

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

19 “(3) EXCEPTIONS.—

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



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

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

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

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

24 “(1) PERSONAL ESTATES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (c) TREATMENT OF FEES.—Fees collected under the  
11 authority of subsection (a) shall be deposited as an offset-  
12 ting collection to any Department of State appropriation,  
13 to recover the costs of providing affidavit preparation serv-  
14 ices under subsection (a). Such fees shall remain available  
15 for obligation until expended. Fees collected shall be avail-  
16 able only to such extent and in such amounts as are pro-  
17 vided in advance in an appropriation Act.

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (a) IN GENERAL.—

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

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

5 (2) REQUIREMENTS.—

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

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

13 (i) has sole custody of the child;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1           “(2) BUREAU FOR EDUCATIONAL AND CUL-  
2           TURAL EXCHANGE PROGRAMS.—There is established  
3           within the Department of State a Bureau for Edu-  
4           cational and Cultural Exchange Programs which  
5           shall assist the Secretary of State in carrying out  
6           educational and cultural exchange programs.”.

7   **SEC. 302. CORRECTION OF DESIGNATION OF INSPECTOR**  
8                           **GENERAL OF THE DEPARTMENT OF STATE.**

9           (a) AMENDMENTS TO FOREIGN SERVICE ACT OF  
10          1980.—The Foreign Service Act of 1980 is amended—

11                   (1) in section 105(b)(2)(B) by striking “State  
12                   and the Foreign Service)” and inserting “State)”;

13                   (2) in section 209(a)(1) by striking “State and  
14                   the Foreign Service,” and inserting “State,”;

15                   (3) in section 603(a) by striking “State and the  
16                   Foreign Service,” and inserting “State,”; and

17                   (4) in section 1002(12)(E) by striking “and the  
18                   Foreign Service”.

19           (b) AMENDMENTS TO THE FOREIGN AFFAIRS RE-  
20          FORM AND RESTRUCTURING ACT OF 1998.—The Foreign  
21          Affairs Reform and Restructuring Act of 1998 (as enacted  
22          in division G of the Omnibus Consolidated and Emergency  
23          Supplemental Appropriations Act, 1999; Public Law 105-  
24          277) is amended—





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

6               “(2) DUTIES.—The Adviser shall—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 **“§ 5927. Advances of pay**

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

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

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

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

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

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

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

1           “(A) is located outside the country of em-  
2           ployment of such foreign national employee or  
3           nonfamily member (as the case may be) pursu-  
4           ant to Government authorization; and

5           “(B) requires medical treatment outside  
6           the country of employment of such foreign na-  
7           tional employee or nonfamily member (as the  
8           case may be), in circumstances specified by the  
9           President in regulations.

10          “(b) For the purpose of this section, the term ‘coun-  
11       try of employment’, as used with respect to an individual  
12       under subsection (a)(3), means the country (or other area)  
13       outside the United States where such individual is ap-  
14       pointed (as described in subsection (a)(3)) by the Govern-  
15       ment.”.

16       **SEC. 328. FAMILIES OF DECEASED FOREIGN SERVICE PER-**  
17                               **SONNEL.**

18          Section 5922 of title 5, United States Code, is  
19       amended by adding at the end the following:

20          “(f)(1) If an employee dies at post in a foreign area,  
21       a transfer allowance under section 5924(2)(B) may be  
22       granted to the spouse or dependents of such employee (or  
23       both) for the purpose of providing for their return to the  
24       United States.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “NATIONAL SECURITY MEASURES

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

13 “PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

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



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

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

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

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

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

14 (2) in subsection (c)—

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

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

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

25 (b) REFERENCES.—

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

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

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

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

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

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

1 (b) EXCEPTIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (1) in subsection (d) by striking paragraphs (4)  
2 and (5) and by redesignating paragraph (6) as para-  
3 graph (4); and

4 (2) in subsection (c)—

5 (A) in paragraph (1)(A) by striking “the  
6 funding” and all that follows through the semi-  
7 colon and inserting “any funding limitations  
8 under subsection (d);”; and

9 (B) in paragraph (3) by striking “the  
10 funding” and all that follows through the period  
11 and inserting “any funding limitations under  
12 subsection (d).”.

13 **SEC. 502. PRESERVATION OF RFE/RL (RADIO FREE EUROPE/  
14 RADIO LIBERTY).**

15 (a) **REPEAL OF PRIVATIZATION POLICY STATE-**  
16 **MENT.**—Section 312 of the United States International  
17 Broadcasting Act of 1994 (22 U.S.C. 6211) is repealed.

18 (b) **INCREASE IN LIMITATION ON GRANT**  
19 **AMOUNTS.**—Section 308(c) of the United States Inter-  
20 national Broadcasting Act of 1994 (22 U.S.C. 6207(e))  
21 is amended by striking “\$75,000,000” and inserting  
22 “\$80,000,000”.

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

8           It is the sense of the Congress that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (c) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1           (2) not later than 21 days after the date of the  
2           enactment of this Act, the President should prepare  
3           and transmit to the Congress a report that contains  
4           a description of the efforts of the Administration,  
5           and an assessment of the steps taken by the Indo-  
6           nesian Government and military, to ensure a stable  
7           and secure environment in East Timor for the vote  
8           on the political status of East Timor, including an  
9           assessment of the steps taken in accordance with  
10          subparagraphs (A), (B), and (C) of paragraph (1).

11 **SEC. 708. SENSE OF THE CONGRESS RELATING TO LINDA**

12                                   **SHENWICK.**

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

15           (1) Linda Shenwick, an employee of the De-  
16           partment of State, in the performance of her duties,  
17           informed the Congress of waste, fraud, and mis-  
18           management at the United Nations.

19           (2) Ms. Shenwick is being persecuted by Sec-  
20           retary of State Madeleine Albright and other State  
21           Department officials who have removed her from her  
22           current position at the United Nations and withheld  
23           her salary.

24           (3) Ms. Shenwick was even blocked from enter-  
25           ing her office at the United States Mission to the



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

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

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

12 (a) FINDINGS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7                   (A) a term of 30 years;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23          (b) SENSE OF THE CONGRESS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

22 (2) applicable principles of justice and equity.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 **SEC. 906. PAYMENTS.**

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

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

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

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

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

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

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

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

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

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

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

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

17 (b) PUBLICATION OF NOTICE.—

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

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

6           (c) DISPOSITION OF UNUSED FUNDS.—

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

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

18 **SEC. 909. DEFINITIONS.**

19          As used in this title:

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 (a) ITEMS IN THE KOREAN STOCKPILE.—

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

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

20 (A) obsolete or surplus items;

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

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

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

4 (b) ITEMS IN THE THAILAND STOCKPILE.—

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

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

18 (A) obsolete or surplus items;

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

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

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



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

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

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

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

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

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

1 **SEC. 1402. FINDINGS.**

2 The Congress finds the following:

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

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

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

16 (4) It is in the national security and economic  
17 interests of the United States to reduce dramatically  
18 the \$840,000,000,000 that all countries spend on  
19 armed forces every year, \$191,000,000,000 of which  
20 is spent by developing countries, an amount equiva-  
21 lent to 4 times the total bilateral and multilateral  
22 foreign assistance such countries receive every year.

23 (5) The Congress has the constitutional respon-  
24 sibility to participate with the executive branch in  
25 decisions to provide military assistance and arms  
26 transfers to a foreign government, and in the formu-

1 lation of a policy designed to reduce dramatically the  
2 level of international militarization.

3 (6) A decision to provide military assistance  
4 and arms transfers to a government that is undemo-  
5 cratic, does not adequately protect human rights, or  
6 is currently engaged in acts of armed aggression  
7 should require a higher level of scrutiny than does  
8 a decision to provide such assistance and arms  
9 transfers to a government to which these conditions  
10 do not apply.

11 **SEC. 1403. INTERNATIONAL ARMS SALES CODE OF CON-**  
12 **DUCT.**

13 (a) NEGOTIATIONS.—The President shall attempt to  
14 achieve the foreign policy goal of an international arms  
15 sales code of conduct with all Wassenaar Arrangement  
16 countries. The President shall take the necessary steps to  
17 begin negotiations with all Wassenaar Arrangement coun-  
18 tries within 120 days after the date of the enactment of  
19 this Act. The purpose of these negotiations shall be to con-  
20 clude an agreement on restricting or prohibiting arms  
21 transfers to countries that do not meet the following cri-  
22 teria:

23 (1) PROMOTES DEMOCRACY.—The government  
24 of the country—

1 (A) was chosen by and permits free and  
2 fair elections;

3 (B) promotes civilian control of the mili-  
4 tary and security forces and has civilian institu-  
5 tions controlling the policy, operation, and  
6 spending of all law enforcement and security in-  
7 stitutions, as well as the armed forces;

8 (C) promotes the rule of law, equality be-  
9 fore the law, and respect for individual and mi-  
10 nority rights, including freedom to speak, pub-  
11 lish, associate, and organize; and

12 (D) promotes the strengthening of polit-  
13 ical, legislative, and civil institutions of democ-  
14 racy, as well as autonomous institutions to  
15 monitor the conduct of public officials and to  
16 combat corruption.

17 (2) RESPECTS HUMAN RIGHTS.—The govern-  
18 ment of the country—

19 (A) does not engage in gross violations of  
20 internationally recognized human rights,  
21 including—

22 (i) extra judicial or arbitrary execu-  
23 tions;

24 (ii) disappearances;

25 (iii) torture or severe mistreatment;

1 (iv) prolonged arbitrary imprisonment;

2 (v) systematic official discrimination

3 on the basis of race, ethnicity, religion,

4 gender, national origin, or political affili-

5 ation; and

6 (vi) grave breaches of international

7 laws of war or equivalent violations of the

8 laws of war in internal conflicts;

9 (B) vigorously investigates, disciplines, and  
10 prosecutes those responsible for gross violations  
11 of internationally recognized human rights;

12 (C) permits access on a regular basis to  
13 political prisoners by international humani-  
14 tarian organizations such as the International  
15 Committee of the Red Cross;

16 (D) promotes the independence of the judi-  
17 ciary and other official bodies that oversee the  
18 protection of human rights;

19 (E) does not impede the free functioning of  
20 domestic and international human rights orga-  
21 nizations; and

22 (F) provides access on a regular basis to  
23 humanitarian organizations in situations of con-  
24 flict or famine.

1           (3) NOT ENGAGED IN CERTAIN ACTS OF ARMED  
2           AGGRESSION.—The government of the country is not  
3           currently engaged in acts of armed aggression in  
4           violation of international law.

5           (4) FULL PARTICIPATION IN UNITED NATIONS  
6           REGISTER OF CONVENTIONAL ARMS.—The govern-  
7           ment of the country is fully participating in the  
8           United Nations Register of Conventional Arms.

9           (b) REPORTS TO CONGRESS.—(1) In the report re-  
10          quired in sections 116(d) and 502B of the Foreign Assist-  
11          ance Act of 1961, the Secretary of State shall describe  
12          the extent to which the practices of each country evaluated  
13          meet the criteria in paragraphs (1) through (4) of sub-  
14          section (a).

15          (2) Not later than 6 months after the commencement  
16          of the negotiations under subsection (a), and not later  
17          than the end of every 6-month period thereafter until an  
18          agreement described in subsection (a) is concluded, the  
19          President shall report to the appropriate committees of the  
20          Congress on the progress made during these negotiations.

21          (c) DEFINITION.—The term “Wassenaar Arrange-  
22          ment countries” means Argentina, Australia, Austria, Bel-  
23          gium, Bulgaria, Canada, the Czech Republic, Denmark,  
24          Finland, France, Germany, Greece, Hungary, Ireland,  
25          Italy, Japan, Luxembourg, Netherlands, New Zealand,

1 Norway, Poland, Portugal, the Republic of Korea, Roma-  
2 nia, Russia, Slovakia, Spain, Sweden, Switzerland, Tur-  
3 key, Ukraine, and the United Kingdom.

4 **TITLE XV—AUTHORITY TO EX-**  
5 **EMPT INDIA AND PAKISTAN**  
6 **FROM CERTAIN SANCTIONS**

7 **SEC. 1501. WAIVER AUTHORITY.**

8 (a) **AUTHORITY.**—

9 (1) **IN GENERAL.**—Except as provided in sub-  
10 section (b), the President may waive, with respect to  
11 India or Pakistan, the application of any sanction or  
12 prohibition (or portion thereof) contained in section  
13 101 or 102 of the Arms Export Control Act (22  
14 U.S.C. 2799aa or 2799aa–1), section 620E(e) of the  
15 Foreign Assistance Act of 1961 (22 U.S.C.  
16 2375(e)), or section 2(b)(4) of the Export Import  
17 Bank Act of 1945 (12 U.S.C. 635(b)(4)).

18 (2) **EFFECTIVE DATE.**—A waiver of the applica-  
19 tion of a sanction or prohibition (or portion thereof)  
20 under paragraph (1) shall be effective only for a pe-  
21 riod ending on or before September 30, 2000.

22 (b) **EXCEPTION.**—The authority to waive the applica-  
23 tion of a sanction or prohibition (or portion thereof) under  
24 subsection (a) shall not apply with respect to a sanction

1 or prohibition contained in subparagraph (B), (C), or (G)  
2 of section 102(b)(2) of the Arms Export Control Act.

3 (c) NOTIFICATION.—A waiver of the application of a  
4 sanction or prohibition (or portion thereof) contained in  
5 section 541 of the Foreign Assistance Act of 1961 shall  
6 not become effective until 15 days after notice of such  
7 waiver has been reported to the congressional committees  
8 specified in section 634A(a) of such Act in accordance  
9 with the procedures applicable to reprogramming notifica-  
10 tions under that section.

11 **SEC. 1502. CONSULTATION.**

12 Prior to each exercise of the authority provided in  
13 section 1501, the President shall consult with the appro-  
14 priate congressional committees.

15 **SEC. 1503. REPORTING REQUIREMENT.**

16 Not later than August 31, 2000, the Secretary of  
17 State shall prepare and submit to the appropriate congres-  
18 sional committees a report on economic and national secu-  
19 rity developments in India and Pakistan.

20 **SEC. 1504. APPROPRIATE CONGRESSIONAL COMMITTEES**

21 **DEFINED.**

22 In this title, the term “appropriate congressional  
23 committees” means—



1 (1) the Committee on International Relations  
2 and the Committee on Appropriations of the House  
3 of Representatives; and

4 (2) the Committee on Foreign Relations and  
5 the Committee on Appropriations of the Senate.

6 **TITLE XVI—TRANSFER OF**  
7 **NAVAL VESSELS TO CERTAIN**  
8 **FOREIGN COUNTRIES**

9 **SEC. 1601. AUTHORITY TO TRANSFER NAVAL VESSELS.**

10 (a) DOMINICAN REPUBLIC.—The Secretary of the  
11 Navy is authorized to transfer to the Government of the  
12 Dominican Republic the medium auxiliary floating dry  
13 dock AFDM 2. Such transfer shall be on a grant basis  
14 under section 516 of the Foreign Assistance Act of 1961  
15 (22 U.S.C. 2321j).

16 (b) ECUADOR.—The Secretary of the Navy is author-  
17 ized to transfer to the Government of Ecuador the “OAK  
18 RIDGE” class medium auxiliary repair dry dock  
19 ALAMOGORDO (ARDM 2). Such transfer shall be on a  
20 sales basis under section 21 of the Arms Export Control  
21 Act (22 U.S.C. 2761).

22 (c) EGYPT.—The Secretary of the Navy is authorized  
23 to transfer to the Government of Egypt the “NEWPORT”  
24 class tank landing ships BARBOUR COUNTY (LST  
25 1195) and PEORIA (LST 1183). Such transfers shall be

1 on a sales basis under section 21 of the Arms Export Con-  
2 trol Act (22 U.S.C. 2761).

3 (d) GREECE.—(1) The Secretary of the Navy is au-  
4 thorized to transfer to the Government of Greece the  
5 “KNOX” class frigate CONNOLE (FF 1056). Such  
6 transfer shall be on a grant basis under section 516 of  
7 the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

8 (2) The Secretary of the Navy is authorized to trans-  
9 fer to the Government of Greece the medium auxiliary  
10 floating dry dock COMPETENT (AFDM 6). Such trans-  
11 fer shall be on a sales basis under section 21 of the Arms  
12 Export Control Act (22 U.S.C. 2761).

13 (e) MEXICO.—The Secretary of the Navy is author-  
14 ized to transfer to the Government of Mexico the “NEW-  
15 PORT” class tank landing ship NEWPORT (LST 1179)  
16 and the “KNOX” class frigate WHIPPLE (FF 1062).  
17 Such transfers shall be on a sales basis under section 21  
18 of the Arms Export Control Act (22 U.S.C. 2761).

19 (f) POLAND.—The Secretary of the Navy is author-  
20 ized to transfer to the Government of Poland the “OLI-  
21 VER HAZARD PERRY” class guided missile frigate  
22 CLARK (FFG 11). Such transfer shall be on a grant basis  
23 under section 516 of the Foreign Assistance Act of 1961  
24 (22 U.S.C. 2321j).

1 (g) TAIWAN.—The Secretary of the Navy is author-  
2 ized to transfer to the Taipei Economic and Cultural Rep-  
3 resentative Office in the United States (which is the Tai-  
4 wan instrumentality designated pursuant to section 10(a)  
5 of the Taiwan Relations Act) the “NEWPORT” class  
6 tank landing ship SCHENECTADY (LST 1185). Such  
7 transfer shall be on a sales basis under section 21 of the  
8 Arms Export Control Act (22 U.S.C. 2761).

9 (h) THAILAND.—The Secretary of the Navy is au-  
10 thorized to transfer to the Government of Thailand the  
11 “KNOX” class frigate TRUETT (FF 1095). Such trans-  
12 fer shall be on a grant basis under section 516 of the For-  
13 eign Assistance Act of 1961 (22 U.S.C. 2321j).

14 (i) TURKEY.—The Secretary of the Navy is author-  
15 ized to transfer to the Government of Turkey the “OLI-  
16 VER HAZARD PERRY” class guided missile frigates  
17 FLATLEY (FFG 21) and JOHN A. MOORE (FFG 19).  
18 Such transfers shall be on a sales basis under section 21  
19 of the Arms Export Control Act (22 U.S.C. 2761).

20 **SEC. 1602. INAPPLICABILITY OF AGGREGATE ANNUAL LIMI-**  
21 **TATION ON VALUE OF TRANSFERRED EXCESS**  
22 **DEFENSE ARTICLES.**

23 The value of a vessel transferred to another country  
24 on a grant basis under section 516 of the Foreign Assist-  
25 ance Act of 1961 (22 U.S.C. 2321j) pursuant to authority

1 provided by section 1601 shall not be counted for the pur-  
2 poses of section 516(g) of the Foreign Assistance Act of  
3 1961 in the aggregate value of excess defense articles  
4 transferred to countries under that section in any fiscal  
5 year.

6 **SEC. 1603. COSTS OF TRANSFERS.**

7 Any expense incurred by the United States in connec-  
8 tion with a transfer of a vessel authorized by section 1601  
9 shall be charged to the recipient.

10 **SEC. 1604. EXPIRATION OF AUTHORITY.**

11 The authority to transfer vessels under section 1601  
12 shall expire at the end of the 2-year period beginning on  
13 the date of the enactment of this Act.

14 **SEC. 1605. REPAIR AND REFURBISHMENT OF VESSELS IN**  
15 **UNITED STATES SHIPYARDS.**

16 The Secretary of the Navy shall require, to the max-  
17 imum extent possible, as a condition of a transfer of a  
18 vessel under section 1601, that the country to which the  
19 vessel is transferred have such repair or refurbishment of  
20 the vessel as is needed, before the vessel joins the naval  
21 forces of that country, performed at a shipyard located  
22 in the United States, including a United States Navy ship-  
23 yard.

1 **SEC. 1606. SENSE OF THE CONGRESS RELATING TO TRANS-**  
2 **FER OF NAVAL VESSELS AND AIRCRAFT TO**  
3 **THE GOVERNMENT OF THE PHILIPPINES.**

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

6 (1) the President should transfer to the Govern-  
7 ment of the Philippines, on a grant basis under sec-  
8 tion 516 of the Foreign Assistance Act of 1961 (22  
9 U.S.C. 2321j), the excess defense articles described  
10 in subsection (b); and

11 (2) the United States should not oppose the  
12 transfer of F-5 aircraft by a third country to the  
13 Government of the Philippines.

14 (b) **EXCESS DEFENSE ARTICLES.**—The excess de-  
15 fense articles described in this subsection are the fol-  
16 lowing:

17 (1) UH-1 helicopters, A-4 aircraft, and the  
18 “POINT” class Coast Guard cutter POINT  
19 EVANS.

20 (2) Amphibious landing craft, naval patrol ves-  
21 sels (including patrol vessels of the Coast Guard),  
22 and other naval vessels (such as frigates), if such  
23 vessels are available.

1     **TITLE XVII—MISCELLANEOUS**  
2                     **PROVISIONS**

3     **SEC. 1701. ANNUAL MILITARY ASSISTANCE REPORTS.**

4             Section 655(b) of the Foreign Assistance Act of 1961  
5 (22 U.S.C. 2415(b)) is amended to read as follows:

6             “(b) INFORMATION RELATING TO MILITARY ASSIST-  
7 ANCE AND MILITARY EXPORTS.—Each such report shall  
8 show the aggregate dollar value and quantity of defense  
9 articles (including excess defense articles), defense serv-  
10 ices, and international military education and training ac-  
11 tivities authorized by the United States and of such arti-  
12 cles, services, and activities provided by the United States,  
13 excluding any activity that is reportable under title V of  
14 the National Security Act of 1947, to each foreign country  
15 and international organization. The report shall specify,  
16 by category, whether such defense articles—

17             “(1) were furnished by grant under chapter 2  
18 or chapter 5 of part II of this Act or under any  
19 other authority of law or by sale under chapter 2 of  
20 the Arms Export Control Act;

21             “(2) were furnished with the financial assist-  
22 ance of the United States Government, including  
23 through loans and guarantees; or

24             “(3) were licensed for export under section 38  
25 of the Arms Export Control Act.”.

1 **SEC. 1702. PUBLICATION OF ARMS SALES CERTIFICATIONS.**

2 Section 36 of the Arms Export Control Act (22  
3 U.S.C. 2776) is amended in the second subsection (e) (as  
4 added by section 155 of Public Law 104–164)—

5 (1) by inserting “in a timely manner” after “to  
6 be published”; and

7 (2) by striking “the full unclassified text of”  
8 and all that follows and inserting the following: “the  
9 full unclassified text of—

10 “(1) each numbered certification submitted pur-  
11 suant to subsection (b);

12 “(2) each notification of a proposed commercial  
13 sale submitted under subsection (c); and

14 “(3) each notification of a proposed commercial  
15 technical assistance or manufacturing licensing  
16 agreement submitted under subsection (d).”.

17 **SEC. 1703. NOTIFICATION REQUIREMENTS FOR COMMER-**  
18 **CIAL EXPORT OF SIGNIFICANT MILITARY**  
19 **EQUIPMENT ON UNITED STATES MUNITIONS**  
20 **LIST.**

21 (a) NOTIFICATION REQUIREMENT.—Section 38 of  
22 the Arms Export Control Act (22 U.S.C. 2778) is amend-  
23 ed by adding at the end the following:

24 “(i) As prescribed in regulations issued under this  
25 section, a United States person to whom a license has been  
26 granted to export an item identified as significant military

1 equipment on the United States Munitions List shall, not  
2 later than 15 days after the item is exported, submit to  
3 the Department of State a report containing all shipment  
4 information, including a description of the item and the  
5 quantity, value, port of exit, and destination of the item.”.

6 (b) QUARTERLY REPORTS TO CONGRESS.—Section  
7 36(a) of the Arms Export Control Act (22 U.S.C.  
8 2776(a)) is amended—

9 (A) in paragraph (11), by striking “and”  
10 at the end;

11 (B) in paragraph (12), by striking “third-  
12 party transfers.” and inserting “third-party  
13 transfers; and”; and

14 (C) by adding after paragraph (12) (but  
15 before the last sentence of the subsection), the  
16 following:

17 “(13) a report on all exports of significant mili-  
18 tary equipment for which information has been pro-  
19 vided pursuant to section 38(i).”.

20 **SEC. 1704. ENFORCEMENT OF ARMS EXPORT CONTROL**  
21 **ACT.**

22 The Arms Export Control Act (22 U.S.C. 2751 et  
23 seq.) is amended in sections 38(e), 39A(c), and 40(k) by  
24 inserting after “except that” each place it appears the fol-  
25 lowing: “section 11(c)(2)(B) of such Act shall not apply,



1 and instead, as prescribed in regulations issued under this  
2 section, the Secretary of State may assess civil penalties  
3 for violations of this Act and regulations prescribed there-  
4 under and further may commence a civil action to recover  
5 such civil penalties, and except further that”.

6 **SEC. 1705. VIOLATIONS RELATING TO MATERIAL SUPPORT**  
7 **TO TERRORISTS.**

8 Section 38(g)(1)(A)(iii) of the Arms Export Control  
9 Act (22 U.S.C. 2778(g)(1)(A)(iii)) is amended by adding  
10 at the end before the comma the following: “or section  
11 2339A of such title (relating to providing material support  
12 to terrorists)”.

13 **SEC. 1706. AUTHORITY TO CONSENT TO THIRD PARTY**  
14 **TRANSFER OF EX-U.S.S. BOWMAN COUNTY TO**  
15 **USS LST SHIP MEMORIAL, INC.**

16 (a) FINDINGS.—Congress makes the following find-  
17 ings:

18 (1) It is the long-standing policy of the United  
19 States Government to deny requests for the re-  
20 transfer of significant military equipment that origi-  
21 nated in the United States to private entities.

22 (2) In very exceptional circumstances, when the  
23 United States public interest would be served by the  
24 proposed retransfer and end-use, such requests may  
25 be favorably considered.

1           (3) Such retransfers to private entities have  
2           been authorized in very exceptional circumstances  
3           following appropriate demilitarization and receipt of  
4           assurances from the private entity that the item to  
5           be transferred would be used solely in furtherance of  
6           Federal Government contracts or for static museum  
7           display.

8           (4) Nothing in this section should be construed  
9           as a revision of long-standing policy referred to in  
10          paragraph (1).

11          (5) The Government of Greece has requested  
12          the consent of the United States Government to the  
13          retransfer of HS Rodos (ex-U.S.S. Bowman County  
14          (LST 391)) to the USS LST Ship Memorial, Inc.

15          (b) AUTHORITY TO CONSENT TO RETRANSFER.—

16           (1) IN GENERAL.—Subject to paragraph (2),  
17           the President may consent to the retransfer by the  
18           Government of Greece of HS Rodos (ex-U.S.S. Bow-  
19           man County (LST 391)) to the USS LST Ship Me-  
20           morial, Inc.

21           (2) CONDITIONS FOR CONSENT.—The President  
22           should not exercise the authority under paragraph  
23           (1) unless USS LST Memorial, Inc.—

24                   (A) utilizes the vessel for public, nonprofit,  
25                   museum-related purposes;

1 (B) submits a certification with the import  
2 application that no firearms frames or receivers,  
3 ammunition, or other firearms as defined in  
4 section 5845 of the National Firearms Act (26  
5 U.S.C. 5845) will be imported with the vessel;  
6 and

7 (C) complies with regulatory policy re-  
8 quirements related to the facilitation of moni-  
9 toring by the Federal Government of, and the  
10 mitigation of potential environmental hazards  
11 associated with, aging vessels, and has a dem-  
12 onstrated financial capability to so comply.

13 **SEC. 1707. EXCEPTIONS RELATING TO PROHIBITIONS ON**  
14 **ASSISTANCE TO COUNTRIES INVOLVED IN**  
15 **TRANSFER OR USE OF NUCLEAR EXPLOSIVE**  
16 **DEVICES.**

17 (a) **IN GENERAL.**—Section 2 of the Agriculture Ex-  
18 port Relief Act of 1998 (Public Law 105–194; 112 Stat.  
19 627) is amended—

20 (1) by striking subsection (d); and

21 (2) by striking the second sentence of sub-  
22 section (e).

23 (b) **EFFECTIVE DATE.**—The amendments made by  
24 subsection (a) shall take effect on the date of the enact-

1 ment of this Act or September 30, 1999, whichever occurs  
2 earlier.

3 **SEC. 1708. CONTINUATION OF THE EXPORT CONTROL REG-**  
4 **ULATIONS UNDER IEEPA.**

5 To the extent that the President exercises the au-  
6 thorities of the International Emergency Economic Pow-  
7 ers Act to carry out the provisions of the Export Adminis-  
8 tration Act of 1979 in order to continue in full force and  
9 effect the export control system maintained by the Export  
10 Administration regulations issued under that Act, includ-  
11 ing regulations issued under section 8 of that Act, the fol-  
12 lowing shall apply:

13 (1) The penalties for violations of the regula-  
14 tions continued pursuant to the International Emer-  
15 gency Economic Powers Act shall be the same as the  
16 penalties for violations under section 11 of the Ex-  
17 port Administration Act of 1979, as if that section  
18 were amended—

19 (A) by amending subsection (a) to read as  
20 follows:

21 “(a) IN GENERAL.—Except as provided in subsection  
22 (b), whoever knowingly violates or conspires to or attempts  
23 to violate any provision of this Act or any license, order,  
24 or regulation issued under this Act—

1           “(1) except in the case of an individual, shall be  
2 fined not more than \$500,000 or 5 times the value  
3 of any exports involved, whichever is greater; and

4           “(2) in the case of an individual, shall be fined  
5 not more than \$250,000 or 5 times the value of any  
6 exports involved, whichever is greater, or imprisoned  
7 not more than 5 years, or both.”;

8           (B) in subsection (b)—

9           (i) in paragraphs (1)(A) and (2)(A)  
10 by striking “five times” and inserting “10  
11 times”;

12           (ii) in paragraph (1)(B) by striking  
13 “\$250,000” and inserting “\$500,000”;  
14 and

15           (iii) in paragraph (2)(B) by striking  
16 “\$250,000, or imprisoned not more than 5  
17 years” and inserting “\$500,000, or impris-  
18 oned not more than 10 years”;

19           (C) in subsection (c)(1)—

20           (i) by striking “\$10,000” and insert-  
21 ing “\$250,000”; and

22           (ii) by striking “except that the civil  
23 penalty” and all that follows through the  
24 end of the paragraph and inserting “except  
25 that the civil penalty for a violation of the

1 regulations issued pursuant to section 8  
2 may not exceed \$50,000.”; and

3 (D) in subsection (h)(1), by inserting after  
4 “Arms Export Control Act (22 U.S.C. 2778)”  
5 the following: “section 16 of the Trading with  
6 the enemy Act (50 U.S.C. 16), or, to the extent  
7 the violation involves the export of goods or  
8 technology controlled under this or any other  
9 Act or defense articles or defense services con-  
10 trolled under the Arms Export Control Act, sec-  
11 tion 371 or 1001 of title 18, United States  
12 Code,”.

13 (2) The authorities set forth in section 12(a) of  
14 the Export Administration Act of 1979 may be exer-  
15 cised in carrying out the regulations continued pur-  
16 suant to the International Emergency Economic  
17 Powers Act.

18 (3) The provisions of sections 12(c) and 13 of  
19 the Export Administration Act of 1979 shall apply  
20 in carrying out the regulations continued pursuant  
21 to the International Emergency Economic Powers  
22 Act.

23 (4) The continuation of the provisions of the  
24 Export Administration Regulations pursuant to the  
25 International Emergency Economic Powers Act shall

1 not be construed as not having satisfied the require-  
2 ments of that Act.

Passed the House of Representatives July 21, 1999.

Attest:

*Clerk.*