

OCA FILE

Leg

31 March 1989
OCA 1112-89

MEMORANDUM FOR: Comptroller
SA/CONG/DO
Director, Security Evaluation Office
Deputy Director for Physical & Technical
Security/OS
Deputy Director for Personnel Security/OS
Executive Officer/OP

FROM: [redacted] Legislation Division
Office of Congressional Affairs

STAT

SUBJECT: FY90-91 State Authorization Bill, H.R. 1487

1. Attached for your information and review is a copy of the above-captioned bill as reported out of the House Committee on Foreign Affairs. This bill only pertains to some State Department operations and addresses issues such as the closing of diplomatic posts, diplomatic reciprocity and security, a report on the polygraph program, and a study of sexual harassment. Other matters will be included in a separate measure which has not yet been introduced, but on which hearings are scheduled to begin next week. The Senate is unsure when it will introduce its version of the bill.

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2. The attached bill seems to pose no problems for the Agency. Should you determine that there are Agency-specific concerns, please relay them to me at your earliest convenience. You may telephone me on [redacted]

[redacted]

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Attachment

OCA/LEG, [redacted] (31 March 1989)

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**Showing H.R. 1487, As Amended by the Committee on Foreign
Affairs on March 23, 1989**

The amendment strikes all after the enacting clause and inserts the following which is a complete substitute for the text of the introduced bill:

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1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the ``Foreign Relations
3 Authorization Act, Fiscal Years 1990 and 1991``.

4 SEC. 2. TABLE OF CONTENTS.

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

Table of Contents

Section 1. Short title.
Sec. 2. Table of contents.

TITLE I--DEPARTMENT OF STATE

PART A--AUTHORIZATION OF APPROPRIATIONS; ALLOCATIONS OF FUNDS;
RESTRICTIONS

- Sec. 101. Administration of foreign affairs.
- Sec. 102. International organizations and conferences.
- Sec. 103. International commissions.
- Sec. 104. Other programs.
- Sec. 105. Reduction in earmarks if appropriations are less than authorizations.

PART B--DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES; FOREIGN
MISSIONS

- Sec. 121. Authorization of certain operational activities.
- Sec. 122. Foreign Service Institute facilities.
- Sec. 123. Working capital fund for Office of Foreign Missions.
- Sec. 124. Munitions control registration fees.
- Sec. 125. Diplomatic and consular posts abroad.
- Sec. 126. Closing of diplomatic and consular posts in Antigua and Barbuda.
- Sec. 127. Report to Congress concerning Oceania.
- Sec. 128. Sense of Congress concerning consular officers assigned to the United States diplomatic mission to the Soviet Union.
- Sec. 129. Procedures regarding major disasters and incidents abroad affecting United States citizens.
- Sec. 130. Review of international and bilateral commissions.
- Sec. 131. Assistant Secretary of State for South Asian

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Affairs.

Sec. 132. Submission of annual country reports on terrorism.

PART C--DIPLOMATIC RECIPROCITY AND SECURITY

Sec. 141. United States-Soviet reciprocity in matters relating to embassies.

Sec. 142. Construction of United States embassy in Ottawa.

Sec. 143. Construction security certification.

PART D--PERSONNEL MATTERS

Sec. 151. Former spouses of USIA and AID employees.

Sec. 152. Foreign Service internship program.

Sec. 153. Grants for institutions and students for training in international affairs.

Sec. 154. Danger pay allowance.

Sec. 155. Report to Congress concerning polygraph program.

Sec. 156. Study of sexual harassment at the Department of State.

TITLE II--UNITED STATES INFORMATION AGENCY

PART A--AUTHORIZATION OF APPROPRIATIONS AND AUTHORIZED ACTIVITIES

Sec. 201. Authorization of appropriations.

Sec. 202. USIA posts and personnel overseas.

Sec. 203. Changes in administrative authorities.

Sec. 204. USIA network for dissemination of information concerning United States programs to combat narcotics and other controlled substances.

Sec. 205. Dissemination in the United States of material prepared for dissemination abroad.

Sec. 206. Repeal of limitation on passive programs for Worldnet.

Sec. 207. Limitation on Worldnet.

Sec. 208. United States Advisory Commission on Public Diplomacy.

Sec. 209. Sense of Congress concerning the Humphrey Fellowship Program.

Sec. 210. Report to Congress concerning expenditures for Worldnet.

PART B--TELEVISION BROADCASTING TO CUBA

Sec. 221. Short title.

Sec. 222. Findings and purposes.

Sec. 223. Television broadcasting to Cuba.

Sec. 224. Television Marti Service of the United States

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Information Agency.

- Sec. 225. Amendments to the Radio Broadcasting to Cuba Act.
- Sec. 226. Assistance from other government agencies.
- Sec. 227. Facility compensation.
- Sec. 228. Authorization of appropriations.

TITLE III--VOICE OF AMERICA.

- Sec. 301. Authorization of appropriations.
- Sec. 302. Voice of America equipment abroad.

TITLE IV--BOARD FOR INTERNATIONAL BROADCASTING

- Sec. 401. Authorizations of appropriations.
- Sec. 402. Procurement of legal services.
- Sec. 403. Requirement for authorization of appropriations.

TITLE V--ASIA FOUNDATION

- Sec. 501. Authorization of appropriations.

TITLE VI--INTERNATIONAL ORGANIZATIONS

- Sec. 601. Reform in budget decision-making procedures of the United Nations and its specialized agencies.
- Sec. 602. United States membership in International Sugar Organization and International Tropical Timber Organization.
- Sec. 603. Contribution to the regular budget of the International Committee of the Red Cross.
- Sec. 604. International Boundary and Water Commission.
- Sec. 605. Sense of Congress concerning the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA).

TITLE VII--INTER-AMERICAN FOUNDATION

- Sec. 701. Inter-American Foundation.

TITLE VIII--MISCELLANEOUS PROVISIONS

- Sec. 801. Compliance with Congressional Budget Act.

TITLE IX--EFFECTIVE DATE

- Sec. 901. Effective date.

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TITLE I--DEPARTMENT OF STATE

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1 PART A--AUTHORIZATION OF APPROPRIATIONS; ALLOCATIONS OF
2 FUNDS; RESTRICTIONS

3 SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

4 (a) DIPLOMATIC AND ONGOING OPERATIONS.--The following
5 amounts are authorized to be appropriated for the Department
6 of State under ``Administration of Foreign Affairs`` to carry
7 out the authorities, functions, duties, and responsibilities
8 in the conduct of the foreign affairs of the United States
9 and for other purposes authorized by law other than the
10 diplomatic security program:

11 (1) SALARIES AND EXPENSES.--For ``Salaries and
12 Expenses``, of the Department of State \$1,496,387,000 for
13 the fiscal year 1990 and \$1,610,438,000 for the fiscal
14 year 1991, of which not less than \$250,000 for each
15 fiscal year shall be available only for use by the Bureau
16 of International Communications and Information Policy to
17 support international institutional development and other
18 activities which promote international communications and
19 information development.

20 (2) ACQUISITION AND MAINTENANCE OF BUILDINGS
21 ABROAD.--For ``Acquisition and Maintenance of Buildings
22 Abroad``, \$218,900,000 for the fiscal year 1990 and
23 \$227,656,000 for the fiscal year 1991.

24 (3) REPRESENTATION ALLOWANCES.--For ``Representation
25 Allowances``, \$4,600,000 for the fiscal year 1990 and

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1 \$4,784,000 for the fiscal year 1991.

2 (4) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
3 OFFICE.--For ``Emergencies in the Diplomatic and Consular
4 Office'', \$4,700,000 for the fiscal year 1990 and
5 \$4,888,000 for the fiscal year 1991.

6 (5) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.--For
7 ``Payment to the American Institute in Taiwan'',
8 \$11,300,000 for the fiscal year 1990 and \$11,752,000 for
9 the fiscal year 1991.

10 (b) DIPLOMATIC SECURITY PROGRAM.--In addition to amounts
11 authorized to be appropriated by subsection (a), the
12 following amounts are authorized to be appropriated under
13 ``Administration of Foreign Affairs'' for fiscal years 1990
14 and 1991 for the Department of State to carry out the
15 diplomatic security program:

16 (1) SALARIES AND EXPENSES.--For ``Salaries and
17 Expenses'', \$361,995,000 for the fiscal year 1990 and
18 \$376,475,000 for the fiscal year 1991.

19 (2) PROTECTION OF FOREIGN MISSIONS AND
20 OFFICIALS.--For ``Protection of Foreign Missions and
21 Officials'', \$9,100,000 for the fiscal year 1990 and
22 \$9,464,000 for the fiscal year 1991.

23 (c) ALLOCATION FOR OFFICE OF MUNITIONS CONTROL.--Of the
24 amounts authorized to be appropriated by this section such
25 amount as is necessary to maintain 53 full-time equivalent

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1 personnel and any associated costs shall be available only
2 for the Office of Munitions Control for each of the fiscal
3 years 1990 and 1991.

4 **SEC. 102. INTERNATIONAL ORGANIZATIONS AND CONFERENCES.**

5 (a) **ASSESSED CONTRIBUTIONS TO INTERNATIONAL**
6 **ORGANIZATIONS.--**

7 (1) There is authorized to be appropriated for
8 ``Contributions to International Organizations``,
9 \$714,927,000 for the fiscal year 1990 and \$817,000,000
10 for fiscal year 1991 for the Department of State to carry
11 out the authorities, functions, duties, and
12 responsibilities in the conduct of the foreign affairs of
13 the United States with respect to international
14 organizations and for other purposes authorized by law.

15 (2) Of the amounts authorized to be appropriated by
16 paragraph (1), \$1,249,000 for fiscal year 1990 shall be
17 available only for the South Pacific Commission.

18 (b) **CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING**

19 **ACTIVITIES.--**There is authorized to be appropriated for
20 ``Contributions to International Peacekeeping Activities``,
21 \$111,184,000 for the fiscal year 1990 and \$115,000,000 for
22 the fiscal year 1991 for the Department of State to carry out
23 the authorities, functions, duties, and responsibilities in
24 the conduct of the foreign affairs of the United States with
25 respect to international peacekeeping activities and for

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1 other purposes authorized by law.

2 (c) INTERNATIONAL CONFERENCES AND CONTINGENCIES.--There
3 is authorized to be appropriated for ``International
4 Conferences and Contingencies``, \$6,340,000 for the fiscal
5 year 1990 and \$7,300,000 for the fiscal year 1991 for the
6 Department of State to carry out the authorities, functions,
7 duties, and responsibilities in the conduct of the foreign
8 affairs of the United States with respect to international
9 conferences and contingencies and for other purposes
10 authorized by law.

11 SEC. 103. INTERNATIONAL COMMISSIONS.

12 The following amounts are authorized to be appropriated
13 under ``International Commissions`` for the Department of
14 State to carry out the authorities, functions, duties, and
15 responsibilities in the conduct of the foreign affairs of the
16 United States and for other purposes authorized by law:

17 (1) INTERNATIONAL BOUNDARY AND WATER COMMISSION,
18 UNITED STATES AND MEXICO.--For ``International Boundary
19 and Water Commission, United States and Mexico``,
20 \$21,960,000 for the fiscal year 1990 and \$22,838,000 for
21 the fiscal year 1991.

22 (2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES
23 AND CANADA.--For ``International Boundary Commission,
24 United States and Canada``, \$750,000 for the fiscal year
25 1990 and \$780,000 for the fiscal year 1991.

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1 (3) INTERNATIONAL JOINT COMMISSION.--For
2 ``International Joint Commission``, \$3,750,000 for the
3 fiscal year 1990 and \$3,900,000 for the fiscal year 1991.

4 (4) INTERNATIONAL FISHERIES COMMISSIONS.--For
5 ``International Fisheries Commissions``, \$11,000,000 for
6 the fiscal year 1990 and \$11,440,000 for the fiscal year
7 1991.

8 **SEC. 104. OTHER PROGRAMS.**

9 (a) AUTHORIZATIONS OF APPROPRIATIONS.--The following
10 amounts are authorized to be appropriated for the Department
11 of State to carry out the authorities, functions, duties, and
12 responsibilities in the conduct of the foreign affairs of the
13 United States and for other purposes authorized by law:

14 (1) UNITED STATES BILATERAL SCIENCE AND TECHNOLOGY
15 AGREEMENTS.--For ``United States Bilateral Science and
16 Technology Agreements``, \$4,000,000 for the fiscal year
17 1990 and \$4,160,000 for the fiscal year 1991.

18 (2) SOVIET-EAST EUROPEAN RESEARCH AND TRAINING.--For
19 ``Soviet-East European Research and Training``,
20 \$4,600,000 for the fiscal year 1990 and \$4,784,000 for
21 the fiscal year 1991.

22 (3) MIGRATION AND REFUGEE ASSISTANCE.--For
23 ``Migration and Refugee Assistance``, \$411,950,000 for
24 the fiscal year 1990 and \$428,428,000 for the fiscal year
25 1991.

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1 (b) ALLOCATION OF FUNDS.--Of the amounts authorized to be
2 appropriated by paragraph (3) of subsection (a) \$25,000,000
3 for the fiscal year 1990 and \$25,000,000 for the fiscal year
4 1991 shall be available only for assistance for refugees
5 resettling in Israel.

6 (c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS FOR
7 MIGRATION AND REFUGEE ASSISTANCE FOR THE FISCAL YEAR
8 1989.--In addition to such other amounts as are authorized to
9 be appropriated or otherwise made available to the Department
10 of State for the fiscal year 1989 for "Migration and Refugee
11 Assistance", there is authorized to be appropriated for
12 "Migration and Refugee Assistance", \$100,000,000 for the
13 fiscal year 1989. Amounts appropriated pursuant to this
14 subsection shall remain available until expended.

15 **SEC. 105. REDUCTION IN EARMARKS IF APPROPRIATIONS ARE LESS**
16 **THAN AUTHORIZATIONS.**

17 The State Department Basic Authorities Act of 1956 is
18 amended by inserting after section 10 the following new
19 section:

20 **"SEC. 11. REDUCTION IN EARMARKS IF APPROPRIATIONS ARE LESS**
21 **THAN AUTHORIZATIONS.**

22 "If the amount appropriated (or made available in the
23 event of a sequestration order issued pursuant to the
24 Balanced Budget and Emergency Deficit Control Act of 1985
25 (Public Law 99-177; 2 U.S.C. 901 et seq.) for a fiscal year

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1 pursuant to any authorization of appropriations provided by
2 an Act other than an appropriation Act is less than the
3 authorization amount and a provision of that Act provides
4 that a specified amount of the authorization amount shall be
5 available only for a certain purpose, then the amount so
6 specified shall be deemed to be reduced for that fiscal year
7 to the amount which bears the same ratio to the specified
8 amount as the amount appropriated (or made available in the
9 event of sequestration) bears to the authorization amount.''

10 **PART B--DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES;**

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FOREIGN MISSIONS

12 **SEC. 121. AUTHORIZATION OF CERTAIN OPERATIONAL ACTIVITIES.**

13 Section 2 of the State Department Basic Authorities Act
14 (22 U.S.C. 2669) is amended--

15 (1) in subsection (g) by striking ``and``;

16 (2) in subsection (h) by striking the period and
17 inserting ``; and``; and

18 (3) by adding after subsection (h) the following new
19 subsections:

20 ``(i) pay obligations assumed in Germany on or after
21 June 5, 1945;

22 ``(j) provide for telecommunications services; and

23 ``(k) provide for maximum physical security in
24 Government-owned and leased properties and vehicles
25 abroad.''

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1 **SEC. 122. FOREIGN SERVICE INSTITUTE FACILITIES.**

2 Section 123(c)(2) of the Foreign Relations Authorization
3 Act, Fiscal Years 1986 and 1987 (Public Law 99-93) is amended
4 by striking ``\$50,000,000`` and inserting ``\$62,000,000``.

5 **SEC. 123. WORKING CAPITAL FUND FOR OFFICE OF FOREIGN**
6 **MISSIONS.**

7 Section 13(a) of the State Department Basic Authorities
8 Act (22 U.S.C. 2684) is amended--

9 (1) by inserting ``and`` before ``(4)``;

10 (2) by striking ``; and (5) services and supplies to
11 carry out title II of this Act``; and

12 (3) by inserting after the first sentence ``Such fund
13 shall also be available without fiscal year limitation to
14 carry out the purposes of title II of this Act.``.

15 **SEC. 124. MUNITIONS CONTROL REGISTRATION FEES.**

16 For each fiscal year, \$500,000 of the registration fees
17 collected by the Office of Munitions Control of the
18 Department of State shall be credited to a Department of
19 State account, to be available without fiscal year
20 limitation. Fees credited to that account shall be available
21 only for payment of expenses incurred for--

22 (1) contract personnel to assist in the evaluation of
23 munitions control license applications, reduction in
24 processing time for license applications, and improved
25 monitoring of compliance with the terms of licenses, and

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1 (2) the automation of munitions control functions and
2 the processing of munitions control license applications,
3 including the development, procurement, and utilization
4 of computer equipment and related software.

5 **SEC. 125. DIPLOMATIC AND CONSULAR POSTS ABROAD.**

6 Section 122 of the Foreign Relations Authorization Act,
7 Fiscal Years 1988 and 1989 (Public Law 100-204) is amended to
8 read as follows:

9 **SEC. 122. DIPLOMATIC AND CONSULAR POSTS ABROAD.**

10 **(a) OPERATION OF POSTS.--**Except as provided by this
11 section, no funds authorized to be appropriated by this or
12 any other Act shall be available to pay any expense related
13 to the closing or downgrading through reductions in staff or
14 operations of a diplomatic or consular post.

15 **(b) CONGRESSIONAL NOTIFICATION.--**Except as provided in
16 subsections (c) and (d), a diplomatic or consular post may be
17 closed or downgraded through reductions in staff or
18 operations only if not less than 365 days prior to a proposed
19 closing or downgrading of a post, the Secretary of State
20 prepares and submits a notification, together with any
21 justifications, of such proposed action to the Committee on
22 Foreign Relations and the Committee on Appropriations of the
23 Senate and the Committee on Foreign Affairs and the Committee
24 on Appropriations of the House of Representatives.

25 **(c) EXCEPTIONS.--**The provisions of subsection (b),

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1 shall not apply with respect to any post closed or downgraded
2 through reductions in staff or operations--

3 `` (1) because of a break or downgrading of diplomatic
4 relations between the United States and the country in
5 which the post is located; or

6 `` (2) because there is a real and present threat to
7 United States diplomatic or consular personnel in the
8 city where the post is located and a travel advisory
9 warning against American travel to that city has been
10 issued by the Department of State.

11 `` (d) SEQUESTRATION.--In the case that a sequestration
12 order is issued pursuant to Part C of the Balanced Budget and
13 Emergency Deficit Control Act of 1985 (2 U.S.C. 901 et seq.;
14 Public Law 99-177), the Secretary of State may, as part of an
15 agencywide austerity proposal, submit a report proposing a
16 list of diplomatic and consular posts to be downgraded or
17 closed in order to comply with the sequestration order,
18 together with a justification for the inclusion of each post
19 on such list. Such report shall be submitted to the Committee
20 on Foreign Relations and the Committee on Appropriations of
21 the Senate and the Committee on Foreign Affairs and the
22 Committee on Appropriations of the House of Representatives.

23 `` (e) DEFINITION.--As used in this section, the term
24 'diplomatic or consular post' does not include a post to
25 which only personnel of agencies other than the Department of

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1 State are assigned.

2 **SEC. 126. CLOSING OF DIPLOMATIC AND CONSULAR POSTS IN ANTIGUA**
3 **AND BARBUDA.**

4 Section 123 of the Foreign Relations Authorization Act,
5 Fiscal Years 1988 and 1989 (Public Law 100-204) is repealed.

6 **SEC. 127. REPORT TO CONGRESS CONCERNING OCEANIA.**

7 Not more than 180 days after the date of the enactment of
8 this Act, and annually thereafter, the Secretary of State
9 shall prepare and submit an unclassified report to the
10 Committee on Foreign Affairs of the House of Representatives
11 which--

12 (1) sets forth in detail the policy of the United
13 States with respect to Oceania which is comprised of
14 Polynesia, Micronesia, and Melanesia;

15 (2) examines the nature, extent, and source of
16 political, social, and economic instability affecting
17 states in such region;

18 (3) assesses the impact and level of Communist
19 influence in Oceania;

20 (4) analyzes projections for the total economic
21 growth of such region, with particular emphasis on the
22 exclusive economic zones (EEZ); and

23 (5) makes recommendations for specific measures
24 necessary to ensure a strong United States presence in
25 Oceania that contributes to and strengthens democratic

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1 institutions and economic growth for the states of such
2 region.

3 **SEC. 128. SENSE OF CONGRESS CONCERNING CONSULAR OFFICERS**
4 **ASSIGNED TO THE UNITED STATES DIPLOMATIC**
5 **MISSION TO THE SOVIET UNION.**

6 It is the sense of the Congress that the Secretary of
7 State should assign additional consular officers to the
8 United States diplomatic mission to the Soviet Union to
9 assist in the timely and efficient processing of consular
10 services for Soviet citizens seeking to emigrate.

11 **SEC. 129. PROCEDURES REGARDING MAJOR DISASTERS AND INCIDENTS**
12 **ABROAD AFFECTING UNITED STATES CITIZENS.**

13 (a) AMENDMENT TO STATE DEPARTMENT BASIC AUTHORITIES ACT
14 OF 1956.--The State Department Basic Authorities Act of 1956
15 (22 U.S.C. 2269 et seq.) is amended--

16 (1) by redesignating section 42 as section 43; and
17 (2) by adding after section 41 the following new
18 section:

19 **SEC. 42. PROCEDURES REGARDING MAJOR DISASTERS AND INCIDENTS**
20 **ABROAD AFFECTING UNITED STATES CITIZENS.**

21 In the case of a major disaster or incident abroad
22 which affects the health and safety of citizens of the United
23 States residing or traveling abroad, the Secretary of State
24 shall provide prompt and thorough notification of all
25 appropriate information concerning such disaster or incident

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1 and the affect on United States citizens to the next-of-kin
2 of such individuals. Notification shall be provided through
3 the most expeditious means available, including telephone
4 communications, and shall include timely written notice. The
5 Secretary, through the appropriate offices of the Department
6 of State, shall act as a clearinghouse for up-to-date
7 information for the next-of-kin and shall provide other
8 services and assistance. Assistance shall include liaison
9 with foreign governments and persons and with United States
10 air carriers concerning arrangements for the preparation and
11 transport to the United States of the remains of citizens who
12 die abroad, as well as disposition of personal effects.''

13 (b) SECRETARY OF STATE.--

14 (1) The Secretary of State shall enter into
15 discussions with international air carriers and other
16 appropriate entities to develop standardized procedures
17 which will assist the Secretary in implementing the
18 provisions of section 42 of the State Department Basic
19 Authorities Act of 1956 as amended by subsection (a).

20 (2) The Secretary of State shall consider the
21 feasibility of establishing a toll-free telephone number
22 to facilitate inquiries by the next-of-kin in cases of
23 major disasters or incidents abroad which affect the
24 health and safety of citizens of the United States
25 residing or traveling abroad.

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1 (c) REPORT TO CONGRESS.--Not more than 180 days after the
2 date of the enactment of this Act, the Secretary of State
3 shall prepare and submit a report to the Congress which sets
4 forth plans for the implementation of the amendment made by
5 subsection (a) and the provisions of subsection (b)(1),
6 together with the Secretary's comments concerning the
7 proposal under subsection (b)(2).

8 **SECTION 130. REVIEW OF INTERNATIONAL AND BILATERAL**
9 **COMMISSIONS.**

10 Not more than 180 days after the date of the enactment of
11 this Act, the Secretary shall prepare and submit a report
12 which provides a review of United States participation in all
13 international and bilateral commissions to the Committee on
14 Foreign Affairs of the House of Representatives and the
15 Committee on Foreign Relations of the Senate. Together with
16 such comments and recommendations as the Secretary considers
17 appropriate, such report shall include--

18 (1) a justification for United States participation
19 in each international or bilateral commission;

20 (2) an assessment of the effectiveness of each
21 international or bilateral commission in which the United
22 States participates; and

23 (3) information concerning the cost of United States
24 participation in each such commission.

25 **SEC. 131. ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN**

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1 **AFFAIRS.**

2 (a) **ESTABLISHMENT OF POSITION.**--There is established in
3 the Department of State the position of Assistant Secretary
4 of State for South Asian Affairs, which is in addition to the
5 positions provided under the first section of the Act of May
6 26, 1949 (22 U.S.C. 2652).

7 (b) **APPOINTMENT.**--The Assistant Secretary shall be
8 appointed by the President, by and with the advice and
9 consent of the Senate.

10 (c) **RESPONSIBILITIES.**--The Assistant Secretary shall have
11 responsibility within the Department of State with respect to
12 India, Pakistan, Bangladesh, Sri Lanka, Nepal, Bhutan,
13 Afghanistan, and Maldives.

14 (d) **CONFORMING AMENDMENT.**--

15 (1) **POSITIONS AT EXECUTIVE LEVEL IV.**--Section 5315 of
16 title 5, United States Code, is amended by adding at the
17 end thereof the following new paragraph:

18 ``Assistant Secretary for South Asian Affairs,
19 Department of State.''.

20 (2) **EFFECTIVE DATE.**--The amendment made by paragraph
21 (1) shall take effect on October 1, 1989.

22 **SEC. 132. SUBMISSION OF ANNUAL COUNTRY REPORTS ON TERRORISM.**

23 Section 140(a) of the Foreign Relations Authorization
24 Act, Fiscal Years 1988 and 1989 (Public Law 100-204) is
25 amended by striking ``March 31'' and inserting ``April 30''.

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1 PART C--DIPLOMATIC RECIPROCITY AND SECURITY

2 SEC. 141. UNITED STATES-SOVIET RECIPROCITY IN MATTERS

3 RELATING TO EMBASSIES.

4 (a) WAIVER OF RESTRICTION REGARDING SOVIET CONSULATES IN
5 THE UNITED STATES.--Section 153 of the Foreign Relations
6 Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-
7 204) is amended in subsection (b)--

8 (A) by inserting `` (1) `` before ``The
9 Secretary``; and

10 (B) by adding after paragraph (1) (as so
11 designated by subparagraph (A)) the following new
12 paragraph:

13 `` (2) Paragraph (1) shall not have effect during the
14 fiscal years 1990 and 1991.``.

15 (b) REPORTS TO CONGRESS.--Not later than January 30,
16 1991, the Secretary of State shall develop and submit to the
17 Congress a plan for secure permanent facilities for the
18 United States mission in Kiev, together with a budget request
19 to implement such plan.

20 SEC. 142. CONSTRUCTION OF UNITED STATES EMBASSY IN OTTAWA.

21 Section 402(a) of the Diplomatic Security Act (22 U.S.C.
22 4852(a)) shall not apply to the construction or renovation of
23 the United States embassy in Ottawa, Canada.

24 SEC. 143. CONSTRUCTION SECURITY CERTIFICATION.

25 (a) CONSTRUCTION SECURITY CERTIFICATION.--Section 160(a)

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1 of the Foreign Relations Authorization Act, Fiscal Years 1988
2 and 1989 (Public Law 100-204) is amended--

3 (1) by inserting `` , or approving occupancy of a
4 similar facility for which construction or major
5 renovation commenced prior to the effective date of this
6 section,``;

7 (2) at the end of paragraph (1) by striking ``and``;

8 (3) at the end of paragraph (2) by striking the
9 period and inserting ``; and``; and

10 (4) by inserting after paragraph (2) the following
11 new paragraph (3):

12 `` (3) a plan has been put into place for the
13 continued evaluation and maintenance of adequate security
14 at such facility, which plan shall specify the physical
15 security methods and technical countermeasures necessary
16 to ensure secure operations, including any personnel
17 requirements for such purposes.``.

18 (b) EFFECTIVE DATE.--The amendments made by subsection
19 (a) shall take effect on the date of the enactment of this
20 Act.

21 **PART D--PERSONNEL MATTERS**

22 **SEC. 151. FORMER SPOUSES OF USIA AND AID EMPLOYEES.**

23 (a) RETIREMENT BENEFITS FOR CERTAIN FORMER
24 SPOUSES.--Section 830 of the Foreign Service Act of 1980 (22
25 U.S.C. 4069a) (relating to retirement benefits for certain

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1 former spouses) is amended by adding at the end the following
2 new subsection:

3 “(f) Any individual who on February 14, 1981, was an
4 otherwise qualified former spouse pursuant to this section,
5 but who was married to a former Foreign Service employee of
6 the United States Information Agency or of the Agency for
7 International Development shall be entitled to benefits under
8 this section if--

9 “(1) the former employee retired from the Civil
10 Service Retirement and Disability System on a date before
11 his employing agency could legally participate in the
12 Foreign Service Retirement and Disability System; and

13 “(2) the marriage included at least five years
14 during which the employee was assigned overseas.”.

15 (b) SURVIVOR BENEFITS FOR CERTAIN FORMER

16 SPOUSES.--Section 831 of the Foreign Service Act of 1980 (22
17 U.S.C. 4069b) (relating to survivor benefits for certain
18 former spouses) is amended by adding at the end the following
19 new subsection:

20 “(g) Any individual who on February 14, 1981, was an
21 otherwise qualified former spouse pursuant to this section,
22 but who was married to a former Foreign Service employee of
23 the United States Information Agency or of the Agency for
24 International Development shall be entitled to benefits under
25 this section if--

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1 “(1) the former employee retired from the Civil
2 Service Retirement and Disability System on a date before
3 his employing agency could legally participate in the
4 Foreign Service Retirement and Disability System; and

5 “(2) the marriage included at least five years
6 during which the employee was assigned overseas.”.

7 (c) HEALTH BENEFITS FOR CERTAIN FORMER SPOUSES.--Section
8 832 of the Foreign Service Act of 1980 (22 U.S.C. 4069c)
9 (relating to health benefits for certain former spouses) is
10 amended by adding at the end the following new subsection:

11 “(f) Any individual who on February 14, 1981, was an
12 otherwise qualified former spouse pursuant to subsections
13 (a), (b), and (c) of this section, but who was married to a
14 former Foreign Service employee of the United States
15 Information Agency or of the Agency for International
16 Development shall be entitled to benefits under this section
17 if--

18 “(1) the former employee retired from the Civil
19 Service Retirement and Disability System on a date before
20 his employing agency could legally participate in the
21 Foreign Service Retirement and Disability System; and

22 “(2) the marriage included at least five years
23 during which the employee was assigned overseas.”.

24 SEC. 152. FOREIGN SERVICE INTERNSHIP PROGRAM.

25 (a) FINDINGS.--The Congress makes the following findings:

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1 (1) On September 3, 1986, George Shultz, as Secretary
2 of State, issued a statement containing 32 directives
3 concerning equal opportunity in the Foreign Service. In
4 his statement Secretary Shultz affirmed that it was of
5 ``fundamental importance that the Foreign Service truly
6 represent the cultural and ethnic diversity of our own
7 society'', and indicated that the lack of such balanced
8 representation was ``a foreign policy problem which
9 affects our image as a nation and as a leader of the free
10 world''. Secretary Shultz stated ``that representation of
11 women and minorities in the Foreign Service is still
12 unacceptably low'' and declared that he was
13 ``particularly concerned at the small number of Blacks in
14 the Senior Foreign Service''.

15 (2) The Secretary approved 32 recommendations
16 included with the statement regarding recruitment,
17 assignments, performance evaluations, and equal
18 employment opportunity procedures within the Foreign
19 Service. The recommendations of Secretary of State Shultz
20 included--

21 (A) the targeting of historically black colleges
22 and universities for special recruitment efforts,
23 including specific information on how to apply for
24 the Foreign Service examination, the testing process,
25 and the mechanics of entry;

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1 (B) independent review of the written exam for
2 any cultural bias against blacks;

3 (C) the inclusion of more blacks on the board of
4 examiners panels;

5 (D) investigation of methods to increase black
6 enrollment in university courses which might improve
7 an applicants chances of passing the written exam;

8 (E) development of new recruitment strategies;

9 (F) the assignment of more black officers to
10 senior (and visible) role model positions; and

11 (G) the recruitment of more black officers into
12 the political and economic cones of the foreign
13 service.

14 (3) During the past 7 years, equal opportunity
15 programs to attract women and minorities to the Foreign
16 Service have been most successful in recruiting women and
17 Asian Americans. Such programs have been less than
18 successful in the recruitment of blacks, Hispanics, and
19 Native Americans. In 1982, 188 new recruits were
20 appointed to the Foreign Service, 48 were minority
21 appointments constituting 26 percent. In 1985 the number
22 of new appointments had increased 33 percent to 281, but
23 minorities comprised only 10.3 percent of such
24 appointments, a total of 29.

25 (4) For blacks and Hispanics the trend of hiring in

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1 the Foreign Service is disconcerting. Nineteen blacks
2 were appointed to the Foreign Service in 1983, in 1987
3 only 10 blacks were appointed. Hispanic appointments
4 ranged from 12 in 1983 to 8 in 1985 to 15 in 1987. For
5 Native Americans the Foreign Service statistics are
6 ominous, 5 appointments in 1983, 1 in 1984, and no
7 appointments in 1985, 1986, or 1987.

8 (5) The severe underrepresentation in the Foreign
9 Service of individuals from certain cultural and ethnic
10 groups is in large part due to the small pool of
11 applicants from such groups. In each year from 1982
12 through 1987, minority applicants represented 14 to 17
13 percent of the total applicants and only 50 percent of
14 such applicants took the written exam. In 1987, 1,769
15 minority applicants took the written exam, 191 passed,
16 and 36 were actually appointed to the Foreign Service.

17 (6) The absolute and relative decline in the
18 appointment to the Foreign Service of certain minorities
19 who reflect the cultural and ethnic diversity of the
20 United States dictates that more aggressive equal
21 opportunity programs be established to facilitate the
22 recruitment and appointment of such individuals.

23 (b) ESTABLISHMENT.--Title I of the Foreign Service Act of
24 1980 is amended by adding at the end the following new
25 chapter:

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1 `CHAPTER 12--FOREIGN SERVICE INTERNSHIP PROGRAM

2 `SEC. 1201. STATEMENT OF POLICY; OBJECTIVES.

3 ``(a) STATEMENT OF POLICY.--Consistent with the findings
4 of section 101, the Foreign Service of the United States
5 should be representative of the American people. In order to
6 facilitate and encourage the entry into the Foreign Service
7 of individuals who meet the rigorous requirements of the
8 Service, while ensuring a Foreign Service system which
9 reflects the cultural and ethnic diversity of the United
10 States, intensive recruitment efforts are mandated. This is
11 particularly true for Native Americans, Blacks, and Hispanics
12 where other affirmative action and equal opportunity efforts
13 have not been successful in attracting the ablest applicants
14 for entry into the Foreign Service. The United States remains
15 committed to equal opportunity and to a Foreign Service
16 system operated on the basis of merit principles.

17 ``(b) OBJECTIVES.--The objective of this chapter is to
18 strengthen and improve the Foreign Service of the United
19 States through the establishment of a Foreign Service
20 Internship Program. The program shall promote the Foreign
21 Service as a viable and rewarding career opportunity for
22 qualified individuals who reflect the cultural and ethnic
23 diversity of the United States through a highly-selective
24 internship program for students enrolled in institutions of
25 higher education.

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1 ``SEC. 1202. FOREIGN SERVICE INTERNSHIP PROGRAM.

2 `` (a) ESTABLISHMENT.--In consultation with the heads of
3 other agencies utilizing the Foreign Service system, the
4 Secretary of State shall establish a Foreign Service
5 internship program to carry out the objectives of this
6 chapter in accordance with the provisions of this chapter.

7 `` (b) FOREIGN SERVICE INTERNSHIP PROGRAM.--The program
8 shall introduce interns to the practice of diplomacy and the
9 unique rewards of the Foreign Service. The program shall
10 consist of three successive summer internships of not less
11 than eight weeks duration in each year to be completed over
12 the course of not more than four years. Special emphasis
13 shall be given to preparing the intern for the Foreign
14 Service examination process. In each year not less than 10
15 interns shall enter the program.

16 `` (c) ELIGIBILITY TO PARTICIPATE.--

17 `` (1) Students enrolled full-time in institutions of
18 higher education from groups which are underrepresented
19 in the Foreign Service in terms of the cultural and
20 ethnic diversity of the Foreign Service and for whom
21 equal opportunity and affirmative action recruitment
22 efforts have not been successful in achieving balanced
23 representation in appointments to the Foreign Service
24 shall be eligible to be interns in programs under this
25 chapter.

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1 ``(2) An intern shall have successfully completed not
2 less than one academic year of study at an institution of
3 higher education to be admitted to the program. In each
4 succeeding year of participation an intern shall have
5 completed an additional year of undergraduate or graduate
6 study and shall maintain an exemplary record of academic
7 achievement.

8 ``(3) In selecting interns, the Secretary shall
9 consider only the ablest students of superior ability
10 selected on the basis of demonstrated achievement and
11 exceptional promise whose academic records reflect the
12 requisite standards of performance necessary for the
13 Foreign Service.

14 ``(d) SUMMER INTERNSHIPS.--

15 ``(1) The primary focus of the first internship shall
16 be the study of international relations, the functions of
17 the Department of State and other agencies which utilize
18 the Foreign Service system, and the nature of the Foreign
19 Service. The internship shall be held in Washington,
20 District of Columbia, at the Department of State. As
21 appropriate, the Secretary shall utilize the personnel
22 and facilities of the Foreign Service Institute and the
23 United States Congress.

24 ``(2) The second internship shall be, principally, an
25 assignment to a specific bureau of the Department of

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1 State and the United States Congress. Emphasis shall be
2 on providing insight into the economic and political
3 functional areas.

4 `` (3) The third internship shall be an assignment to
5 a United States mission abroad in the political or
6 economic area.

7 `` (e) ADMINISTRATION.--The Secretary of State shall
8 determine the academic requirements, other selection
9 criteria, and standards for successful completion of each
10 internship period. The Secretary shall be responsible for the
11 design, implementation, and operation of the program.

12 `` (f) MENTORS.--Each intern shall be assigned a career
13 Foreign Service officer as a mentor. The mentor shall act as
14 a counselor and advisor throughout each summer internship and
15 as a personal Foreign Service contact throughout the period
16 of participation in the program. In the assignment of
17 mentors, the Secretary shall give preference to Foreign
18 Service officers who volunteer for such assignment and who
19 may be role models for the interns.

20 `` (g) COMPENSATION.--Interns shall be compensated at a
21 rate determined by the Secretary which shall not be less than
22 the compensation of comparable summer interns at the
23 Department of State. As determined by the Secretary, for the
24 purposes of travel, housing, health insurance, and other
25 appropriate benefits, interns shall be considered employees

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1 of the Foreign Service during each internship period.

2 `` (h) FOREIGN SERVICE EXAMINATION.--To the extent
3 feasible, the Secretary may administer the Foreign Service
4 examination in annual increments.

5 `` SEC. 1203. REPORT TO CONGRESS.

6 `` Together with the annual submission required under
7 section 105(d)(2), the Secretary of State shall submit a
8 report to the Congress concerning the implementation of the
9 program established under this chapter. Such report
10 accompanied by such other information as the Secretary
11 considers appropriate, shall include specific information
12 concerning the completion rates of interns in the program,
13 interns who took the Foreign Service examination, interns who
14 passed the examination, former interns appointed to the
15 Foreign Service, assignments of former interns, and the
16 advancement of former interns through the Foreign Service
17 System.

18 `` SEC. 1204. FUNDING.

19 `` Of the amounts authorized to be appropriated by section
20 101(a)(1) of the Foreign Relations Authorization Act, Fiscal
21 Years 1990 and 1991, \$100,000 for fiscal year 1990 and
22 \$150,000 for fiscal year 1991 shall be available only to
23 carry out this chapter. Sums appropriated for the purposes of
24 this chapter shall remain available until expended.'`.

25 (c) TECHNICAL AND CONFORMING AMENDMENTS.--The Foreign

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1 Service Act of 1980 is amended by adding after the items
2 relating to chapter 11 the following:

``CHAPTER 12-FOREIGN SERVICE INTERNSHIP PROGRAM

- ``Sec. 1201. Statement of policy; objectives.
- ``Sec. 1202. Foreign service internship program.
- ``Sec. 1203. Report to Congress.
- ``Sec. 1204. Authorization of appropriations.``

3 (d) REPORT TO CONGRESS.--Not more than 90 days after the
4 date of the enactment of this Act, the Secretary of State
5 shall submit a report to the Congress concerning the
6 implementation of the Foreign Service Internship Program.

7 **SEC. 153. GRANTS FOR INSTITUTIONS AND STUDENTS FOR TRAINING**
8 **IN INTERNATIONAL AFFAIRS.**

9 The State Department Basic Authorities Act of 1956 (22
10 U.S.C. 2269 et seq.) is amended--

11 (1) by redesignating section 43 (as so designated by
12 section 129 of this Act) as section 44; and

13 (2) by adding after section 42 the following new
14 section:

15 **``SEC. 43. GRANTS FOR TRAINING AND EDUCATION IN INTERNATIONAL**
16 **AFFAIRS.**

17 **``(a) GRANTS TO INSTITUTIONS OF HIGHER EDUCATION FOR**
18 **PROGRAMS IN INTERNATIONAL AFFAIRS.--**

19 **``(1) The Secretary of State is authorized to make**
20 **grants to institutions of higher education to enable such**
21 **institutions to provide programs in international affairs**

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1 for undergraduate students, particularly those students
2 who are from cultural and ethnic groups which are
3 underrepresented in the Foreign Service. Such programs
4 shall provide students with an opportunity to participate
5 in academic, research, and clinical programs in
6 international affairs designed to provide students with
7 effective preparation for entry into the Foreign Service.

8 `` (2) In making awards to institutions the Secretary
9 shall, to the maximum extent feasible--

10 `` (A) give priority consideration to the award of
11 grants to historically black colleges and
12 universities and other minority institutions of
13 higher education; and

14 `` (B) ensure an equitable geographic distribution
15 of awards and an equitable distribution among public
16 and private institutions of higher education.

17 `` (b) GRANTS TO STUDENTS FOR STUDY IN INTERNATIONAL
18 AFFAIRS.--

19 `` (1) The Secretary of State is authorized to make
20 awards for undergraduate study in international affairs
21 to students of superior ability selected on the basis of
22 demonstrated achievement and exceptional promise,
23 particularly students who are from cultural and ethnic
24 groups which are underrepresented in the Foreign Service.
25 Grants shall be awarded for only one academic year of

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1 study and shall be renewable for a period not to exceed 3
2 years. No student shall receive an award except during
3 periods in which such student is maintaining satisfactory
4 progress in, and devoting essentially full time to, study
5 in international affairs or a related field.

6 `` (2) In making awards to students, the Secretary
7 shall, to the maximum extent feasible--

8 `` (A) give priority consideration to the award of
9 grants to students from cultural and ethnic groups
10 which are underrepresented in the Foreign Service;

11 `` (B) ensure an equitable geographic distribution
12 of awards and an equitable distribution among
13 students enrolled in public and private institutions
14 of higher education.``

15 `` (c) REQUIREMENTS.--The Secretary shall provide for such
16 fiscal control and accounting procedures as may be necessary
17 to assure proper disbursement of and accounting for Federal
18 funds paid under this section. The Secretary may provide for
19 the making of such reports, in such form and containing such
20 information, as the Secretary may require to carry out this
21 section.

22 `` (d) AUTHORIZATION OF APPROPRIATIONS.--There are
23 authorized to be appropriated \$100,000 for the fiscal year
24 1990 and \$100,000 for the fiscal year 1991 to carry out this
25 section. Sums appropriated for the purposes of this section

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1 shall remain available until expended.''.

2 SEC. 154. DANGER PAY ALLOWANCE.

3 (a) AUTHORITY.--The Administrator of the Drug Enforcement
4 Administration, after consultation with the Secretary of
5 State, may authorize a danger pay allowance for any employee
6 of such agency serving at a post abroad where the conditions
7 of such service pose a threat of physical harm or imminent
8 danger to the health or well-being of such employee.

9 (b) DETERMINATIONS.--In making a determination under
10 subsection (a), the Secretary of State and the Administrator
11 of the Drug Enforcement Administration shall consider the
12 degree to which an employee may be subject to special or
13 extraordinary risks or dangers due to the nature of such
14 service which do not apply to employees of other agencies
15 serving at such post.

16 (c) LIMITATIONS.--A danger pay allowance under subsection
17 (a) may not exceed 25 percent of the basic pay of the
18 employee. The sum of any danger pay allowance and any other
19 additional differential payment granted to an employee with
20 respect to such service may not exceed 25 percent of the
21 basic pay of the employee.

22 SEC. 155. REPORT TO CONGRESS CONCERNING POLYGRAPH PROGRAM.

23 (a) REPORT TO CONGRESS.--Not later than January 31 of
24 each year, the Secretary of State shall prepare and submit an
25 annual report on the polygraph program of the Department of

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1 State to the Committee on Foreign Affairs of the House of
2 Representatives and the Committee on Foreign Relations of the
3 Senate.

4 (b) CONTENTS OF REPORT.--The report shall provide an
5 assessment of the implementation of the polygraph program
6 during the preceding fiscal year. Together with such other
7 information and comments as the Secretary considers
8 appropriate, the report shall include the following:

9 (1) Data on the number of lie-detector tests
10 administered.

11 (2) A description of the purposes and results of such
12 tests.

13 (3) A description of the criteria used in the
14 selection of programs and individuals for administration
15 of lie-detector tests.

16 (4) The number of individuals who refused to submit
17 to the administration of such tests.

18 (5) The number of lie detector tests administered in
19 which a specific incident was not under investigation.

20 (6) A description of the actions taken when an
21 individual fails or refuses the administration of such
22 tests, including the denial of clearance or any other
23 adverse action.

24 (7) A detailed accounting of cases in which more than
25 two administrations of such tests were necessary to

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1 resolve discrepancies.

2 (8) Any proposed changes in regulations for the
3 Department of State polygraph program.

4 (c) DEFINITION.--For purposes of this section the term
5 ``lie detector`` shall have the meaning given such term under
6 section 2 of the Employee Polygraph Protection Act of 1988.

7 **SEC. 156. STUDY OF SEXUAL HARASSMENT AT THE DEPARTMENT OF**
8 **STATE.**

9 (a) FINDINGS.--The June 1988 report of the United States
10 Merit Systems Protection Board entitled ``Sexual Harassment
11 in the Federal Government: An Update`` determined that the
12 Department of State (including the United States Information
13 Agency) had the highest rate of incidence of sexual
14 harassment of women of any agency of the Federal Government.

15 (b) STUDY.--Subject to the availability of
16 appropriations, not more than 90 days after the date of the
17 enactment of this Act, the Secretary of State (in
18 consultation with the Director of the United States
19 Information Agency) shall enter into a contract with a
20 private organization with established expertise and
21 demonstrated capabilities in personnel systems and problems
22 for the purpose of conducting a study and preparing a report
23 concerning sexual harassment at the Department of State and
24 the United States Information Agency.

25 (c) REPORT.--Together with such other information as is

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1 determined to be appropriate and informative, such report
2 shall include--

3 (1) an assessment of the origins of sexual harassment
4 at the Department of State and the United States
5 Information Agency;

6 (2) a determination of the reasons for the high rate
7 of incidence of sexual harassment at such Federal
8 agencies;

9 (3) an evaluation of the actions which have been
10 proposed and implemented by such Federal agencies to
11 respond to the findings of the Merit Systems Protection
12 Board report; and

13 (4) a proposal for further specific actions by each
14 agency; and

15 (5) recommendations for such changes in
16 administrative procedures, regulations, and legislation
17 as may be considered necessary to address the problem of
18 sexual harassment at the Department of State and the
19 United States Information Agency.

20 (d) SUBMISSION OF REPORT TO THE CONGRESS.--Not more than
21 one year after the date of the enactment of this Act, the
22 Secretary of State shall submit the full and complete report
23 of such study, together with such comments as the Secretary
24 of State or the Director of the United States Information
25 Agency consider appropriate, to the Committee on Foreign

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

3 TITLE II--UNITED STATES INFORMATION AGENCY

4 PART A--AUTHORIZATIONS OF APPROPRIATIONS AND AUTHORIZED

5 ACTIVITIES

6 SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

7 (a) AUTHORIZATION OF APPROPRIATIONS.--The following
8 amounts are authorized to be appropriated for the United
9 States Information Agency (other than for the Voice of
10 America) to carry out international information, educational,
11 cultural, and exchange programs under the United States
12 Information and Educational Exchange Act of 1948, the Mutual
13 Educational and Cultural Exchange Act of 1961, Reorganization
14 Plan Number 2 of 1977, and other purposes authorized by law:

15 (1) SALARIES AND EXPENSES.--For ``Salaries and
16 Expenses'', \$462,510,000 for the fiscal year 1990 and
17 \$481,044,900 for the fiscal year 1991.

18 (2) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.--For
19 ``Educational and Cultural Exchange Programs'',
20 \$153,000,000 for the fiscal year 1990 and \$159,120,000
21 for the fiscal year 1991.

22 (3) TELEVISION AND FILM SERVICE.--For ``Television
23 and Film Service'', \$31,000,000 for the fiscal year 1990
24 and \$32,240,000 for the fiscal year 1991.

25 (4) NATIONAL ENDOWMENT FOR DEMOCRACY.--For ``National

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1 Endowment for Democracy'' \$25,000,000 for the fiscal year
2 1990 and \$25,000,000 for the fiscal year 1991.

3 (5) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE
4 BETWEEN EAST AND WEST.--For ``Center for Cultural and
5 Technical Interchange between East and West'',
6 \$20,000,000 for the fiscal year 1990 and \$20,800,000 for
7 the fiscal year 1991.

8 (b) ALLOCATION OF FUNDS.--Of the amounts authorized to be
9 appropriated by paragraph (2) of subsection (a), \$150,000 for
10 the fiscal year 1990 and \$156,000 for the fiscal year 1991
11 shall be available only for the training at the University of
12 Maine and in Washington, District of Columbia, of media
13 personnel from developing French-speaking countries. The
14 Voice of America International Broadcast Training Center
15 shall administer such training program. The Bureau of
16 Educational and Cultural Exchanges shall provide to the
17 center such assistance as may be necessary in the
18 facilitation of such program.

19 **SEC. 202. USIA POSTS AND PERSONNEL OVERSEAS.**

20 Section 204 of the Foreign Relations Authorization Act,
21 Fiscal Years 1988 and 1989 (Public Law 100-204) is amended to
22 read as follows:

23 ``**SEC. 204. USIA POSTS AND PERSONNEL OVERSEAS.**

24 ``(a) OPERATION OF POSTS.--Except as provided by this
25 section, no funds authorized to be appropriated by this or

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1 any other Act shall be available to pay any expense related
2 to the closing or downgrading through reductions in staff or
3 operations of a United States Information Agency post abroad.

4 “(b) CONGRESSIONAL NOTIFICATION.--Except as provided in
5 subsections (c) and (d), a United States Information Agency
6 post abroad may be closed or downgraded through reductions in
7 staff or operations only if not less than one year prior to a
8 proposed closing or downgrading, the Director of the United
9 States Information Agency prepares and submits a report of
10 such proposed action, together with any justifications, to
11 the Committee on Foreign Relations and the Committee on
12 Appropriations of the Senate and the Committee on Foreign
13 Affairs and the Committee on Appropriations of the House of
14 Representatives.

15 “(c) EXCEPTIONS.--The provisions of subsection (b),
16 shall not apply with respect to any post closed or downgraded
17 through reductions in staff or operations--

18 “(1) because of a break or downgrading of diplomatic
19 relations between the United States and the country in
20 which the post is located; or

21 “(2) because there is a real and present threat to
22 United States diplomatic or consular personnel in the
23 city where the post is located and a travel advisory
24 warning against American travel to that city has been
25 issued by the Department of State.

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1 “(d) SEQUESTRATION.--In the case that a sequestration
2 order is issued pursuant to Part C of the Balanced Budget and
3 Emergency Deficit Control Act of 1985 (2 U.S.C. 901 et seq.;
4 Public Law 99-177), the Director of the United States
5 Information Agency may, as part of an agencywide austerity
6 proposal, submit a report proposing a list of United States
7 Information Agency posts abroad to be downgraded or closed in
8 order to comply with the sequestration order, together with a
9 justification for the inclusion of each post on such list.
10 Such report shall be submitted to the Committee on Foreign
11 Relations and the Committee on Appropriations of the Senate
12 and the Committee on Foreign Affairs and the Committee on
13 Appropriations of the House of Representatives.”.

14 **SEC. 203. CHANGES IN ADMINISTRATIVE AUTHORITIES.**

15 Section 810 of the United States Information and
16 Educational Exchange Act of 1948 (22 U.S.C. 1475e) is amended
17 to read as follows:

18 **“SEC. 810. USE OF CERTAIN FEES AND PAYMENTS.**

19 Notwithstanding section 3302 of title 31, United States
20 Code, or any other law or limitation of authority, all
21 payments received by or for the use of the United States
22 Information Agency from or in connection with English-
23 teaching and library services, Agency-produced publications,
24 and motion picture and television programs produced or
25 conducted by or on behalf of the Agency under the authority

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1 of this Act or the Mutual Educational and Cultural Exchange
 2 Act of 1961 may be credited to the appropriate appropriation
 3 of the United States Information Agency to such extent as may
 4 be provided in advance in an appropriation Act.".

5 **SEC. 204. USIA NETWORK FOR DISSEMINATION OF INFORMATION**
 6 **CONCERNING UNITED STATES PROGRAMS TO COMBAT**
 7 **NARCOTICS AND OTHER CONTROLLED SUBSTANCES.**

8 The United States Information Agency shall establish and
 9 maintain an international narcotics information network. The
 10 network shall disseminate, prompt, accurate, and
 11 comprehensive information to foreign governments concerning
 12 programs and activities of the United States Government--

13 (1) to eliminate the illicit production, trafficking,
 14 and abuse of narcotic and psychotropic drugs and other
 15 controlled substances within the United States; and

16 (2) to promote drug prevention and rehabilitation in
 17 the United States.

18 **SEC. 205. DISSEMINATION IN THE UNITED STATES OF MATERIAL**
 19 **PREPARED FOR DISSEMINATION ABROAD.**

20 Section 501 of the United States Information and
 21 Educational Exchange Act of 1948 (22 U.S.C. 1461) is
 22 amended--

23 (1) in the second sentence by striking "Any" and
 24 inserting "Subject to subsection (b), any";

25 (2) by inserting "(a)" after "501."; and

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(3) by adding after subsection (a) (as designated in paragraph (2)) the following new subsection:

“(b) Motion pictures, films, and other material prepared for dissemination abroad shall be available for use in the United States 12 years after the initial dissemination of such material outside the United States, or in the case of material not disseminated abroad, 12 years after the preparation of such material. The Archivist of the United States shall be the official custodian of material made available under this subsection. The Archivist of the United States shall issue necessary regulations to ensure that persons seeking release in the United States of motion pictures, films and other material made available under this subsection have secured necessary United States rights and licenses. Costs associated with making master copies of any such material shall be paid by the person seeking domestic release of such material. The National Archives and Records Administration may charge fees for copies made under this subsection in accordance with section 2116(c) of title 44, United States Code. Fees collected by the National Archives and Records Administration under this subsection shall be paid into, administered, and expended as part of the National Archives Trust Fund.”.

**SEC. 206. REPEAL OF LIMITATION ON PASSIVE PROGRAMS FOR
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1 each member shall be three years, except that of the original
2 seven appointments, two shall be for a term of one year and
3 two shall be for a term of two years. Any member appointed to
4 fill a vacancy occurring prior to the expiration of the term
5 for which a predecessor was appointed shall be appointed for
6 the remainder of such term. Upon the expiration of a member's
7 term of office, such member may continue to serve until a
8 successor is appointed and has qualified. The President shall
9 designate a member to chair the Commission.

10 (b) STAFF.--The Commission shall have a staff director
11 who shall be appointed by the chairperson of the Commission.
12 Subject to such rules and regulations as may be adopted by
13 the Commission, the chairperson of the Commission may--

14 (1) appoint such additional personnel for the staff
15 of the Commission as the chairperson considers necessary;
16 and

17 (2) procure temporary and intermittent services to
18 the same extent as is authorized by section 3109(b) of
19 title 5, United States Code, but at rates for individuals
20 not to exceed the daily equivalent of the annual rate of
21 basic pay payable for grade GS-18 of the General Schedule
22 under section 5332 of title 5, United States Code.

23 (c) DUTIES AND RESPONSIBILITIES.--The Commission shall
24 formulate and recommend to the Director, the Secretary of
25 State, and the President policies and programs to carry out

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1 the functions vested in the Director or the Agency, and shall
2 appraise the effectiveness of policies and programs of the
3 Agency. The Commission shall submit to the Congress, the
4 President, the Secretary of State, and the Director annual
5 reports on programs and activities carried on by the Agency,
6 including appraisals, where feasible, as to the effectiveness
7 of the several programs. The Commission shall also include in
8 such reports such recommendations as shall have been made by
9 the Commission to the Director for effectuating the purposes
10 of the Agency, and the action taken to carry out such
11 recommendations. The Commission may also submit such other
12 reports to the Congress as it considers appropriate, and
13 shall make reports to the public in the United States and
14 abroad to develop a better understanding of and support for
15 the programs conducted by the Agency. The Commission's
16 reports to the Congress shall include assessments of the
17 degree to which the scholarly integrity and nonpolitical
18 character of the educational and cultural exchange activities
19 vested in the Director have been maintained, and assessments
20 of the attitudes of foreign scholars and governments
21 regarding such activities.

22 `` (d) LIMITATION ON AUTHORITY.--The Commission shall have
23 no authority with respect to the Board of Foreign
24 Scholarships or the United States National Commission for
25 UNESCO.'`.

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1 (b) CONTINUED SERVICE OF MEMBERS OF COMMISSION.--Members
2 of the United States Advisory Commission on Public Diplomacy
3 as in existence on the day before the effective date of the
4 amendment made by subsection (a) shall continue to serve for
5 the remainder of the term to which each such member was
6 appointed.

7 (c) EFFECTIVE DATE.--The amendment made by subsection (a)
8 shall take effect on the date of the enactment of this Act.

9 **SEC. 209. SENSE OF CONGRESS CONCERNING THE HUMPHREY**

10 **FELLOWSHIP PROGRAM.**

11 It is the sense of the Congress that the United States
12 Information Agency should review the Humphrey Fellowship
13 Program and consider the feasibility of broadening the
14 placement of fellows under such program to the processes of
15 the United States Government in Washington, District of
16 Columbia, the United States Congress, and State and local
17 governmental processes.

18 **SEC. 210. REPORT TO CONGRESS CONCERNING EXPENDITURES FOR**

19 **WORLDNET.**

20 Not later than 60 days after the date of the enactment of
21 this Act, the United States Information Agency shall prepare
22 and submit to the Congress a report which contains a detailed
23 explanation of prospective expenditures for Worldnet for
24 fiscal year 1990.

25 **SEC. 211. GENERAL ACCOUNTING OFFICE STUDY OF THE NATIONAL**

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1 **ENDOWMENT FOR DEMOCRACY.**

2 (a) **STUDY OF NED.**--The Comptroller General of the United
3 States shall conduct a study of the operations of the
4 National Endowment for Democracy. Such study shall evaluate--

5 (1) the programs and operations of the National
6 Endowment for Democracy;

7 (2) the effectiveness of the National Endowment for
8 Democracy in fulfilling its goals; and

9 (3) the management structure of the National
10 Endowment for Democracy, including--

11 (A) an assessment of the present composition of
12 the board of directors; and

13 (B) the capability and effectiveness of the board
14 in providing objective oversight of the programs and
15 operations of the National Endowment for Democracy.

16 (b) **REPORT TO CONGRESS.**--Not later than one year after
17 the date of the enactment of this Act, the Comptroller
18 General of the United States shall prepare and submit a
19 report of the findings of such study to the Committee on
20 Foreign Affairs of the House of Representatives and the
21 Committee on Foreign Relations of the Senate.

22 **PART B--TELEVISION BROADCASTING TO CUBA**

23 **SEC. 221. SHORT TITLE.**

24 This part may be cited as the ``Television Broadcasting
25 to Cuba Act``.

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1 SEC. 222. FINDINGS AND PURPOSES.

2 The Congress finds and declares that--

3 (1) it is the policy of the United States to support
4 the right of the people of Cuba to seek, receive, and
5 impart information and ideas through any media and
6 regardless of frontiers, in accordance with article 19 of
7 the Universal Declaration of Human Rights;

8 (2) consonant with this policy, television
9 broadcasting to Cuba may be effective in furthering the
10 open communication of accurate information and ideas to
11 the people of Cuba and, in particular, information about
12 Cuba;

13 (3) television broadcasting to Cuba, operated in a
14 manner not inconsistent with the broad foreign policy of
15 the United States and in accordance with high
16 professional standards, would be in the national
17 interest; and

18 (4) the Voice of America's Radio Marti program
19 already broadcasts to Cuba information that represents
20 America, not any single segment of American society, and
21 includes a balanced and comprehensive projection of
22 significant American thought and institutions, but there
23 is a need for television broadcasts to Cuba which provide
24 news, commentary, and other information about events in
25 Cuba and elsewhere to promote the cause of freedom in

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1 Cuba.

2 SEC. 223. TELEVISION BROADCASTING TO CUBA.

3 (a) TELEVISION BROADCASTING TO CUBA.--In order to carry
4 out the purposes set forth in section 222 and notwithstanding
5 the limitation of section 501 of the United States
6 Information and Educational Exchange Act of 1948 (22 U.S.C.
7 1461) with respect to the dissemination in the United States
8 of information prepared for dissemination abroad to the
9 extent such dissemination is inadvertent, the United States
10 Information Agency (hereafter in this part referred to as the
11 ``Agency``) shall provide for the open communication of
12 information and ideas through the use of television
13 broadcasting to Cuba. Television broadcasting to Cuba shall
14 serve as a consistently reliable and authoritative source of
15 accurate, objective, and comprehensive news.

16 (b) VOICE OF AMERICA STANDARDS.--Television broadcasting
17 to Cuba under this part shall be in accordance with all Voice
18 of America standards to ensure the broadcast of programs
19 which are objective, accurate, balanced, and which present a
20 variety of views.

21 (c) USIA TELEVISION MARTI.--Any program of United States
22 Government television broadcasts to Cuba authorized by this
23 section shall be designated ``USIA Television Marti
24 Program``.

25 (d) SPECTRUM ALLOCATION.--

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1 (1) Subject to paragraph (2), notwithstanding
2 subchapter 2, chapter 5, title 5, United State Code, or
3 any provision of the Communications Act of 1934, the
4 Federal Communications Commission shall have the
5 authority to allocate by order the spectrum it determines
6 to be the most practicable and efficient to further the
7 national interests expressed by this Act, which to the
8 maximum extent possible shall avoid interference with any
9 domestic television broadcasting.

10 (2) Such spectrum shall be assigned in accordance
11 with section 305 of the Federal Communications Act of
12 1934.

13 (e) INTERFERENCE WITH DOMESTIC TELEVISION
14 BROADCASTING.--Broadcasting by the Service shall be conducted
15 in such a manner as to avoid interference, to the maximum
16 extent possible, with any domestic television broadcasting.

17 (f) USIA AUTHORITY.--The Agency may carry out the
18 purposes of this part by means of grants, leases, or
19 contracts (subject to the availability of appropriations), or
20 such other means as the Agency determines will be most
21 effective.

22 SEC. 224. TELEVISION MARTI SERVICE OF THE UNITED STATES
23 INFORMATION AGENCY.

24 (a) TELEVISION MARTI SERVICE.--The Director of the United
25 States Information Agency shall establish within the Agency a

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1 Television Marti Service. The Service shall be responsible
2 for all television broadcasts to Cuba authorized by section
3 223. The Director of the United States Information Agency
4 shall appoint a head of the Service who shall report directly
5 to the Director. The head of the Service shall employ such
6 staff as the head of the Service may need to carry out the
7 duties of the Service. The Service shall be administered
8 separately from other television functions of the United
9 States Information Agency.

10 (b) USE OF EXISTING FACILITIES OF THE USIA.--To assure
11 consistency of presentation and efficiency of operations in
12 conducting the activities authorized under this part, the
13 Service shall make maximum feasible utilization of Agency
14 facilities and management support, including Voice of
15 America: Radio Marti program, Voice of America, and the
16 United States Information Agency Television Service.

17 **SEC. 225. AMENDMENTS TO THE RADIO BROADCASTING TO CUBA ACT.**

18 (a) ADVISORY BOARD FOR CUBA BROADCASTING.--Section 5 of
19 the Radio Broadcasting to Cuba Act (22 U.S.C. 1465c) is
20 amended--

21 (1) by amending the heading to read as follows:

22 ``ADVISORY BOARD FOR CUBA BROADCASTING``;

23 (2) by amending subsections (a) and (b) to read as
24 follows:

25 (a) There is established within the Office of the

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1 President the Advisory Board for Cuba Broadcasting (hereafter
2 in this Act referred to as the 'Board'). The Board shall
3 consist of nine members, appointed by the President by and
4 with the advice and consent of the Senate, of whom not more
5 than five shall be members of the same political party. The
6 President shall designate one member of the Board to serve as
7 chairperson.

8 “(b) The Board shall review the effectiveness of the
9 activities carried out under this Act and the Television
10 Broadcasting to Cuba Act and shall make recommendations to
11 the President and the Director and Associate Director for
12 Broadcasting of the United States Information Agency as it
13 may consider necessary.”;

14 (3) by amending subsection (d) to read as follows:

15 “(d) The head of the Cuba Service and the head of the
16 Television Marti Service shall serve, ex officio, as members
17 of the Board.”; and

18 (4) in the last sentence of subsection (e) by
19 striking “The ex officio member” and inserting “The ex
20 officio members”.

21 (b) REFERENCES.--A reference in any provision of law to
22 the “Advisory Board for Radio Broadcasting to Cuba” shall
23 be considered to be a reference to the “Advisory Board for
24 Cuba Broadcasting”.

25 (c) CONTINUED SERVICE OF MEMBERS OF BOARD.--Members of

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1 the Advisory Board for Radio Broadcasting to Cuba as in
2 existence on the day before the effective date of the
3 amendment made by subsection (a) shall continue to serve for
4 the remainder of the term to which each such member was
5 appointed as members of the Advisory Board for Cuba
6 Broadcasting.

7 (d) WAIVER.--Section 3 of the Radio Broadcasting to Cuba
8 Act (22 U.S.C. 1465a) is amended in the first sentence by
9 inserting before the comma ``and notwithstanding the
10 limitation of section 501 of the United States Information
11 and Educational Exchange Act of 1948 (22 U.S.C. 1461) with
12 respect to the dissemination in the United States of
13 information prepared for dissemination abroad to the extent
14 such dissemination is inadvertent``.

15 (e) EFFECTIVE DATE.--The amendments made by subsections
16 (a) and (d) shall take effect on the date of the enactment of
17 this Act.

18 **SEC. 226. ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.**

19 In order to assist the United States Information Agency
20 in carrying out the provisions of this part, any agency or
21 instrumentality of the United States may sell, loan, lease,
22 or grant property (including interests therein) and may
23 perform administrative and technical support and services at
24 the request of the Agency.

25 **SEC. 227. FACILITY COMPENSATION.**

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1 (a) CLAIMS AGAINST CUBA.--It is the intent of the
2 Congress that the Secretary of State should seek prompt and
3 full settlement of United States claims against the
4 Government of Cuba arising from Cuban interference with
5 television and radio broadcasting in the United States.
6 Pending the settlement of these claims, it is appropriate to
7 provide some interim assistance to the United States
8 broadcasters who are adversely affected by Cuban television
9 and radio interference and who seek to assert their right to
10 measures to counteract the effects of such interference.

11 (b) PAYMENTS TO UNITED STATES TELEVISION
12 BROADCASTERS.--The Agency may make payments to the United
13 States television and radio broadcasting station licensees
14 upon their application for expenses which they have incurred
15 before, on, or after the date of this Act in mitigating,
16 pursuant to special temporary authority from the Federal
17 Communications Commission, the effects of activities by the
18 Government of Cuba which directly interfere with the
19 transmission or reception of broadcasts by such licensees.
20 Such expenses shall be limited to the costs of equipment
21 replaced (less depreciation) and associated technical and
22 engineering costs.

23 (c) REGULATIONS.--The Federal Communications Commission
24 shall issue such regulations and establish such procedures
25 for carrying out this section as the Federal Communications

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1 Commission finds appropriate. Such regulations shall be
2 issued no later than 180 days after the date of the enactment
3 of this Act.

4 (d) AUTHORIZATION OF APPROPRIATIONS.--There are
5 authorized to be appropriated to the United States
6 Information Agency \$5,000,000 for use in compensating United
7 States television and radio broadcasting licensees pursuant
8 to this section. Amounts appropriated under this section are
9 authorized to be available until expended.

10 (e) LIMITATION ON AVAILABILITY OF FUNDS.--Funds
11 appropriated for implementation of this section shall be
12 available for a period of no more than 4 years following the
13 initial broadcast occurring as a result of programs described
14 in this part.

15 (f) TASK FORCE.--It is the sense of the Congress that the
16 President should establish a task force to analyze the level
17 of interference from the operation of Cuban television and
18 radio stations experienced by broadcasters in the United
19 States and to seek a practical political and technical
20 solution to this problem.

21 (g) EFFECTIVE DATE.--This section shall take effect on
22 October 1, 1989.

23 SEC. 228. AUTHORIZATION OF APPROPRIATIONS.

24 (a) AUTHORIZATION OF APPROPRIATIONS.--In addition to
25 amounts under section 201, there are authorized to be

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1 appropriated to the United States Information Agency,
2 \$16,000,000 for fiscal year 1990 and \$16,000,000 for fiscal
3 year 1991 for television broadcasting to Cuba in accordance
4 with the provisions of this part.

5 (b) LIMITATION.--

6 (1) Subject to paragraph (2), no funds authorized to
7 be appropriated under subsection (a) may be obligated or
8 expended unless the President determines and notifies the
9 Congress that the test of television broadcasting to Cuba
10 (as authorized by title V of the Departments of Commerce,
11 Justice, and State, the Judiciary, and Related Agencies
12 Appropriations Act, 1989 (Public Law 100-459)) has
13 demonstrated television broadcasting to Cuba to be
14 feasible.

15 (2) Not less than 30 days before the President makes
16 the determination under paragraph (1), the President
17 shall submit a report to the Congress which includes the
18 findings of the test of television broadcasting to Cuba.

19 (c) AVAILABILITY.--Amounts appropriated under this
20 section are authorized to be made available until expended.

21 TITLE III--VOICE OF AMERICA.

22 SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

23 In addition to the amounts authorized to be appropriated
24 under title II, the following amounts are authorized to be
25 appropriated for the Voice of America for carrying out title

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1 V of the United States Information and Educational Exchange
2 Act of 1948 and the Radio Broadcasting to Cuba Act:

3 (1) SALARIES AND EXPENSES.--For ``Salaries and
4 Expenses'', \$170,235,000 for the fiscal year 1990 and
5 \$177,044,900 for the fiscal year 1991.

6 (2) ACQUISITION AND CONSTRUCTION OF RADIO
7 FACILITIES.--For ``Acquisition and Construction of Radio
8 Facilities'', \$65,000,000 for the fiscal year 1990 and
9 \$126,000,000 for the fiscal year 1991.

10 (3) RADIO BROADCASTING TO CUBA.--For ``Radio
11 Broadcasting to Cuba'', \$12,700,000 for the fiscal year
12 1990 and \$13,208,000 for the fiscal year 1991.

13 **SEC. 302. VOICE OF AMERICA EQUIPMENT ABROAD.**

14 It is the sense of the Congress that the United States
15 Information Agency and the Voice of America shall take every
16 step necessary to ensure that existing Voice of America
17 equipment abroad is properly maintained and enhanced to
18 prevent deterioration.

19 **TITLE IV--BOARD FOR INTERNATIONAL BROADCASTING**

20 **SEC. 401. AUTHORIZATIONS OF APPROPRIATIONS.**

21 (a) AMENDMENT TO BOARD FOR INTERNATIONAL BROADCASTING ACT
22 OF 1973.--Subparagraph (A) of section 8(a)(1) of the Board
23 for International Broadcasting Act of 1973 (22 U.S.C.
24 2877(a)(1)) is amended to read as follows:

25 ``(A) \$192,530,000 for the fiscal year 1990 and

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1 \$200,231,000 for the fiscal year 1991; and''.

2 (b) RADIO TRANSMITTER CONSTRUCTION AND

3 MODERNIZATION.--There is authorized to be appropriated to the

4 Board for International Broadcasting for radio transmitter

5 construction and modernization \$27,845,000 for the fiscal

6 year 1990. Amounts appropriated under this subsection shall

7 remain available until expended.

8 (c) BROADCASTING RELAY STATION IN ISRAEL.--

9 (1) There is authorized to be appropriated to the

10 Board for International Broadcasting for the costs

11 associated with construction of a relay station in

12 Israel, \$194,000,000 for the fiscal year 1990 and

13 13,000,000 for the fiscal year 1991. Amounts appropriated

14 under this subsection shall remain available until

15 expended.

16 (2) To the extent not precluded by the international

17 agreement with the host foreign country of June 18, 1987,

18 not less than 10 percent of the amounts which are

19 authorized to be appropriated under paragraph (1), and

20 which are available for contracts with United States

21 contractors, shall be made available only for contracts

22 and subcontracts with economically and socially

23 disadvantaged enterprises (within the meaning of section

24 133(c)(5) of the International Development and Food

25 Assistance Act of 1977).

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1 SEC. 402. PROCUREMENT OF LEGAL SERVICES.

2 Section 26 of the State Department Basic Authorities Act
3 of 1956 (22 U.S.C. 2698) is amended in subsection (b) by
4 inserting `` , the chairman of the Board for International
5 Broadcasting, `` after ``Communication Agency``.

6 SEC. 403. REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.

7 (a) LIMITATION ON OBLIGATION AND EXPENDITURE OF
8 FUNDS.--Notwithstanding any other provision of law, for
9 fiscal year 1990 and for each subsequent fiscal year, any
10 funds appropriated for the Board for International
11 Broadcasting shall not be available for obligation or
12 expenditure--

13 (1) unless such funds are appropriated pursuant to an
14 authorization of appropriations; or

15 (2) in excess of the authorized level of
16 appropriations.

17 (b) SUBSEQUENT AUTHORIZATION.--The limitation under
18 subsection (a) shall not apply to the extent that an
19 authorization of appropriations is enacted after such funds
20 are appropriated.

21 (c) APPLICATION.--The provisions of this section--

22 (1) may not be superceded, except by a provision of
23 law which specifically repeals, modifies, or supersedes
24 the provisions of this section; and

25 (2) shall not apply to, or affect in any manner,

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1 permanent appropriations, trust funds, and other similar
2 accounts which are authorized by law and administered by
3 the Board for International Broadcasting.

4 **TITLE V--ASIA FOUNDATION**

5 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

6 Section 404 of The Asia Foundation Act (22 U.S.C. 4403)
7 is amended to read as follows:

8 ``SEC. 404. FUNDING.

9 ``(a) AUTHORIZATION OF APPROPRIATIONS.--There is
10 authorized to be appropriated to the Secretary of State
11 \$16,200,000 for the fiscal year 1990 and \$16,848,000 for the
12 fiscal year 1991 for grants to The Asia Foundation pursuant
13 to this title.

14 ``(b) ALLOCATION OF FUNDS.--Of amounts authorized to be
15 appropriated under subsection (a), \$2,500,000 for the fiscal
16 year 1990 and \$2,500,000 for the fiscal year 1991 shall be
17 available only for the expansion of programs and services
18 (including the establishment of a field office) for Oceania
19 comprised of Polynesia, Micronesia, and Melanesia.'`.

20 **TITLE VI--INTERNATIONAL ORGANIZATIONS**

21 **SEC. 601. REFORM IN BUDGET DECISION-MAKING PROCEDURES OF THE**
22 **UNITED NATIONS AND ITS SPECIALIZED AGENCIES.**

23 (a) FINDINGS.--The United Nations and its specialized
24 agencies have made progress in the formulation and
25 implementation of budget reforms as called for by section 143

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1 of the Foreign Relations Authorization Act, Fiscal Years 1986
2 and 1987 (Public Law 99-93). Presidential determinations that
3 were required by that and other laws confirm the progress
4 that has been made in this respect.

5 (b) FINANCIAL RESPONSIBILITY IN BUDGET PROCEDURES.--To
6 assure financial responsibility in preparation of the
7 assessed budgets of the United Nations and its specialized
8 agencies, it is the sense of Congress that the President
9 should continue vigorous efforts to ensure continued
10 implementation by the United Nations and its specialized
11 agencies of decisionmaking procedures on budgetary matters
12 which assure that sufficient attention is paid to the views
13 of the United States and other member states who are major
14 financial contributors to such assessed budgets.

15 (c) LIMITATION ON ASSESSED CONTRIBUTIONS.--

16 (1) For assessed contributions authorized to be
17 appropriated by this Act, the President is authorized to
18 withhold not more than 20 percent of funds appropriated
19 for the United States assessed contribution to the United
20 Nations or to any of its specialized agencies for any
21 calendar year if the President determines that the United
22 Nations or any such agency--

23 (A) has not continued implementation of
24 decisionmaking procedures on budgetary matters
25 referred to in subsection (b);

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1 (B) is not making further progress toward the
2 elimination of the abuse of secondment in the United
3 Nations Secretariat which undermines the independence
4 of the international civil service; or

5 (C) is not implementing the 15 percent reduction
6 in the staff of the United Nations Secretariat
7 (recommendation 15 of the Group of High Level
8 Intergovernmental Experts to Review the Efficiency of
9 the Administrative and Financial Functioning of the
10 United Nations (Group of 18) and that such reduction
11 is not being equitably applied among the nationals on
12 such staff.

13 (2) The President shall notify the Congress when a
14 determination is made to withhold funding from the United
15 Nations or any of its specialized agencies pursuant to
16 paragraph (1). Congressional notification shall include a
17 justification for any such determination.

18 (d) LIMITATION ON PAYMENT OF ASSESSED CONTRIBUTIONS FOR
19 PRIOR YEARS.--Of amounts authorized to be appropriated by
20 this Act for fiscal years 1990 and 1991, payment may be made
21 to the United Nations or to any of its specialized agencies
22 for assessed contributions for calendar years prior to 1989
23 only for purposes jointly agreed to by the President and the
24 United Nations or any of its specialized agencies, as may be
25 appropriate.

**P IN INTERNATIONAL SUGAR
INTERNATIONAL TROPICAL TIMBER**

--The President is
of the United States in the
and the International

CONTRIBUTIONS.--For fiscal year
hereafter, the United States
organizations may be paid from
contributions to International

**REGULAR BUDGET OF THE
COMMITTEE OF THE RED CROSS.**
relations Authorization Act,
Public Law 100-204) is amended by

INTERNATIONAL RIVERS AND WATER COMMISSION.
Section 103 of the American-
U.S.C. 277d-3) is amended by
and other representation
for the United States
;

INTERNATIONAL SANITATION PROBLEMS.--Title
and Justice, the Judiciary, and

riation Act, 1957 (22 U.S.C. 277d-12)
ading ``International Boundary and
States and Mexico'' in the fourth
l after `flood control'' and
on works threatened or destroyed by
Grande, Colorado, and Tijuana Rivers;
actions to protect against health
problems by repairing or replacing
structure along the United States-

WATER AUTHORITIES.--An Act entitled
study regarding the equitable use of
lands below Fort Quitman, Texas, in
United States of Mexico'' (22 U.S.C. 277-

(22 U.S.C. 277a) by inserting ``
boundary storm waters, and'' after
; and

(22 U.S.C. 277b)--
ing ``(1)'' after ``authorized'';
ing out ``and (b)'' and inserting

ing before the period ``; and (3) to
nary surveys, operations, and
the interceptor system constructed to

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1 intercept sewage flows from Tijuana and from selected
2 canyon areas''; and

3 (D) by adding after subsection (a) the following
4 new subsections:

5 ``(b) Expenditures for the Rio Grande bank protection
6 project shall be subject to the provisions and conditions
7 contained in the appropriation for such project as provided
8 by the Act approved April 25, 1945 (59 Stat. 89).

9 ``(c) The Anzalduas diversion dam shall not be operated
10 for irrigation or water supply purposes in the United States
11 unless suitable arrangements have been made with the
12 prospective water users for repayment to the Federal
13 Government of such portions of the dam as are allocated to
14 such purposes by the Secretary of State.''.
15

16 **SEC. 605. SENSE OF CONGRESS CONCERNING THE UNITED NATIONS**
17 **RELIEF AND WORKS AGENCY FOR PALESTINIAN**
18 **REFUGEES IN THE NEAR EAST (UNRWA).**

19 (a) SENSE OF CONGRESS.--It is the sense of the Congress
20 that--

21 (1) international burden-sharing of the costs of the
22 United Nations Relief and Works Agency for Palestinian
23 Refugees in the Near East (UNRWA) is crucial to the
24 survival of such organization;

25 (2) the Secretary of State should redouble the
efforts of the Department of State to promote

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1 international burden-sharing of the costs of UNRWA's
2 operations; and

3 (3) regular and substantial contributions by the Arab
4 states to the budget of the United Nations Relief and
5 Works Agency for Palestinian Refugees in the Near East
6 would reflect the commitment of Arab states to a peaceful
7 political settlement in the Middle East.

8 (b) REPORT TO CONGRESS.--The Secretary of State shall
9 prepare and submit a report on progress being made to promote
10 international burden-sharing of the costs of the United
11 Nations Relief and Works Agency for Palestinian Refugees in
12 the Near East (UNRWA) to the Committee on Foreign Affairs of
13 the House of Representatives and the Committee on Foreign
14 Relations of the Senate.

15 TITLE VII--INTER-AMERICAN FOUNDATION.

16 SEC. 701. INTER-AMERICAN FOUNDATION.

17 Section 401 of the Inter-American Foundation Act (22
18 U.S.C. 290f) is amended in subsection (s)(2) by striking the
19 first sentence and inserting ``There are authorized to be
20 appropriated \$16,932,000 for the fiscal year 1990 and
21 \$20,000,000 for the fiscal year 1991 to carry out the
22 purposes of this section.'`.

23 TITLE VIII--MISCELLANEOUS PROVISIONS

24 SEC. 801. COMPLIANCE WITH CONGRESSIONAL BUDGET ACT.

25 (a) LIMITATION ON SPENDING AUTHORITY.--Any new spending

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1 authority (within the meaning of section 401 of the
2 Congressional Budget Act of 1974) which is provided under
3 this Act shall be effective for any fiscal year only to the
4 extent or in such amounts as are provided in appropriation
5 Acts.

6 (b) LIMITATION ON CONTRACT AUTHORITY.--Any authority
7 provided by this Act to enter into contracts shall be
8 effective only--

9 (1) to the extent that the budget authority for the
10 obligation to make outlays, which is created by the
11 contract, has been provided in advance by an
12 appropriation Act; or

13 (2) to the extent or in such amounts as are provided
14 in advance in appropriation Acts.

15 TITLE IX--EFFECTIVE DATE.

16 SEC. 901. EFFECTIVE DATE.

17 Except as otherwise provided, this Act shall take effect
18 on the date of its enactment and the amendments made by this
19 Act shall take effect October 1, 1989.