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THE WHITE HOUSE

WASHINGTON

November 21, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill H.R. 2910 -- Salt
River Pima-Maricopa Indian Reservation
Leases

Richard Darman has asked for comments by 2:00 p.m. today on the above-referenced enrolled bill. The bill would permit inclusion of binding arbitration clauses in leases affecting land within the Salt River Pima-Maricopa Indian Reservation, and bind the tribe to abide by such arbitration. Without such a provision the tribe could assert sovereign immunity, and this possibility has impeded development of highly valuable tribal lands. The tribe itself sought this legislation.

OMB and Interior recommend approval; Justice has no objection. I have reviewed the memorandum for the President prepared by OMB Assistant Director for Legislative Reference James M. Frey, and the bill itself, and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

November 21, 1983

MEMORANDUM FOR RICHARD G. DARMAN

ASSISTANT TO THE PRESIDENT

FROM:

FRED F. FIELDING Orig. signed by FFF
COUNSEL TO THE PRESIDENT

SUBJECT:

Enrolled Bill H.R. 2910 -- Salt
River Pima-Maricopa Indian Reservation
Leases

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 11/21/83

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

November 21, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2910 -- Salt
River Pima-Maricopa Indian Reservation
Leases

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 11/21/83

cc: FFFielding/JGRoberts/Subj/Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Richard G. DARMAN

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill H.R. 2910 - Salt River Pima - Maricopa Indian Reservation Leases

ROUTE TO:	ACTION	DISPOSITION	
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code Completion Date YY/MM/DD
<u>CUHOU</u>	ORIGINATOR	<u>83,11,18</u>	<u>1 1</u>
<u>CUAT18</u>	Referral Note: <u>D</u>	<u>83,11,18</u>	<u>S 83,11,18</u> <u>2:00</u>
	Referral Note:	<u>1 1</u>	<u>1 1</u>
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	Referral Note:	<u>1 1</u>	<u>1 1</u>
	Referral Note:	<u>1 1</u>	<u>1 1</u>

ACTION CODES:

- A - Appropriate Action
- I - Info Copy Only/No Action Necessary
- C - Comment/Recommendation
- R - Direct Reply w/Copy
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- S - For Signature
- F - Furnish Fact Sheet to be used as Enclosure
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- A - Answered
- C - Completed
- B - Non-Special Referral
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: _____

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Send all routing updates to Central Reference (Room 75, OEOP).
Always return completed correspondence record to Central Files.
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WHITE HOUSE STAFFING MEMORANDUM

DATE: 11/18/83 ACTION/CONCURRENCE/COMMENT DUE BY: 11/21 - 2:00 p.m.

SUBJECT: ENROLLED BILL H.R. 2910 - SALT RIVER PIMA-MARICOPA INDIAN RESERVATION LEASES

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>		McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

May we have your comments on the attached Bill no later than 2:00 p.m. on Monday, November 21. Thank you.

RESPONSE:

18

Richard G. Darman
Assistant to the President
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

Received SS

1983 NOV 18 PM 5:02

NOV 18 1983

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 2910 - Salt River Pima-Maricopa
Indian Reservation Leases
Sponsor - Rep. McCain (R) Arizona

Last Day for Action

November 25, 1983 - Friday

Purpose

Authorizes the Salt River Pima-Maricopa Indians to execute leases and other contracts affecting land within their reservation which allow for the binding arbitration of disputes.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Justice	No objection (Informally)

Discussion

The Salt River Pima-Maricopa Indian Community is located near Phoenix, Arizona. The Reservation's prime location is its greatest potential economic asset. Numerous developers have expressed interest in participating in projects on the Reservation, but have been reluctant to enter into contracts or leases without a binding arbitration provision. This would assure non-Indians doing business with the Salt River Pima-Maricopa that disputes related to contracts and leases could be finally adjudicated.

While current law does not prohibit the inclusion of binding arbitration provisions in contracts and leases between Indian tribes and non-Indians, neither does it require Indian tribes to enter into or abide by the results of such arbitration. As an Indian tribe, the Community is protected from suit by the doctrine of sovereign immunity.

H.R. 2910 would (1) waive the Salt River Pima-Maricopa's immunity to be protected from the results of binding arbitration related to its leases and contracts and (2) provide the U.S. District Court with jurisdiction to supervise agreements of binding arbitration and related proceedings under Title 9 of the U.S. Code.

The Salt River Pima-Maricopa Indian Community has lobbied for H.R. 2910 and views it as a necessary prerequisite to the economic development of their Reservation.

H.R. 2910 passed both Houses of the Congress by voice vote.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures

Ninety-eighth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Monday, the third day of January,
one thousand nine hundred and eighty-three*

An Act

To amend the Act of November 2, 1966, regarding leases and contracts affecting land within the Salt River Pima-Maricopa Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of November 2, 1966 (80 Stat. 1112), is amended by adding a new subsection (c) as follows:

“(c) Any lease entered into under this Act or the Act of August 9, 1955 (69 Stat. 539), as amended, or any contract entered into under section 2103 of the Revised Statutes, as amended, affecting land within the Salt River Pima-Maricopa Indian Reservation may contain a provision for the binding arbitration of disputes arising out of such lease or contract. Such leases or contracts entered into pursuant to such Acts shall be considered within the meaning of ‘commerce’ as defined and subject to the provisions of section 1 of title 9, United States Code. Any refusal to submit to arbitration pursuant to a binding agreement for arbitration or the exercise of any right conferred by title 9 to abide by the outcome of arbitration pursuant to the provisions of chapter 1 of title 9, sections 1 through 14, United States Code, shall be deemed to be a civil action arising under the Constitution, laws or treaties of the United States within the meaning of section 1331 of title 28, United States Code.”

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

THE WHITE HOUSE

WASHINGTON

November 21, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: H.R. 2915 -- Department of State
Authorization

Richard Darman has asked for immediate comments on the above-referenced enrolled bill. Prompt action is necessary because the continuing resolution prohibits obligating funds beyond November 18, 1983 for the State Department unless authorizing legislation is enacted. I have not yet seen the actual bill; the Clerk's Office advises that it has not yet been officially enrolled. Based on the OMB memorandum, however, the bill contains several objectionable provisions:

- It delays implementation of NSDD-84 until April 15, 1984. NSDD-84 contains the new prepublication review requirements.
- The bill restricts the President's appointment powers by requiring the director of the Office of Foreign Missions, appointed by the President by and with the advice and consent of the Senate, to be a ten-year veteran of the Foreign Service with management experience and experience serving in areas where the U.S. has had problems operating its missions. I am advised that both Congress and State have a specific candidate in mind, a rival of the choice of the President and NSC.
- The bill provides "fast track" treatment for legislation requiring removal of U.S. Armed Forces engaged in hostilities abroad.
- The bill requires annual reports from the President on steps taken by drug source countries to cut off the flow of drugs into the U.S. If these steps are inadequate, U.S. assistance is to be cut off.
- A cap is placed on U.S. contributions to international organizations that will cause the U.S. to go into arrears on treaty obligations. State will seek remedial legislation next year.

None of these objectionable provisions are weighty enough to justify shutting down the State Department, which would be the result of a veto. Indeed, only the restriction on the President's appointment powers with respect to the director of the Office of Foreign Missions raises constitutional concerns, and even there the issue is not clear. The question would turn on how large a pool of candidates is left for the President to choose from after the new qualifications are taken into account.

As noted earlier, this analysis is based on the OMB memorandum. I have prepared an acquiescence memorandum to Darman for your signature, but it should not be sent until I advise you that I have obtained and reviewed the bill itself, to guarantee the accuracy of the representations in the OMB memorandum.

Attachment

THE WHITE HOUSE
WASHINGTON

November 21, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: H.R. 2915 -- Department of State
Authorization

Counsel's Office has reviewed the above-referenced enrolled bill. While we share many of the concerns that have been noted with respect to the objectionable provisions of this bill, particularly the restrictions on the President's authority to appoint the director of the Office of Foreign Missions, we concur in the view that these concerns do not, under the circumstances, warrant disapproval.

FFF:JGR:aea 11/21/83
cc: FFFielding/JGRoberts/Subj/Chron

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
 - H - INTERNAL
 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Richard G. DARMAN

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: H.R. 2915 - Department of State Authorization

ROUTE TO: Office/Agency (Staff Name)	ACTION		DISPOSITION		
	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
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<u>CVAT18</u>	<u>Ø</u>	<u>8311121</u>		<u>S</u>	<u>8311121</u> <u>ASAP</u>
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WHITE HOUSE STAFFING MEMORANDUM

DATE: 11/21/83

ACTION/CONCURRENCE/COMMENT DUE BY:

IMMEDIATE

SUBJECT: H.R. 2915 - DEPARTMENT OF STATE AUTHORIZATION ACT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please provide any comments/recommendations immediately.

Thank you.

RESPONSE:

Richard G. Darman
Assistant to the President
Ext. 2702



Received SS

EXECUTIVE OFFICE OF THE PRESIDENT 1983 NOV 21 AM 7:49

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

NOV 19 1983

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 2915 - Department of State
Authorization Act, Fiscal Years 1984 and 1985
Sponsor - Rep. Fascell (D) Florida

Last Day for Action

Recommend action as soon as possible. The continuing appropriations resolution for Fiscal year 1984 prohibits the obligation of funds appropriated for the Department of State and the United States Information Agency after November 18, 1983, unless authorizing legislation is enacted.

Purpose

(1) Authorizes appropriations for fiscal years 1984 and 1985 for the Department of State, the United States Information Agency, the Board for International Broadcasting, the Inter-American Foundation, and the Asia Foundation; (2) establishes the National Endowment for Democracy; and (3) makes several significant policy revisions.

Agency Recommendations

Office of Management and Budget	Approval
Department of State	Approval (Informal)
U.S. Information Agency	Approval (Informal)
Inter-American Foundation	Approval
Office of Personnel Management	No objection (Informal)
Board for International Broadcasting	No objection (Informal)
Department of Commerce	No objection (Informal)
Central Intelligence Agency	No objection (Informal)
Environmental Protection Agency	No objection (Informal)
Department of the Interior	No objection (Informal)
Department of Energy	No objection (Informal)
Agency for International Development	No objection (Informal)
Department of Defense	No objection (Informal)
Department of the Treasury	No comment (Informal)
Arms Control and Disarmament Agency	No comment (Informal)
Department of Justice	Cites concerns (Informal)
National Security Council	Cites concerns (Informal)

Discussion

Agency Views

The Department of State, the U.S. Information Agency, and the Inter-American Foundation all recommend approval; while most other agencies have no objection to approval or have no comment on H.R. 2915. The National Security Council (NSC) expresses serious concerns regarding H.R. 2915 for two reasons--it delays implementation of the prepublication review requirements of NSDD-84, and alters the appointment provisions regarding the Director of the Office of Foreign Missions. NSC notes that both of these features of the bill "contradict specific Presidential decisions and guidance...." Each of these issues is discussed below.

In addition, NSC expresses its concern with the conference committee's amendment that provides for "fast-track" consideration by the Congress of any legislation requiring the removal of U.S. Armed Forces engaged in hostilities outside the territory of the United States without a declaration of war or specific statutory authorization.

However, NSC accepts that there is no reasonable alternative to signing the bill given the FY 1984 continuing appropriations resolution prohibition on obligating funds for the State Department and USIA beyond November 18, 1983, without enacted authorization legislation.

Justice shares NSC's serious concerns regarding the prepublication review provision, as it views this feature as tantamount to a permanent prohibition as opposed to a delay. The Department also believes the bill's voting residence requirements, discussed below, are of questionable constitutionality. In spite of these serious concerns, Justice recognizes that H.R. 2915 contains numerous provisions of importance to State, and accordingly, it defers to those agencies primarily concerned with national security policy.

Prepublication Review of Writings of Former Federal Employees

Despite strong Administration opposition, the enrolled bill places a moratorium until April 15, 1984, on the enforcement, issuance, or implementation of rules, different from those in effect on March 1, 1983, requiring former Federal employees with access to classified information to submit writings for prepublication clearance. The intent of the provision is to give the Congress an opportunity to review the Administration's proposal for prepublication review.

Office of Foreign Missions

The enrolled bill requires that future directors of the Office of Foreign Missions within State, to be appointed by the President with the advice and consent of the Senate, be members of the Foreign Service with (a) at least 10 years experience in the Service; (b) significant management experience; and (c) experience serving in countries where the United States has

had problems in operating its missions. Furthermore, the bill requires future deputy directors of the Office of Foreign Missions to be individuals who have served with a U.S. intelligence agency. Current law authorizes the Secretary of State to appoint both the Director and Deputy Director.

The Administration had opposed these provisions, arguing that they impose undue constraints on the administrative responsibilities of the Executive branch and could prevent the best possible candidates from serving in the Director and Deputy Director positions.

Foreign Service Voting Residence

Contrary to the Administration's recommendation, the enrolled bill would entitle a member of the Foreign Service residing outside the United States to vote, in a Federal election, in the State in which he was domiciled immediately before entering the Service, if he (1) elects that State, (2) notifies that State, and any other State in which he is entitled to vote, of such election, and (3) otherwise meets the requirements of the Overseas Citizens Voting Rights Act. Justice advises that it doubts that Congress has the power constitutionally to so restrict the States' authority to establish voter qualifications and, particularly, to eliminate the States' right to require bona fide residency with respect to a single class of overseas voters -- members of the Foreign Service.

Appropriations Authorization

H.R. 2915 authorizes appropriations for fiscal year 1984 totalling \$3,243,366,000 and for fiscal year 1985 totalling \$3,482,608,000 for the Department of State, the United States Information Agency (USIA), the Board for International Broadcasting (BIB), the Inter-American Foundation (IAF), and the Asia Foundation. These authorization levels are below the Administration request by \$45,931,000 for 1984 and \$92,203,000 for 1985. Details of the amounts authorized are set forth in Attachment 1. Other significant features of H.R. 2915 are set forth in Attachment 2.

National Endowment for Democracy

Revised to reflect Administration recommended changes, the enrolled bill authorizes USIA to make grants to a private nonprofit corporation known as the National Endowment for Democracy. This Endowment is to (1) encourage free and democratic institutions throughout the world through private sector initiatives; (2) facilitate exchanges between U.S. private sector groups and democratic groups abroad; (3) promote U.S. nongovernmental participation in training programs in democracy

and institution-building abroad; (4) strengthen democratic electoral processes abroad; (5) support the participation of the two major American political parties, labor, business, and other private sector groups in fostering cooperation abroad; and (6) encourage the establishment and growth of democratic development.

Of the \$31.3 million authorized for the Endowment for each of fiscal years 1984 and 1985, the enrolled bill earmarks not less than \$13 million for the Free Trade Union Institute and not less than \$2.5 million to support private enterprise development programs of the National Chamber Foundation. The enrolled bill makes the Endowment and its grantees subject to oversight by the Congress.

Soviet-Eastern European Research and Training Act of 1983.

As supported by the Administration, H.R. 2915 authorizes up to \$5 million in fiscal year 1984 and earmarks \$5 million in fiscal year 1985 for Soviet and Eastern European research and training. This provision establishes within the State Department a Soviet-Eastern European Studies Advisory Board, which will recommend grant policies for Soviet-Eastern European studies.

Diplomatic Relations with the Vatican

As supported by the Administration, H.R. 2915 repeals an 1867 law prohibiting funding of a U.S. legation to the Vatican, thereby giving the President the flexibility to establish formal relations with the Holy See, if it is determined to be in the national interest.

International Narcotics Control

Contrary to the Administration's recommendation, the enrolled bill requires the President to submit a comprehensive annual report to Congress, beginning February 1, 1984, detailing measures planned by each major illegal drug-producing country which is a U.S.-foreign aid recipient to reduce or eliminate its illegal drugs from entering the United States. If the President determines that any country has failed to take "adequate steps" to stop illegal drugs from entering the United States, he would be required to suspend U.S. bilateral assistance and instruct U.S. Executive Directors of multilateral banks to vote against any loans for such country. Before reinstating U.S. assistance, the President would be required to advise the Congress that the subject country has taken adequate steps to achieve the maximum reductions in the production and trafficking of illegal drugs.

This provision risks reversing hard-won diplomatic gains the United States has achieved with the governments of certain Third World drug producers which cannot afford politically to be seen as having succumbed to U.S. pressure.

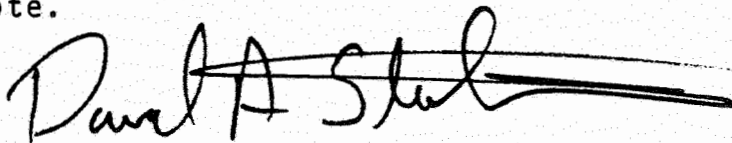
Reduction in Contributions to International Organizations

Contrary to the Administration's recommendation, H.R. 2915 caps at the aggregate 1983 levels the amounts available to pay 1984 assessments to the United Nations, the UN Educational, Scientific and Cultural Organization, the Food and Agriculture Organization, the World Health Organization, and the International Labor Organization. This provision will cause the United States to go into arrears in fiscal year 1985 on assessments which are treaty obligations. The State Department will seek legislative relief from this provision in fiscal year 1985.

Conclusion

While the bill contains a number of serious flaws as outlined above and in Attachment 2, including those of particular concern to Justice and NSC, we do not believe these concerns warrant disapproval of the bill given the consequences of such action. Specifically, the continuing appropriations resolution for fiscal year 1984 prevents State and USIA from obligating funds beyond November 18, 1983, unless authorizing legislation is enacted. Thus, State and USIA will have to initiate shutdown procedures if H.R. 2915 is vetoed. In addition, the bill contains several features that were strongly supported by the Administration, including authority for the National Endowment for Democracy. On balance, therefore, we believe that the positive features of H.R. 2915 outweigh its negative features.

The enrolled bill passed the House by a vote of 254 to 146 and passed the Senate by voice vote.



Director

Enclosures

Attachment 1

H.R. 2915 Authorizations
(in thousands of dollars)

	Administration Request FY 1984	H.R.2915
Department of State		
Administration of foreign affairs	\$1,479,713	\$1,490,213
International organizations and conferences	602,343	602,843
International Commissions	23,207	23,207
Migration and refugee assistance and other	346,200	356,200
Subtotal (State)	(\$2,451,463)	(\$2,472,463)
U.S. Information Agency	711,427	648,848
Board for International Broadcasting	115,702	106,055
Inter-American Foundation	10,705	16,000
Total	\$3,289,297	\$3,243,366

	Administration Request FY 1985	H.R.2915
Department of State		
Administration of foreign affairs	\$1,580,820	\$1,580,820
International organizations and conferences	645,978	602,343
International commission	27,503	25,355
Migration and refugee assistance and other	328,100	338,100
Subtotal (State)	(\$2,582,401)	(\$2,546,618)
U.S. Information Agency	871,039	808,739
Board for International Broadcasting	121,371	111,251
Inter-American Foundation	*	16,000
Total	\$3,574,811	\$3,482,608

*Request was for "such sums as may be necessary."

Attachment 2

Other Features of H. R. 2915

The following provisions are not objectionable or are supported by the Administration:

1. Authorizes \$4 million for the construction and improvement of consular facilities at the U.S. Embassy in Mexico City.
2. Authorizes the U.S. Congress to participate with members of the European Community in annual interparliamentary meetings and authorizes \$50,000 annually for this purpose.
3. Increases the ceiling on U.S. annual contributions to the Paris Union of the World Intellectual Property Organization from the current 4.5 percent limitation to 6 percent of the total contributions of participating countries.
4. Prohibits the use of funds authorized to be appropriated for "International Organizations and Conferences" for payments by the United States of assessments which would provide benefits to the PLO or entities associated with it, including the Committee on the Exercise for the Inalienable Rights of the Palestinian People and the Special Unit on Palestinian Rights.
5. Requires the United States to suspend its participation in the General Assembly and withhold payment of its assessed contributions to the UN if Israel is illegally expelled, suspended, denied its credentials, or in any other manner denied its right to participate in the General Assembly of the UN or any specialized agency of the UN.
6. Expresses the sense of the Congress urging a review of U.S. participation in the UN.
7. Requires the Secretary of State to transmit to the Speaker of the House and to the Chairman of the Senate Foreign Relations Committee a report on the policies pursued by other countries in international organizations.
8. States that the President shall use every available means to ensure that the 1985 Conference commemorating the conclusion of the UN Decade for Women is not dominated by unrelated political issues which would jeopardize U.S. participation in and support for that Conference.
9. Expresses the sense of the Congress that the President should encourage government-wide participation in implementing the recommendations of the United Nations World Assembly on Aging.

10. Provides allocation authority for the Secretary of State to transfer funds to other Federal agencies to carry out activities for which the funds were appropriated to the State Department.
11. Clarifies the purposes for which the State Department's Emergency Fund may be used.
12. Codifies existing practices with regard to reprogramming notices to the Congress.
13. Codifies the existing Office of the Coordinator for International Communications and Information Policy in the Department of State and provides that the Coordinator shall have the rank of Ambassador.
14. Raises the salary level of the Counsellor of the Department of State from Executive Level IV to Executive Level III.
15. Provides authority for the Foreign Service Institute to train up to 60 diplomats from the Trust Territory of the Pacific Islands.
16. Provides that members of the Foreign Service who, consistent with the Foreign Service Act of 1980, chose not to enter the Senior Foreign Service by February 15, 1984, may receive an immediate annuity upon retirement.
17. Provides for the merger of the Foreign Service Information Corps with the Foreign Service Corps.
18. Provides that the Civil Service conversion provisions of the Foreign Service Act of 1980 be extended by one year for a small group of employees originally in the Foreign Service who are now being reassigned to the Domestic Service.
19. Prohibits the use of herbicides containing dioxin compounds by international commissions.
20. Clarifies the authority of the Secretary of State to open new consulates.
21. Prohibits the use of Private Sector Program funds to pay for foreign travel by any U.S. citizen who has made two or more trips funded by the Program in the five years preceding the date of proposed travel.
22. Promotes competition in the awarding of USIA grants for International Youth Year by establishing criteria to be met prior to the granting of any USIA funds for this purpose.
23. Prohibits lobbying with United States funds by USIA grantee organizations.

24. Authorizes an additional \$2.5 million for each of fiscal years 1984 and 1985 to carry out a U.S.-German teenage exchange, sponsored by the Members of Congress and the West German Bundestag.
25. Authorizes supplemental allowances for USIA personnel stationed in New York City.
26. Authorizes release in the United States of the USIA film "Thanksgiving in Peshwar."
27. Gives the Board for International Broadcasting (BIB) authority to retain gains resulting from favorable fluctuations in foreign currency rates, and to use the funds for the operation of Radio Free Europe/Radio Liberty, Inc. (RFE/RL).
28. Authorizes the BIB to make available \$4.9 million for enhancement of the pensions and cost-of-living adjustments of individuals who retired from RFE/RL before January 1, 1976, and for enhancement of the benefits to which surviving spouses of employees of RFE/RL are entitled to by virtue of the services rendered prior to January 1, 1976.
29. Expresses the sense of the Congress that RFE/RL and the Voice of America are to be commended for their news and editorial coverage of Soviet religious persecution.
30. Organizes the Estonian, Latvian, and Lithuanian Radio Services of RFE/RL as a separate division within Radio Liberty.
31. Sets forth findings regarding the jamming by the Soviet Union of broadcasts of Voice of America and RFE/RL and expresses the sense of the Congress that the President should urge the Soviet Union to terminate its jamming.
32. Authorizes \$5 million for fiscal year 1983, \$10 million for fiscal year 1984, and \$10 million for fiscal year 1985 for grants to the Asia Foundation.
33. Provides authority for extraordinary protective services for foreign consulates in the United States and earmarks \$6 million in fiscal year 1984 and \$6.3 million in fiscal year 1985 for these purposes.
34. Deobligates assistance funds to the Government of Syria from AID.
35. Expresses the sense of the Congress that the President take all possible steps to ascertain the whereabouts of Jan Kaplan and to request an interview with him in order to learn more concerning the whereabouts of Raoul Wallenberg.

36. Expresses the sense of the Congress that the United States promote lower prices and fair market conditions for imported natural gas and that within 30 days of enactment, the Secretary of State report to the Congress on the progress being made.

The following provisions are opposed by the Administration:

1. Authorizes the funding of 73 additional positions for political and economic reporting and 11 additional positions for international communications and information policy.
2. Earmarks \$3 million in fiscal year 1984 and \$7 million in fiscal year 1985 for the establishment in Maryland of an alternative communications center for the Department of State.
3. Earmarks \$250,000 for each of the fiscal years 1984 and 1985 for the expenses of the Secretariat of the U.N. National Commission on Educational, Scientific and Cultural Cooperation.
4. Earmarks \$2 million in fiscal year 1984 to modernize the facilities and operating procedures of the Coordinating Committee on Export Controls.
5. Earmarks \$248,500 for each of fiscal years 1984 and 1985 for the United States contribution to the World Heritage Trust.
6. Earmarks \$5 million in each of fiscal years 1984 and 1985 for assistance to combat piracy in the Gulf of Thailand.
7. Earmarks \$10 million for El Salvador for relief assistance for displaced persons and up to \$25 million, but not less than \$5 million, for Lebanon relief and rehabilitation in fiscal year 1984.
8. Clarifies the authority of the Secretary of State to provide danger pay allowances in foreign areas, even in cases where dependents or nonessential personnel are present. Further requires the Secretary of State to inform the Congress of the initiation or termination of danger pay and the circumstances justifying such an action.
9. Requires the Historian of the Department of State to report to Congress on the reasons for the delay in publishing the historical volumes, "The Foreign Relations of the United States."

10. Amends the Foreign Service Building Act of 1926 (1) to require that all building projects of the United States over \$5 million, under the direction of the State Department's Office of Foreign Buildings, be awarded to U.S. bidders or bidders from countries which permit equal access to American builders for comparable projects; (2) to provide a 10 percent preference for U.S. builders; and (3) to provide that, within the United States, exceptions can be granted under country-by-country agreements.
11. Directs that no less than \$600,000 shall be earmarked in fiscal year 1985 for the employment of 12 additional internal auditors for USIA.
12. Directs that not more than \$20,000 of funds appropriated for USIA in fiscal years 1984 and 1985 shall be available for domestic representation or entertainment expenses, including official receptions.
13. Adds \$4 million to amounts otherwise available for expenses in connection with U.S. participation in the 1985 Tsukuba Exposition.
14. Establishes within USIA a Bureau of Educational and Cultural Affairs responsible for managing and overseeing certain programs administered by USIA.
15. Limits the amount of public funds that may be used to compensate the President of RFE/RL to an Executive Level IV salary, plus the normal allowances and benefits provided by RFE/RL to its employees.
16. Transfers the responsibility for implementing the Diplomatic Relations Act of 1978 from the Office of Protocol to the Office of Foreign Missions, and requires the head of a foreign mission to notify the Director of the Office of Foreign Missions of the lapse or termination of any liability insurance coverage held by a member of the Mission.
17. Earmarks \$500,000 and \$1,000,000 for fiscal years 1984 and 1985 for grants to promote human rights activities in South Africa.
18. Prohibits any assistance that would aid the Khmer Rouge or any of its members in conducting military or paramilitary operations in Kampuchea or elsewhere in Indochina.
19. Authorizes the President to negotiate with the Government of India for the establishment of a fund which would provide grants and other assistance for cultural, educational, and

scientific programs of mutual interest. Furthermore, the President is authorized to make available to the Fund up to the equivalent of \$200 million in foreign currencies owned by the United States in India or owed to the United States by India.

20. Expresses the sense of the Congress that the United States should not export certain nuclear-related equipment, materials, or technology to India, Argentina, or South Africa until these governments provide stronger nuclear nonproliferation guarantees (nuclear exports for India's Tarapur reactor are authorized, if needed for reasons of health and safety).
21. Expresses the sense of the Congress that the President should work with the Government of Canada to agree on a new transboundary air pollution agreement to address the problem of acid rain, and instruct the Secretary of State to report to the Congress by December 1, 1983, on this issue.
22. Expresses the sense of the Congress that the Secretary of State should recommend that extended voluntary departure status be granted to certain nationals of El Salvador until the situation in El Salvador has changed sufficiently to permit their residing safely in that country.
23. Establishes an International Environmental Protection program which (1) authorizes the President to furnish assistance to countries to help in protecting and maintaining wildlife habitats and in developing sound wildlife management and plant conservation programs; (2) directs the Administrator of the Agency for International Development, in conjunction with other relevant agencies, to develop a U.S. strategy to protect and conserve biological diversity in developing countries; (3) provides for environmental exchanges; and (4) requires the Secretaries of State and the Interior to undertake a review of existing U.S. international activities dealing with the conservation of international wildlife resources and to develop recommendations to substantially improve existing capabilities.
24. Earmarks \$114 million in 1984 and \$128 million in 1985 of USIA authorization amounts for exchange of persons and library programs.

THE WHITE HOUSE

WASHINGTON

November 21, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: H.R. 2915 -- Department of State
Authorization

Counsel's Office has reviewed the above-referenced enrolled bill. While we share many of the concerns that have been noted with respect to the objectionable provisions of this bill, particularly the restrictions on the President's authority to appoint the director of the Office of Foreign Missions, we concur in the view that these concerns do not, under the circumstances, warrant disapproval.

FFF:JGR:aea 11/21/83

cc: FFFielding/JGRoberts/Subj/Chron

Ninety-eighth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Monday, the third day of January,
one thousand nine hundred and eighty-three*

An Act

To authorize appropriations for fiscal years 1984 and 1985 for the Department of State, the United States Information Agency, the Board for International Broadcasting, the Inter-American Foundation, and the Asia Foundation, to establish the National Endowment for Democracy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—DEPARTMENT OF STATE

SHORT TITLE

SEC. 101. This title and title X of this Act may be cited as the "Department of State Authorization Act, Fiscal Years 1984 and 1985".

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 102. In addition to amounts otherwise authorized for such purposes, the following amounts are authorized to be appropriated for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and other purposes authorized by law:

(1) For "Administration of Foreign Affairs", \$1,486,213,000 for the fiscal year 1984 and \$1,580,820,000 for the fiscal year 1985.

(2) For "International Organizations and Conferences", \$602,343,000 for the fiscal year 1984 and \$602,343,000 for the fiscal year 1985.

(3) For "International Commissions", \$23,207,000 for the fiscal year 1984 and \$25,355,000 for the fiscal year 1985.

(4) For "Migration and Refugee Assistance", \$344,500,000 for the fiscal year 1984 and \$326,400,000 for the fiscal year 1985.

(5) For "United States Bilateral Science and Technology Agreements", \$1,700,000 for the fiscal year 1984 and \$1,700,000 for the fiscal year 1985.

IMPROVEMENT OF CONSULAR FACILITIES IN MEXICO CITY

SEC. 103. In addition to the amounts authorized to be appropriated by section 102(1) of this Act, there are authorized to be appropriated for "Administration of Foreign Affairs" for the fiscal year 1984, \$4,000,000 to be used for the purchase of land for and the construction of additional consular facilities, and for certain improvements in existing consular facilities, at the United States Embassy in Mexico City, Mexico.

H. R. 2915—2

**ADDITIONAL POSITIONS FOR POLITICAL AND ECONOMIC REPORTING AND
FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY**

SEC. 104. The Secretary of State shall allocate such funds as may be necessary of the amounts appropriated to the Department of State for the fiscal year 1984 for "Administration of Foreign Affairs" in order to fund seventy-three additional positions for political and economic reporting and eleven additional positions for international communications and information policy. The positions funded pursuant to this section shall be in addition to the positions which the Department was authorized to have in fiscal year 1983 plus the number of additional positions which have been requested for the Department for the fiscal year 1984.

ALTERNATE COMMUNICATIONS CENTER

SEC. 105. Of the funds authorized to be appropriated under paragraph (1) of section 102, not less than \$3,000,000 for the fiscal year 1984 and not less than \$7,000,000 for the fiscal year 1985 shall be available only to cover expenses related to the establishment in the State of Maryland of an alternative communications center for the Department of State in order to secure the uninterrupted transmission of communications related to the foreign policy and national security interests of the United States and of communications of other departments and agencies of the United States.

**NATIONAL COMMISSION ON EDUCATIONAL, SCIENTIFIC, AND CULTURAL
COOPERATION**

SEC. 106. (a) Section 5 of the joint resolution entitled "Joint resolution providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor", approved July 30, 1946 (22 U.S.C. 287q), is amended by repealing the eighth sentence.

(b) Of the amounts authorized to be appropriated for "Administration of Foreign Affairs" by section 102(1) of this Act, \$250,000 for each of the fiscal years 1984 and 1985 shall be available only for the expenses of the secretariat of the National Commission on Educational, Scientific, and Cultural Cooperation.

COORDINATING COMMITTEE ON EXPORT CONTROLS

SEC. 107. Of the funds authorized to be appropriated for the fiscal year 1984 under paragraph (2) of section 102, \$2,000,000 shall be used to modernize the facilities and operating procedures of the Coordinating Committee on Export Controls. The Congress finds that the executive branch should seek cost sharing arrangements with other member countries to modernize both the facilities and operations of the Coordinating Committee on Export Controls.

WORLD HERITAGE TRUST FUND

SEC. 108. Of the funds authorized to be appropriated by paragraph (2) of section 102, not less than \$248,500 for each of the fiscal years 1984 and 1985 shall be available only for the United States contribution to the World Heritage Trust Fund.

H. R. 2915—3

INTERPARLIAMENTARY GROUPS

SEC. 109. (a) Section 5 of the joint resolution entitled "Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization", approved July 11, 1956 (22 U.S.C. 1928e), is amended by inserting immediately after the first sentence the following: "In addition to the amounts authorized by section 2, there is authorized to be appropriated \$450,000 for fiscal year 1984 to meet the expenses incurred by the United States group in hosting the thirty-first annual meeting of the North Atlantic Assembly."

(b) Of the amount appropriated for the purposes authorized by the amendment made by subsection (a) of this section, up to \$25,000 may be used to meet the expenses incurred in hosting the spring 1984 meeting of the British-American Parliamentary Group which is to be held in the United States.

(c) In addition to the amounts authorized to be appropriated by section 102(2) of this Act, there are authorized to be appropriated for each of the fiscal years 1984 and 1985 for "International Organizations and Conferences" \$50,000 for expenses of United States participation in interparliamentary groups such as the United States-European Community Interparliamentary Group.

PIRACY IN THE GULF OF THAILAND

SEC. 110. Of the amounts authorized to be appropriated for "Migration and Refugee Assistance" by section 102(4) of this Act, \$5,000,000 for each of the fiscal years 1984 and 1985 shall be used for assistance to combat piracy in the Gulf of Thailand.

RELIEF ASSISTANCE FOR EL SALVADOR AND LEBANON

SEC. 111. Notwithstanding any other provision of law, of the funds authorized to be appropriated for fiscal year 1984 under section 102(4) of this Act—

- (1) \$10,000,000 shall be available only for El Salvador for relief assistance for displaced persons; and
- (2) up to \$25,000,000, but not less than \$5,000,000, shall be available only for Lebanon for relief and rehabilitation assistance for refugees and displaced persons.

WORLD INTELLECTUAL PROPERTY ORGANIZATION

SEC. 112. The joint resolution entitled "Joint resolution to authorize appropriations incident to United States participation in the International Bureau for the Protection of Industrial Property", approved July 12, 1960 (22 U.S.C. 269f), is amended by striking out all after the resolving clause and inserting in lieu thereof the following: "That funds appropriated to the Secretary of State for 'International Organizations and Conferences' shall be available for the payment by the United States of its proportionate share of the expenses of the International Bureau for the Protection of Industrial Property for any year after 1981 as determined under article 16(4) of the Paris Convention for the Protection of Industrial Property, as revised, except that in no event shall the payment for any year exceed 6 per centum of all expenses of the Bureau apportioned among countries for that year."

H. R. 2915—4

RESTRICTION ON ASSESSED PAYMENTS TO THE UNITED NATIONS

SEC. 113. None of the funds authorized to be appropriated by this Act shall be used to make assessed payments to the United Nations, the United Nations Educational, Scientific, and Cultural Organization, the World Health Organization, the Food and Agriculture Organization, and the International Labor Organization which, in the aggregate, are in excess of the aggregate calendar year 1983 United States assessed contributions to such organizations.

RESTRICTIONS RELATING TO THE PALESTINE LIBERATION ORGANIZATION AND THE SOUTH WEST AFRICA PEOPLE'S ORGANIZATION

SEC. 114. (a) Funds appropriated for any fiscal year for the Department of State for "International Organizations and Conferences" may not be used for payment by the United States, as its contribution toward the assessed budget of the United Nations for any year, of any amount which would cause the total amount paid by the United States as its assessed contribution for that year to exceed the amount assessed as the United States contribution for that year less—

(1) 25 per centum of the amount budgeted for that year for the Committee on the Exercise for the Inalienable Rights of the Palestinian People (or any similar successor entity); and

(2) 25 per centum of the amount budgeted for that year for the Special Unit on Palestinian Rights (or any similar successor entity); and

(3) 25 per centum of the amount budgeted for that year for projects whose primary purpose is to provide benefits to the Palestine Liberation Organization or entities associated with it or to the South West Africa People's Organization.

(b) Funds appropriated for any fiscal year for the Department of State for "International Organizations and Conferences" may not be used for payment by the United States, as its contribution toward the assessed budget of any specialized agency of the United Nations for any year, of any amount which would cause the total amount paid by the United States as its assessed contribution for that year to exceed the amount assessed as the United States contribution for that year less 25 per centum of the amount budgeted by such agency for that year for projects whose primary purpose is to provide benefits to the Palestine Liberation Organization or entities associated with it or to the South West Africa People's Organization.

(c) The President shall annually review the budgets of the United Nations and its specialized agencies to determine which projects have the primary purpose of providing benefits to the Palestine Liberation Organization or to the South West Africa People's Organization. The President shall report to the Congress on any such project for which a portion of the United States assessed contribution is withheld and the amount withheld.

(d) Subsections (a)(3) and (b) shall not be construed as limiting United States contributions to the United Nations or its specialized agencies for projects whose primary purpose is to provide humanitarian, educational, developmental, and other nonpolitical benefits.

H. R. 2915—5

**UNITED STATES PARTICIPATION IN THE UNITED NATIONS IF ISRAEL IS
ILLEGALLY EXPELLED**

SEC. 115. (a) The Congress finds that—

(1) the United Nations was founded on the principle of universality;

(2) the United Nations Charter stipulates that members may be suspended by the General Assembly only "upon the recommendation of the Security Council"; and

(3) any move by the General Assembly that would illegally deny Israel its credentials in the Assembly would be a direct violation of these provisions of the Charter.

(b) If Israel is illegally expelled, suspended, denied its credentials, or in any other manner denied its right to participate in the General Assembly of the United Nations or any specialized agency of the United Nations, the United States shall suspend its participation in the General Assembly or such specialized agency until the illegal action is reversed. The United States shall withhold payment of its assessed contribution to the United Nations or a specialized agency during any period in which United States participation is suspended pursuant to this section.

REVIEW OF UNITED STATES PARTICIPATION IN THE UNITED NATIONS

SEC. 116. (a) The Congress finds that—

(1) the United Nations was founded for the primary purpose of maintaining international peace and security by encouraging peaceful resolution of disputes and the development of friendly relations among nations;

(2) the United States, as a founding member of the United Nations and the largest contributor to the United Nations, became and remains a member of the United Nations in order to contribute to collective efforts among the nations of the world to realize the ends of international peace and security;

(3) the United States is committed to upholding and strengthening the principles and purposes of the United Nations Charter upon which the United Nations was founded.

(b) It is the sense of the Congress that—

(1) a review of United States participation in the United Nations is urgently called for with a view to examining—

(A) the extent and levels of United States financial contributions to the United Nations;

(B) the importance of the United Nations, as presently constituted, to fulfilling the policies and objectives of the United States;

(C) the benefits derived by the United States from participation in the United Nations;

(2) the President should review and make recommendations to the Congress regarding the matters described in this section by June 30, 1984; and

(3) the Secretary of State should communicate to the member states of the General Assembly of the United Nations the policy contained in this section.

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REPORT ON POLICIES PURSUED BY OTHER COUNTRIES IN INTERNATIONAL ORGANIZATIONS

SEC. 117. The Secretary of State shall transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, by January 31 of each year, a report regarding the policies which each member country of the United Nations pursues in international organizations of which the United States is a member. The report shall describe generally each country's foreign policies as reflected in its activities in international organizations and shall detail their respective positions on major issues of interest to the United States, including key decisions relating to the budget of international organizations.

1985 CONFERENCE—UNITED NATIONS DECADE FOR WOMEN

SEC. 118. The President shall use every available means at his disposal to ensure that the 1985 Conference to commemorate the conclusion of the United Nations Decade for Women is not dominated by political issues extraneous to the goals of the 1985 Women's Conference that would jeopardize United States participation in and support for that Conference consistent with applicable legislation concerning United States contributions to the United Nations. Prior to the 1985 Conference, the President shall report to the Congress on the nature of the preparations, the adherence to the original goals of the Conference, and the extent of any continued United States participation and support for the Conference.

UNITED NATIONS WORLD ASSEMBLY ON AGING

SEC. 119. (a) The Congress finds that—

(1) in 1977 the Congress called for the United Nations to convene a World Assembly on Aging;

(2) the United Nations World Assembly on Aging was held in Vienna, Austria, from July 26 to August 6, 1982, and unanimously adopted the Vienna International Plan of Action on Aging on August 6, 1982, which called for the development of policies designed to enhance the individual lives of the aging and to allow the aging to enjoy their advancing years in peace, health, and security;

(3) the United Nations General Assembly on December 3, 1982, unanimously endorsed the World Assembly International Plan of Action; and

(4) the General Assembly of the United Nations, in adopting the plan, called upon governments to make continuous efforts to implement the principles and recommendations contained in the Plan of Action as adopted by the World Assembly on Aging.

(b) Therefore, it is the sense of the Congress that the President should take steps to—

(1) encourage Government-wide participation in implementing the recommendations of the World Assembly and planning for the scheduled review in 1985 by the United Nations on the implementation of the Vienna International Plan of Action on Aging;

(2) encourage the exchange of information and the promotion of research on aging among the States, the Federal Government, international organizations, and other nations;

H. R. 2915—7

(3) encourage greater private sector involvement in responding to the concerns of the aging; and

(4) inform developing nations that the United States Government recognizes aging as an important issue, requiring close and sustained attention in national and regional development plans.

EUROPEAN SPACE AGENCY

SEC. 120. Section 11 of the International Organizations Immunities Act (22 U.S.C. 288f-1) is amended by striking out "European Space Research Organization" and inserting in lieu thereof "European Space Agency".

ALLOCATION AUTHORITY

SEC. 121. Section 8 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2675) is amended to read as follows:

"SEC. 8. The Secretary of State may allocate or transfer to any department, agency, or independent establishment of the United States Government (with the consent of the head of such department, agency, or establishment) any funds appropriated to the Department of State, for direct expenditure by such department, agency, or independent establishment for the purposes for which the funds were appropriated in accordance with authority granted in this Act or under authority governing the activities of such department, agency, or independent establishment."

EMERGENCY EXPENDITURES

SEC. 122. (a) Section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2671) is amended—

(1) by redesignating paragraphs (a) and (b) as paragraphs (1) and (2);

(2) by inserting "(a)" after "SEC. 4.";

(3) by inserting "subject to subsection (b)," before "make expenditures" in subsection (a)(1), as redesignated by paragraphs (1) and (2) of this section; and

(4) by adding at the end thereof the following new subsection:

"(b)(1) Expenditures described under subsection (a) shall be made only for such activities as—

"(A) serve to further the realization of foreign policy objectives;

"(B) are a matter of urgency to implement;

"(C) with respect to activities the expenditures for which are required to be certified under subsection (a), require confidentiality in the best interests of the conduct of foreign policy by the United States; and

"(D) are not otherwise prohibited by law.

"(2) Activities described in paragraph (1) include—

"(A) the evacuation of United States Government employees and their dependents and private United States citizens when their lives are endangered by war, civil unrest, or natural disaster;

"(B) loans made to destitute citizens of the United States who are outside the United States and made to provide for the return to the United States of its citizens;

"(C) visits by foreign chiefs of state or heads of government to the United States;

“(D) travel of delegations representing the President at any inauguration or funeral of a foreign dignitary;

“(E) travel of the President, the Vice President, or a Member of Congress to a foreign country, including advance arrangements, escort, and official entertainment;

“(F) travel of the Secretary of State within the United States and outside the United States, including official entertainment;

“(G) official representational functions of the Secretary of State and other principal officers of the Department of State;

“(H) official functions outside the United States the expenses for which are not otherwise covered by amounts appropriated for representation allowances;

“(I) investigations and apprehension of groups or individuals involved in fraudulent issuance of United States passports and visas; and

“(J) gifts of nominal value given by the President, Vice President, or Secretary of State to a foreign dignitary.

“(c) The Inspector General of the Department of State and the Foreign Service shall conduct an annual confidential audit of the Department of State’s emergency expenditures and prepare and transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate an annual report indicating whether such expenditures were made in accordance with subsections (a) and (b) of this section.

“(d) With regard to the repatriation loan program, the Secretary of State shall—

“(1) require the borrower to provide a verifiable address and social security number at the time of application;

“(2) require a written loan agreement which includes a repayment schedule;

“(3) bar passports from being issued or renewed for those individuals who are in default;

“(4) refer any loan more than one year past due to the Department of Justice for litigation;

“(5) obtain addresses from the Internal Revenue Service for all delinquent accounts which have social security numbers;

“(6) report defaults to commercial credit bureaus as provided in section 3711(f) of title 31, United States Code;

“(7) be permitted to use any funds necessary to contract with commercial collection agencies, notwithstanding section 3718(c) of title 31, United States Code;

“(8) charge interest on all loans as of May 1, 1983, with the rate of interest to be that set forth in section 3717(a) of title 31, United States Code;

“(9) assess charges, in addition to the interest provided for in paragraph (8), to cover the costs of processing and handling delinquent claims, as of May 1, 1983;

“(10) assess a penalty charge, in addition to the interest provided for in paragraphs (8) and (9), of 6 per centum per year for failure to pay any portion of a debt more than ninety days past due; and

“(11) implement the interest and penalty provisions in paragraphs (8), (9), and (10) for all current and future loans, regardless of whether the debts were incurred before or after May 1, 1983.”

REPROGRAMING NOTIFICATIONS

SEC. 123. Title I of the State Department Basic Authorities Act of 1956 is amended by redesignating section 34 as section 35 and by inserting the following new section 34 after section 33:

"Sec. 34. Unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified fifteen days in advance of the proposed reprogramming, funds appropriated for the Department of State shall not be available for obligation or expenditure through any reprogramming of funds—

"(1) which creates new programs;

"(2) which eliminates a program, project, or activity;

"(3) which increases funds or personnel by any means for any project or activity for which funds have been denied or restricted by the Congress;

"(4) which relocates an office or employees;

"(5) which reorganizes offices, programs, or activities;

"(6) which involves contracting out functions which had been performed by Federal employees; or

"(7) which involves a reprogramming in excess of \$250,000 or 10 per centum, whichever is less, and which (A) augments existing programs, projects, or activities, (B) reduces by 10 per centum or more the funding for any existing program, project, activity, or personnel approved by the Congress, or (C) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects approved by the Congress."

INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY

SEC. 124. Title I of the State Department Basic Authorities Act of 1956, as amended by section 123 of this Act, is further amended by redesignating section 35 as section 36 and by inserting the following new section after section 34:

"Sec. 35. (a) The Secretary of State shall assign responsibility for international communications and information policy matters within the Department of State to an appropriate Under Secretary of State (hereafter in this section referred to as the 'Under Secretary').

"(b) The Secretary of State shall establish, within the Department of State, an Office of the Coordinator for International Communications and Information Policy, headed by a Coordinator who shall be responsible to the Under Secretary. The Coordinator shall be appointed by the President, by and with the advice and consent of the Senate, and shall have the rank of ambassador. The Coordinator shall be responsible, on behalf of the Under Secretary, for formulation, coordination, and oversight of international communications and information policy assigned to the Under Secretary. On behalf of the Under Secretary, the Coordinator shall—

"(1) maintain continuing liaison with the bureaus and offices of the Department of State and with other executive branch agencies concerned with international communications and information policy;

"(2) in accordance with such authority as may be delegated by the President pursuant to Executive order, chair such agency

and interagency meetings as may be necessary to coordinate actions on pending issues to ensure proper policy coordination;

“(3) in accordance with such authority as may be delegated by the President pursuant to Executive order, supervise and coordinate the activities of the Senior Interagency Group on International Communications and Information Policy;

“(4) coordinate the activities of, and assist as appropriate, interagency working level task forces and committees concerned with specific aspects of international communications and information policy;

“(5) maintain liaison with the members and staffs of committees of the Congress concerned with international communications and information policy and provide testimony before such committees;

“(6) maintain appropriate liaison with representatives of the private sector to keep informed of their interests and problems, meet with them, and provide such assistance as may be needed to ensure that matters of concern to the private sector are promptly considered by the Department or other executive branch agencies; and

“(7) assist in arranging meetings of such public sector advisory groups as may be established to advise the Department of State and other executive branch agencies in connection with international communications and information policy issues.”.

COUNSELOR OF THE DEPARTMENT OF STATE

SEC. 125. (a) Section 2 of the Act entitled “An Act to strengthen and improve the organization and administration of the Department of State, and for other purposes”, approved May 26, 1949 (22 U.S.C. 2653), is amended by striking out “Counselor of the Department of State and the Legal Adviser who are” in the second sentence and inserting in lieu thereof “Legal Adviser who is”.

(b)(1) Section 5314 of title 5, United States Code, is amended by inserting immediately after the item relating to the Under Secretaries of State the following:

“Counselor of the Department of State.”.

(2) Section 5315 of such title is amended by striking out “Counselor of the Department of State.”.

ATTENDANCE OF CITIZENS OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS AT THE FOREIGN SERVICE INSTITUTE

SEC. 126. Section 701 of the Foreign Service Act of 1980 (22 U.S.C. 4021) is amended by adding at the end thereof the following new subsection:

“(c) Training and instruction may be provided at the Institute for not to exceed sixty citizens of the Trust Territory of the Pacific Islands in order to prepare them to serve as members of the foreign services of the Federated States of Micronesia, the Marshall Islands, and Palau. The authority of this subsection shall expire when the Compact of Free Association is approved by the Congress.”.

FOREIGN NATIONAL EMPLOYEES

SEC. 127. (a) Section 408(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3968(a)(1)) is amended in the last sentence by insert-

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ing "(A)" immediately after "provision for" and by inserting immediately before the period at the end thereof the following: ", and (B) payments by the Government and foreign national employees to a trust or other fund in a financial institution in order to finance future benefits for foreign national employees, including provision for retention in the fund of accumulated interest for the benefit of covered foreign national employees".

(b)(1) Section 5944 of title 5, United States Code, is repealed.

(2) The chapter analysis for chapter 59 of such title 5 is amended by striking out the item relating to section 5944.

CODIFICATION OF MERESMAN CASE

SEC. 128. Section 2103(f) of the Foreign Service Act of 1980 (22 U.S.C. 4153(f)) is amended in the last sentence by striking out "determined in accordance with chapter 8 of title I of this Act" and inserting in lieu thereof "on the same basis as a member retired from the Senior Foreign Service under section 607(c)(1), and section 609(a)(2)(B) shall be deemed to apply to such officer".

FOREIGN SERVICE VOTING RESIDENCE

SEC. 129. (a) Chapter 9 of title I of the Foreign Service Act of 1980 is amended by adding at the end thereof the following:

"SEC. 906. ENTITLEMENT TO VOTE IN A STATE IN A FEDERAL ELECTION.—(a) Except as provided in subsection (b) and in such manner as shall be otherwise authorized by a State or other jurisdiction within the territory of the United States, a member of the Service residing outside the United States shall, in addition to any entitlement to vote in a State in a Federal election under section 3 of the Overseas Citizens Voting Rights Act (42 U.S.C. 1973dd-1), be entitled to vote in a Federal election in the State in which such member was last domiciled immediately before entering the Service if such member—

"(1) makes an election of that State;

"(2) notifies that State of such election and notifies any other States in which he or she is entitled to vote of such election; and

"(3) otherwise meets the requirements of such Act.

"(b) The provisions of subsection (a) shall apply only to an individual who becomes a member of the Service on or after the date of enactment of this section and shall not apply to an individual who registers to vote in a State in which he is entitled to vote under section 3 of Overseas Citizens Voting Rights Act."

(b) The table of contents in section 2 of the Foreign Service Act of 1980 is amended by inserting the following new item after the item relating to section 905:

"Sec. 906. Entitlement to Vote in a State in a Federal Election."

MERGER OF FOREIGN SERVICE INFORMATION CORPS WITH FOREIGN SERVICE CORPS

SEC. 130. (a) Section 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902) is amended—

(1) by striking out "(a)"; and

(2) by striking out subsection (b).

(b) Section 502 of such Act (22 U.S.C. 3982) is amended by adding at the end thereof the following:

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“(d) The Secretary of State, in conjunction with the heads of the other agencies utilizing the Foreign Service personnel system, shall implement policies and procedures to insure that Foreign Service officers and members of the Senior Foreign Service of all agencies are able to compete for chief of mission positions and have opportunities on an equal basis to compete for assignments outside their areas of specialization.”

(c) Not later than one year after the date of enactment of this section, the Secretary of State shall submit a report to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate describing the policies and procedures adopted pursuant to the amendment made by subsection (b).

DANGER PAY

SEC. 131. Section 5928 of title 5, United States Code, is amended by adding at the end thereof the following: “The presence of nonessential personnel or dependents shall not preclude payment of an allowance under this section. In each instance where an allowance under this section is initiated or terminated, the Secretary of State shall inform the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate of the action taken and the circumstances justifying it.”

SECURITY OFFICERS

SEC. 132. Section 2104 of the Foreign Service Act of 1980 (22 U.S.C. 4154) is amended by adding at the end thereof the following new subsection:

“(c) The three-year period referred to in subsection (a) shall be extended for an additional period not to exceed one year from the date of enactment of this section in the case of Department of State security officers who are members of the Service and who were initially ineligible for conversion under that subsection because they were available for worldwide assignment and there was a need for their services in the Service, but as to whom subsequent events require the services of these members (and of those later employed who are similarly situated) only or primarily for domestic functions.”

FOREIGN RELATIONS PUBLICATIONS

SEC. 133. (a) The Congress expresses concern about the excessive delays currently experienced in the publication of the Department of State's vital series of historical volumes, “The Foreign Relations of the United States”. It is the sense of the Congress that the current delays must be substantially reduced so that publication of this series will occur after twenty years, and no later than twenty-five years, from the date of the events themselves.

(b) The Historian of the Department of State shall prepare and submit a report within three months after the date of enactment of this Act to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives explaining the reasons for these delays and the steps which would be required to reach the goal of publication within twenty-five years.

UNITED STATES DIPLOMATIC RELATIONS WITH THE VATICAN

SEC. 134. In order to provide for the establishment of United States diplomatic relations with the Vatican, the Act entitled "An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-eight, and for other purposes", approved February 28, 1867, is amended by repealing the following sentence (14 Stat. 413): "And no money hereby or otherwise appropriated shall be paid for the support of an American legation at Rome, from and after the thirtieth day of June, eighteen hundred and sixty-seven."

USE OF HERBICIDES CONTAINING DIOXIN COMPOUNDS BY
INTERNATIONAL COMMISSIONS

SEC. 135. (a) Notwithstanding any other provision of law, none of the funds made available under this Act for "International Commissions" for the fiscal year 1984 and the fiscal year 1985 shall be available for the use, by such commissions or their agents, of herbicides containing dioxin compounds.

(b) Unless the Committee on Foreign Relations and the Committee on Environment and Public Works of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Governors of the affected border States are notified forty-five days in advance of the use of a herbicide by an international commission, funds appropriated for such use shall not be available for obligation or expenditure. Such notification shall include—

- (1) the name of the herbicide;
- (2) an estimate of the quantity of herbicide planned for use;
- (3) an identification of the area on which the herbicide will be used; and
- (4) a description of the herbicide's chemical composition.

FOREIGN SERVICE BUILDINGS ACT

SEC. 136. The Foreign Service Buildings Act, 1926 (22 U.S.C. 292-301), is amended by adding at the end thereof the following new section:

"SEC. 11. (a) Eligibility for award of contracts under this Act or of any other contract by the Secretary of State, including lease-back or other agreements, the purpose of which is to obtain the construction, alteration, or repair of buildings and grounds abroad, when estimated to exceed \$5,000,000, including any contract alternatives or options, shall be limited, after a determination that adequate competition will be obtained thereby, to (1) American-owned bidders and (2) bidders from countries which permit or agree to permit substantially equal access to American bidders for comparable diplomatic and consular building projects, except that participation may be permitted by or limited to host-country bidders where required by international agreement or by the law of the host country or where determined by the Secretary of State to be necessary in the interest of bilateral relations or necessary to carry out the construction project.

"(b)(1) Generally applicable laws and regulations pertaining to licensing and other qualifications to do business in the country in

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which the contract is to be performed shall not be deemed a limitation of access for purposes of this section.

"(2) For purposes of determining competitive status, bids qualifying under subsection (a)(1) shall be reduced by 10 per centum.

"(3) A determination of adequacy of competition for purposes of subsection (a) shall be made after advance publication by the Secretary of State of the proposed project, and receipt from not less than two prospective responsible bidders of intent to submit a bid or proposal. If competition is not determined to be adequate, contracts may be awarded without regard to subsection (a) and this subsection.

"(4) Bidder qualification under subsection (a) shall be determined on the basis of nationality of ownership, the burden of which shall be on the prospective bidder. Qualification under subsection (a)(1) shall require evidence of (A) performance of similar construction work in the United States, and (B) either (i) ownership in excess of fifty percent by United States citizens or permanent residents, or (ii) incorporation in the United States for more than three years and employment of United States citizens or permanent residents in more than half of the corporation's permanent full-time professional and managerial positions in the United States.

"(5) Qualification under this section shall be established on the basis of determinations at the time bids are requested.

"(c) Contracts for construction, alteration, or repair in the United States for or on behalf of any foreign mission (as defined in section 202(a)(4) of title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4302(a)(4)) may, pursuant to the authority of that title, only be awarded to or performed by bidders qualifying under subsection (a) (1) or (2) or by nationals of the country for which the contract is being performed who are granted the right of entry into the United States for that purpose.

"(d) Determinations under this section shall be committed to the discretion of the Secretary of State.

"(e) This section shall cease to be effective when the Secretary of State determines that there are internationally-agree-upon rules in effect on bidding for construction contracts."

UNITED STATES CONSULATES

SEC. 137. Section 103(b) of the Department of State Authorization Act, fiscal years 1982 and 1983 (22 U.S.C. 2656 note) is amended by striking out the period at the end thereof and inserting in lieu thereof the following: ", to the extent such reopening is authorized by the foreign government involved. A report shall be made to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives concerning the extent to which such foreign government authorization has been received, and the progress achieved with respect to the reopening of the specified consulates."

TITLE II—UNITED STATES INFORMATION AGENCY

SHORT TITLE

SEC. 201. This title may be cited as the "United States Information Agency Authorization Act, Fiscal Years 1984 and 1985".

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AUTHORIZATION OF APPROPRIATIONS

SEC. 202. In addition to the amounts otherwise authorized for such purposes, there are authorized to be appropriated for the United States Information Agency \$642,348,000 for the fiscal year 1984 and \$806,239,000 for the fiscal year 1985 to carry out international information, educational, cultural, and exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, and Reorganization Plan Numbered 2 of 1977, and other purposes authorized by law.

IMPROVEMENT OF VOICE OF AMERICA FACILITIES AND OPERATIONS

SEC. 203. Of the authorizations of appropriations contained in section 202—

(1) authorizations of \$47,959,000 for the fiscal year 1984, which shall be available for the acquisition and construction of radio facilities, and

(2) authorizations of \$164,800,000 for the fiscal year 1985, which shall be available for essential modernization of the facilities and operations of the Voice of America,

shall remain available until the appropriations are made, and when those amounts are appropriated they are authorized to remain available until expended.

INTERNAL AUDITORS

SEC. 204. Of the amounts authorized to be appropriated by section 202, not less than \$600,000 for each of the fiscal years 1984 and 1985 shall be available only for the employment of twelve professional internal auditors for the United States Information Agency in excess of any internal auditors employed by the Agency during fiscal year 1983.

FUNDS FOR THE NATIONAL ENDOWMENT FOR DEMOCRACY

SEC. 205. Of the amounts appropriated for the United States Information Agency for each of the fiscal years 1984 and 1985, not less than \$31,300,000 shall be available only for a grant, in accordance with title V of this Act, to the National Endowment for Democracy for use in carrying out its purposes.

EDUCATIONAL AND CULTURAL EXCHANGES

SEC. 206. (a) Of the funds authorized to be appropriated for the United States Information Agency for the fiscal year 1984, not less than \$100,500,000 shall be available only for grants for the Fulbright Academic Exchange Programs and the International Visitor Program, not less than \$3,729,000 shall be available only for grants for the Humphrey Fellowship Program, and not more than \$7,100,000 shall be available for the Private Sector Program. Funds authorized to be appropriated by this title for the Private Sector Program shall be available only for grants to not-for-profit cultural, educational, or exchange-of-persons organizations. Of the funds authorized to be appropriated for the United States Information Agency for fiscal year 1984, \$3,000,000 shall be available only for enhancements of United States libraries overseas and programs providing support

services to foreign students studying, or intending to study, in the United States.

(b) Of the funds authorized to be appropriated for the United States Information Agency for the fiscal year 1985, not less than \$123,100,000 shall be available only for grants for the Fulbright Academic Exchange Programs and the International Visitor Program, and not less than \$4,435,000 shall be available only for grants for the Humphrey Fellowship Program.

PRIVATE SECTOR PROGRAM

SEC. 207. (a) No funds authorized to be appropriated for the Private Sector Program shall be used to pay for foreign travel by any United States citizen who, in the five years preceding the date of the proposed foreign travel, made two or more trips financed in whole or in substantial part by grants from the Private Sector Program. This limitation shall not apply to escort interpreters accompanying delegations, to artists accompanying exhibitions, to persons engaging in theatrical or musical performances, or to the full-time staff of the grantee organization. In addition, the Director of the Bureau of Educational and Cultural Affairs may waive this limitation in exceptional cases if he determines that foreign travel is essential to the successful completion of the grant program and so certifies in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate at least fifteen days prior to the commencement of the proposed foreign travel.

(b) Not later than January 31 of each year, the Director of the Bureau of Educational and Cultural Affairs shall submit to the Speaker of the House of Representatives and the Chairman of the Committee on Foreign Relations of the Senate a report listing all individuals, with their organization, who in the preceding five years made two or more trips involving foreign travel financed in whole or substantial part by grants from the Private Sector Program.

INTERNATIONAL YOUTH YEAR

SEC. 208. (a) From the funds allocated to the Private Sector Program, the United States Information Agency may make grants to youth and youth service organizations in support of activities to promote participation by American young people in the activities of International Youth Year. Activities to be supported shall involve exchange-of-persons. Grants under this subsection shall be subject to all applicable guidelines and notification requirements, except that organizations receiving such grants shall not be subject to the funding limitation on newer organizations which is contained in the "ECA Grant Guidelines" which were submitted to the Congress on May 4, 1983 (see pages 42-44 of the report of the Committee on Foreign Relations on S. 1342 (Senate Report Numbered 98-143) and pages 66-68 of the report of the Committee on Foreign Affairs to accompany H.R. 2915 (House of Representatives Report Numbered 98-130)).

(b) The Secretary of State shall ensure that any organization designated by the United States Government, or any agency thereof, as the official United States commission or committee for United States participation in International Youth Year meets the following criteria: (1) the membership of such organization is open to all

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major youth and youth service organizations; (2) the charter of such organization provides that the organization will have full financial responsibility for its own assets, receipts, and expenditures; and (3) the composition of the Governing Board shall be elected from the constituent youth and youth service organizations, and in such an election the size of the membership of the constituent youth and youth service organizations shall be an important factor. Clause (3) shall not be construed as requiring any particular system of proportional representation in the election of the Governing Board.

(c) No funds authorized to be appropriated by this Act shall be made available to any organization to coordinate or plan for United States participation in International Youth Year if that organization does not meet the criteria specified in subsection (b).

PROHIBITION ON LOBBYING WITH UNITED STATES FUNDS BY UNITED STATES INFORMATION AGENCY GRANTEE ORGANIZATIONS

SEC. 209. None of the funds authorized to be appropriated by this title shall be used by any grantee organization of the United States Information Agency for lobbying or propaganda which is directed at influencing public policy decisions of the Government of the United States or any State or locality thereof. This section shall not be construed so as to abridge the right of any grantee organization to exercise the same freedom of speech as is protected by the first article of amendment of the United States Constitution, so long as such organization does not use funds provided under this title in exercising such right.

FUNDS FOR OFFICIAL RECEPTIONS AND ENTERTAINMENT EXPENSES

SEC. 210. Notwithstanding any other provision of law, not more than \$20,000 of the funds authorized to be appropriated to the United States Information Agency for the fiscal year 1984 or for the fiscal year 1985 shall be available for domestic representation or entertainment expenses, including official receptions.

FUNDS FOR UNITED STATES-GERMAN TEENAGE EXCHANGE

SEC. 211. In addition to amounts otherwise authorized to be appropriated for the United States Information Agency, there are authorized to be appropriated \$2,500,000 for the fiscal year 1984 and \$2,500,000 for the fiscal year 1985 to carry out a United States-German teenage exchange sponsored by the Members of the United States Congress and the West German Bundestag.

FUNDING FOR UNITED STATES PARTICIPATION IN THE TSUKUBA, JAPAN EXPOSITION 1985

SEC. 212. In addition to amounts otherwise made available for such purpose, there are authorized to be appropriated to the United States Information Agency, without fiscal year limitation, \$4,000,000 for expenses in connection with United States participation in the Tsukuba, Japan Exposition 1985.

CHARTER FOR THE BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS

SEC. 213. The Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451-2458a) is amended by adding at the end thereof the following new section:

"SEC. 112. (a) In order to carry out the purposes of this Act, there is established in the United States Information Agency, or in such appropriate agency of the United States as the President shall determine, a Bureau of Educational and Cultural Affairs (hereinafter in this section referred to as the 'Bureau'). The Bureau shall be responsible for managing, coordinating, and overseeing programs established pursuant to this Act, including but not limited to—

"(1) the J. William Fulbright Educational Exchange Program which, by promoting the exchange of scholars, researchers, students, trainees, teachers, instructors, and professors, between the United States and foreign countries, accomplishes the purposes of section 102(a)(1) of this Act;

"(2) the Hubert H. Humphrey Fellowship Program which finances (A) study at American universities and institutions of higher learning, including study in degree granting programs, and (B) participation in fellowships, internships, or other programs in American governmental and nongovernmental institutions for public managers and other individuals from developing countries;

"(3) the International Visitors Program which provides grants for short-term visits to the United States for foreign nationals who are, or have the potential to be, leaders in their respective fields in their own countries;

"(4) the American Cultural Centers and Libraries which make available at selected foreign locations, books, films, sound recordings, and other materials about the United States, its people and culture, and about other topics;

"(5) the American Overseas Schools Program which provides financial assistance to the operations of American-sponsored schools overseas;

"(6) the American Studies Program which fosters and supports the study of the United States, and its people and culture, in foreign countries; and

"(7) a program of working with private, not-for-profit groups through contracts, grants, or cooperative agreements, as authorized by section 102 of this Act, so as to provide financial assistance to nongovernmental organizations engaged in implementing and enhancing exchange-of-persons programs.

"(b) The President shall insure that all programs under the authority of the Bureau shall maintain their nonpolitical character and shall be balanced and representative of the diversity of American political, social, and cultural life. The President shall insure that academic and cultural programs under the authority of the Bureau shall maintain their scholarly integrity and shall meet the highest standards of academic excellence or artistic achievement.

"(c) The Bureau shall administer no programs except those operating under the authority of this Act and consistent with its purposes."

NOTIFICATION OF REPROGRAMINGS AND GRANTS

SEC. 214. Title VII of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1476-1477b) is amended by adding at the end thereof the following new section:

"SEC. 705. (a) Unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified fifteen days in advance of a proposed reprogramming, funds appropriated for the United States Information Agency shall not be available for obligation or expenditure through any such reprogramming of funds—

"(1) which creates new programs;

"(2) which eliminates a program, project, or activity;

"(3) which increases funds or personnel by any means for any project or activity for which funds have been denied or restricted by the Congress;

"(4) which relocates an office or employees;

"(5) which reorganizes offices, programs, or activities;

"(6) which involves contracting out functions which had been performed by Federal employees; or

"(7) which involves a reprogramming in excess of \$250,000 or 10 per centum, whichever is less, and which (A) augments existing programs, projects, or activities, (B) reduces by 10 per centum or more the funding for any existing program, project, or activity, or personnel approved by the Congress, or (C) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects approved by the Congress.

"(b) In addition, the United States Information Agency may award program grants for the fiscal years 1984 and 1985 only if the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified fifteen days in advance of the proposed grant."

SUPPLEMENTAL ALLOWANCE FOR USIA PERSONNEL STATIONED IN NEW YORK CITY

SEC. 215. Section 9 of the United Nations Participation Act of 1945 (22 U.S.C. 287e-1) is amended—

(1) in paragraph (1), by inserting ", and any employee of the United States Information Agency designated by the Director of that Agency," immediately after "Secretary of State"; and

(2) in the last sentence, by striking out "forty-five employees" and inserting in lieu thereof "fifty employees, including not more than five employees of the United States Information Agency,".

DISTRIBUTION WITHIN THE UNITED STATES OF THE UNITED STATES INFORMATION AGENCY FILM ENTITLED "THANKSGIVING IN PESHAWAR"

SEC. 216. (a) Notwithstanding the second sentence of section 501 of the United States Information and Education Exchange Act of 1948 (22 U.S.C. 1461(a))—

(1) the Director of the United States Information Agency shall make available to the Administrator of General Services a master copy of the film entitled "Thanksgiving in Peshawar"; and

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(2) upon evidence that necessary United States rights and licenses have been secured and paid for by the person seeking domestic release of the film, the Administrator shall reimburse the Director for any expenses of the Agency in making that master copy available, shall deposit that film in the National Archives of the United States, and shall make copies of that film available for purchase and public viewing within the United States.

(b) Any reimbursement to the Director pursuant to this section shall be credited to the applicable appropriation of the United States Information Agency.

INCREASED LEASING AUTHORITY FOR RADIO FACILITIES

SEC. 217. Section 801(3) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471(3)) is amended by striking out "ten years" and inserting in lieu thereof "twenty-five years".

TITLE III—BOARD FOR INTERNATIONAL BROADCASTING

SHORT TITLE

SEC. 301. This title may be cited as the "Board for International Broadcasting Authorization Act, Fiscal Years 1984 and 1985".

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 302. Subparagraph (A) of section 8(a)(1) of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877(a)(1)(A)) is amended to read as follows:

"(A) \$111,600,000 for the fiscal year 1983, \$106,055,000 for the fiscal year 1984, and \$111,251,000 for the fiscal year 1985; and".

FOREIGN CURRENCY GAINS

SEC. 303. Section 8(b) of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877(a)) is amended to read as follows:

"(b) Beginning with fiscal year 1983, any amount appropriated under subsection (a)(1) of this section which, because of upward fluctuations in foreign currency exchange rates, is in excess of the amount necessary to maintain the budgeted level of operation for RFE/RL, Incorporated, may be merged with and made available for the same time period and same purposes as amounts appropriated under subsection (a)(2) of this section."

BENEFITS FOR CERTAIN RETIREES AND SURVIVING SPOUSES OF
EMPLOYEES OF RADIO FREE EUROPE AND RADIO LIBERTY

SEC. 304. The Board for International Broadcasting Act of 1973 (22 U.S.C. 2871-2880) is amended by adding at the end thereof the following new section:

"BENEFITS FOR CERTAIN RETIREES AND SURVIVING SPOUSES OF
EMPLOYEES OF RADIO FREE EUROPE AND RADIO LIBERTY

"SEC. 12. The Congress hereby authorizes the Board to make available in accordance with the Supplemental Appropriations Act,

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1983, \$4,900,000 of the amount appropriated for the Board by that Act for enhancement of (1) the pensions and cost-of-living adjustments of individuals who retired from RFE/RL, Incorporated, before January 1, 1976, and (2) the benefits to which surviving spouses of employees of RFE/RL, Incorporated, are entitled by virtue of the creditable service of such employees rendered before January 1, 1976.”

SALARY OF THE RFE/RL PRESIDENT

SEC. 305. (a) The Board for International Broadcasting Act of 1973 (22 U.S.C. 2871-2880), as amended by section 304 of this Act, is further amended by adding at the end thereof the following new section:

“SALARY OF THE RFE/RL PRESIDENT

“SEC. 13. Funds made available under this Act to RFE/RL, Incorporated, may not be used for the salary of the President of RFE/RL, Incorporated, at an annual rate in excess of the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.”

(b) The amendment made by this section applies with respect to funds used for the salary of any President of RFE/RL, Incorporated, who is appointed after the date of enactment of this Act.

POLICY ON BROADCASTS OF RFE/RL AND THE VOICE OF AMERICA
CONCERNING SOVIET RELIGIOUS PERSECUTION

SEC. 306. It is the sense of the Congress that RFE/RL, Incorporated (commonly known as Radio Free Europe and Radio Liberty) and the Voice of America (VOA) are to be commended for their news and editorial coverage of the increasing religious persecution in the Soviet Union, including the declining levels of Jewish emigration, and are encouraged to intensify their efforts in this regard.

BALTIC DIVISION

SEC. 307. None of the funds authorized to be appropriated by the amendment made by section 302 of this Act may be used for a grant to RFE/RL, Incorporated, unless—

(1) the Estonian, Latvian, and Lithuanian radio services of RFE/RL, Incorporated, are organized as a separate division within Radio Liberty; and

(2) those radio services begin broadcasts under a name which would accurately reflect United States policy of not recognizing the illegal incorporation of Estonia, Latvia, and Lithuania into the Soviet Union.

POLICY ON THE JAMMING BY THE SOVIET UNION OF BROADCASTS OF THE
VOICE OF AMERICA AND RFE/RL

SEC. 308. (a) The Congress finds that—

(1) the permanent unrestrained flow of accurate information would greatly facilitate mutual understanding and world peace;

(2) the Soviet Union and its allies are at present electronically jamming the broadcasts of the Voice of America and RFE/RL,

Incorporated (commonly known as Radio Free Europe and Radio Liberty); and

(3) electronic jamming of international broadcasts violates at least four international agreements: Article 35(1) of the International Telecommunications Union Convention, Article 19 of the Universal Declaration of Human Rights, Article 19 of the International Covenant on Civil and Political Rights, and the Final Act of the Conference on Security and Cooperation in Europe (commonly known as the Helsinki Accords).

(b) It is the sense of the Congress that the President should urge the Government of the Soviet Union to terminate its jamming of the broadcasts of the Voice of America and RFE/RL, Incorporated.

TITLE IV—THE ASIA FOUNDATION

SHORT TITLE

SEC. 401. This title may be cited as "The Asia Foundation Act".

FINDINGS

SEC. 402. The Congress finds that—

(1) The Asia Foundation, a private nonprofit corporation incorporated in 1954 in the State of California, has long been active in promoting Asian-American friendship and cooperation and in lending encouragement and assistance to Asians in their own efforts to develop more open, more just, and more democratic societies;

(2) The Asia Foundation's commitment to strengthening indigenous Asian institutions which further stable national development, constructive social change, equitable economic growth, and cooperative international relationships is fully consistent with and supportive of long-term United States interests in Asia;

(3) The Asia Foundation, as a private organization, is able to conduct programs in response to Asian initiatives that would be difficult or impossible for an official United States instrumentality, and it is in a position in Asia to respond quickly and flexibly to meet new opportunities;

(4) in recognition of the valuable contributions of The Asia Foundation to long-range United States foreign policy interests, the United States Government has, through a variety of agencies, provided financial support for The Asia Foundation; and

(5) it is in the interest of the United States, and the further strengthening of Asian-American friendship and cooperation, to establish a more permanent mechanism for United States Government financial support for the ongoing activities of The Asia Foundation, while preserving the independent character of the Foundation.

GRANTS TO THE ASIA FOUNDATION

SEC. 403. (a) The Secretary of State shall make an annual grant to The Asia Foundation with the funds made available under section 404. Such grants shall be in general support of the Foundation's programs and operations. The terms and conditions of grants pursu-

ant to this section shall be set forth in a grant agreement between the Secretary of State and The Asia Foundation.

(b) If funds made available to The Asia Foundation pursuant to this title or pursuant to any other provision of law are, with the permission of the head of the Federal agency making the funds available, invested by the Foundation or any of its subgrantees pending disbursement, the resulting interest is not required to be deposited in the United States Treasury if that interest is used for the purposes for which the funds were made available.

FUNDING

SEC. 404. There are authorized to be appropriated to the Secretary of State \$5,000,000 for the fiscal year 1983, \$10,000,000 for the fiscal year 1984, and \$10,000,000 for the fiscal year 1985 for grants to The Asia Foundation pursuant to this title.

TITLE V—NATIONAL ENDOWMENT FOR DEMOCRACY

SHORT TITLE

SEC. 501. This title may be cited as the "National Endowment for Democracy Act".

NATIONAL ENDOWMENT FOR DEMOCRACY

SEC. 502. (a) The Congress finds that there has been established in the District of Columbia a private, nonprofit corporation known as the National Endowment for Democracy (hereafter in this title referred to as the "Endowment") which is not an agency or establishment of the United States Government.

(b) The purposes of the Endowment, as set forth in its articles of incorporation, are—

(1) to encourage free and democratic institutions throughout the world through private sector initiatives, including activities which promote the individual rights and freedoms (including internationally recognized human rights) which are essential to the functioning of democratic institutions;

(2) to facilitate exchanges between United States private sector groups (especially the two major American political parties, labor, and business) and democratic groups abroad;

(3) to promote United States nongovernmental participation (especially through the two major American political parties, labor, business, and other private sector groups) in democratic training programs and democratic institution-building abroad;

(4) to strengthen democratic electoral processes abroad through timely measures in cooperation with indigenous democratic forces;

(5) to support the participation of the two major American political parties, labor, business, and other United States private sector groups in fostering cooperation with those abroad dedicated to the cultural values, institutions, and organizations of democratic pluralism; and

(6) to encourage the establishment and growth of democratic development in a manner consistent both with the broad concerns of United States national interests and with the specific

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requirements of the democratic groups in other countries which are aided by programs funded by the Endowment.

GRANTS TO THE ENDOWMENT

SEC. 503. (a) The Director of the United States Information Agency shall make an annual grant to the Endowment to enable the Endowment to carry out its purposes as specified in section 502(b). Such grants shall be made with funds specifically appropriated for grants to the Endowment or with funds appropriated to the Agency for the "Salaries and Expenses" account. Such grants shall be made pursuant to a grant agreement between the Director and the Endowment which requires that grant funds will only be used for activities which the Board of Directors of the Endowment determines are consistent with the purposes described in section 502(b), that the Endowment will allocate funds in accordance with subsection (e) of this section, and that the Endowment will otherwise comply with the requirements of this title. The grant agreement may not require the Endowment to comply with requirements other than those specified in this title.

(b) Funds so granted may be used by the Endowment to carry out the purposes described in section 502(b), and otherwise applicable limitations on the purposes for which funds appropriated to the United States Information Agency may be used shall not apply to funds granted to the Endowment.

(c) Nothing in this title shall be construed to make the Endowment an agency or establishment of the United States Government or to make the members of the Board of Directors of the Endowment, or the officers or employees of the Endowment, officers or employees of the United States.

(d) The Endowment and its grantees shall be subject to the appropriate oversight procedures of the Congress.

(e) Of the amounts made available to the Endowment for each of the fiscal years 1984 and 1985 to carry out programs in furtherance of the purposes of this Act—

(1) not less than \$13,800,000 shall be for the Free Trade Union Institute; and

(2) not less than \$2,500,000 shall be to support private enterprise development programs of the National Chamber Foundation.

ELIGIBILITY OF THE ENDOWMENT FOR GRANTS

SEC. 504. (a) Grants may be made to the Endowment under this title only if the Endowment agrees to comply with the requirements specified in this section and elsewhere in this title.

(b)(1) The Endowment may only provide funding for programs of private sector groups and may not carry out programs directly.

(2) The Endowment may provide funding only for programs which are consistent with the purposes set forth in section 502(b).

(c)(1) Officers of the Endowment may not receive any salary or other compensation from any source, other than the Endowment, for services rendered during the period of their employment by the Endowment.

(2) If an individual who is an officer or employee of the United States Government serves as a member of the Board of Directors or as an officer or employee of the Endowment, that individual may

not receive any compensation or travel expenses in connection with services performed for the Endowment.

(d)(1) The Endowment shall not issue any shares of stock or declare or pay any dividends.

(2) No part of the assets of the Endowment shall inure to the benefit of any member of the Board, any officer or employee of the Endowment, or any other individual, except as salary or reasonable compensation for services.

(e)(1) The accounts of the Endowment shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audits shall be conducted at the place or places where the accounts of the Endowment are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Endowment and necessary to facilitate the audits shall be made available to the person or persons conducting the audits; and full facilities for verifying transactions with any assets held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(2) The report of each such independent audit shall be included in the annual report required by subsection (h). The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the Endowment's assets and liabilities, surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the Endowment's income and expenses during the year, and a statement of the application of funds, together with the independent auditor's opinion of those statements.

(f)(1) The financial transactions of the Endowment for each fiscal year may be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places where accounts of the Endowment are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the Endowment pertaining to its financial transactions and necessary to facilitate the audit; and they shall be afforded full facilities for verifying transactions with any assets held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers, and property of the Endowment shall remain in the possession and custody of the Endowment.

(2) A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform the Congress of the financial operations and condition of the Endowment, together with such recommendations with respect thereto as he may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made contrary to the requirements of this title. A copy of each report shall be furnished to the President and to the Endowment at the time submitted to the Congress.

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(g)(1) The Endowment shall ensure that each recipient of assistance provided through the Endowment under this title keeps such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(2) The Endowment shall ensure that it, or any of its duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance provided through the Endowment under this title. The Comptroller General of the United States or any of his duly authorized representatives shall also have access thereto for such purpose.

(h) Not later than December 31 of each year, the Endowment shall submit an annual report for the preceding fiscal year to the President for transmittal to the Congress. The report shall include a comprehensive and detailed report of the Endowment's operations, activities, financial condition, and accomplishments under this title and may include such recommendations as the Endowment deems appropriate. The Board members and officers of the Endowment shall be available to testify before appropriate committees of the Congress with respect to such report, the report of any audit made by the Comptroller General pursuant to subsection (f), or any other matter which any such committee may determine.

TITLE VI—FOREIGN MISSIONS

SHORT TITLE

SEC. 601. This title may be cited as the "Foreign Missions Amendments Act of 1983".

REQUIREMENT FOR LIABILITY INSURANCE

SEC. 602. Section 6 of the Diplomatic Relations Act (22 U.S.C. 254e) is amended—

(1) in subsection (a) by striking out "President" and inserting in lieu thereof "Director of the Office of Foreign Missions in the Department of State";

(2) in subsection (b) by striking out "The President shall, by regulation, establish liability insurance requirements" and inserting in lieu thereof "The Director of the Office of Foreign Missions shall, by regulation, establish liability insurance requirements which can reasonably be expected to afford adequate compensation to victims and which are"; and

(3) in subsection (c) by striking out "President" and inserting in lieu thereof "Director of the Office of Foreign Missions".

ENFORCEMENT OF COMPLIANCE WITH LIABILITY INSURANCE REQUIREMENTS

SEC. 603. Title II of the State Department Basic Authorities Act of 1956 is amended by inserting after section 204 (22 U.S.C. 4304) the following new section:

“ENFORCEMENT OF COMPLIANCE WITH LIABILITY INSURANCE
REQUIREMENTS

“SEC. 204A. (a)(1) The head of a foreign mission shall notify promptly the Director of the lapse or termination of any liability insurance coverage held by a member of the mission, by a member of the family of such member, or by an individual described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946.

“(2) Not later than February 1 of each year, the head of each foreign mission shall prepare and transmit to the Director a report including a list of motor vehicles, vessels, and aircraft registered in the United States by members of the mission, members of the families of such members, individuals described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946, and by the mission itself. Such list shall set forth for each such motor vehicle, vessel, or aircraft—

“(A) the jurisdiction in which it is registered;

“(B) the name of the insured;

“(C) the name of the insurance company;

“(D) the insurance policy number and the extent of insurance coverage; and

“(E) such other information as the Director may prescribe.

“(b) Whenever the Director finds that a member of a foreign mission, a member of the family of such member, or an individual described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946—

“(1) is at fault for personal injury, death, or property damage arising out of the operation of a motor vehicle, vessel, or aircraft in the United States,

“(2) is not covered by liability insurance, and

“(3) has not satisfied a court-rendered judgment against him or is not legally liable,

the Director shall impose a surcharge or fee on the foreign mission of which such member or individual is a part, amounting to the unsatisfied portion of the judgment rendered against such member or individual or, if there is no court-rendered judgment, an estimated amount of damages incurred by the victim. The payment of any such surcharge or fee shall be available only for compensation of the victim or his estate.

“(c) For purposes of this section—

“(1) the term ‘head of a foreign mission’ has the same meaning as is ascribed to the term ‘head of a mission’ in Article 1 of the Vienna Convention on Diplomatic Relations of April 18, 1961 (T.I.A.S. numbered 7502; 23 U.S.T. 3227); and

“(2) the terms ‘members of a mission’ and ‘family’ have the same meanings as is ascribed to them by paragraphs (1) and (2) of section 2 of the Diplomatic Relations Act (22 U.S.C. 254a).”.

DIRECTOR OF THE OFFICE OF FOREIGN MISSIONS

SEC. 604. (a) Section 203 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4303) is amended in subsection (a)—

(1) in the second sentence by striking out “appointed by the Secretary” and inserting in lieu thereof “appointed by the President by and with the advice and consent of the Senate”; and

(2) by adding at the end thereof the following: "The Director shall have the rank of ambassador. The Director shall be an individual who is a member of the Foreign Service, who has been a member of the Foreign Service for at least ten years, who has significant administrative experience, and who has served in countries in which the United States has had significant problems in assuring the secure and efficient operations of its missions as the result of the actions of other countries."

(b) Such section is further amended by redesignating subsection (b) as subsection (c) and by inserting the following new subsection (b) after subsection (a):

"(b) There shall also be a Deputy Director of the Office of Foreign Missions who shall be an individual who has served in the United States intelligence community."

(c) The amendments made by this section shall apply with respect to any Director of the Office of Foreign Missions, and to any Deputy Director of the Office of Foreign Missions, appointed after the date of enactment of this Act.

EXTRAORDINARY PROTECTIVE SERVICES

SEC. 605. (a) Of the amounts authorized to be appropriated for "Administration of Foreign Affairs" by section 102(1) of this Act, \$6,000,000 for the fiscal year 1984 and \$6,300,000 for the fiscal year 1985 may be used for the provision of protective services directly or by contract in locations for which funds are not otherwise available to provide such services, to the extent deemed necessary by the Secretary of State in carrying out title II of the State Department Basic Authorities Act of 1956 (relating to foreign missions), except that amounts used under this section shall not be subject to the provisions of section 208(h) of that Act.

(b) The Secretary of State may provide funds to a State or local authority for protective services under this section only if the Secretary has determined that a threat of violence, or other circumstance, exists which requires extraordinary security measures which exceed those which local law enforcement agencies can reasonably be expected to take.

(c) Funds may be obligated under this section only after regulations to implement this section have been issued by the Secretary of State after consultation with appropriate committees of the Congress.

(d) No more than 20 per centum of funds available for obligation under this section in any fiscal year may be obligated for protective services within any single State during that year.

(e) Any agreement with a State or local authority for the provision of protective services under this section shall be for a period of not to exceed ninety days in any calendar year, but such agreements may be renewed after review by the Secretary of State.

(f) Not less than 15 per centum of funds available for obligation under this section each fiscal year shall be retained as a reserve for protective services provided directly by the Secretary of State or for expenditures in local jurisdictions not otherwise covered by an agreement for protective services under this section.

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**TITLE VII—INTERNATIONAL ENVIRONMENTAL
PROTECTION**

SHORT TITLE

SEC. 701. This title may be cited as the "International Environment Protection Act of 1983".

ENDANGERED SPECIES

SEC. 702. Chapter 1 of part I of the Foreign Assistance Act of 1961 is amended by inserting immediately after section 118 (22 U.S.C. 2151p) the following new section:

"SEC. 119. ENDANGERED SPECIES.—(a) The Congress finds the survival of many animal and plant species is endangered by over-hunting, by the presence of toxic chemicals in water, air and soil, and by the destruction of habitats. The Congress further finds that the extinction of animal and plant species is an irreparable loss with potentially serious environmental and economic consequences for developing and developed countries alike. Accordingly, the preservation of animal and plant species through the regulation of the hunting and trade in endangered species, through limitations on the pollution of natural ecosystems, and through the protection of wildlife habitats should be an important objective of the United States development assistance.

"(b) In order to preserve biological diversity, the President is authorized to furnish assistance under this part to assist countries in protecting and maintaining wildlife habitats and in developing sound wildlife management and plant conservation programs. Special efforts should be made to establish and maintain wildlife sanctuaries, reserves, and parks; to enact and enforce anti-poaching measures; and to identify, study, and catalog animal and plant species, especially in tropical environments.

"(c) The Administrator of the Agency for International Development, in conjunction with the Secretary of State, the Secretary of the Interior, the Administrator of the Environmental Protection Agency, the Chairman of the Council on Environmental Quality, and the heads of other appropriate Government agencies, shall develop a United States strategy, including specific policies and programs, to protect and conserve biological diversity in developing countries.

"(d) Each annual report required by section 634(a) of this Act shall include, in a separate volume, a report on the implementation of this subsection. Not later than one year after the date of enactment of this section, the President shall submit a comprehensive report to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate on the United States strategy to protect and conserve biological diversity in developing countries."

ENVIRONMENTAL EXCHANGES

SEC. 703. (a) Section 102(b) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)) is amended—

- (1) by striking out "and" at the end of paragraph (9);
- (2) by striking out the period at the end of paragraph (10) and inserting in lieu thereof "; and"; and

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(3) by adding the following after paragraph (10):

“(11) interchanges and visits between the United States and other countries of scientists, scholars, leaders, and other experts in the fields of environmental science and environmental management.”.

(b) Of the amount by which expenditures for the Fulbright Academic Exchange Programs, for the Humphrey Fellowship Program, and for the International Visitor Program for each of the fiscal years 1984 and 1985 exceeds the expenditures for these programs in fiscal year 1982, 5 per centum shall be used to finance programs authorized by the amendment made by subsection (a) of this section.

INTERNATIONAL WILDLIFE RESOURCES CONSERVATION

SEC. 704. (a) The Secretary of State and the Secretary of the Interior, in consultation with the heads of other concerned Federal agencies, shall undertake a review of the effectiveness of existing United States international activities relating to the conservation of international wildlife resources and shall develop recommendations to substantially improve existing capabilities. On the basis of this review, the Secretary of State and the Secretary of the Interior shall, within six months after the date of enactment of this Act, transmit to chairman of the Committee on Foreign Relations of the Senate and to the chairman of the Committee on Foreign Affairs of the House of Representatives a report—

(1) describing the programs of all Federal agencies concerned with international wildlife resources conservation programs;

(2) recommending an integrated United States plan of action to assist foreign governments and international organizations in conserving wildlife, taking into account the projections in the Global 2000 study;

(3) analyzing the extent to which the Department of State and other relevant Federal agencies are currently involved in—

(A) the establishment of effective liaison with international, national, and local governmental and nongovernmental agencies, organizations, and persons involved in or knowledgeable of wildlife resources conservation abroad;

(B) the provision of expert international wildlife resources conservation staff assistance and advice to United States Embassies, Agency for International Development missions, United States overseas military installations, and other United States governmental or private interests;

(C) facilitating the provision of advice or assistance to governments, agencies, or organizations which wish to enhance their wildlife resources conservation capabilities abroad;

(D) the acquisition and dissemination of reliable data or information concerning—

(i) the conservation status of species of wild fauna and flora;

(ii) the conservation status of lands and waters upon which wild fauna and flora depend;

(iii) existing or proposed laws, proclamations, statutes, orders, regulations, or policies which pertain to the taking, collecting, import, or export of wildlife resources, or to other aspects of international wildlife resources conservation;

(iv) the potential impact upon wildlife resources abroad of actions authorized, funded, or carried out by the United States Government; and

(v) opportunities to initiate or enhance the efficiency of international wildlife resources conservation by the transfer of United States expertise through technical assistance, training, exchange of publications, or other means;

(E) maintaining liaison, for the purposes of providing information needed to make sound conservation decisions, with persons responsible for implementing actions abroad which are authorized, funded, or carried out by Federal agencies or other persons under the jurisdiction of the United States; and

(F) the performance of any other activities which may be relevant to the United States obligations, authorities, or interests in the field of international wildlife resources conservation;

(4) recommending steps which could be taken to increase the capabilities of the Department of State and other relevant Federal agencies in carrying out the functions described in paragraph (3), including estimates of the costs of taking those steps and estimates of the personnel required to increase those capabilities; and

(5) analyzing the desirability of delineating geographic regions abroad (which would be known as "International Wildlife Resources Conservation Regions") and assigning qualified members of the Foreign Service to be responsible for wildlife resource conservation issues in those regions.

TITLE VIII—SOVIET-EASTERN EUROPEAN RESEARCH AND TRAINING

SHORT TITLE

SEC. 801. This title may be cited as the "Soviet-Eastern European Research and Training Act of 1983".

FINDINGS AND DECLARATIONS

SEC. 802. The Congress finds and declares that—

(1) factual knowledge, independently verified, about the Soviet Union and Eastern European countries is of the utmost importance for the national security of the United States, for the furtherance of our national interests in the conduct of foreign relations, and for the prudent management of our domestic affairs;

(2) the development and maintenance of knowledge about the Soviet Union and Eastern European countries depends upon the national capability for advanced research by highly trained and experienced specialists, available for service in and out of Government;

(3) certain essential functions are necessary to ensure the existence of that knowledge and the capability to sustain it, including—

- (A) graduate training;
- (B) advanced research;

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- (C) public dissemination of research data, methods, and findings;
 - (D) contact and collaboration among Government and private specialists; and
 - (E) firsthand experience of the Soviet Union and Eastern European countries by American specialists, including on site conduct of advanced training and research to the extent practicable; and
- (4) it is in the national interest for the United States Government to provide a stable source of financial support for the functions described in this section and to supplement the financial support for those functions which is currently being furnished by Federal, State, local, regional, and private agencies, organizations, and individuals, and thereby to stabilize the conduct of these functions on a national scale, consistently, and on a long range unclassified basis.

DEFINITIONS

SEC. 803. As used in this title—

- (1) the term "institution of higher education" has the same meaning given such term in section 1201(a) of the Higher Education Act of 1965; and
- (2) the term "Advisory Committee" means the Soviet-Eastern European Studies Advisory Committee established by section 804(a).

ESTABLISHMENT OF THE SOVIET-EASTERN EUROPEAN STUDIES ADVISORY COMMITTEE

SEC. 804. (a) There is established within the Department of State the Soviet-Eastern European Studies Advisory Committee which shall be composed of the Secretary of State, the Secretary of Defense, the Secretary of Education, the Librarian of Congress, the President of the American Association for the Advancement of Slavic Studies, and the President of the Association of American Universities. The Secretary of State shall be the Chairman.

(b) The Advisory Committee shall meet at the call of the Chairman and shall hold at least one meeting each year. Three members of the Advisory Committee shall constitute a quorum.

(c) The Secretary of State may detail personnel of the Department of State to provide technical and clerical assistance to the Advisory Committee in carrying out its functions under this title.

(d) The Advisory Committee shall recommend grant policies for the advancement of the objectives of this title. In proposing recipients for grants under this title, the Advisory Committee shall give the highest priority to national organizations with an interest and expertise in conducting research and training concerning Soviet and Eastern European countries and in disseminating the results of such research. In making its recommendations, the Advisory Committee shall emphasize the development of a stable, long-term research program.

AUTHORITY TO MAKE PAYMENTS

SEC. 805. (a) The Secretary of State, after consultation with the Advisory Committee, shall make payments, in accordance with the

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provisions of this section, out of funds made available to carry out this title.

(b)(1) One part of the payments made in each fiscal year shall be used to conduct a national research program at the postdoctoral or equivalent level, such program to include—

(A) the dissemination of information about the research program and the solicitation of proposals for research contracts from American institutions of higher education and not-for-profit corporations, such contracts to contain shared-cost provisions; and

(B) the awarding of contracts for such research projects as the respective institution determines will best serve to carry out the purposes of this title after reviewing proposals submitted under subparagraph (A).

(2) One part of the payments made in each fiscal year shall be used—

(A) to establish and carry out a program of graduate, postdoctoral, and teaching fellowships for advanced training in Soviet and Eastern European studies and related studies, such program—

(i) to be coordinated with the research program described in paragraph (1);

(ii) to be conducted, on a shared-cost basis, at American institutions of higher education; and

(iii) to include—

(I) the dissemination of information on the fellowship program and the solicitation of applications for fellowships from qualified institutions of higher education and qualified individuals; and

(II) the awarding of such fellowships as the respective institution determines will best serve to carry out the purposes of this title after reviewing applications submitted under subclause (I); and

(B) to disseminate research, data, and findings on Soviet and Eastern European studies and related fields in such a manner and to such extent as the respective institution determines will best serve to carry out the purposes of this title.

(3) One part of the payments made in each fiscal year shall be used—

(A) to provide fellowship and research support for American specialists in the fields of Soviet and Eastern European studies and related studies to conduct advanced research with particular emphasis upon the use of data on the Soviet Union and Eastern European countries; and

(B) to conduct seminars, conferences, and other similar workshops designed to facilitate research collaboration between Government and private specialists in the fields of Soviet and Eastern European studies and related studies.

(4) One part of the payments made in each fiscal year shall be used to conduct specialized programs in advanced training and research on a reciprocal basis in the Union of Soviet Socialist Republics and the countries of Eastern Europe designed to facilitate access for American specialists to research institutes, personnel, archives, documentation, and other research and training resources located in the Union of Soviet Socialist Republics and Eastern European countries.

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(5) One part of the payments made in each fiscal year shall be used to support language training in Russian and Eastern European languages. Such payments shall include grants to individuals to pursue such training and to summer language institutes operated by institutions of higher education. Preference shall be given for Russian language studies.

(6) Payments may be made to carry out other research and training in Soviet and Eastern European studies not otherwise described in this section.

APPLICATIONS; PAYMENTS TO ELIGIBLE ORGANIZATIONS

SEC. 806. (a) Any institution seeking funding under this title shall prepare and submit an application to the Secretary of State once each fiscal year. Each such application shall—

(1) provide a description of the purposes for which the payments will be used in accordance with section 805; and

(2) provide such fiscal control and such accounting procedures as may be necessary (A) to ensure a proper accounting of Federal funds paid under this title, and (B) to ensure the verification of the costs of the continuing education and research programs conducted under this title.

(b) Payments under this title may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of overpayments and underpayments.

REPORT

SEC. 807. The Secretary of State shall prepare and submit to the President and the Congress at the end of each fiscal year in which an institution receives assistance under this title a report of the activities of such institution supported by such assistance, if the administrative expenses of such institution which are covered by such assistance represent more than 10 per centum of such assistance, together with such recommendations as the Advisory Committee deems advisable.

FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 808. Nothing contained in this title may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction or research, administration, or personnel of any educational institution.

ALLOCATION OF FUNDS

SEC. 809. Of the funds authorized to be appropriated by section 102(1) of this Act—

(1) up to \$5,000,000 for the fiscal year 1984 shall be available to carry out this title; and

(2) \$5,000,000 for the fiscal year 1985 shall be available only to carry out this title.

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TERMINATION

SEC. 810. The provisions of this title shall cease to be effective at the end of the ten-year period beginning on the date of enactment of this title.

TITLE IX—UNITED STATES-INDIA FUND FOR CULTURAL,
EDUCATIONAL, AND SCIENTIFIC COOPERATION

SHORT TITLE

SEC. 901. This title may be cited as the "United States-India Fund for Cultural, Educational, and Scientific Cooperation Act".

ESTABLISHMENT OF THE FUND

SEC. 902. (a) The President is authorized to enter into an agreement with the Government of India for the establishment of a fund (hereafter in this title referred to as the "Fund") which would provide grants and other assistance for cultural, educational, and scientific programs of mutual interest. Such programs may include exchanges of persons, exchanges of information, and other programs of study, research, and scholarly cooperation. The agreement may also provide for the establishment of an endowment, a foundation, or other means to carry out the purposes of the agreement.

(b) The United States representatives on any board or other entity created in accordance with the agreement to administer the Fund shall be designated by the President predominately from among representatives of United States Government agencies, including those administering programs which may be supported in whole or in part by the Fund.

(c) United States Government agencies carrying out programs of the types specified in subsection (a) may receive amounts directly from the Fund for use in carrying out those programs.

USE OF UNITED STATES OWNED RUPEES TO CAPITALIZE THE FUND

SEC. 903. Subject to applicable requirements concerning reimbursement to the Treasury for United States owned foreign currencies, the President may make available to the Fund, for use in carrying out the agreement authorized by section 902, up to the equivalent of \$200,000,000 in foreign currencies owned by the United States in India or owed to the United States by the Government of India. Such use may include investment in order to generate interest which would be retained in the Fund and used to support programs pursuant to that agreement.

TITLE X—MISCELLANEOUS PROVISIONS

INTER-AMERICAN FOUNDATION

SEC. 1001. Section 401(s)(2) of the Foreign Assistance Act of 1969 (22 U.S.C. 290f(s)(2)) is amended in the first sentence by striking out "\$12,000,000 for the fiscal year 1982 and \$12,800,000 for the fiscal year 1983" and inserting in lieu thereof "\$16,000,000 for the fiscal year 1984 and \$16,000,000 for the fiscal year 1985".

HUMAN RIGHTS ACTIVITIES

SEC. 1002. (a) Section 116(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(e)) is amended—

(1) by striking out “\$1,500,000 of the funds made available under this chapter for each of the fiscal years 1982 and 1983” and inserting in lieu thereof “\$3,000,000 of the funds made available under this chapter and chapter 4 of part II for each fiscal year”;

(2) by inserting “(1)” immediately after “(e)”; and

(3) by adding at the end thereof the following new paragraph:

“(2)(A) Of the amounts made available to carry out this subsection, \$500,000 for the fiscal year 1984 and \$1,000,000 for the fiscal year 1985 shall be used for grants to nongovernmental organizations in South Africa promoting political, economic, social, juridical, and humanitarian efforts to foster a just society and to help victims of apartheid.

“(B) In making grants under this paragraph, priority should be given to those organizations or activities which contribute, directly or indirectly, to promoting a just society, to aiding victims of official discrimination, and to the nonviolent elimination of apartheid. Priority should also be given to those organizations whose programs and activities evidence community support. Grants may be made only for organizations whose character and membership reflect the objective of a majority of South Africans for an end to the apartheid system of separate development and for interracial cooperation and justice. Grants may not be made under this paragraph to governmental institutions or organizations or to organizations financed or controlled by the Government of South Africa.

“(C)(i) Except as provided in clause (ii), grants under this paragraph may not to exceed \$10,000.

“(ii) Of the amounts allocated to carry out this paragraph, \$100,000 shall be available each fiscal year only for grants to organizations which have available for their use resources whose value is at least equal to the amount of the grant under this paragraph. Grants of up to \$30,000 may be made to such organizations. For purposes of this clause, the term ‘resources’ includes, in addition to cash assets, in-kind assets and contributions such as equipment, materials, and staff and volunteer time.

“(D) Within nine months after the date of enactment of this paragraph, the Administrator of the Agency for International Development shall prepare, in consultation with the Secretary of State, and shall submit to the Congress a report detailing grants and proposed grants under this paragraph and their conformity with the provisions of this paragraph.”

(b) Section 624(f)(2) of such Act (22 U.S.C. 2384(f)(2)) is amended by inserting immediately before the semicolon at the end of subparagraph (C) the following: “, and as part of the Assistant Secretary’s overall policy responsibility for the creation of United States Government human rights policy, advising the Administrator of the Agency for International Development on the policy framework under which section 116(e) projects are developed and consulting with the Administrator on the selection and implementation of such projects”.

INTERNATIONAL NARCOTICS CONTROL

SEC. 1003. (a) Section 481(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(a)) is amended to read as follows:

“(a)(1) It is the sense of the Congress that—

“(A) under the Single Convention on Narcotic Drugs, 1961, each signatory country has the responsibility of limiting to licit purposes the cultivation, production, manufacture, sale, and other distribution of scheduled drugs;

“(B) the international community should provide assistance, where appropriate, to those producer and transit countries which require assistance in discharging these primary obligations;

“(C) international narcotics control programs should include, as a priority, the progressive elimination of the illicit cultivation of the crops from which narcotic and psychotropic drugs are derived, and should also include the suppression of the illicit manufacture of and traffic in narcotic and psychotropic drugs; and

“(D) effective international cooperation is necessary to control the illicit cultivation, production, and smuggling of, trafficking in, and abuse of narcotic and psychotropic drugs.

This cooperation should include the development and transmittal of plans by each signatory country to the Single Convention on Narcotic Drugs, 1961, in which illicit narcotics and psychotropic crop cultivation exists, which would advise the International Narcotics Control Board, the United Nations Commission on Narcotic Drugs, and the international community of the strategy, programs, and timetable such country has established for the progressive elimination of that cultivation.

“(2) In order to promote such cooperation, the President is authorized to conclude agreements with other countries to facilitate control of the production, processing, transportation, and distribution of narcotics analgesics, including opium and its derivatives, other narcotic and psychotropic drugs, and other controlled substances.

“(3) Notwithstanding any other provision of law, the President is authorized to furnish assistance to any country or international organization, on such terms and conditions as he may determine, for the control of narcotic and psychotropic drugs and other controlled substances.”

(b) Section 481 of such Act (22 U.S.C. 2291) is amended by striking out subsection (e) and inserting in lieu thereof the following:

“(e)(1) Not later than February 1 of each year, the President shall transmit to the Speaker of the House of Representatives, and to the Committee on Foreign Relations of the Senate, a report on United States policy to establish and encourage an international strategy to prevent the illicit cultivation and manufacture of and traffic in narcotic and psychotropic drugs and other controlled substances.

“(2)(A) Each report pursuant to this subsection shall describe the policies adopted, agreements concluded, and programs implemented by the Department of State in pursuit of its delegated responsibilities for international narcotics control, including policy development, bilateral and multilateral funding and other support for international narcotics control projects, representations of the United States Government to international organizations and agencies concerned with narcotics control, training of foreign enforcement personnel, coordination of the international narcotics control

activities of United States Government agencies, and technical assistance to international demand reduction programs.

"(B) Each such report shall also describe the activities of the United States in international financial institutions to combat the entry of illicit narcotic and psychotropic drugs and other controlled substances into the United States.

"(C) Each such report shall describe the activities for the fiscal year just ended, for the current fiscal year, and for the next fiscal year.

"(3) Each such report shall identify those countries which are the significant direct or indirect sources of illicit narcotic and psychotropic drugs and other controlled substances significantly affecting the United States. For each such country, each report shall include the following:

"(A) A detailed status report, with such information as can be reliably obtained, on the illicit narcotic or psychotropic drugs or other controlled substances which are being cultivated, produced, or processed in or transported through such country, noting significant changes in conditions, such as increases or decreases in the illicit cultivation and manufacture of and traffic in such drugs and substances.

"(B) A description of the assistance under this chapter and the other kinds of United States assistance which such country received in the preceding fiscal year, which are planned for such country for the current fiscal year, and which are proposed for such country for the next fiscal year, with an analysis of the impact that the furnishing of each such kind of assistance has had or is expected to have on the illicit cultivation and manufacture of and traffic in narcotic and psychotropic drugs and other controlled substances in such country.

"(C) A description of the plans, programs, and timetables adopted by such country for the progressive elimination of the illicit cultivation of narcotic and psychotropic drugs and other controlled substances, and a discussion of the adequacy of the legal and law enforcement measures taken and the accomplishments achieved in accord with these plans.

"(4) In addition, each report pursuant to this subsection shall include, for each major illicit drug producing country for which the President is proposing to furnish United States assistance for the next fiscal year, a determination by the President of the maximum reductions in illicit drug production which are achievable during the next fiscal year. Such determination shall be based upon (A) the measures which the country is currently taking, and the measures which the country has planned for the next fiscal year, in order to prevent narcotic and psychotropic drugs and other controlled substances from being cultivated, produced, or processed illicitly, in whole or in part in such country, from being transported through such country to United States Government personnel or their dependents, or from entering the United States unlawfully, and (B) the other information provided pursuant to this subsection.

"(5) For each major illicit drug producing country which received United States assistance for the preceding fiscal year, each report pursuant to this subsection shall set forth the actual reductions in illicit drug production achieved by that country during such fiscal year.

"(f) As soon as possible after the transmittal of the report required by subsection (e), the designated representatives of the President

shall initiate appropriate consultations with members of the Committee on Foreign Relations of the Senate and members of the Committee on Foreign Affairs of the House of Representatives. Such consultations shall include in-person discussions by designated representatives of the President (including the Assistant Secretary of State for International Narcotics Control and appropriate representatives of the Department of Health and Human Services, the Department of the Treasury, the Department of Defense, the Department of Justice, and the Agency for International Development) to review the worldwide illicit drug production situation and the role that United States assistance to major illicit drug producing countries, and United States contributions to international financial institutions, have in combating the entry of illicit narcotic and psychotropic drugs and other controlled substances into the United States. Such consultation shall include, with respect to each major illicit drug producing country for which the President is proposing to furnish United States assistance for the next fiscal year, the furnishing of—

“(1) a description of the nature of the illicit drug production problem;

“(2) an analysis of the climatic, geographic, political, economic, and social factors that affect the illicit drug production;

“(3) a description of the methodology employed to determine the maximum achievable reductions in illicit drug production described pursuant to subsection (e)(4); and

“(4) an analysis of any additional United States assistance that would be required to achieve those reductions.

The chairman of the Committee on Foreign Relations and the chairman of the Committee on Foreign Affairs shall each cause the substance of each consultation to be printed in the Congressional Record.

“(g) After consultations have been initiated pursuant to subsection (f), the Committee on Foreign Relations and the Committee on Foreign Affairs should hold a hearing to review the report submitted pursuant to subsection (e), especially the determinations described in subsection (e)(4). The hearing shall be open to the public unless the committee determines, in accordance with the rules of its House, that the hearing should be closed to the public.

“(h)(1) If the President determines that a major illicit drug producing country has failed to take adequate steps to prevent narcotic and psychotropic drugs and other controlled substances produced or processed, in whole or in part, in such country or transported through such country, from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents or from being smuggled into the United States—

“(A) the President shall suspend United States assistance to or for such country; and

“(B) the Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development, the United States Executive Director of the International Development Association, the United States Executive Director of the Inter-American Development Bank, and the United States Executive Director of the Asian Development Bank, to vote against any loan or other utilization of the funds of their respective institution to or for such country.

“(2) In determining whether adequate steps have been taken, the President shall give foremost consideration to whether the actions of the government of the country have resulted in the maximum reductions in illicit drug production which were determined to be achievable pursuant to subsection (e)(4). The President shall also consider whether such government has taken the legal and law enforcement measures to enforce in its territory, to the maximum extent possible, the elimination of illicit cultivation and the suppression of illicit manufacture of and traffic in narcotic and psychotropic drugs and other controlled substances, as evidenced by seizures of such drugs and substances and of illicit laboratories and the arrest and prosecution of violators involved in the traffic in such drugs and substances significantly affecting the United States.

“(3) If assistance to a country is suspended pursuant to this subsection, such suspension shall continue in force until the President determines, and reports to the Congress in writing, that the government of such country has taken the adequate steps described in paragraph (2) of this subsection, including—

“(A) having prepared, presented, and committed itself to a plan providing for the control, reduction, and gradual elimination of the illicit cultivation, production, processing, transportation, and distribution of narcotic and psychotropic drugs and other controlled substances within an explicitly stated period of time, with implementation commencing prior to the resumption of United States assistance to or for such country and prior to approval by the United States of the extension of any loan or the furnishing of any financial or technical assistance by any international financial institution to such country; and

“(B) having taken legal and law enforcement measures to enforce effective suppression of the illicit cultivation, production, processing, transportation, and distribution of narcotic and psychotropic drugs and other controlled substances.

“(i) As used in this section—

“(1) the term ‘legal and law enforcement measures’ means—

“(A) the enactment and implementation of laws and regulations or the implementation of existing laws and regulations to provide for the progressive control, reduction, and gradual elimination of the illicit cultivation, production, processing, transportation, and distribution of narcotic drugs and other controlled substances; and

“(B) the effective organization, staffing, equipping, funding, and activation of those governmental authorities responsible for narcotics control;

“(2) the term ‘major illicit drug producing country’ means a country producing five metric tons or more of opium or opium derivative during a fiscal year or producing five hundred metric tons or more of coca or marijuana (as the case may be) during a fiscal year;

“(3) the term ‘narcotic and psychotropic drugs and other controlled substances’ has the same meaning as is given by any applicable international narcotics control agreement or domestic law of the country or countries concerned; and

“(4) the term ‘United States assistance’ means assistance of any kind which is provided by grant, sale, loan, lease, credit, guaranty, or insurance, or by any other means, by any agency or instrumentality of the United States Government to any foreign country, including—

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“(A) assistance under this Act (including programs under title IV of chapter 2 of this part);

“(B) sales, credits, and guaranties under the Arms Export Control Act;

“(C) sales under title I or III and donations under title II of the Agricultural Trade Development and Assistance Act of 1954 of nonfood commodities;

“(D) other financing programs of the Commodity Credit Corporation for export sales of nonfood commodities; and

“(E) financing under the Export-Import Bank Act of 1945; except that the term ‘United States assistance’ does not include (i) international narcotics control assistance under this chapter, (ii) disaster relief assistance (including any assistance under chapter 9 of this part), (iii) assistance which involves the provision of food or medicine, (iv) assistance for refugees, (v) assistance under the Inter-American Foundation Act, or (vi) activities authorized pursuant to the National Security Act of 1947 (50 U.S.C. 401 et seq.), the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.), or Executive Order Number 12333 (December 4, 1981).

“(j) The Department of State shall encourage the International Narcotics Control Board and the United Nations Commission on Narcotic Drugs to take such actions as are appropriate and necessary to secure from signatory countries to the Single Convention on Narcotic Drugs, 1961, the plans described in this section, and to obtain reports from such countries on their achievements under such plans.”

TERMINATION OF ASSISTANCE PROGRAMS FOR SYRIA

SEC. 1004. (a) After the enactment of this section, funds available to the Agency for International Development may not be used for any payment or reimbursement of any kind to the Government of Syria or for the delivery of any goods or services of any kind to the Government of Syria.

(b) The Administrator of the Agency for International Development shall deobligate all funds which have been obligated for Syria under the Foreign Assistance Act of 1961 prior to the enactment of this section, except that—

(1) such funds may continue to be used to finance the training or studies outside of Syria of students whose course of study began before the enactment of this section;

(2) the Administrator may adopt as a contract of the United States Government any contract with a United States or third-country contractor which would otherwise be terminated pursuant to this subsection, and may assume in whole or in part any liabilities arising under such contract, except that the authority provided by this paragraph may be exercised only to the extent that budget authority is available to meet the obligations of the United States under such contracts; and

(3) amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated for Syria under chapter 4 of part II of the Foreign Assistance Act of 1961 shall continue to be available until expended to meet necessary expenses arising from the termination of assistance programs for Syria pursuant to this subsection.

PROHIBITION ON CERTAIN ASSISTANCE TO THE KHMER ROUGE IN
KAMPUCHEA

SEC. 1005. (a) Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or any other Act may be obligated or expended for the purpose or with the effect of promoting, sustaining, or augmenting, directly or indirectly, the capacity of the Khmer Rouge or any of its members to conduct military or paramilitary operations in Kampuchea or elsewhere in Indochina.

(b) All funds appropriated before the date of enactment of this section which were obligated but not expended for activities having the purpose or effect described in subsection (a) shall be deobligated and shall be deposited in the Treasury of the United States as miscellaneous receipts.

(c) This section shall not be construed as limiting the provision of food, medicine, or other humanitarian assistance to the Kampuchean people.

RAOUL WALLENBERG AND JAN KAPLAN

SEC. 1006. (a) The Congress finds that—

(1) the Soviet Union arrested one of the great heroes of modern times in 1945 when they arrested Raoul Wallenberg;

(2) Raoul Wallenberg was a Swedish diplomat who, at great personal risk, had acted to save hundreds of thousands of Hungarian Jews from the Nazi Holocaust;

(3) Raoul Wallenberg took these actions as a humanitarian and with the knowledge, consent, and financial assistance of the United States Government;

(4) Raoul Wallenberg has recently been made an honorary citizen of the United States;

(5) the Soviet Union has changed their story a number of times about the whereabouts of Raoul Wallenberg;

(6) the most recent position of the Soviet Union is that he died in 1947;

(7) there are many eyewitnesses who have testified that they saw Raoul Wallenberg in Russian prisons and hospitals in the decades since the 1940's;

(8) one of the most recent eyewitnesses was Jan Kaplan, a Russian refusnik who shortly after his release from a Soviet jail in 1977, phoned his daughter, Doctor Anna Bilder, in Israel and reported that he had met a Swede in prison who had survived thirty years in the Gulag;

(9) during the next two years, Anna Bilder received no further word from or about her father;

(10) in July 1977, Jan Kaplan's wife smuggled a letter to Doctor Bilder informing her that Jan Kaplan had been rearrested because of a letter he had tried to smuggle to her about Raoul Wallenberg;

(11) in 1980, the Swedish Government sent an official request to interview Jan Kaplan;

(12) the Soviets made no response to this request;

(13) the whereabouts of Jan Kaplan are not known; and

(14) Jan Kaplan could provide valuable information about Raoul Wallenberg.

(b) It is the sense of the Congress that the President, acting directly or through the Secretary of State, should take all possible

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steps at all appropriate times to ascertain the whereabouts of Jan Kaplan and to request an interview with him in order to learn more concerning the whereabouts of Raoul Wallenberg.

POLICY TOWARD THE EXPORT OF NUCLEAR-RELATED EQUIPMENT, MATERIALS, OR TECHNOLOGY TO INDIA, ARGENTINA, AND SOUTH AFRICA

SEC. 1007. (a) It is the sense of Congress that the United States Government should disapprove the export of, and should suspend or revoke approval for the export of, any nuclear-related equipment, material, or technology, including nuclear components and heavy water, to the Government of India, Argentina, or South Africa until such time as such government gives the Government of the United States stronger nuclear nonproliferation guarantees. Such guarantees should include—

- (1) reliable assurances by such government that it is not engaged in any program leading to the development, testing, or detonation of nuclear explosive devices; and
- (2) agreement by such government to accept international safeguards on all its nuclear facilities.

(b) If the President determines, in the case of India's Tarapur reactor, while it is under International Atomic Energy Agency inspection, that certain equipment or nonnuclear material or technology is necessary for humanitarian reasons to protect the health and safety of operations and is not available from a foreign supplier, the President may authorize the export of such equipment or non-nuclear material or technology.

ACID RAIN

SEC. 1008. (a) The Congress finds the following:

(1) Acid deposition, commonly known as "acid rain" is believed to have caused serious damage to the natural environment in large parts of Canada and the United States and has raised justified concerns among citizens of both countries.

(2) Acid rain is believed to have caused billions of dollars of damage annually to both natural and manmade materials. It damages crops and the forests which support 25 per centum of the Canadian economy and much of our own. It threatens marine life in fresh water lakes, rivers, and streams.

(3) The principal sources of acid rain are believed to be emissions resulting from power generation, industrial production, mineral smelters, and automobile transportation which originate in both the United States and Canada and which affect the environment of the other.

(4) Section 612 of the Foreign Relations Authorization Act, fiscal year 1979, called upon the President to "make every effort to negotiate a cooperative agreement with the Government of Canada aimed at preserving the mutual airshed of the United States and Canada so as to protect and enhance air resources".

(5) On August 5, 1980, the Governments of Canada and the United States signed a Memorandum of Intent committing both parties "to develop a bilateral agreement which will reflect and further the development of effective domestic control programs and other measures to combat transboundary air pollution," and, as an interim action, committing both parties to "promote

vigorous enforcement of existing laws and regulations" and "to develop domestic air pollution control policies and strategies, and as necessary and appropriate, seek legislative or other support to give effect to them".

(6) The Government of Canada has made a formal offer to reduce eastern emissions of sulfur dioxide by 50 per centum by 1990 should the United States make a comparable commitment.

(7) Both the United States and Canada have taken steps to reduce transboundary pollutants. Present United States air emission standards are the most stringent in the world. In the past decade, the United States has reduced sulfur dioxide emissions by 15 per centum. However, the failure of the United States to respond in a timely manner to concerns about transboundary air pollution would harm the historically close relations between the United States and Canada.

(8) The strategies and techniques adopted to control air pollution emissions should weigh heavily the employment and other economic effects on employment in the United States and Canada of the acid precipitation, electricity generation, manufacture, distribution and installation of pollution control equipment, and any curtailment of emission producing industrial activity.

(b) It is therefore the sense of the Congress that the President should—

(1) respond constructively to the Canadian offer on air pollution emissions;

(2) proceed to negotiate as expeditiously as possible a bilateral agreement with Canada providing for significant reductions in transboundary air pollution while keeping economic dislocations in both countries to the minimum possible; and

(3) consider prompt initiation of a joint Government-supported program to develop new cost-effective technologies that will facilitate reduction of sulfur dioxide emissions and other copollutants;

(4) instruct the Secretary of State to report to the Congress no later than December 1, 1983, on the progress toward achieving a new transboundary air pollution agreement, including a cooperative program on new technologies.

INTERNATIONAL AGREEMENTS ON NATURAL GAS

SEC. 1009. (a) The Congress finds that—

(1) the foreign policy and economic well-being of the United States depend on mutually beneficial relationships with our trading partners throughout the world;

(2) America's present economic difficulties have been caused in part by the huge increases in the price of energy, especially imported energy, during the 1970's;

(3) at a time when prices for other forms of energy are stabilizing or falling, the burner-tip price of natural gas continues to rise throughout the United States;

(4) the high price of natural gas is a severe hardship for low-income persons, the elderly, the agricultural industry, small businesses, and other consumers without alternative fuel sources;

(5) high-priced imported natural gas is a major factor contributing to these price increases;

(6) imports of high-priced natural gas continue at prices above fair market levels, despite the increased availability of uncommitted and ample supplies of lower priced domestic gas;

(7) it is in the interest of the United States to continue to import natural gas from secure sources in whatever quantity consumers require, as long as the price is fair;

(8) the principles of free and fair international trade require that natural gas prices and terms of trade be made fair to all trading partners; and

(9) the immediacy of this problem requires the prompt and serious attention of all parties involved.

(b) It is the sense of the Congress that—

(1) the United States Government should move immediately to promote lower prices and fair market conditions for imported natural gas; and

(2) within thirty days after the date of enactment of this section, the Secretary of State, with the assistance of the Secretary of Energy, should prepare and transmit to the Congress a report on the progress made in achieving lower prices and fair market conditions for imported natural gas.

PREPUBLICATION REVIEW OF WRITINGS OF FORMER FEDERAL
EMPLOYEES

SEC. 1010. The head of a department or agency of the Government may not, before April 15, 1984, enforce, issue, or implement any rule, regulation, directive, policy, decision, or order which (1) would require any officer or employee to submit, after termination of employment with the Government, his or her writings for prepublication review by an officer or employee of the Government, and (2) is different from the rules, regulations, directives, policies, decisions, or orders (relating to prepublication review of such writings) in effect on March 1, 1983.

ELIMINATION AND MODIFICATION OF REPORTS

SEC. 1011. (a) The following provisions are repealed:

(1) Section 126(c) of the Foreign Relations Authorization Act, fiscal year 1979 (22 U.S.C. 2691 note).

(2) Section 405(b) of the Foreign Relations Authorization Act, fiscal year 1979 (22 U.S.C. 1048 note).

(3) Section 12(d) of the Taiwan Relations Act (22 U.S.C. 3311(d)).

(4) Section 4 of the Act of November 13, 1979 (Public Law 96-110; 93 Stat. 844).

(5) Section 109(a)(7) of the Foreign Relations Authorizations Act, fiscal year 1978 (22 U.S.C. 2384 note).

(6) Section 411 of the International Development Cooperation Act of 1979 (22 U.S.C. 3511).

(b) Section 412(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1522(b)(1)(B)) is amended—

(1) by striking out the first sentence; and

(2) by striking out "after such study" in the second sentence.

**EXTENDED VOLUNTARY DEPARTURE STATUS FOR CERTAIN EL
SALVADORANS**

SEC. 1012. (a) The Congress finds that—

(1) ongoing fighting between the military forces of the Government of El Salvador and opposition forces is creating potentially life-threatening situations for innocent nationals of El Salvador;

(2) thousands of El Salvadoran nationals have fled from El Salvador and entered the United States since January 1980;

(3) currently the United States Government is detaining these nationals of El Salvador for the purpose of deporting or otherwise returning them to El Salvador, thereby irreparably harming the foreign policy image of the United States;

(4) deportation of these nationals could be temporarily suspended, until it became safe to return to El Salvador, if they are provided with extended voluntary departure status; and

(5) such extended voluntary departure status has been granted in recent history in cases of nationals who fled from Vietnam, Laos, Iran, and Nicaragua.

(b) Therefore, it is the sense of the Congress that—

(1) the Secretary of State should recommend that extended voluntary departure status be granted to aliens—

(A) who are nationals of El Salvador,

(B) who have been in the United States since before January 1, 1983,

(C) who otherwise qualify for voluntary departure (in lieu of deportation) under section 242(b) or 244(e) of the Immigration and Nationality Act (8 U.S.C. 1252(b) and 1254(e)), and

(D) who were not excludable from the United States at the time of their entry on any ground specified in section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) other than the grounds described in paragraphs (14), (15), (20), (21), and (25); and

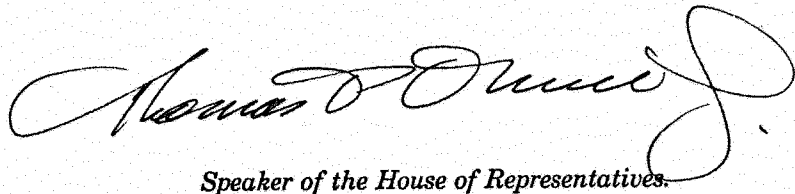
(2) such status should be granted to those aliens until the situation in El Salvador has changed sufficiently to permit their safely residing in that country.

EXPEDITED PROCEDURES FOR CERTAIN JOINT RESOLUTIONS AND BILLS

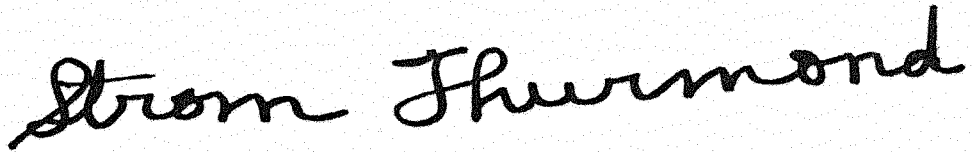
SEC. 1013. Any joint resolution or bill introduced in either House which requires the removal of United States Armed Forces engaged in hostilities outside the territory of the United States, its possessions and territories, without a declaration of war or specific statutory authorization shall be considered in accordance with the procedures of section 601(b) of the International Security Assistance

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and Arms Export Control Act of 1976, except that any such resolution or bill shall be amendable. If such a joint resolution or bill should be vetoed by the President, the time for debate in consideration of the veto message on such measure shall be limited to twenty hours in the Senate and in the House shall be determined in accordance with the Rules of the House.



Speaker of the House of Representatives.



Vice President of the United States and

President of the Senate, pro Tempore