CHINA DEMOCRACY PROMOTION ACT OF 2011

HEARING

BEFORE THE

SUBCOMMITTEE ON
IMMIGRATION POLICY AND ENFORCEMENT

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

ON

H.R. 2121

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CHINA DEMOCRACY PROMOTION ACT OF 2011

WEDNESDAY, NOVEMBER 2, 2011

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON IMMIGRATION
POLICY AND ENFORCEMENT,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Subcommittee met, pursuant to call, at 3:30 p.m., in room 2141, Rayburn House Office Building, the Honorable Elton Gallegly (Chairman of the Subcommittee) presiding.

Present: Representatives Gallegly, Smith, Gowdy, and Lofgren.

Staff Present: (Majority) Dimple Shah, Counsel; Marian White, Clerk; and (Minority) Hunter Hammill, USCIS Detailee.

Mr. GALLEGLY. I call the Subcommittee to order.

The relationship between the United States and China has been characterized by Vice President Biden as the most important in the world. In many respects, that is true. However, it seems to me that the relationship between the U.S. and China can be characterized as increasingly complex and, at times, even conflicted since the establishment of the People's Republic of China on October 1, 1949.

Initially, the relationship between the United States and China was hostile. In fact, our two countries faced off in Korea from 1950 to 1954. Throughout much of the cold war, our relationship with China was tense. Slowly, our relationship has improved since then, especially in terms of our economic ties.

Although our relationship has improved, important differences remain. Currently and in the foreseeable future, China will represent a key focus of U.S. foreign and international economic policy. Some say that economic development in China will inevitably lead to democracy. However, the reality is that while economic growth in China continues, the United States justifiably remains critical of the slow pace of democratic reforms in China.

As a result, it has been U.S. policy, under both Republican and Democratic administrations, to encourage political change and human rights improvements in China. Those in the Chinese government who commit or sanction abuses should be forewarned that their actions will not be tolerated by the United States. H.R. 2121, introduced by my colleague, or our colleague, Chris Smith, does just that. It informs human rights abusers in China that the United States does not stand by as atrocities are committed. It lets them know they are not welcome in the United States. Hence, I urge my colleagues to support the bill.

[The bill, H.R. 2121, follows:]

I

112TH CONGRESS
1ST SESSION

H. R. 2121

To deny the entry into the United States of certain members of the senior leadership of the Government of the People's Republic of China and individuals who have committed human rights abuses in the People's Republic of China, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2011

Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. BURTON of Indiana, and Mr. ROHRABACHER) introduced the following bill; which was referred to the Committee on the Judiciary

---

A BILL

To deny the entry into the United States of certain members of the senior leadership of the Government of the People's Republic of China and individuals who have committed human rights abuses in the People's Republic of China, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "China Democracy Promotion Act of 2011".

SEC. 2. DENIAL OF ENTRY INTO THE UNITED STATES OF THE SENIOR LEADERSHIP OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND INDIVIDUALS WHO HAVE COMMITTED HUMAN RIGHTS ABUSES IN THE PEOPLE'S REPUBLIC OF CHINA.

Notwithstanding any other provision of law, the President may exercise the authority under section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)) to deny the entry into the United States of any alien who—

(1) holds a position in the senior leadership of the Government of the People's Republic of China;

(2) is an immediate family member of a person inadmissible under paragraph (1);

(3) through his or her business dealings with senior leadership of the Government of the People's Republic of China derives significant financial benefit from policies or actions, including human rights abuses or corruption, that undermine or injure democratic institutions or impede the transition to democracy in the People's Republic of China;

(4) has participated in the imposition of the People's Republic of China's coercive birth limitation policy;

(5) has participated in the violent repression or any other form of persecution of Tibetans, Uyghurs, Mongolians, or any other ethnic minority;

(6) has participated in the trafficking of North Korean refugees or the forcible return to North Korea of such refugees, knowing that such refugees will be persecuted upon their return; or

(7) is a member of any branch of the security or law enforcement services of the People's Republic of China and has participated in the violent repression, imprisonment, torture, or any other form of persecution of any individual in violation of the human rights of such individual, including—

(A) members or leaders of religious groups;

(B) democracy advocates, organizers, or demonstrators;

(C) individuals or members of organizations or public interest law firms involved in human rights defense or advocacy or public interest issues;

(D) workers' rights advocates; or

(E) individuals involved in independent media, journalists, or Internet users.

○

Mr. GALLEGLY. And, with that, I would yield to the gentlelady from California, the Ranking Member, Ms. Lofgren.

Ms. LOFGREN. Thank you, Mr. Chairman.

First, let me begin by welcoming the bill's author, Congressman Chris Smith, to our Committee. It is a pleasure to have you here, along with your co-witnesses.

The bill that you have introduced raises important questions about U.S.-China relations. And while the bill falls within our Subcommittee's jurisdiction because it authorizes denial of visas to certain Chinese nationals, its main focus falls in the foreign affairs realm and the Chinese government's dismal human rights record.

Mr. Smith and I have worked together on human rights issues in the past, particularly as they relate to the treatment of trafficking victims and refugees. And I share Mr. Smith's grave concerns about China's human rights record, and I understand his reasons for introducing the bill.

China's human rights record reads like a laundry list of abuse: the country's infamous one-child policy, which includes forced abortions and sterilizations; the oppression of Tibetans; the treatment of ethnic minorities like Uyghurs and Mongolians; the crackdowns on democracy and labor rights activists; and the persecution of certain religious groups, including Protestants, Catholics, and the Falun Gong. Our witness, Ms. Chai Ling, saw these abuses firsthand in Tiananmen Square and has since become an outspoken advocate against the one-child policy.

The bill highlights one tool at the government's disposal for holding human rights abusers accountable: denial of visas under section 212(f) of the Immigration and Nationality Act. I understand the State Department believes it already has this authority under current law. They also seem to have foreign policy concerns with this bill. I suspect their concerns about this bill center on the need to balance the various foreign policy goals our country has with China.

The U.S. has significant ties with China, particularly economically, and a strong diplomatic relationship is necessary. But I agree that we also cannot ignore China's human rights record. I look forward to learning today why the additional authority provided in the bill is needed and how it can address the serious ongoing human rights crisis in China while balancing the government's foreign policy goals.

And, again, I want to thank Mr. Smith for his work on this important issue and thank him and our other witnesses for appearing today. And I look forward to hearing the testimony.

And I yield back, Mr. Chairman.

Mr. GALLEGLY. I thank the gentlelady.

And, with that, I will yield to the other Mr. Smith, the Chairman of our full Committee, the gentleman from Texas.

Mr. SMITH OF TEXAS. Thank you, Mr. Chairman.

Human rights abuses in the People's Republic of China remain common and widespread. As the Chinese government continues to suppress dissenting opinions and maintains political control over the legal system, the will of the people and individual rights are consistently undermined. The end result is arbitrary and abusive treatment of the Chinese people.

The bill we will discuss today, which was introduced by our colleague Chris Smith from New Jersey, assists in combating human rights abuses in China. While I support the bill, some of language might be clarified so the sanction on senior leaders in the Chinese government is tied directly to the human rights abuses defined in the bill.

Human rights abuses, including arbitrary detention, torture, and severe restrictions on freedom of expression and association, are rampant in China. And violations specific to women and abuses related to the national Family-Planning Policy are also rampant.

As to the Family-Planning Policy, the Chinese government requires couples to practice family planning. The cornerstone of this policy is the offensive one child per couple policy.

To enforce this law, local authorities use the carrot of subsidized medical care, education, and housing. But they also employ a harsh stick—punishments including fines, confiscation of property, salary cuts, and even dismissal from work.

Some of the most disturbing methods used to enforce the family-planning laws have included the forced use of contraceptives and forced abortions for pregnant women who already have one child.

The one-child policy, with the traditional preference for male children, has led to practices such as female infanticide—the practice of killing female babies—concealing female births, and abandoning female infants.

The one-child policy has also contributed to the practice of prenatal sex identification, resulting in the abortion of female fetuses. Although the government has outlawed the use of ultrasound machines for this purpose, the practice continues.

By denying visas to certain Chinese nationals in the government who promote human rights abuses, we might as well assist Chinese patriots who work to end the lack of accountability for government officials who are part of the Chinese Communist Party. This legislation will send a message that abuses by these officials that go unchecked within China will not be ignored by the international community.

Now, once again, I want to thank our colleague from New Jersey for sponsoring this legislation. I look forward to a good hearing today and then to giving this bill its process. And I will have some questions for the gentleman from New Jersey in just a minute.

Thank you, Mr. Chairman.

Mr. GALLEGLY. Thank you, Mr. Smith.

We have three very distinguished witnesses today. Each of the witnesses' written statement will be made a part of the record in its entirety. I ask that each witness summarize his or her testimony in 5 minutes or less so that we can get on with the questioning, recognizing that your entire statement will be made a part of the record of the hearing. And we have provided lights there to kind of help you along those lines.

Our first witness today is our colleague and friend, Congressman Chris Smith, who represents New Jersey's Fourth District and is currently serving his 16th term in the House of Representatives. He is a senior member of the Foreign Affairs Committee and Chairman of its Africa, Global Health, and Human Rights Subcommittee. In addition, he serves on the Congressional-Executive Commission

on China. He is the author of America's three landmark anti-human-trafficking laws, including the Trafficking Victims Protection Act of 2000. Congressman Smith received his bachelor's degree from Trenton State College, now The College of New Jersey.

Our second witness is Ms. Chai Ling. Ms. Chai was a key student leader in the 1989 Tiananmen Square movement in China. She is now president and chief operating officer of Jenzabar, Inc., and founder of All Girls Allowed, whose mission focuses on revealing the injustice of China's one-child policy. Prior to Jenzabar, Chai Ling worked as a consultant at Bain & Company, a leading global business and strategy consulting firm. She holds an MBA from Harvard Business School, an MLA in public affairs at Princeton University, and a B.A. From Beijing University.

Our third witness today is Dr. Ruth Wasem. She is a specialist in immigration policy with the Congressional Research Service, Library of Congress. In that capacity, she has written reports for Congress that provide research and policy analysis on a range of immigration subjects. Since 2000, she has led the team of CRS policy analysts, attorneys, and information researchers who work in immigration, and she has previously testified before this Subcommittee in June of 2007. Dr. Wasem completed her doctorate and M.A. From the University of Michigan. She received a B.A. From Muskegon College.

Welcome.

We will start with our colleague, Mr. Smith. Welcome, Chris.

TESTIMONY OF THE HONORABLE CHRISTOPHER SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman. I appreciate deeply your calling this hearing. Ranking Member Lofgren, my good friend and colleague Chairman Smith, and all the Members of the Committee, thank you for this opportunity.

Mr. Chairman, in 2000, I wrote a law known as the Admiral James W. Nance and Meg Donovan Foreign Relations Act for Fiscal Years 2000 and 2001. That bill, H.R. 3427, was signed into law in its entirety by reference—Division B of Public Law 106-113.

[The information referred to follows:]

Public Law 106-113
Appendix G – HR 3427

Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001

(Embassy Security Act)

Prime Sponsor: Mr. Christopher H. Smith (NJ)
Passed Congress November 19, 1999
Signed into Law November 29, 1999

APPENDIX G—H.R. 3427

SECTION 1. SHORT TITLE.

This Act may be cited as the "Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001".

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) ACT.—This Act is organized into two divisions as follows:

(1) DIVISION A.—Department of State Provisions.

(2) DIVISION B.—Arms Control, Nonproliferation, and Security Assistance Provisions.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Organization of act into divisions; table of contents.
Sec. 3. Definitions.

DIVISION A—DEPARTMENT OF STATE PROVISIONS

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

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Sec. 303. Science and Technology Adviser to the Secretary of State.
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Sec. 335. Transfer allowance for families of deceased Foreign Service personnel.
Sec. 336. Parental choice in education.
Sec. 337. Medical emergency assistance.
Sec. 338. Report concerning financial disadvantages for administrative and technical personnel.
Sec. 339. State Department Inspector General and personnel investigations.
Sec. 340. Study of compensation for survivors of terrorist attacks overseas.
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SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Except as otherwise provided in section 902(1), the term "appropriate

congressional committees" means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) SECRETARY.—The term "Secretary" means the Secretary of State.

DIVISION A—DEPARTMENT OF STATE PROVISIONS

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under "Administration of Foreign Affairs" to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law, including public diplomacy activities and the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For "Diplomatic and Consular Programs" of the Department of State, $2,837,772,000 for the fiscal year 2000 and $3,263,438,000 for the fiscal year 2001.

(B) LIMITATIONS.—

(i) WORLDWIDE SECURITY UPGRADES.—Of the amounts authorized to be appropriated by subparagraph (A), $254,000,000 for the fiscal year 2000 and $315,000,000 for the fiscal year 2001 is authorized to be appropriated only for worldwide security upgrades.

(ii) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated by subparagraph (A), $12,000,000 for the fiscal year 2000 and $12,000,000 for the fiscal year 2001 is authorized to be appropriated only for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.

(iii) RECRUITMENT OF MINORITY GROUPS.—Of the amounts authorized to be appropriated by subparagraph (A), $2,000,000 for fiscal year 2000 and $2,000,000 for fiscal year 2001 is authorized to be appropriated only for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(2) CAPITAL INVESTMENT FUND.—For "Capital Investment Fund" of the Department of State, $90,000,000 for the fiscal year 2000 and $150,000,000 for the fiscal year 2001.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—For "Embassy Security, Construction and Maintenance", $434,066,000 for the fiscal year 2000 and $445,000,000 for the fiscal year 2001.

(4) REPRESENTATION ALLOWANCES.—For "Representation Allowances", $5,850,000 for the fiscal year 2000 and $5,850,000 for the fiscal year 2001.

(5) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For "Emergencies in the Diplomatic and Consular Service", $17,000,000 for the fiscal year 2000 and $17,000,000 for the fiscal year 2001.

(6) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", $30,054,000 for the fiscal year 2000 and $30,054,000 for the fiscal year 2001.

(7) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For "Payment to the American Institute in Taiwan", $15,760,000 for the fiscal year 2000 and $15,918,000 for the fiscal year 2001.

(8) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—

(A) AMOUNTS AUTHORIZED TO BE APPROPRIATED.—For "Protection of Foreign Missions and Officials", $9,490,000 for the fiscal year 2000 and $9,490,000 for the fiscal year 2001.

(B) AVAILABILITY OF FUNDS.—Each amount appropriated pursuant to this paragraph is authorized to remain available through September 30 of the fiscal year following the fiscal year for which the amount was appropriated.

(9) REPATRIATION LOANS.—For "Repatriation Loans", $1,200,000 for the fiscal year 2000 and $1,200,000 for the fiscal year 2001, for administrative expenses.

SEC. 102. INTERNATIONAL COMMISSIONS.

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

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For "International Boundary and Water Commission, United States and Mexico"—

(A) for "Salaries and Expenses", $20,413,000 for the fiscal year 2000 and $20,413,000 for the fiscal year 2001; and

(B) for "Construction", $8,435,000 for the fiscal year 2000 and $8,435,000 for the fiscal year 2001.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For "International Boundary Commission, United States and Canada", $859,000 for the fiscal year 2000 and $859,000 for the fiscal year 2001.

(3) INTERNATIONAL JOINT COMMISSION.—For "International Joint Commission", $3,819,000 for the fiscal year 2000 and $3,819,000 for the fiscal year 2001.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For "International Fisheries Commissions", $16,702,000 for the fiscal year 2000 and $16,702,000 for the fiscal year 2001.

SEC. 103. MIGRATION AND REFUGEE ASSISTANCE.

(a) MIGRATION AND REFUGEE ASSISTANCE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for "Migration and Refugee Assistance" for authorized activities, $750,000,000 for the fiscal year 2000 and $750,000,000 for the fiscal year 2001.

(2) LIMITATIONS.—

(A) TIBETAN REFUGEES IN INDIA AND NEPAL.—Of the amounts authorized to be appropriated in paragraph (1), $2,000,000 for the fiscal year 2000 and $2,000,000 for the fiscal year 2001 is authorized to be available for humanitarian assistance, including food, medicine, clothing, and medical and vocational training, to Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

(B) REFUGEES RESETTLING IN ISRAEL.—Of the amounts authorized to be appropriated in paragraph (1), $60,000,000 for the fiscal year 2000 and $60,000,000 for the fiscal year 2001 is authorized to be available only for assistance for refugees resettling in Israel from other countries.

(C) HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.—Of the amounts authorized to be appropriated in paragraph (1), $2,000,000 for the fiscal year 2000 and $2,000,000 for the fiscal year 2001 are authorized to be available for humanitarian assistance (including food, medicine, clothing, and medical and vocational training) to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

(D) ASSISTANCE FOR DISPLACED SIERRA LEONEANS.—Of the amounts authorized to be appropriated in paragraph (1), $2,000,000 for the fiscal year 2000 and $2,000,000 for the fiscal year 2001 are authorized to be available for humanitarian assistance (including food, medicine, clothing, and medical and vocational training) and resettlement of persons who have been severely mutilated as a result of civil conflict in Sierra Leone, including persons still within Sierra Leone.

(E) INTERNATIONAL RAPE COUNSELING PROGRAM.—Of the amounts authorized to be appropriated in paragraph (1), $1,000,000 for the fiscal year 2000 and $1,000,000 for the fiscal year 2001 are authorized to be appropriated for a program of counseling for female victims of rape and gender violence in times of conflict and war.

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

SEC. 104. UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated for the Department of State to carry out international information activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the Dante B. Fascell North-South Center Act of 1991, and the National Endowment for Democracy Act, other such programs including the Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation and the Mike Mansfield Fellowship Program, and to carry out other authorities in law consistent with such purposes:

(1) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—For the "Fulbright Academic Exchange Programs" (other than programs described in subparagraph (B)), $112,000,000 for

the fiscal year 2000 and $120,000,000 for the fiscal year 2001.

(B) OTHER EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(i) IN GENERAL.—For other educational and cultural exchange programs authorized by law, including the Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation and Mike Mansfield Fellowship Program, $98,329,000 for the fiscal year 2000 and $105,000,000 for the fiscal year 2001.

(ii) SOUTH PACIFIC EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $750,000 for the fiscal year 2000 and $750,000 for the fiscal year 2001 is authorized to be available for "South Pacific Exchanges".

(iii) EAST TIMORESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2000 and $500,000 for the fiscal year 2001 is authorized to be available for "East Timorese Scholarships".

(iv) TIBETAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2000 and $500,000 for the fiscal year 2001 is authorized to be available for "Ngawang Choephel Exchange Programs" (formerly known as educational and cultural exchanges with Tibet) under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319).

(v) AFRICAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2000 and $500,000 for the fiscal year 2001 is authorized to be available only for "Educational and Cultural Exchanges with Sub-Saharan Africa".

(vi) ISRAEL-ARAB PEACE PARTNERS PROGRAM.—Of the amounts authorized to be appropriated under clause (i), $750,000 for the fiscal year 2000 and $750,000 for the fiscal year 2001 is authorized to be available only for people-to-people activities (with a focus on young people) to support the Middle East peace process involving participants from Israel, the Palestinian Authority, Arab countries, and the United States, to be known as the "Israel-Arab Peace Partners Program". Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a plan to the appropriate congressional committees for implementation of such program. The Secretary shall not implement the plan until 45 days after its submission to the appropriate congressional committees.

(2) NATIONAL ENDOWMENT FOR DEMOCRACY.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For the "National Endowment for Democracy", $32,000,000 for the fiscal year 2000 and $32,000,000 for the fiscal year 2001.

(B) REAGAN-FASCELL DEMOCRACY FELLOWS.—Of the amount authorized to be appropriated by subparagraph

(A), $1,000,000 for fiscal year 2000 and $1,000,000 for the fiscal year 2001 is authorized to be appropriated only for a fellowship program, to be known as the "Reagan-Fascell Democracy Fellows", for democracy activists and scholars from around the world at the International Forum for Democratic Studies in Washington, D.C., to study, write, and exchange views with other activists and scholars and with Americans.

(3) DANTE B. FASCELL NORTH-SOUTH CENTER.—For "Dante B. Fascell North-South Center" $2,500,000 for the fiscal year 2000 and $2,500,000 for the fiscal year 2001.

(4) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For the "Center for Cultural and Technical Interchange between East and West", $12,500,000 for the fiscal year 2000 and $12,500,000 for the fiscal year 2001.

(b) MUSKIE FELLOWSHIPS.—

(1) EXCHANGES WITH RUSSIA.—Of the amounts authorized to be appropriated by this or any other Act for the fiscal years 2000 and 2001 for exchange programs with the Russian Federation, $5,000,000 for fiscal year 2000 and $5,000,000 for fiscal year 2001 shall be available only to carry out the Edmund S. Muskie Program under section 227 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102–138; 22 U.S.C. 2452 note).

(2) DOCTORAL GRADUATE STUDIES FOR NATIONALS OF THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.—Of the amounts authorized to be appropriated by this or any other Act for the fiscal years 2000 and 2001 for exchange programs, $1,500,000 for fiscal year 2000 and $1,500,000 for fiscal year 2001 shall be available only to provide scholarships for doctoral graduate study in economics to nationals of the independent states of the former Soviet Union under the Edmund S. Muskie Fellowship Program authorized by section 227 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102–138; 22 U.S.C. 2452 note).

(c) VIETNAM FULBRIGHT ACADEMIC EXCHANGE PROGRAM.—Of the amounts authorized to be appropriated by subsection (a)(1)(A), $4,000,000 for the fiscal year 2000 and $4,000,000 for the fiscal year 2001 shall be available only to carry out the Vietnam scholarship program established by section 229 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102–138; 22 U.S.C. 2452 note).

SEC. 105. GRANTS TO THE ASIA FOUNDATION.

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

"SEC. 404. There are authorized to be appropriated to the Secretary of State $15,000,000 for each of the fiscal years 2000 and 2001 for grants to The Asia Foundation pursuant to this title.".

SEC. 106. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated under the heading "Contributions to International Organizations" $940,000,000 for the fiscal year 2000 and such sums as may be necessary for the fiscal year 2001 for the Department

of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(2) AVAILABILITY OF FUNDS FOR CIVIL BUDGET OF NATO.—Of the amounts authorized in paragraph (1), $48,977,000 are authorized in fiscal year 2000 and such sums as may be necessary in fiscal year 2001 for the United States assessment for the civil budget of the North Atlantic Treaty Organization.

(b) NO GROWTH BUDGET.—Of the funds made available under subsection (a), $80,000,000 may be made available during each calendar year only after the Secretary of State certifies that the United Nations has taken no action during the preceding calendar year to increase funding for any United Nations program without identifying an offsetting decrease during that calendar year elsewhere in the United Nations budget of $2,533,000,000, and cause the United Nations to exceed the initial 1998–99 United Nations biennium budget adopted in December 1997.

(c) INSPECTOR GENERAL OF THE UNITED NATIONS.—

(1) WITHHOLDING OF FUNDS.—Twenty percent of the funds made available in each fiscal year under subsection (a) for the assessed contribution of the United States to the United Nations shall be withheld from obligation and expenditure until a certification is made under paragraph (2).

(2) CERTIFICATION.—A certification under this paragraph is a certification by the Secretary of State in the fiscal year concerned that the following conditions are satisfied:

(A) ACTION BY THE UNITED NATIONS.—The United Nations—

(i) has met the requirements of paragraphs (1) through (6) of section 401(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note), as amended by paragraph (3);

(ii) has established procedures that require the Under Secretary General of the Office of Internal Oversight Services to report directly to the Secretary General on the adequacy of the Office's resources to enable the Office to fulfill its mandate; and

(iii) has made available an adequate amount of funds to the Office for carrying out its functions.

(B) AUTHORITY BY OIOS.—The Office of Internal Oversight Services has authority to audit, inspect, or investigate each program, project, or activity funded by the United Nations, and each executive board created under the United Nations has been notified of that authority.

(3) AMENDMENT OF THE FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1994 AND 1995.—Section 401(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 is amended—

(A) by amending paragraph (6) to read as follows:

"(6) the United Nations has procedures in place to ensure that all reports submitted by the Office of Internal Oversight Services are made available to the member states of the United Nations without modification except to the extent necessary to protect the privacy rights of individuals."; and

(B) by striking "Inspector General" each place it appears and inserting "Office of Internal Oversight Services".

(d) PROHIBITION ON CERTAIN GLOBAL CONFERENCES.—None of the funds made available under subsection (a) shall be available for any United States contribution to pay for any expense related to the holding of any United Nations global conference, except for any conference scheduled prior to October 1, 1998.

(e) PROHIBITION ON FUNDING OTHER FRAMEWORK TREATY-BASED ORGANIZATIONS.—None of the funds made available for the 1998–1999 biennium budget under subsection (a) for United States contributions to the regular budget of the United Nations shall be available for the United States proportionate share of any other framework treaty-based organization, including the Framework Convention on Global Climate Change, the International Seabed Authority, the Desertification Convention, and the International Criminal Court.

(f) FOREIGN CURRENCY EXCHANGE RATES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated by subsection (a), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2000 and 2001 to offset adverse fluctuations in foreign currency exchange rates.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

(g) REFUND OF EXCESS CONTRIBUTIONS.—The United States shall continue to insist that the United Nations and its specialized and affiliated agencies shall credit or refund to each member of the agency concerned its proportionate share of the amount by which the total contributions to the agency exceed the expenditures of the regular assessed budgets of these agencies.

SEC. 107. CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

There are authorized to be appropriated under the heading "Contributions for International Peacekeeping Activities" $500,000,000 for the fiscal year 2000 and such sums as may be necessary for the fiscal year 2001 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

SEC. 108. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for "Voluntary Contributions to International Organizations", $293,000,000 for the fiscal year 2000 and such sums as may be necessary for the fiscal year 2001.

(b) LIMITATIONS ON AUTHORIZATIONS OF APPROPRIATIONS.—

(1) WORLD FOOD PROGRAM.—Of the amounts authorized to be appropriated under subsection (a), $5,000,000 for the fiscal year 2000 and $5,000,000 for the fiscal year 2001 is authorized to be appropriated only for a United States contribution to the World Food Program.

(2) UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amounts authorized to be appropriated under subsection (a), $5,000,000 for the fiscal year 2000 and $5,000,000 for the fiscal year 2001 is authorized to be appropriated only for a United States contribution to the United Nations Voluntary Fund for Victims of Torture.

(3) ORGANIZATION OF AMERICAN STATES.—Of the amounts authorized to be appropriated under subsection (a), $240,000 for the fiscal year 2000 and $240,000 for the fiscal year 2001 is authorized to be appropriated only for a United States contribution to the Organization of American States for the Office of the Special Rapporteur for Freedom of Expression in the Western Hemisphere to conduct investigations, including field visits, to establish a network of nongovernmental organizations, and to hold hemispheric conferences, of which: $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Cuba, $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Peru, and $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Colombia.

(4) UNICEF.—Of the amounts authorized to be appropriated under subsection (a), $110,000,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to UNICEF.

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

(1) LIMITATION.—Of the amounts made available under subsection (a) for each of the fiscal years 2000 and 2001 for United States voluntary contributions to the United Nations Development Program an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in paragraph (2).

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

(A) are focused on eliminating human suffering and addressing the needs of the poor;

(B) are undertaken only through international or private voluntary organizations that have been deemed independent of the State Peace and Development Council (SPDC) (formerly known as the State Law and Order Restoration Council (SLORC)), after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma;

(C) provide no financial, political, or military benefit to the SPDC; and

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

(d) CONTRIBUTIONS TO THE UNITED NATIONS FUND FOR POPULATION ACTIVITIES.—

(1) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under subsection (a), not more than $25,000,000 for fiscal year 2000 and $25,000,000 for fiscal year 2001 shall be available for the United Nations Fund for Population Activities (hereinafter in this subsection referred to as the "UNFPA").

(2) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under subsection (a) may be made available for the UNFPA for a country program in the People's Republic of China.

(3) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under subsection (a) for each of the fiscal years 2000 and 2001 for the UNFPA may not be made available to the UNFPA unless—

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

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

(C) the UNFPA does not fund abortions.

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

(A) Not later than February 15, of each of the years 2000 and 2001, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the United Nations Fund for Population Activities is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(B) If a report under subparagraph (A) indicates that the United Nations Population Fund plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds that the UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

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

Subtitle B—United States International Broadcasting Activities

SEC. 121. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated to carry out the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, and

the Television Broadcasting to Cuba Act, and to carry out other authorities in law consistent with such purposes:

(1) INTERNATIONAL BROADCASTING ACTIVITIES.—For "International Broadcasting Activities", $385,900,000 for the fiscal year 2000, and $393,618,000 for the fiscal year 2001.

(2) BROADCASTING CAPITAL IMPROVEMENTS.—For "Broadcasting Capital Improvements", $20,868,000 for the fiscal year 2000, and $20,868,000 for the fiscal year 2001.

(3) BROADCASTING TO CUBA.—For "Broadcasting to Cuba", $22,743,000 for the fiscal year 2000 and $22,743,000 for the fiscal year 2001.

(4) RADIO FREE ASIA.—For "Radio Free Asia", $24,000,000 for the fiscal year 2000, and $30,000,000 for the fiscal year 2001.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

SEC. 201. OFFICE OF CHILDREN'S ISSUES.

(a) DIRECTOR REQUIREMENTS.—The Secretary of State shall fill the position of Director of the Office of Children's Issues of the Department of State (in this section referred to as the "Office") with an individual of senior rank who can ensure long-term continuity in the management and policy matters of the Office and has a strong background in consular affairs.

(b) CASE OFFICER STAFFING.—Effective April 1, 2000, there shall be assigned to the Office of Children's Issues of the Department of State a sufficient number of case officers to ensure that the average caseload for each officer does not exceed 75.

(c) EMBASSY CONTACT.—The Secretary of State shall designate in each United States diplomatic mission an employee who shall serve as the point of contact for matters relating to international abductions of children by parents. The Director of the Office shall regularly inform the designated employee of children of United States citizens abducted by parents to that country.

(d) REPORTS TO PARENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), beginning 6 months after the date of enactment of this Act, and at least once every 6 months thereafter, the Secretary of State shall report to each parent who has requested assistance regarding an abducted child overseas. Each such report shall include information on the current status of the abducted child's case and the efforts by the Department of State to resolve the case.

(2) EXCEPTION.—The requirement in paragraph (1) shall not apply in a case of an abducted child if—

(A) the case has been closed and the Secretary of State has reported the reason the case was closed to the parent who requested assistance; or

(B) the parent seeking assistance requests that such reports not be provided.

SEC. 202. STRENGTHENING IMPLEMENTATION OF THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION.

Section 2803(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as contained in division G of Public Law 105–277) is amended—

(1) in the first sentence, by striking "1999," and inserting "2001,";

(2) in paragraph (1), by striking "United States citizens" and inserting "applicants in the United States";

(3) in paragraph (2), by striking "abducted." and inserting "abducted, are being wrongfully retained in violation of United States court orders, or which have failed to comply with any of their obligations under such convention with respect to applications for the return of children, access to children, or both, submitted by applicants in the United States.";

(4) in paragraph (3)—

(A) by striking "children" and inserting "children, access to children, or both,"; and

(B) by striking "United States citizens" and inserting "applicants in the United States";

(5) in paragraph (4), by inserting before the period at the end the following: ", including the specific actions taken by the United States chief of mission in the country to which the child is alleged to have been abducted"; and

(6) by inserting after paragraph (5) the following new paragraphs:

"(6) A list of the countries that are parties to the Convention in which, during the reporting period, parents who have been left-behind in the United States have not been able to secure prompt enforcement of a final return or access order under a Hague proceeding, of a United States custody, access, or visitation order, or of an access or visitation order by authorities in the country concerned, due to the absence of a prompt and effective method for enforcement of civil court orders, the absence of a doctrine of comity, or other factors.

"(7) A description of the efforts of the Secretary of State to encourage the parties to the Convention to facilitate the work of nongovernmental organizations within their countries that assist parents seeking the return of children under the Convention.".

SEC. 203. REPORT CONCERNING ATTACK IN CAMBODIA.

Not later than 30 days after the date of the enactment of this Act, and one year thereafter unless the investigation referred to in this section is completed, the Secretary of State, in consultation with the Attorney General, shall submit a report to the appropriate congressional committees, in classified and unclassified form, containing the most current information on the investigation into the March 30, 1997, grenade attack in Cambodia.

SEC. 204. INTERNATIONAL EXPOSITIONS.

(a) LIMITATION.—Except as provided in subsection (b) and notwithstanding any other provision of law, the Department of State may not obligate or expend any funds appropriated to the Department of State for a United States pavilion or other major exhibit at any international exposition or world's fair registered by the

Bureau of International Expositions in excess of amounts expressly authorized and appropriated for such purpose.

(b) EXCEPTIONS.—

(1) IN GENERAL.—The Department of State is authorized to utilize its personnel and resources to carry out the responsibilities of the Department for the following:

(A) Administrative services, including legal and other advice and contract administration, under section 102(a)(3) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(a)(3)) related to United States participation in international fairs and expositions abroad. Such administrative services may not include capital expenses, operating expenses, or travel or related expenses (other than such expenses as are associated with the provision of administrative services by employees of the Department of State).

(B) Activities under section 105(f) of such Act with respect to encouraging foreign governments, international organizations, and private individuals, firms, associations, agencies and other groups to participate in international fairs and expositions and to make contributions to be utilized for United States participation in international fairs and expositions.

(C) Encouraging private support of United States pavilions and exhibits at international fairs and expositions.

(2) STATUTORY CONSTRUCTION.—Nothing in this subsection authorizes the use of funds appropriated to the Department of State to make payments for—

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

(B) the satisfaction of any legal claim or judgment or the costs of litigation brought against the Department of State arising from activities described in this subsection.

(c) NOTIFICATION.—No funds made available to the Department of State by any Federal agency to be used for a United States pavilion or other major exhibit at any international exposition or world's fair registered by the Bureau of International Expositions may be obligated or expended unless the appropriate congressional committees are notified not less than 15 days prior to such obligation or expenditure.

(d) REPORTS.—The Commissioner General of a United States pavilion or other major exhibit at any international exposition or world's fair registered by the Bureau of International Expositions shall submit to the Secretary of State and the appropriate congressional committees a report concerning activities relating to such pavilion or exhibit every 180 days while serving as Commissioner General and shall submit a final report summarizing all such activities not later than 1 year after the closure of the pavilion or exhibit.

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

SEC. 206. RESPONSIBILITY OF THE AID INSPECTOR GENERAL FOR THE INTER-AMERICAN FOUNDATION AND THE AFRICAN DEVELOPMENT FOUNDATION.

(a) RESPONSIBILITIES.—Section 8A(a) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking "and" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting "; and"; and

(3) by adding at the end the following:

"(3) shall supervise, direct, and control audit and investigative activities relating to programs and operations within the Inter-American Foundation and the African Development Foundation.".

(b) CONFORMING AMENDMENT.—Section 8A(f) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting before the period at the end the following: ", an employee of the Inter-American Foundation, and an employee of the African Development Foundation".

SEC. 206. REPORT ON CUBAN DRUG TRAFFICKING.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report (with a classified annex) on the extent of international drug trafficking through Cuba since 1990. The report shall include the following:

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

(2) The extent to which agencies of the United States Government have investigated or prosecuted such activities.

(b) LIMITATION.—The report need not include information about isolated instances of conduct by low-level employees, except to the extent that such information may suggest improper conduct by more senior officials.

SEC. 207. REVISION OF REPORTING REQUIREMENT.

Section 3 of Public Law 102–1 is amended by striking "60 days" and inserting "90 days".

SEC. 208. FOREIGN LANGUAGE PROFICIENCY.

(a) REPORT ON LANGUAGE PROFICIENCY.—Section 702 of the Foreign Service Act of 1980 (22 U.S.C. 4022) is amended by adding at the end the following new subsection:

"(c) Not later than March 31 of each year, the Director General of the Foreign Service shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives summarizing the number of positions in each overseas mission requiring foreign language competence that—

"(1) became vacant during the previous calendar year; and

"(2) were filled by individuals having the required foreign language competence.".

(b) REPEAL.—Section 304(c) of the Foreign Service Act of 1980 (22 U.S.C. 3944(c)) is repealed.

SEC. 209. CONTINUATION OF REPORTING REQUIREMENTS.

(a) REPORTS ON CLAIMS BY UNITED STATES FIRMS AGAINST THE GOVERNMENT OF SAUDI ARABIA.—Section 2801(b)(1) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking "third" and inserting "seventh".

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

(c) RELATIONS WITH VIETNAM.—Section 2805 of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking "September 30, 1999," and inserting "September 30, 2001,".

(d) REPORTS ON BALLISTIC MISSILE COOPERATION WITH RUSSIA.—Section 2705(d) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking "and January 1, 2000," and inserting "January 1, 2000, and January 1, 2001,".

(e) CONTINUATION OF REPORTS TERMINATED BY THE FEDERAL REPORTS ELIMINATION AND SUNSET ACT OF 1995.—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104–66; 31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

(1) Section 1205 of the International Security and Development Cooperation Act of 1985 (Public Law 99–83; 22 U.S.C. 2346 note) (relating to annual reports on economic conditions in Egypt, Israel, Turkey, and Portugal).

(2) Section 1307(f)(1)(A) of the International Financial Institutions Act (Public Law 95–118) (relating to an assessment of the environmental impact of proposed multilateral development bank actions).

(3) Section 118(f) of the Foreign Assistance Act of 1961 (Public Law 87–195; 22 U.S.C. 2151p–1) (relating to the protection of tropical forests).

(4) Section 586J(c)(4) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101–513) (relating to sanctions taken by other nations against Iraq).

(5) Section 3 of the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1; 105 Stat. 3) (relating to the status of efforts to obtain Iraqi compliance with United Nations Security Council resolutions).

(6) Section 124 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 22 U.S.C. 2680 note) (relating to expenditures for emergencies in the diplomatic and consular service).

(7) Section 620C(c) of the Foreign Assistance Act of 1961 (Public Law 87–195; 22 U.S.C. 2373(c)) (relating to progress made toward the conclusion of a negotiated solution to the Cyprus problem).

(8) Section 533(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 19991 (Public Law 101–513) (relating to international natural resource management initiatives).

(9) Section 3602 of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100–418; 22 U.S.C. 5352) (relating to foreign treatment of United States financial institutions).

(10) Section 1702 of the International Financial Institutions Act (Public Law 95–118; 22 U.S.C. 262r-1) (relating to operating summaries of the multilateral development banks).

(11) Section 1303(c) of the International Financial Institutions Act (Public Law 95–118; 22 U.S.C. 262m-2(c)) (relating to international environmental assistance programs).

(12) Section 1701(a) of the International Financial Institutions Act (Public Law 95–118; 22 U.S.C. 262r) (relating to United States participation in international financial institutions).

(13) Section 163(a) of the Trade Act of 1974 (Public Law 93–618; 19 U.S.C. 2213) (relating to the trade agreements program and national trade policy agenda).

(14) Section 8 of the Export-Import Bank Act (Public Law 79–173; 12 U.S.C. 635g) (relating to Export-Import Bank activities).

(15) Section 407(f) of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 83–480; 7 U.S.C. 1736a) (relating to Public Law 480 programs and activities).

(16) Section 239(c) of the Foreign Assistance Act of 1961 (Public Law 87–195; 22 U.S.C. 2199(c)) (relating to OPIC audit report).

(17) Section 504(i) of the National Endowment for Democracy Act (Public Law 98–164; 22 U.S.C. 4413(i)) (relating to the activities of the National Endowment for Democracy).

(18) Section 5(b) of the Japan-United States Friendship Act (Public Law 94–118; 22 U.S.C. 2904(b)) (relating to Japan-United States Friendship Commission activities).

SEC. 210. JOINT FUNDS UNDER AGREEMENTS FOR COOPERATION IN ENVIRONMENTAL, SCIENTIFIC, CULTURAL AND RELATED AREAS.

Amounts made available to the Department of State for participation in joint funds under agreements for cooperation in environmental, scientific, cultural and related areas prior to fiscal year 1998 which, pursuant to express terms of such international agreements, were deposited in interest-bearing accounts prior to disbursement may earn interest, and interest accrued to such accounts may be used and retained without return to the Treasury of the United States and without further appropriation by Congress. The Department of State shall take action to ensure the complete and timely disbursement of appropriations and associated interest within joint funds covered by this section and final disposition of such agreements.

SEC. 211. REPORT ON INTERNATIONAL EXTRADITION.

(a) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall review extradition treaties and other agreements containing extradition obligations to which the United States is a party (only with regard to those treaties where the United States has diplomatic relations

with the treaty partner) and submit a report to the appropriate congressional committees regarding United States extradition policy and practice.

(b) CONTENTS OF REPORT.—The report under subsection (a) shall—

(1) discuss the factors that contribute to failure of foreign nations to comply fully with their obligations under bilateral extradition treaties with the United States;

(2) discuss the factors that contribute to nations becoming "safe havens" for individuals fleeing the United States justice system;

(3) identify those bilateral extradition treaties to which the United States is a party which do not require the extradition of nationals, and the reason such treaties contain such a provision;

(4) discuss appropriate legislative and diplomatic solutions to existing gaps in United States extradition treaties and practice; and

(5) discuss current priorities of the United States for negotiation of new extradition treaties and renegotiation of existing treaties, including resource factors relevant to such negotiations.

Subtitle B—Consular Authorities

SEC. 231. MACHINE READABLE VISAS.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351 note) is amended—

(1) in paragraph (3) by amending the first sentence to read as follows: "For each of the fiscal years 2000, 2001, and 2002, any amount collected under paragraph (1) that exceeds $316,715,000 for fiscal year 2000, $316,715,000 for fiscal year 2001, and $316,715,000 for fiscal year 2002 may be made available only if a notification is submitted to Congress in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956."; and

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

SEC. 232. FEES RELATING TO AFFIDAVITS OF SUPPORT.

(a) AUTHORITY TO CHARGE FEE.—The Secretary of State may charge and retain a fee or surcharge for services provided by the Department of State to any sponsor who provides an affidavit of support under section 213A of the Immigration and Nationality Act (8 U.S.C. 1183a) to ensure that such affidavit is properly completed before it is forwarded to a consular post for adjudication by a consular officer in connection with the adjudication of an immigrant visa. Such fee or surcharge shall be in addition to and separate from any fee imposed for immigrant visa application processing and issuance, and shall recover only the costs of such services not recovered by such fee.

(b) LIMITATION.—Any fee established under subsection (a) shall be charged only once to a sponsor or joint sponsors who file essentially duplicative affidavits of support in connection with separate immigrant visa applications from the spouse and children of any

petitioner required by the Immigration and Nationality Act to petition separately for such persons.

(c) TREATMENT OF FEES.—Fees collected under the authority of subsection (a) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of providing consular services.

(d) COMPLIANCE WITH BUDGET ACT.—Fees collected under the authority of subsection (a) shall be available only to such extent or in such amounts as are provided in advance in an appropriation Act.

SEC. 233. PASSPORT FEES.

(a) APPLICATIONS.—Section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214), is amended—

(1) in the first sentence—

(A) by striking "each passport issued" and inserting "the filing of each application for a passport (including the cost of passport issuance and use)"; and

(B) by striking "each application for a passport;" and inserting "each such application"; and

(2) by adding after the first sentence the following new sentence: "Such fees shall not be refundable, except as the Secretary may by regulation prescribe."

(b) REPEAL OF OUTDATED PROVISION ON PASSPORT FEES.—Section 4 of the Passport Act of June 4, 1920 (22 U.S.C. 216) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of issuance of final regulations under section 1 of the Passport Act of June 4, 1920, as amended by subsection (a).

SEC. 234. DEATHS AND ESTATES OF UNITED STATES CITIZENS ABROAD.

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

(b) AMENDMENT TO STATE DEPARTMENT BASIC AUTHORITIES ACT.—The State Department Basic Authorities Act of 1956 is amended by inserting after section 43 (22 U.S.C. 2715) the following new sections:

"SEC. 43A. NOTIFICATION OF NEXT OF KIN; REPORTS OF DEATH.

"(a) IN GENERAL.—Whenever a United States citizen or national dies abroad, a consular officer shall endeavor to notify, or assist the Secretary of State in notifying, the next of kin or legal guardian as soon as possible, except that, in the case of death of any Peace Corps volunteer (within the meaning of section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)), any member of the Armed Forces, any dependent of such a volunteer or member, or any Department of Defense employee, the consular officer shall assist the Peace Corps or the appropriate military authorities, as the case may be, in making such notifications.

"(b) REPORTS OF DEATH OR PRESUMPTIVE DEATH.—The consular officer may, for any United States citizen who dies abroad—

"(1) in the case of a finding of death by the appropriate local authorities, issue a report of death or of presumptive death; or

"(2) in the absence of a finding of death by the appropriate local authorities, issue a report of presumptive death.

"(c) IMPLEMENTING REGULATIONS.—The Secretary of State shall prescribe such regulations as may be necessary to carry out this section.

"SEC. 43B. CONSERVATION AND DISPOSITION OF ESTATES.

"(a) CONSERVATION OF ESTATES ABROAD.—

"(1) AUTHORITY TO ACT AS CONSERVATOR.—Whenever a United States citizen or national dies abroad, a consular officer shall act as the provisional conservator of the portion of the decedent's estate located abroad and, subject to paragraphs (3), (4), and (5), shall—

"(A) take possession of the personal effects of the decedent within his jurisdiction;

"(B) inventory and appraise the personal effects of the decedent, sign the inventory, and annex thereto a certificate as to the accuracy of the inventory and appraised value of each article;

"(C) when appropriate in the exercise of prudent administration, collect the debts due to the decedent in the officer's jurisdiction and pay from the estate the obligations owed by the decedent;

"(D) sell or dispose of, as appropriate, in the exercise of prudent administration, all perishable items of property;

"(E) sell, after reasonable public notice and notice to such next of kin as can be ascertained with reasonable diligence, such additional items of property as necessary to provide funds sufficient to pay the decedent's debts and property taxes in the country of death, funeral expenses, and other expenses incident to the disposition of the estate;

"(F) upon the expiration of the one-year period beginning on the date of death (or after such additional period as may be required for final settlement of the estate), if no claimant shall have appeared, after reasonable public notice and notice to such next of kin as can be ascertained with reasonable diligence, sell or dispose of the residue of the personal estate, except as provided in subparagraph (G), in the same manner as United States Government-owned foreign excess property;

"(G) transmit to the custody of the Secretary of State in Washington, D.C. the proceeds of any sales, together with all financial instruments (including bonds, shares of stock, and notes of indebtedness), jewelry, heirlooms, and other articles of obvious sentimental value, to be held in trust for the legal claimant; and

"(H) in the event that the decedent's estate includes an interest in real property located within the jurisdiction of the officer and such interest does not devolve by the applicable laws of intestate succession or otherwise, provide for title to the property to be conveyed to the Government of the United States unless the Secretary declines to accept such conveyance.

"(2) AUTHORITY TO ACT AS ADMINISTRATOR.—Subject to paragraphs (3) and (4), a consular officer may act as administrator of an estate in exceptional circumstances if expressly authorized to do so by the Secretary of State.

"(3) EXCEPTIONS.—The responsibilities described in paragraphs (1) and (2) may not be performed to the extent that the decedent has left or there is otherwise appointed, in the country where the death occurred or where the decedent was domiciled, a legal representative, partner in trade, or trustee appointed to take care of his personal estate. If the decedent's legal representative shall appear at any time prior to transmission of the estate to the Secretary and demand the proceeds and effects being held by the consular officer, the officer shall deliver them to the representative after having collected any prescribed fee for the services performed under this section.

"(4) ADDITIONAL REQUIREMENT.—In addition to being subject to the limitations in paragraph (3), the responsibilities described in paragraphs (1) and (2) may not be performed unless—

"(A) authorized by treaty provisions or permitted by the laws or authorities of the country wherein the death occurs, or the decedent is domiciled; or

"(B) permitted by established usage in that country.

"(5) STATUTORY CONSTRUCTION.—Nothing in this section supersedes or otherwise affects the authority of any military commander under title 10 of the United States Code with respect to the person or property of any decedent who died while under a military command or jurisdiction or the authority of the Peace Corps with respect to a Peace Corps volunteer or the volunteer's property.

"(b) DISPOSITION OF ESTATES BY THE SECRETARY OF STATE.—

"(1) PERSONAL ESTATES.—

"(A) IN GENERAL.—After receipt of a personal estate pursuant to subsection (a), the Secretary may seek payment of all outstanding debts to the estate as they become due, may receive any balances due on such estate, may endorse all checks, bills of exchange, promissory notes, and other instruments of indebtedness payable to the estate for the benefit thereof, and may take such other action as is reasonably necessary for the conservation of the estate.

"(B) DISPOSITION AS SURPLUS UNITED STATES PROPERTY.—If, upon the expiration of a period of 5 fiscal years beginning on October 1 after a consular officer takes possession of a personal estate under subsection (a), no legal claimant for such estate has appeared, title to the estate shall be conveyed to the United States, the property in the estate shall be under the custody of the Department of State, and the Secretary shall dispose of the estate in the same manner as surplus United States Government-owned property is disposed or by such means as may be appropriate in light of the nature and value of the property involved. The expenses of sales shall be paid from the estate, and any lawful claim received thereafter shall be payable to the extent of the value of the net proceeds of the estate as a refund from the appropriate Treasury appropriations account.

"(C) TRANSFER OF PROCEEDS.—The net cash estate after disposition as provided in subparagraph (B) shall be transferred to the miscellaneous receipts account of the Treasury of the United States.

"(2) REAL PROPERTY.—

"(A) DESIGNATION AS EXCESS PROPERTY.—In the event that title to real property is conveyed to the Government of the United States pursuant to subsection (a)(1)(H) and is not required by the Department of State, such property shall be considered foreign excess property under title IV of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 511 et seq.).

"(B) TREATMENT AS GIFT.—In the event that the Department requires such property, the Secretary of State shall treat such property as if it were an unconditional gift accepted on behalf of the Department of State under section 25 of this Act and section 9(a)(3) of the Foreign Service Buildings Act of 1926.

"(c) LOSSES IN CONNECTION WITH THE CONSERVATION OF ESTATES.—

"(1) AUTHORITY TO COMPENSATE.—The Secretary is authorized to compensate the estate of any United States citizen who has died overseas for property—

"(A) the conservation of which has been undertaken under section 43 or subsection (a) of this section; and

"(B) that has been lost, stolen, or destroyed while in the custody of officers or employees of the Department of State.

"(2) LIABILITY.—

"(A) EXCLUSION OF PERSONAL LIABILITY AFTER PROVISION OF COMPENSATION.—Any such compensation shall be in lieu of personal liability of officers or employees of the Department of State.

"(B) LIABILITY TO THE DEPARTMENT.—An officer or employee of the Department of State may be liable to the Department of State to the extent of any compensation provided under paragraph (1).

"(C) DETERMINATIONS OF LIABILITY.—The liability of any officer or employee of the Department of State to the Department for any payment made under subsection (a) shall be determined pursuant to the Department's procedures for determining accountability for United States Government property.

"(d) REGULATIONS.—The Secretary of State may prescribe such regulations as may be necessary to carry out this section.".

(c) EFFECTIVE DATE.—The repeal and amendment made by this section shall take effect six months after the date of enactment of this Act.

SEC. 233. DUTIES OF CONSULAR OFFICERS REGARDING MAJOR DISASTERS AND INCIDENTS ABROAD AFFECTING UNITED STATES CITIZENS.

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

(1) by inserting "(a) AUTHORITY.—" before "In";

(2) by striking "disposition of personal effects." in the last sentence and inserting "disposition of personal estates pursuant to section 43B of this Act."; and

(3) by adding at the end the following new subsection:

"(b) DEFINITIONS.—For purposes of this section and sections 43A and 43B, the term 'consular officer' includes any United States citizen employee of the Department of State who is designated

by the Secretary of State to perform consular services pursuant to such regulations as the Secretary may prescribe.".

SEC. 236. ISSUANCE OF PASSPORTS FOR CHILDREN UNDER AGE 14.

(a) IN GENERAL.—

(1) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall issue regulations providing that before a child under the age of 14 years is issued a passport the requirements under paragraph (2) shall apply under penalty of perjury.

(2) REQUIREMENTS.—

(A) Both parents, or the child's legal guardian, must execute the application and provide documentary evidence demonstrating that they are the parents or guardian; or

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

(i) has sole custody of the child;

(ii) has the consent of the other parent to the issuance of the passport; or

(iii) is in loco parentis and has the consent of both parents, of a parent with sole custody over the child, or of the child's legal guardian, to the issuance of the passport.

(b) EXCEPTIONS.—The regulations required by subsection (a) may provide for exceptions in exigent circumstances, such as those involving the health or welfare of the child, or when the Secretary determines that issuance of a passport is warranted by special family circumstances.

SEC. 237. PROCESSING OF VISA APPLICATIONS.

(a) POLICY.—It shall be the policy of the Department of State to process immigrant visa applications of immediate relatives of United States citizens and nonimmigrant K–1 visa applications of fiances of United States citizens within 30 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service. In the case of an immigrant visa application where the sponsor of such applicant is a relative other than an immediate relative, it should be the policy of the Department of State to process such an application within 60 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service.

(b) REPORTS.—Not later than 180 days after the date of enactment of this Act, and not later than 1 year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on the extent to which the Department of State is meeting the policy standards under subsection (a). Each report shall be based on a survey of the 22 consular posts which account for approximately 72 percent of immigrant visas issued and, in addition, the consular posts in Guatemala City, Nicosia, Caracas, Naples, and Jakarta. Each report should include data on the average time for processing each category of visa application under subsection (a), a list of the embassies and consular posts which do not meet the policy standards under subsection (a), the amount of funds collected worldwide for processing of visa applications during the most recent fiscal year, the estimated costs of processing such visa applications (based on the Department of State's most recent fee study), the steps being taken by the Department of State to achieve such policy standards, and results achieved by

the interagency working group charged with the goal of reducing the overall processing time for visa applications.

SEC. 238. FEASIBILITY STUDY ON FURTHER PASSPORT RESTRICTIONS ON INDIVIDUALS IN ARREARS ON CHILD SUPPORT.

(a) REPORT TO CONGRESS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Health and Human Services, shall submit a report to the appropriate congressional committees, the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate on the feasibility of decreasing the amount of an individual's arrearages of child support that would require the Secretary of State to refuse to issue a passport to such individual, or otherwise act with respect to such an individual, as provided under section 452(k) of the Social Security Act (42 U.S.C. 652(k)).

(b) CONTENTS OF REPORT.—The report under subsection (a) shall include the following:

(1) The estimated cost to the Department of State of reducing the arrearage amount which would result in a refusal to issue a passport to $2,500 and, in addition, an amount between $5,000 and $2,500.

(2) A projection of the estimated benefits of reducing the amount to $2,500 (or an amount between $5,000 and $2,500), which shall include an estimate of the additional numbers of individuals who would be subject to denial, an estimate of the additional child support arrearages that would be received through such a reduction, and an estimate of the amount of child support that would be paid earlier than under current law (together with an estimate of how much earlier such amounts would be paid).

(3) Information regarding the number of individuals with child support arrearages over $2,500 and the average length of time it takes for individuals to reach $2,500 in arrearages.

(4) The methodology for the cost estimates and benefit projections described in paragraphs (1) and (2).

Subtitle C—Refugees

SEC. 251. UNITED STATES POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES.

(a) IN GENERAL.—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return by the United States of any person to a country in which the person has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, except on grounds recognized as precluding protection as a refugee under the United Nations Convention Relating to the Status of Refugees of July 28, 1951, and the Protocol Relating to the Status of Refugees of January 31, 1967, subject to the reservations contained in the United States Senate Resolution of Ratification.

(b) MIGRATION AND REFUGEE ASSISTANCE.—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be

available to effect the involuntary return of any person to any country unless the Secretary of State first notifies the appropriate congressional committees, except that in the case of an emergency involving a threat to human life the Secretary of State shall notify the appropriate congressional committees as soon as practicable.

(c) INVOLUNTARY RETURN DEFINED.—As used in this section, the term "to effect the involuntary return" means to require, by means of physical force or circumstances amounting to a threat thereof, a person to return to a country against the person's will, regardless of whether the person is physically present in the United States and regardless of whether the United States acts directly or through an agent.

SEC. 253. HUMAN RIGHTS REPORTS.

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

SEC. 252. GUIDELINES FOR REFUGEE PROCESSING POSTS.

(a) GUIDELINES FOR ADDRESSING HOSTILE BIASES.—Section 602(c)(1) of the International Religious Freedom Act of 1998 (Public Law 105–292; 112 Stat. 2812) is amended by inserting "and of the Department of State" after "Service".

(b) GUIDELINES FOR OVERSEAS REFUGEE PROCESSING.—Section 602(c) of such Act is further amended by adding at the end the following new paragraph:

"(3) Not later than 120 days after the date of the enactment of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001, the Secretary of State (after consultation with the Attorney General) shall issue guidelines to ensure that persons with potential biases against any refugee applicant, including persons employed by, or otherwise subject to influence by, governments known to be involved in persecution on account of religion, race, nationality, membership in a particular social group, or political opinion, shall not in any way be used in processing determinations of refugee status, including interpretation of conversations or examination of documents presented by such applicants.".

SEC. 254. GENDER-RELATED PERSECUTION TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—The Secretary of State, in consultation with the Attorney General and other appropriate Federal agencies, shall establish a task force with the goal of determining eligibility guidelines for women seeking refugee status overseas due to gender-related persecution.

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

SEC. 255. ELIGIBILITY FOR REFUGEE STATUS.

(a) ELIGIBILITY FOR IN-COUNTRY REFUGEE PROCESSING IN VIETNAM.—For purposes of eligibility for in-country refugee processing for nationals of Vietnam during fiscal years 2000 and 2001, an alien described in subsection (b) or (d) shall be considered

to be a refugee of special humanitarian concern to the United States (within the meaning of section 207 of the Immigration and Nationality Act (8 USC 1157)) and shall be admitted to the United States for resettlement if the alien would be admissible as an immigrant under the Immigration and Nationality Act (except as provided in section 207(c)(3) of that Act).

(b) ALIENS COVERED.—An alien described in this subsection is an alien who—

(1) is the son or daughter of a qualified national;

(2) is 21 years of age or older; and

(3) was unmarried as of the date of acceptance of the alien's parent for resettlement under the Orderly Departure Program or through the United States Consulate General in Ho Chi Minh City.

(c) QUALIFIED NATIONAL.—The term "qualified national" in subsection (b)(1) means a national of Vietnam who—

(1)(A) was formerly interned in a re-education camp in Vietnam by the Government of the Socialist Republic of Vietnam; or

(B) is the widow or widower of an individual described in subparagraph (A);

(2)(A) qualified for refugee processing under the Orderly Departure Program re-education subprogram; and

(B) except as provided in subsection (d), on or after April 1, 1995, is or has been accepted under the Orderly Departure Program or through the United States Consulate General in Ho Chi Minh City—

(i) for resettlement as a refugee; or

(ii) for admission to the United States as an immediate relative immigrant; and

(3)(A) is presently maintaining a residence in the United States; or

(B) was approved for refugee resettlement or immigrant visa processing and is awaiting departure formalities from Vietnam.

(d) PREVIOUS DENIALS BASED ON LACK OF CO-RESIDENCY.—An alien who is otherwise qualified under subsection (b) is eligible for admission for resettlement regardless of the date of acceptance of the alien's parent if the alien previously was denied refugee resettlement based solely on the fact that the alien was not listed continuously on the parent's residence permit.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Organization Matters

SEC. 301. LEGISLATIVE LIAISON OFFICES OF THE DEPARTMENT OF STATE.

(a) DEVELOPMENT OF ASSESSMENT.—The Secretary of State shall assess the administrative and personnel requirements for the establishment of legislative liaison offices for the Department of State within the office buildings of the House of Representatives and the Senate. In undertaking the assessment, the Secretary

should examine existing liaison offices of other executive departments that are located in the congressional office buildings, including the liaison offices of the military services.

(b) ASSESSMENT CONSIDERATIONS.—The assessment required by subsection (a) shall consider—

(1) space requirements;

(2) cost implications;

(3) personnel structure; and

(4) the feasibility of modifying the Pearson Fellowship program in order to have members of the Foreign Service who serve in such fellowships serve a second year in a legislative liaison office.

(c) TRANSMITTAL OF ASSESSMENT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on International Relations and the Committee on House Administration of the House of Representatives and the Committee on Foreign Relations and the Committee on Rules and Administration of the Senate the assessment developed under subsection (a).

SEC. 303. STATE DEPARTMENT OFFICIAL FOR NORTHEASTERN EUROPE.

The Secretary of State shall designate a senior-level official of the Department of State with responsibility for promoting regional cooperation in and coordinating United States policy toward Northeastern Europe.

SEC. 304. SCIENCE AND TECHNOLOGY ADVISER TO SECRETARY OF STATE.

(a) DESIGNATION.—The Secretary of State shall designate a senior-level official of the Department of State as the Science and Technology Adviser to the Secretary of State (in this section referred to as the "Adviser"). The Adviser shall have substantial experience in the area of science and technology. The Adviser shall report to the Secretary of State through the appropriate Under Secretary of State.

(b) DUTIES.—The Adviser shall—

(1) advise the Secretary of State, through the appropriate Under Secretary of State, on international science and technology matters affecting the foreign policy of the United States; and

(2) perform such duties, exercise such powers, and have such rank and status as the Secretary of State shall prescribe.

SEC. 305. APPLICATION OF CERTAIN LAWS TO PUBLIC DIPLOMACY FUNDS.

Section 1333(c) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted in division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended—

(1) after "diplomacy programs" by inserting ", identified as public diplomacy funds in any Congressional Presentation Document described in subsection (e), or reprogrammed for public diplomacy purposes,";

(2) by striking "Except" and inserting "(1) Except"; and

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

"(2) CONSTRUCTION.—Nothing in paragraph (1) may be construed (A) to interfere with the integration of administrative

resources between public diplomacy and other functions of the Department of State or to prevent the occasional performance of functions other than public diplomacy by officials or employees of the Department of State who are primarily assigned to public diplomacy, provided there is no substantial resulting diminution in the amount of resources devoted to public diplomacy below the amounts described in paragraph (1), or (B) to supersede reprogramming procedures.".

SEC. 308. REFORM OF THE DIPLOMATIC TELECOMMUNICATIONS SERVICES PROGRAM OFFICE.

(a) ADDITIONAL RESOURCES.—In addition to other amounts authorized to be appropriated for the purposes of the Diplomatic Telecommunications Service Program Office (DTS-PO), of the amounts made available to the Department of State under section 101(2), $18,000,000 shall be made available only to the DTS-PO for enhancement of Diplomatic Telecommunications Service capabilities.

(b) IMPROVEMENT OF DTS-PO.—In order for the DTS-PO to better manage a fully integrated telecommunications network to service all agencies at diplomatic missions and consular posts, the DTS-PO shall—

(1) ensure that those enhancements of, and the provision of service for, telecommunication capabilities that involve the national security interests of the United States receive the highest prioritization;

(2) not later than December 31, 1999, terminate all leases for satellite systems located at posts in criteria countries, unless all maintenance and servicing of the satellite system is undertaken by United States citizens who have received appropriate security clearances;

(3) institute a system of charges for utilization of bandwidth by each agency beginning October 1, 2000, and institute a comprehensive chargeback system to recover all, or substantially all, of the other costs of telecommunications services provided through the Diplomatic Telecommunications Service to each agency beginning October 1, 2001;

(4) ensure that all DTS-PO policies and procedures comply with applicable policies established by the Overseas Security Policy Board; and

(5) maintain the allocation of the positions of Director and Deputy Director of DTS-PO as those positions were assigned as of June 1, 1999, which assignments shall pertain through fiscal year 2001, at which time such assignments shall be adjusted in the customary manner.

(c) REPORT ON IMPROVING MANAGEMENT.—Not later than March 31, 2000, the Director and Deputy Director of DTS-PO shall jointly submit to the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate the Director's plan for improving network architecture, engineering, operations monitoring and control, service metrics reporting, and service provisioning, so as to achieve highly secure, reliable, and robust communications capabilities that meet the needs of both national security agencies and other United States agencies with overseas personnel.

(d) FUNDING OF DTS-PO.—Funds appropriated for allocation to DTS-PO shall be made available only for DTS-PO until a comprehensive chargeback system is in place.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

Subtitle B—Personnel of the Department of State

SEC. 321. AWARD OF FOREIGN SERVICE STAR.

The State Department Basic Authorities Act of 1956 is amended by inserting after section 36 (22 U.S.C. 2708) the following new section:

"SEC. 36A. AWARD OF FOREIGN SERVICE STAR.

"(a) AUTHORITY TO AWARD.—The President, upon the recommendation of the Secretary, may award a Foreign Service star to any member of the Foreign Service or any other civilian employee of the Government of the United States who, while employed at, or assigned permanently or temporarily to, an official mission overseas or while traveling abroad on official business, incurred a wound or other injury or an illness (whether or not the wound, other injury, or illness resulted in death)—

"(1) as the person was performing official duties;

"(2) as the person was on the premises of a United States mission abroad; or

"(3) by reason of the person's status as a United States Government employee.

"(b) SELECTION CRITERIA.—The Secretary shall prescribe the procedures for identifying and considering persons eligible for award of a Foreign Service star and for selecting the persons to be recommended for the award.

"(c) AWARD IN THE EVENT OF DEATH.—If a person selected for award of a Foreign Service star dies before being presented the award, the award may be made and the star presented to the person's family or to the person's representative, as designated by the President.

"(d) FORM OF AWARD.—The Secretary shall prescribe the design of the Foreign Service star. The award may not include a stipend or any other cash payment.

"(e) FUNDING.—Any expenses incurred in awarding a person a Foreign Service star may be paid out of appropriations available at the time of the award for personnel of the department or agency of the United States Government in which the person was employed when the person incurred the wound, injury, or illness upon which the award is based.".

SEC. 322. UNITED STATES CITIZENS HIRED ABROAD.

Section 408(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3968(a)(1)) is amended in the last sentence—

(1) by striking "(A)" and all that follows through "(B)"; and

(2) by striking "this total compensation package" and inserting "the total compensation package".

SEC. 322. LIMITATION ON PERCENTAGE OF SENIOR FOREIGN SERVICE ELIGIBLE FOR PERFORMANCE PAY.

Section 405(b)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3965(b)(1)) is amended by striking "50" and inserting "33".

SEC. 324. PLACEMENT OF SENIOR FOREIGN SERVICE PERSONNEL.

The Director General of the Foreign Service shall submit a report on the first day of each fiscal quarter to the appropriate congressional committees containing the following:

(1) The number of members of the Senior Foreign Service.

(2) The number of vacant positions designated for members of the Senior Foreign Service.

(3) The number of members of the Senior Foreign Service who are not assigned to positions.

SEC. 325. REPORT ON MANAGEMENT TRAINING.

Not later than April 1, 2000, the Department of State shall report to the appropriate congressional committees on the feasibility of modifying current training programs and curricula so that the Department can provide significant and comprehensive management training at all career grades for Foreign Service personnel.

SEC. 326. WORKFORCE PLANNING FOR FOREIGN SERVICE PERSONNEL BY FEDERAL AGENCIES.

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

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

"(A) A description of the steps taken and planned in furtherance of—

"(i) maximum compatibility among agencies utilizing the Foreign Service personnel system, as provided for in section 209, and

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

"(B) A workforce plan for the subsequent five years, including projected personnel needs, by grade and by skill. Each such plan shall include for each category the needs for foreign language proficiency, geographic and functional expertise, and specialist technical skills. Each workforce plan shall specifically account for the training needs of Foreign Service personnel and shall delineate an intake program of generalist and specialist Foreign Service personnel to meet projected future requirements.

"(5) If there are substantial modifications to any workforce plan under paragraph (4)(B) during any year in which a report under paragraph (4) is not required, a supplemental annual notification shall be submitted in the same manner as reports are required to be submitted under paragraph (4).".

SEC. 327. RECORDS OF DISCIPLINARY ACTIONS.

(a) IN GENERAL.—Section 604 of the Foreign Service Act of 1980 (22 U.S.C. 4004) is amended—

(1) by striking "CONFIDENTIALITY OF RECORDS.—" and inserting "RECORDS.—(a)"; and

(2) by adding at the end the following new subsection:

"(b) Notwithstanding subsection (a), any record of disciplinary action that includes a suspension of more than five days taken against a member of the Service, including any correction of that record under section 1107(b)(1), shall remain a part of the personnel records until the member is tenured as a career member of the Service or next promoted.".

(b) EFFECTIVE DATE.—The amendments made by this section apply to all disciplinary actions initiated on or after the date of enactment of this Act.

SEC. 328. LIMITATION ON SALARY AND BENEFITS FOR MEMBERS OF THE FOREIGN SERVICE RECOMMENDED FOR SEPARATION FOR CAUSE.

Section 610(a) of the Foreign Service Act (22 U.S.C. 4010(a)) is amended by adding at the end the following new paragraph:

"(6) Notwithstanding the hearing required by paragraph (2), at the time the Secretary recommends that a member of the Service be separated for cause, that member shall be placed on leave without pay pending final resolution of the underlying matter, subject to reinstatement with back pay if cause for separation is not established in a hearing before the Board.".

SEC. 329. TREATMENT OF GRIEVANCE RECORDS.

Section 1103(d)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4133(d)(1)) is amended by adding the following new sentence at the end: "Nothing in this subsection shall prevent a grievant from placing a rebuttal to accompany a record of disciplinary action in such grievant's personnel records nor prevent the Department from including a response to such rebuttal, including documenting those cases in which the Board has reviewed and upheld the discipline.".

SEC. 330. DEADLINES FOR FILING GRIEVANCES.

(a) IN GENERAL.—Section 1104(a) of the Foreign Service Act of 1980 (22 U.S.C. 4134(a)) is amended in the first sentence by striking "within a period of 3 years" and all that follows through the period and inserting "not later than two years after the occurrence giving rise to the grievance or, in the case of a grievance with respect to the grievant's rater or reviewer, one year after the date on which the grievant ceased to be subject to rating or review by that person, but in no case less than two years after the occurrence giving rise to the grievance.".

(b) GRIEVANCES ALLEGING DISCRIMINATION.—Section 1104 of that Act (22 U.S.C. 4134) is amended in subsection (c) by striking "3 years" and inserting "2 years".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of enactment of this Act and shall apply to grievances which arise on or after such effective date.

SEC. 331. REPORTS BY THE FOREIGN SERVICE GRIEVANCE BOARD.

Section 1105 of the Foreign Service Act of 1980 (22 U.S.C. 4135) is amended by adding at the end the following new subsection:

"(f)(1) Not later than March 1 of each year, the Chairman of the Foreign Service Grievance Board shall prepare a report summarizing the activities of the Board during the previous calendar year. The report shall include—

"(A) the number of cases filed;

"(B) the types of cases filed;

"(C) the number of cases on which a final decision was reached, as well as data on the outcome of cases, whether affirmed, reversed, settled, withdrawn, or dismissed;

"(D) the number of oral hearings conducted and the length of each such hearing;

"(E) the number of instances in which interim relief was granted by the Board; and

"(F) data on the average time for consideration of a grievance, from the time of filing to a decision of the Board.

"(2) The report required under paragraph (1) shall be submitted to the Director General of the Foreign Service and the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.".

SEC. 332. EXTENSION OF USE OF FOREIGN SERVICE PERSONNEL SYSTEM.

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

"(4)(A) Whenever (and to the extent) the Secretary of State considers it in the best interests of the United States Government, the Secretary of State may authorize the head of any agency or other Government establishment (including any establishment in the legislative or judicial branch) to appoint under section 303 individuals described in subparagraph (B) as members of the Service and to utilize the Foreign Service personnel system with respect to such individuals under such regulations as the Secretary of State may prescribe.

"(B) The individuals referred to in subparagraph (A) are individuals eligible for employment abroad under section 311(a).".

SEC. 333. BORDER EQUALIZATION PAY ADJUSTMENT.

(a) IN GENERAL.—Chapter 4 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3961 et seq.) is amended by adding at the end the following new section:

"SEC. 414. BORDER EQUALIZATION PAY ADJUSTMENT.

"(a) IN GENERAL.—An employee who regularly commutes from the employee's place of residence in the continental United States to an official duty station in Canada or Mexico shall receive a border equalization pay adjustment equal to the amount of comparability payments under section 5304 of title 5, United States Code, that the employee would receive if the employee were assigned to an official duty station within the United States locality pay area closest to the employee's official duty station.

"(b) EMPLOYEE DEFINED.—For purposes of this section, the term 'employee' means a person who—

"(1) is an 'employee' as defined under section 2105 of title 5, United States Code; and

"(2) is employed by the Department of State, the United States Agency for International Development, or the International Joint Commission of the United States and Canada (established under Article VII of the treaty signed January 11, 1909) (36 Stat. 2448), except that the term shall not include members of the Service (as specified in section 103).

"(c) TREATMENT AS BASIC PAY.—An equalization pay adjustment paid under this section shall be considered to be part of basic pay for the same purposes for which comparability payments are considered to be part of basic pay under section 5304 of title 5, United States Code.

"(d) REGULATIONS.—The heads of the agencies referred to in subsection (b)(2) may prescribe regulations to carry out this section.".

(b) CONFORMING AMENDMENT.—The table of contents for the Foreign Service Act of 1980 is amended by inserting after the item relating to section 413 the following new item:

"Sec. 414. Border equalization pay adjustment.".

SEC. 334. TREATMENT OF CERTAIN PERSONS REEMPLOYED AFTER SERVICE WITH INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—Title 5 of the United States Code is amended by inserting after section 8432b the following new section:

"§ 8432c. Contributions of certain persons reemployed after service with international organizations

"(a) In this section, the term 'covered person' means any person who—

"(1) transfers from a position of employment covered by chapter 83 or 84 or subchapter I or II of chapter 8 of the Foreign Service Act of 1980 to a position of employment with an international organization pursuant to section 3582;

"(2) pursuant to section 3582 elects to retain coverage, rights, and benefits under any system established by law for the retirement of persons during the period of employment with the international organization and currently deposits the necessary deductions in payment for such coverage, rights, and benefits in the system's fund; and

"(3) is reemployed pursuant to section 3582(b) to a position covered by chapter 83 or 84 or subchapter I or II of chapter 8 of the Foreign Service Act of 1980 after separation from the international organization.

"(b)(1) Each covered person may contribute to the Thrift Savings Fund, in accordance with this subsection, an amount not to exceed the amount described in paragraph (2).

"(2) The maximum amount which a covered person may contribute under paragraph (1) is equal to—

"(A) the total amount of all contributions under section 8351(b)(2) or 8432(a), as applicable, which the person would have made over the period beginning on the date of transfer of the person (as described in subsection (a)(1)) and ending on the day before the date of reemployment of the person (as described in subsection (a)(3)), minus

"(B) the total amount of all contributions, if any, under section 8351(b)(2) or 8432(a), as applicable, actually made by the person over the period described in subparagraph (A).

"(3) Contributions under paragraph (1)—

"(A) shall be made at the same time and in the same manner as would any contributions under section 8351(b)(2) or 8432(a), as applicable;

"(B) shall be made over the period of time specified by the person under paragraph (4)(B); and

"(C) shall be in addition to any contributions actually being made by the person during that period under section 8351(b)(2) or 8432(a), as applicable.

"(4) The Executive Director shall prescribe the time, form, and manner in which a covered person may specify—

"(A) the total amount the person wishes to contribute with respect to any period described in paragraph (2)(A); and

"(B) the period of time over which the covered person wishes to make contributions under this subsection.

"(c) If a covered person who makes contributions under section 8432(a) makes contributions under subsection (b), the agency employing the person shall make those contributions to the Thrift Savings Fund on the person's behalf in the same manner as contributions are made for an employee described in section 8432b(a) under sections 8432b(c), 8432b(d), and 8432b(f). Amounts paid under this subsection shall be paid in the same manner as amounts are paid under section 8432b(g).

"(d) For purposes of any computation under this section, a covered person shall, with respect to the period described in subsection (b)(2)(A), be considered to have been paid at the rate which would have been payable over such period had the person remained continuously employed in the position that the person last held before transferring to the international organization.

"(e) For purposes of section 8432(g), a covered person shall be credited with a period of civilian service equal to the period beginning on the date of transfer of the person (as described in subsection (a)(1)) and ending on the day before the date of reemployment of the person (as described in subsection (a)(3)).

"(f) The Executive Director shall prescribe regulations to carry out this section.".

(b) CONFORMING AMENDMENT.—The table of sections for chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8432b the following:

"8432c. Contributions of certain persons reemployed after service with international organizations.".

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to persons reemployed on or after the date of enactment of this Act.

SEC. 335. TRANSFER ALLOWANCE FOR FAMILIES OF DECEASED FOREIGN SERVICE PERSONNEL.

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

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

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

"(A) at the employee's post of assignment; or

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

"(3) The President may prescribe any regulations necessary to carry out this subsection.".

SEC. 336. PARENTAL CHOICE IN EDUCATION.

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

(1) in subparagraph (A), by striking "between that post and the nearest locality where adequate schools are available," and inserting "between that post and the school chosen by the employee, not to exceed the total cost to the Government of the dependent attending an adequate school in the nearest locality where an adequate school is available,"; and

(2) by adding at the end the following new subparagraph:

"(C) In those cases in which an adequate school is available at the post of the employee, if the employee chooses to educate the dependent at a school away from post, the education allowance which includes board and room, and periodic travel between the post and the school chosen, shall not exceed the total cost to the Government of the dependent attending an adequate school at the post of the employee.".

SEC. 337. MEDICAL EMERGENCY ASSISTANCE.

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

"§ 5927. Advances of pay

"(a) Up to three months' pay may be paid in advance—

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

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

"(A) is a citizen of the United States;

"(B) is officially stationed or located outside the United States pursuant to Government authorization; and

"(C) requires (or has a family member who requires) medical treatment outside the United States, in circumstances specified by the President in regulations; and

"(3) to a foreign national employee appointed under section 303 of the Foreign Service Act of 1980, or a nonfamily member United States citizen appointed under such section 303 (and employed under section 311 of such Act) for service at such nonfamily member's post of residence, who—

"(A) is located outside the country of employment of such foreign national employee or nonfamily member (as the case may be) pursuant to Government authorization; and

"(B) requires medical treatment outside the country of employment of such foreign national employee or non-family member (as the case may be), in circumstances specified by the President in regulations.

"(b) For the purpose of this section, the term 'country of employment', as used with respect to an individual under subsection (a)(3), means the country (or other area) outside the United States where such individual is appointed (as described in subsection (a)(3)) by the Government.".

SEC. 338. REPORT CONCERNING FINANCIAL DISADVANTAGES FOR ADMINISTRATIVE AND TECHNICAL PERSONNEL.

(a) FINDINGS.—Congress finds that administrative and technical personnel posted to United States missions abroad who do not have diplomatic status suffer financial disadvantages from their lack of such status.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State should submit a report to the appropriate congressional committees concerning the extent to which administrative and technical personnel posted to United States missions abroad who do not have diplomatic status suffer financial disadvantages from their lack of such status, including proposals to alleviate such disadvantages.

SEC. 339. STATE DEPARTMENT INSPECTOR GENERAL AND PERSONNEL INVESTIGATIONS.

(a) AMENDMENT OF THE FOREIGN SERVICE ACT of 1980.—Section 209(c) of the Foreign Service Act of 1980 (22 U.S.C. 3929(c)) is amended by adding at the end the following:

"(5) INVESTIGATIONS.—

"(A) CONDUCT OF INVESTIGATIONS.—In conducting investigations of potential violations of Federal criminal law or Federal regulations, the Inspector General shall—

"(i) abide by professional standards applicable to Federal law enforcement agencies; and

"(ii) make every reasonable effort to permit each subject of an investigation an opportunity to provide exculpatory information.

"(B) FINAL REPORTS OF INVESTIGATIONS.—In order to ensure that final reports of investigations are thorough and accurate, the Inspector General shall—

"(i) make every reasonable effort to ensure that any person named in a final report of investigation has been afforded an opportunity to refute any allegation of wrongdoing or assertion with respect to a material fact made regarding that person's actions;

"(ii) include in every final report of investigation any exculpatory information, as well as any inculpatory information, that has been discovered in the course of the investigation.".

(b) ANNUAL REPORT.—Section 209(d)(2) of the Foreign Service Act of 1980 (22 U.S.C. 3929(d)(2)) is amended—

(1) by striking "and" at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting "; and"; and

(3) by inserting after subparagraph (E) the following new subparagraph:

"(F) a notification, which may be included, if necessary, in the classified portion of the report, of any instance in a case that was closed during the period covered by the report when the Inspector General decided not to afford an individual the opportunity described in subsection (c)(5)(B)(i) to refute any allegation and the rationale for denying such individual that opportunity.".

(c) STATUTORY CONSTRUCTION.—Nothing in the amendments made by this section may be construed to modify—

(1) section 209(d)(4) of the Foreign Service Act of 1980 (22 U.S.C. 3929(d)(4));

(2) section 7(b) of the Inspector General Act of 1978 (5 U.S.C. app.);

(3) the Privacy Act of 1974 (5 U.S.C. 552a);

(4) the provisions of section 2302(b)(8) of title 5 (relating to whistleblower protection);

(5) rule 6(e) of the Federal Rules of Criminal Procedure (relating to the protection of grand jury information); or

(6) any statute or executive order pertaining to the protection of classified information.

(d) NO GRIEVANCE OR RIGHT OF ACTION.—A failure to comply with the amendments made by this section shall not give rise to any private right of action in any court or to an administrative complaint or grievance under any law.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to cases opened on or after the date of the enactment of this Act.

SEC. 340. STUDY OF COMPENSATION FOR SURVIVORS OF TERRORIST ATTACKS OVERSEAS.

Not later than 180 days after the date of enactment of this Act, the President shall submit a report to the appropriate congressional committees on the benefits and compensation paid to the survivors and personal representatives of the United States Government employees (including those in the uniformed services and Foreign Service National employees) killed in the performance of duty abroad as result of terrorist acts. All appropriate United States Government agencies shall contribute to the preparation of the report. The report shall include a comparison of benefits available to military and civilian employees and should include any recommendations for additional or other types of benefits or compensation.

SEC. 341. PRESERVATION OF DIVERSITY IN REORGANIZATION.

Section 1613(c) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by inserting after the first sentence the following: "In carrying out the reorganization under this Act, the Secretary shall ensure that the advances made in increasing the number and status of women and minorities within the foreign affairs agencies of the Federal Government, in terms of representation within the agencies as well as relative rank, are not undermined by discrimination within the newly reorganized Department of State.".

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

Subtitle A—Authorities and Activities

SEC. 401. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE.

(a) DESIGNATION OF NGAWANG CHOEPHEL EXCHANGE PROGRAMS.—Section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319) is amended by inserting after the first sentence the following: "Exchange programs under this subsection shall be known as the 'Ngawang Choephel Exchange Programs'.".

(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319; 22 U.S.C. 2151 note) is amended by striking "for the fiscal year 1999" and inserting "for the fiscal year 2000".

(c) SCHOLARSHIPS FOR PRESERVATION OF TIBET'S CULTURE, LANGUAGE, AND RELIGION.—Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319; 22 U.S.C. 2151 note) is further amended by striking "Tibet," and inserting "Tibet (whenever practical giving consideration to individuals who are active in the preservation of Tibet's culture, language, and religion),".

SEC. 402. CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Section 102 of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319; 22 U.S.C. 2452 note) is amended to read as follows:

"SEC. 102. CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

"(a) IN GENERAL.—In carrying out programs of educational and cultural exchange in countries whose people do not fully enjoy freedom and democracy, the Secretary of State, with the assistance of the Under Secretary of State for Public Diplomacy, shall provide, where appropriate, opportunities for significant participation in such programs to nationals of such countries who are—

"(1) human rights or democracy leaders of such countries; or

"(2) committed to advancing human rights and democratic values in such countries.

"(b) GRANTEE ORGANIZATIONS.—To the extent practicable, grantee organizations selected to operate programs described in subsection (a) shall be selected through an open competitive process. Among the factors that should be considered in the selection of such a grantee are the willingness and ability of the organization to—

"(1) recruit a broad range of participants, including those described in paragraphs (1) and (2) of subsection (a); and

"(2) ensure that the governments of the countries described in subsection (a) do not have inappropriate influence in the selection process.".

SEC. 403. NATIONAL SECURITY MEASURES.

The United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.) is amended by adding after section 1011 the following new section:

"SEC. 1012. NATIONAL SECURITY MEASURES.

"(a) RESTRICTION.—In coordination with other appropriate executive branch officials, the Secretary of State shall take all appropriate steps to—

"(1) prevent any agent of a foreign power from participating in educational and cultural exchange programs under this Act;

"(2) ensure that no person who is involved in the research, development, design, testing, evaluation, or production of missiles or weapons of mass destruction is a participant in any program of educational or cultural exchange under this Act if such person is employed by, or attached to, an entity within a country that has been identified by any element of the United States intelligence community (as defined by section 3(4) of the National Security Act of 1947) within the previous 5 years as having been involved in the proliferation of missiles or weapons of mass destruction; and

"(3) ensure that no person who is involved in the research, development, design, testing, evaluation, or production of chemical or biological weapons for offensive purposes is a participant in any program of educational or cultural exchange under this Act.

"(b) DEFINITIONS.—

"(1) The term 'appropriate executive branch officials' means officials from the elements of the United States Government listed pursuant to section 101 of the Intelligence Authorization Act for Fiscal Year 1999 (Public Law 105–272).

"(2) The term 'agent of a foreign power' has the same meaning as set forth in section 101(b)(1)(B) and (b)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801), and does not include any person who acts in the capacity defined under section 101(b)(1)(A) of such Act.

SEC. 404. SUNSET OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) RESTORATION OF ADVISORY COMMISSION.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted in division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended to read as follows:

"SEC. 1334. SUNSET OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

"The United States Advisory Commission on Public Diplomacy, established under section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469) and section 3 of Reorganization Plan Numbered 2 of 1977, shall continue to exist and operate under such provisions of law until October 1, 2001.".

(b) RETROACTIVITY OF EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Foreign Affairs Reform and Restructuring Act of 1998.

(c) REENACTMENT AND REPEAL OF CERTAIN PROVISIONS OF LAW.—

(1) REENACTMENT.—The provisions of law repealed by section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998, as in effect before the date of the enactment of this Act, are hereby reenacted into law.

(2) REPEAL.—Effective September 30, 2001, section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469) and section 8 of the Reorganization Plan Numbered 2 of 1977 are repealed.

(d) CONTINUITY OF ADVISORY COMMISSION.—Notwithstanding any other provision of law, any period of discontinuity of the United States Advisory Commission on Public Diplomacy shall not affect the appointment or terms of service of members of the commission.

(e) REDUCTION IN STAFF AND BUDGET.—Notwithstanding section 604(b) of the United States Information and Educational Exchange Act of 1948, effective on the date of the enactment of this Act, the United States Advisory Commission on Public Diplomacy shall have not more than 2 individuals who are compensated staff, and not more than 50 percent of the resources allocated in fiscal year 1999.

SEC. 408. ROYAL ULSTER CONSTABULARY TRAINING.

(a) TRAINING FOR THE ROYAL ULSTER CONSTABULARY.—No funds authorized to be appropriated by this or any other Act may be used to support any training or exchange program conducted by the Federal Bureau of Investigation or any other Federal law enforcement agency for the Royal Ulster Constabulary (in this section referred to as the "RUC") or RUC members until the President submits to the appropriate congressional committees the report required by subsection (b) and the certification described in subsection (c)(1).

(b) REPORT ON PAST TRAINING PROGRAMS.—The President shall report on training or exchange programs conducted by the Federal Bureau of Investigation or other Federal law enforcement agencies for the RUC or RUC members during fiscal years 1994 through 1999. Such report shall include—

(1) the number of training or exchange programs conducted during the period of the report;

(2) the number and rank of the RUC members who participated in such training or exchange programs in each fiscal year;

(3) the duration and location of such training or exchange programs; and

(4) a detailed description of the curriculum of the training or exchange programs.

(c) CERTIFICATION REGARDING FUTURE TRAINING ACTIVITIES.—

(1) IN GENERAL.—The certification described in this subsection is a certification by the President that—

(A) training or exchange programs conducted by the Federal Bureau of Investigation or other Federal law enforcement agencies for the RUC or RUC members are necessary to—

(i) improve the professionalism of policing in Northern Ireland; and

(ii) advance the peace process in Northern Ireland;

(B) such programs will include in the curriculum a significant human rights component;

(C) vetting procedures have been established in the Departments of State and Justice, and any other appropriate Federal agency, to ensure that training or exchange programs do not include RUC members who there are substantial grounds for believing have committed or condoned violations of internationally recognized human rights, including any role in the murder of Patrick Finucane or Rosemary Nelson or other violence or serious threat of violence against defense attorneys in Northern Ireland; and

(D) the governments of the United Kingdom and the Republic of Ireland are committed to assisting in the full implementation of the recommendations contained in the Patten Commission report issued September 9, 1999.

(2) FISCAL YEAR 2001 APPLICATION.—The President shall make an additional certification under paragraph (1) before any Federal law enforcement agency conducts training for the RUC or RUC members in fiscal year 2001.

(3) APPLICATION TO SUCCESSOR ORGANIZATIONS.—The provisions of this subsection shall apply to any successor organization of the RUC.

Subtitle B—Russian and Ukrainian Business Management Education

SEC. 421. PURPOSE.

The purpose of this subtitle is to establish a training program in Russia and Ukraine for nationals of those countries to obtain skills in business administration, accounting, and marketing, with special emphasis on instruction in business ethics and in the basic terminology, techniques, and practices of those disciplines, to achieve international standards of quality, transparency, and competitiveness.

SEC. 422. DEFINITIONS.

In this subtitle:

(1) DISTANCE LEARNING.—The term "distance learning" means training through computers, interactive videos, teleconferencing, and videoconferencing between and among students and teachers.

(2) ELIGIBLE ENTERPRISE.—The term "eligible enterprise" means—

(A) in the case of Russia—

(i) a business concern operating in Russia that employs Russian nationals in Russia; or

(ii) a private enterprise that is being formed or operated by former officers of the Russian armed forces in Ruasia; and

(B) in the case of Ukraine—

(i) a business concern operating in Ukraine that employs Ukrainian nationals in Ukraine; or

(ii) a private enterprise that is being formed or operated by former officers of the Ukrainian armed forces in Ukraine.

(3) ELIGIBLE NATIONAL.—The term "eligible national" means the employee of an eligible enterprise who is employed in the program country.

(4) PROGRAM.—The term "program" means the program of technical assistance established under section 423.

(5) PROGRAM COUNTRY.—The term "program country" means—

(A) Russia in the case of any eligible enterprise operating in Russia that receives technical assistance under the program; or

(B) Ukraine in the case of any eligible enterprise operating in Ukraine that receives technical assistance under the program.

SEC. 423. AUTHORIZATION FOR TRAINING PROGRAM AND INTERNSHIPS.

(a) TRAINING PROGRAM.—

(1) IN GENERAL.—The President is authorized to establish a program of technical assistance to provide the training described in section 421 to eligible enterprises.

(2) IMPLEMENTATION.—Training shall be carried out by United States nationals having expertise in business administration, accounting, and marketing or by eligible nationals who have been trained under the program. Such training may be carried out—

(A) in the offices of eligible enterprises, at business schools or institutes, or at other locations in the program country, including facilities of the armed forces of the program country, educational institutions, or in the offices of trade or industry associations, with special consideration given to locations where similar training opportunities are limited or nonexistent; or

(B) by "distance learning" programs originating in the United States or in European branches of United States institutions.

(b) INTERNSHIPS WITH UNITED STATES DOMESTIC BUSINESS CONCERNS.—Authorized program costs may include the travel expenses and appropriate in-country business English language training, if needed, of eligible nationals who have completed training under the program to undertake short-term internships with business concerns in the United States.

SEC. 424. APPLICATIONS FOR TECHNICAL ASSISTANCE.

(a) PROCEDURES.—

(1) IN GENERAL.—Each eligible enterprise that desires to receive training for its employees and managers under this subtitle shall submit an application to the clearinghouse under subsection (c), at such time, in such manner, and accompanied by such additional information as may reasonably be required.

(2) JOINT APPLICATIONS.—A consortium of eligible enterprises may file a joint application under the provisions of paragraph (1).

(b) CONTENTS.—An application under subsection (a) may be approved only if the application—

(1) is for an individual or individuals employed in an eligible enterprise or enterprises applying under the program;

(2) describes the level of training for which assistance under this subtitle is sought;

(3) provides evidence that the eligible enterprise meets the general policies adopted for the administration of this subtitle;

(4) provides assurances that the eligible enterprise will pay a share of the costs of the training, which share may include in-kind contributions; and

(5) provides such additional assurances as are determined to be essential to ensure compliance with the requirements of this subtitle.

(c) CLEARINGHOUSE.—A clearinghouse shall be established or designated in each program country to manage and execute the program in that country. The clearinghouse shall screen applications, provide information regarding training and teachers, monitor performance of the program, and coordinate appropriate post-program follow-on activities.

SEC. 428. RESTRICTIONS NOT APPLICABLE.

Prohibitions on the use of foreign assistance funds for assistance for the Russian Federation or for Ukraine shall not apply with respect to the funds made available to carry out this subtitle.

SEC. 429. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated $10,000,000 for the fiscal year 2000 and $10,000,000 for the fiscal year 2001 to carry out this subtitle.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated under subsection (a) are authorized to remain available until expended.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

SEC. 501. REAUTHORIZATION OF RADIO FREE ASIA.

Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) by striking subsection (c);

(2) by redesignating subsections (d), (e), (f), (g), (h), and (i) as subsections (c), (d), (e), (f), (g), and (h), respectively;

(3) in subsection (c) (as redesignated by paragraph (2))—

(A) in paragraph (1)—

(i) by striking "(A)"; and

(ii) by striking subparagraph (B);

(B) in paragraph (2), by striking "September 30, 1999" and inserting "September 30, 2009";

(C) in paragraph (4), by striking "$22,000,000 in any fiscal year" and inserting "$30,000,000 in each of the fiscal years 2000 and 2001";

(D) by striking paragraph (5); and

(E) by redesignating paragraph (6) as paragraph (5); and

(4) by amending subsection (f) (as redesignated by paragraph (2)) to read as follows:

"(f) SUNSET PROVISION.—The Board may not make any grant for the purpose of operating Radio Free Asia after September 30, 2009.".

SEC. 502. NOMINATION REQUIREMENTS FOR THE CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS.

Section 304(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6203 (b)(2)), is amended—

(1) by striking "designate" and inserting "appoint"; and

(2) by adding at the end the following: ", subject to the advice and consent of the Senate".

SEC. 503. PRESERVATION OF RFE/RL (RADIO FREE EUROPE/RADIO LIBERTY).

Section 312 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6211) is amended to read as follows:

"SEC. 312. THE CONTINUING MISSION OF RADIO FREE EUROPE AND RADIO LIBERTY BROADCASTS.

"It is the sense of Congress that Radio Free Europe and Radio Liberty should continue to broadcast to the peoples of Central Europe, Eurasia, and the Persian Gulf until such time as—

"(1) a particular nation has clearly demonstrated the successful establishment and consolidation of democratic rule; and

"(2) its domestic media which provide balanced, accurate, and comprehensive news and information, is firmly established and widely accessible to the national audience, thus making redundant broadcasts by Radio Free Europe or Radio Liberty.

"At such time as a particular nation meets both of these conditions, RFE/RL should phase out broadcasting to that nation.".

SEC. 504. IMMUNITY FROM CIVIL LIABILITY FOR BROADCASTING BOARD OF GOVERNORS.

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

"(g) IMMUNITY FROM CIVIL LIABILITY.—Notwithstanding any other provision of law, any and all limitations on liability that apply to the members of the Broadcasting Board of Governors also shall apply to such members when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.".

TITLE VI—EMBASSY SECURITY AND COUNTERTERRORISM MEASURES

SEC. 601. SHORT TITLE.

This title may be cited as the "Secure Embassy Construction and Counterterrorism Act of 1999".

SEC. 602. FINDINGS.

Congress makes the following findings:

(1) On August 7, 1998, the United States embassies in Nairobi, Kenya, and in Dar es Salaam, Tanzania, were

destroyed by simultaneously exploding bombs. The resulting explosions killed 220 persons and injured more than 4,000 others. Twelve Americans and 40 Kenyan and Tanzanian employees of the United States Foreign Service were killed in the attack.

(2) The United States personnel in both Dar es Salaam and Nairobi showed leadership and personal courage in their response to the attacks. Despite the havoc wreaked upon the embassies, staff in both embassies provided rapid response in locating and rescuing victims, providing emergency assistance, and quickly restoring embassy operations during a crisis.

(3) The bombs are believed to have been set by individuals associated with Osama bin Laden, leader of a known transnational terrorist organization. In February 1998, bin Laden issued a directive to his followers that called for attacks against United States interests anywhere in the world.

(4) Threats continue to be made against United States diplomatic facilities.

(5) Accountability Review Boards were convened following the bombings, as required by Public Law 99-399, chaired by Admiral William J. Crowe, United States Navy (Ret.) (in this section referred to as the "Crowe panels").

(6) The conclusions of the Crowe panels were strikingly similar to those stated by the Commission chaired by Admiral Bobby Ray Inman, which issued an extensive embassy security report in 1985.

(7) The Crowe panels issued a report setting out many problems with security at United States diplomatic facilities, in particular the following:

(A) The United States Government has devoted inadequate resources to security against terrorist attacks.

(B) The United States Government places too low a priority on security concerns.

(8) The result has been a failure to take adequate steps to prevent tragedies such as the bombings in Kenya and Tanzania.

(9) The Crowe panels found that there was an institutional failure on the part of the Department of State to recognize threats posed by transnational terrorism and vehicular bombs.

(10) Responsibility for ensuring adequate resources for security programs is widely shared throughout the United States Government, including Congress. Unless the vulnerabilities identified by the Crowe panels are addressed in a sustained and financially realistic manner, the lives and safety of United States employees in diplomatic facilities will continue to be at risk from further terrorist attacks.

(11) Although service in the Foreign Service or other United States Government positions abroad can never be completely without risk, the United States Government must take all reasonable steps to minimize security risks.

SEC. 603. UNITED STATES DIPLOMATIC FACILITY DEFINED.

In this title, the terms 'United States diplomatic facility' and 'diplomatic facility' mean any chancery, consulate, or other office notified to the host government as diplomatic or consular premises in accordance with the Vienna Conventions on Diplomatic and Consular Relations, or otherwise subject to a publicly available

bilateral agreement with the host government (contained in the records of the United States Department of State) that recognizes the official status of the United States Government personnel present at the facility.

SEC. 604. AUTHORIZATIONS OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated by this or any other Act, there are authorized to be appropriated for "Embassy Security, Construction and Maintenance"—

(1) for fiscal year 2000, $900,000,000;
(2) for fiscal year 2001, $900,000,000;
(3) for fiscal year 2002, $900,000,000;
(4) for fiscal year 2003, $900,000,000; and
(5) for fiscal year 2004, $900,000,000.

(b) PURPOSES.—Funds made available under the "Embassy Security, Construction, and Maintenance" account may be used only for the purposes of—

(1) the acquisition of United States diplomatic facilities and, if necessary, any residences or other structures located in close physical proximity to such facilities, or

(2) the provision of major security enhancements to United States diplomatic facilities,

to the extent necessary to bring the United States Government into compliance with all requirements applicable to the security of United States diplomatic facilities, including the relevant requirements set forth in section 606.

(c) AVAILABILITY OF AUTHORIZATIONS.—Authorizations of appropriations under subsection (a) shall remain available until the appropriations are made.

(d) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

SEC. 605. OBLIGATIONS AND EXPENDITURES.

(a) REPORT AND PRIORITY OF OBLIGATIONS.—

(1) REPORT.—Not later than February 1 of the year 2000 and each of the four subsequent years, the Secretary of State shall submit a classified report to the appropriate congressional committees identifying each diplomatic facility or each diplomatic or consular post composed of such facilities that is a priority for replacement or for any major security enhancement because of its vulnerability to terrorist attack (by reason of the terrorist threat and the current condition of the facility). The report shall list such facilities in groups of 20. The groups shall be ranked in order from most vulnerable to least vulnerable to such an attack.

(2) PRIORITY ON USE OF FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), funds authorized to be appropriated by section 604 for a particular project may be used only for those facilities which are listed in the first four groups described in paragraph (1).

(B) EXCEPTION.—Funds authorized to be made available by section 604 may only be used for facilities which are not in the first 4 groups described in paragraph (1), if the Congress authorizes or appropriates funds for such a diplomatic facility or the Secretary of State notifies the appropriate congressional committees that such funds will

be used for a facility in accordance with the procedures applicable to a reprogramming of funds under section 34(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706(a)).

(b) PROHIBITION ON TRANSFER OF FUNDS.—None of the funds authorized to be appropriated by section 604 may be transferred to any other account.

(c) SEMIANNUAL REPORTS ON ACQUISITION AND MAJOR SECURITY UPGRADES.—On June 1 and December 1 of each year, the Secretary of State shall submit a report to the appropriate congressional committees on the embassy construction and security program authorized under this title. The report shall include—

(1) obligations and expenditures—

(A) during the previous two fiscal quarters; and

(B) since the enactment of this Act;

(2) projected obligations and expenditures for the fiscal year in which the report is submitted and how these obligations and expenditures will improve security conditions of specific diplomatic facilities; and

(3) the status of ongoing acquisition and major security enhancement projects, including any significant changes in—

(A) the budgetary requirements for such projects;

(B) the schedule of such projects; and

(C) the scope of the projects.

SEC. 606. SECURITY REQUIREMENTS FOR UNITED STATES DIPLOMATIC FACILITIES.

(a) IN GENERAL.—The following security requirements shall apply with respect to United States diplomatic facilities and specified personnel:

(1) THREAT ASSESSMENT.—

(A) EMERGENCY ACTION PLAN.—The Emergency Action Plan (EAP) of each United States mission shall address the threat of large explosive attacks from vehicles and the safety of employees during such an explosive attack. Such plan shall be reviewed and updated annually.

(B) SECURITY ENVIRONMENT THREAT LIST.—The Security Environment Threat List shall contain a section that addresses potential acts of international terrorism against United States diplomatic facilities based on threat identification criteria that emphasize the threat of transnational terrorism and include the local security environment, host government support, and other relevant factors such as cultural realities. Such plan shall be reviewed and updated every six months.

(2) SITE SELECTION.—

(A) IN GENERAL.—In selecting a site for any new United States diplomatic facility abroad, the Secretary shall ensure that all United States Government personnel at the post (except those under the command of an area military commander) will be located on the site.

(B) WAIVER AUTHORITY.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary of State may waive subparagraph (A) if the Secretary, together with the head of each agency employing personnel that would not be located at the

site, determine that security considerations permit and it is in the national interest of the United States.

(ii) CHANCERY OR CONSULATE BUILDING.—

(I) AUTHORITY NOT DELEGABLE.—The Secretary may not delegate the waiver authority under clause (i) with respect to a chancery or consulate building.

(II) CONGRESSIONAL NOTIFICATION.—Not less than 15 days prior to implementing the waiver authority under clause (i) with respect to a chancery or consulate building, the Secretary shall notify the appropriate congressional committees in writing of the waiver and the reasons for the determination.

(iii) REPORT TO CONGRESS.—The Secretary shall submit to the appropriate congressional committees an annual report of all waivers under this subparagraph.

(3) PERIMETER DISTANCE.—

(A) REQUIREMENT.—Each newly acquired United States diplomatic facility shall be sited not less than 100 feet from the perimeter of the property on which the facility is to be situated.

(B) WAIVER AUTHORITY.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary of State may waive subparagraph (A) if the Secretary determines that security considerations permit and it is in the national interest of the United States.

(ii) CHANCERY OR CONSULATE BUILDING.—

(I) AUTHORITY NOT DELEGABLE.—The Secretary may not delegate the waiver authority under clause (i) with respect to a chancery or consulate building.

(II) CONGRESSIONAL NOTIFICATION.—Not less than 15 days prior to implementing the waiver authority under subparagraph (A) with respect to a chancery or consulate building, the Secretary shall notify the appropriate congressional committees in writing of the waiver and the reasons for the determination.

(iii) REPORT TO CONGRESS.—The Secretary shall submit to the appropriate congressional committees an annual report of all waivers under this subparagraph.

(4) CRISIS MANAGEMENT TRAINING.—

(A) TRAINING OF HEADQUARTERS STAFF.—The appropriate personnel of the Department of State headquarters staff shall undertake crisis management training for mass casualty and mass destruction incidents relating to diplomatic facilities for the purpose of bringing about a rapid response to such incidents from Department of State headquarters in Washington, D.C.

(B) TRAINING OF PERSONNEL ABROAD.—A program of appropriate instruction in crisis management shall be provided to personnel at United States diplomatic facilities abroad at least on an annual basis.

(5) DIPLOMATIC SECURITY TRAINING.—Not later than six months after the date of the enactment of this Act, the Secretary of State shall—

(A) develop annual physical fitness standards for all diplomatic security agents to ensure that the agents are prepared to carry out all of their official responsibilities; and

(B) provide for an independent evaluation by an outside entity of the overall adequacy of current new agent, in-service, and management training programs to prepare agents to carry out the full scope of diplomatic security responsibilities, including preventing attacks on United States personnel and facilities.

(6) STATE DEPARTMENT SUPPORT.—

(A) FOREIGN EMERGENCY SUPPORT TEAM.—The Foreign Emergency Support Team (FEST) of the Department of State shall receive sufficient support from the Department, including—

(i) conducting routine training exercises of the FEST;

(ii) providing personnel identified to serve on the FEST as a collateral duty;

(iii) providing personnel to assist in activities such as security, medical relief, public affairs, engineering, and building safety; and

(iv) providing such additional support as may be necessary to enable the FEST to provide support in a post-crisis environment involving mass casualties and physical damage.

(B) FEST AIRCRAFT.—

(i) REPLACEMENT AIRCRAFT.—The President shall develop a plan to replace on a priority basis the current FEST aircraft funded by the Department of Defense with a dedicated, capable, and reliable replacement aircraft and backup aircraft to be operated and maintained by the Department of Defense.

(ii) REPORT.—Not later than 60 days after the date of enactment of this Act, the President shall submit a report to the appropriate congressional committees describing the aircraft selected pursuant to clause (i) and the arrangements for the funding, operation, and maintenance of such aircraft.

(iii) AUTHORITY TO LEASE AIRCRAFT TO RESPOND TO A TERRORIST ATTACK ABROAD.—Subject to the availability of appropriations, when the Attorney General of the Department of Justice exercises the Attorney General's authority to lease commercial aircraft to transport equipment and personnel in response to a terrorist attack abroad if there have been reasonable efforts to obtain appropriate Department of Defense aircraft and such aircraft are unavailable, the Attorney General shall have the authority to obtain indemnification insurance or guarantees if necessary and appropriate.

(7) RAPID RESPONSE PROCEDURES.—The Secretary of State shall enter into a memorandum of understanding with the Secretary of Defense setting out rapid response procedures

for mobilization of personnel and equipment of their respective departments to provide more effective assistance in times of emergency with respect to United States diplomatic facilities.

(8) STORAGE OF EMERGENCY EQUIPMENT AND RECORDS.—All United States diplomatic facilities shall have emergency equipment and records required in case of an emergency situation stored at an off-site facility.

(b) STATUTORY CONSTRUCTION.—Nothing in this section alters or amends existing security requirements not addressed by this section.

SEC. 607. REPORT ON OVERSEAS PRESENCE.

(a) REVIEW.—The Secretary of State shall review the findings of the Overseas Presence Advisory Panel of the Department of State.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after submission of the Overseas Presence Advisory Panel Report, the Secretary of State shall submit a report to the appropriate congressional committees setting forth the results of the review conducted under subsection (a).

(2) ELEMENTS OF THE REPORT.—To the extent not addressed by the review described in subsection (a), the report shall also—

(A) specify whether any United States diplomatic facility should be closed because—

(i) the facility is highly vulnerable and subject to threat of terrorist attack; and

(ii) adequate security enhancements cannot be provided to the facility;

(B) in the event that closure of a diplomatic facility is required, identify plans to provide secure premises for permanent use by the United States diplomatic mission, whether in country or in a regional United States diplomatic facility, or for temporary occupancy by the mission in a facility pending acquisition of new buildings;

(C) outline the potential for reduction or transfer of personnel or closure of missions if technology is adequately exploited for maximum efficiencies;

(D) examine the possibility of creating regional missions in certain parts of the world;

(E) in the case of diplomatic facilities that are part of the Special Embassy Program, report on the foreign policy objectives served by retaining such missions, balancing the importance of these objectives against the well-being of United States personnel; and

(F) examine the feasibility of opening new regional outreach centers, modeled on the system used by the United States Embassy in Paris, France, with each center designed to operate—

(i) at no additional cost to the United States Government;

(ii) with staff consisting of one or two Foreign Service officers currently assigned to the United States diplomatic mission in the country in which the center is located; and

(iii) in a region of the country with high gross domestic product (GDP), a high density population, and a media market that not only includes but extends beyond the region.

SEC. 608. ACCOUNTABILITY REVIEW BOARDS.

Section 301 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831) is amended to read as follows:

"SEC. 301. ACCOUNTABILITY REVIEW BOARDS.

"(a) IN GENERAL.—

"(1) CONVENING A BOARD.—Except as provided in paragraph (2), in any case of serious injury, loss of life, or significant destruction of property at, or related to, a United States Government mission abroad, and in any case of a serious breach of security involving intelligence activities of a foreign government directed at a United States Government mission abroad, which is covered by the provisions of titles I through IV (other than a facility or installation subject to the control of a United States area military commander), the Secretary of State shall convene an Accountability Review Board (in this title referred to as the 'Board'). The Secretary shall not convene a Board where the Secretary determines that a case clearly involves only causes unrelated to security.

"(2) DEPARTMENT OF DEFENSE FACILITIES AND PERSONNEL.—The Secretary of State is not required to convene a Board in the case of an incident described in paragraph (1) that involves any facility, installation, or personnel of the Department of Defense with respect to which the Secretary has delegated operational control of overseas security functions to the Secretary of Defense pursuant to section 106 of this Act. In any such case, the Secretary of Defense shall conduct an appropriate inquiry. The Secretary of Defense shall report the findings and recommendations of such inquiry, and the action taken with respect to such recommendations, to the Secretary of State and Congress.

"(b) DEADLINES FOR CONVENING BOARDS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of State shall convene a Board not later than 60 days after the occurrence of an incident described in subsection (a)(1), except that such 60-day period may be extended for one additional 60-day period if the Secretary determines that the additional period is necessary for the convening of the Board.

"(2) DELAY IN CASES INVOLVING INTELLIGENCE ACTIVITIES.—With respect to breaches of security involving intelligence activities, the Secretary of State may delay the establishment of a Board if, after consultation with the chairman of the Select Committee on Intelligence of the Senate and the chairman of the Permanent Select Committee on Intelligence of the House of Representatives, the Secretary determines that the establishment of a Board would compromise intelligence sources or methods. The Secretary shall promptly advise the chairmen of such committees of each determination pursuant to this paragraph to delay the establishment of a Board.

"(c) NOTIFICATION TO CONGRESS.—Whenever the Secretary of State convenes a Board, the Secretary shall promptly inform the

chairman of the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives—

"(1) that a Board has been convened;

"(2) of the membership of the Board; and

"(3) of other appropriate information about the Board.".

SEC. 699. INCREASED ANTI-TERRORISM TRAINING IN AFRICA.

Not later than six months after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, shall submit a report to the appropriate congressional committees on a proposed operational plan and site selection to expeditiously establish an International Law Enforcement Academy (ILEA) on the continent of Africa in order to increase training and cooperation on the continent in anti-terrorism and transnational crime fighting.

TITLE VII—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

Subtitle A—International Organizations Other than the United Nations

SEC. 701. CONFORMING AMENDMENTS TO REFLECT REDESIGNATION OF CERTAIN INTERPARLIAMENTARY GROUPS.

(a) TRANSATLANTIC LEGISLATORS' DIALOGUE.—Section 109(c) of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 276 note) is amended by striking "United States-European Community Interparliamentary Group" and inserting "Transatlantic Legislators' Dialogue (United States-European Union Interparliamentary Group)".

(b) NATO PARLIAMENTARY ASSEMBLY—

(1) IN GENERAL.—The joint resolution entitled "Joint Resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization", approved July 11, 1956 (22 U.S.C. 1928a et seq.), is amended in sections 2, 3, and 4 (22 U.S.C. 1928b, 1928c, and 1928d, respectively) by striking "North Atlantic Assembly" each place it appears and inserting "NATO Parliamentary Assembly".

(2) CONFORMING AMENDMENT.—Section 105(b) of the Legislative Branch Appropriation Act, 1961 (22 U.S.C. 276c–1) is amended by striking "North Atlantic Assembly" and inserting "NATO Parliamentary Assembly".

(3) REFERENCES.—In the case of any provision of law having application on or after May 31, 1999 (other than a provision of law specified in subparagraphs (A) or (B)), any reference contained in that provision to the North Atlantic Assembly shall, on and after that date, be considered to be a reference to the NATO Parliamentary Assembly.

SEC. 702. AUTHORITY OF THE INTERNATIONAL BOUNDARY AND WATER COMMISSION TO ASSIST STATE AND LOCAL GOVERNMENTS.

(a) AUTHORITY.—The Commissioner of the United States section of the International Boundary and Water Commission may provide

technical tests, evaluations, information, surveys, or others similar services to State or local governments upon the request of such State or local government on a reimbursable basis.

(b) REIMBURSEMENTS.—Reimbursements shall be paid in advance of the goods or services ordered and shall be for the estimated or actual cost as determined by the United States section of the International Boundary and Water Commission. Proper adjustment of amounts paid in advance shall be made as determined by the United States section of the International Boundary and Water Commission on the basis of the actual cost of goods or services provided. Reimbursements received by the United States section of the International Boundary and Water Commission for providing services under this section shall be credited to the appropriation from which the cost of providing the services is charged.

SEC. 703. INTERNATIONAL BOUNDARY AND WATER COMMISSION.

Section 2(b) of the American-Mexican Chamizal Convention Act of 1964 (Public Law 88-300; 22 U.S.C. 277d-18(b)) is amended by inserting "operations, maintenance, and" after "cost of".

SEC. 704. SEMIANNUAL REPORTS ON UNITED STATES SUPPORT FOR MEMBERSHIP OR PARTICIPATION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS.

(a) REPORTS REQUIRED.—Not later than 60 days after the date of enactment of this Act, and every 6 months thereafter for fiscal years 2000 and 2001, the Secretary of State shall submit to Congress a report in a classified and unclassified manner on the status of efforts by the United States Government to support—

(1) the membership of Taiwan in international organizations that do not require statehood as a prerequisite to such membership; and

(2) the appropriate level of participation by Taiwan in international organizations that may require statehood as a prerequisite to full membership.

(b) REPORT ELEMENTS.—Each report under subsection (a) shall—

(1) set forth a comprehensive list of the international organizations in which the United States Government supports the membership or participation of Taiwan;

(2) describe in detail the efforts of the United States Government to achieve the membership or participation of Taiwan in each organization listed; and

(3) identify the obstacles to the membership or participation of Taiwan in each organization listed, including a list of any governments that do not support the membership or participation of Taiwan in each such organization.

SEC. 705. RESTRICTION RELATING TO UNITED STATES ACCESSION TO THE INTERNATIONAL CRIMINAL COURT.

(a) PROHIBITION.—The United States shall not become a party to the International Criminal Court except pursuant to a treaty made under Article II, section 2, clause 2 of the Constitution of the United States on or after the date of enactment of this Act.

(b) PROHIBITION.—None of the funds authorized to be appropriated by this or any other Act may be obligated for use by, or for support of, the International Criminal Court unless the United States has become a party to the Court pursuant to a treaty made under Article II, section 2, clause 2 of the Constitution

of the United States on or after the date of enactment of this Act.

(c) INTERNATIONAL CRIMINAL COURT DEFINED.—In this section, the term "International Criminal Court" means the court established by the Rome Statute of the International Criminal Court, adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court on July 17, 1998.

SEC. 706. PROHIBITION ON EXTRADITION OR TRANSFER OF UNITED STATES CITIZENS TO THE INTERNATIONAL CRIMINAL COURT.

(a) PROHIBITION ON EXTRADITION.—None of the funds authorized to be appropriated or otherwise made available by this or any other Act may be used to extradite a United States citizen to a foreign country that is under an obligation to surrender persons to the International Criminal Court unless that foreign country confirms to the United States that applicable prohibitions on reextradition apply to such surrender or gives other satisfactory assurances to the United States that the country will not extradite or otherwise transfer that citizen to the International Criminal Court.

(b) PROHIBITION ON CONSENT TO EXTRADITION BY THIRD COUNTRIES.—None of the funds authorized to be appropriated or otherwise made available by this or any other Act may be used to provide consent to the extradition or transfer of a United States citizen by a foreign country to a third country that is under an obligation to surrender persons to the International Criminal Court, unless the third country confirms to the United States that applicable prohibitions on reextradition apply to such surrender or gives other satisfactory assurances to the United States that the third country will not extradite or otherwise transfer that citizen to the International Criminal Court.

(c) DEFINITION.—In this section, the term "International Criminal Court" has the meaning given the term in section 705(c) of this Act.

SEC. 707. REQUIREMENT FOR REPORTS REGARDING FOREIGN TRAVEL.

Section 2505 of the Foreign Affairs Reform and Restructuring Act of 1998 (as contained in division G of Public Law 105–277) is amended—

(1) in subsection (a), by striking "by this division for fiscal year 1999" and inserting "for the Department of State for fiscal year 2000 or 2001"; and

(2) in subsection (d), by striking "not later than April 1, 1999," and inserting "on January 31 of the years 2000 and 2001 and July 31 of the years 2000 and 2001,".

SEC. 708. UNITED STATES REPRESENTATION AT THE INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) AMENDMENT TO THE UNITED NATIONS PARTICIPATION ACT OF 1945.—Section 2(h) of the United Nations Participation Act of 1945 (22 U.S.C. 287(h)) is amended by adding at the end the following new sentence: "The representative of the United States to the Vienna office of the United Nations shall also serve as representative of the United States to the International Atomic Energy Agency.".

(b) AMENDMENT TO THE IAEA PARTICIPATION ACT OF 1957.—Section 2(a) of the International Atomic Energy Agency Participation Act of 1957 (22 U.S.C. 2021(a)) is amended by adding at the end the following new sentence: "The Representative of the United States to the Vienna office of the United Nations shall also serve as representative of the United States to the Agency.".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to individuals appointed on or after the date of enactment of this Act.

Subtitle B—United Nations Activities

SEC. 721. UNITED NATIONS POLICY ON ISRAEL AND THE PALESTINIANS.

(a) CONGRESSIONAL STATEMENT.—It shall be the policy of the United States to promote an end to the persistent inequity experienced by Israel in the United Nations whereby Israel is the only longstanding member of the organization to be denied acceptance into any of the United Nations regional blocs.

(b) POLICY ON ABOLITION OF CERTAIN UNITED NATIONS GROUPS.—It shall be the policy of the United States to seek the abolition of certain United Nations groups the existence of which is inimical to the ongoing Middle East peace process, those groups being the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories; the Committee on the Exercise of the Inalienable Rights of the Palestinian People; the Division for the Palestinian Rights; and the Division on Public Information on the Question of Palestine.

(c) ANNUAL REPORTS.—On January 15 of each year, the Secretary of State shall submit a report to the appropriate congressional committees (in classified or unclassified form as appropriate) on—

(1) actions taken by representatives of the United States to encourage the nations of the Western Europe and Others Group (WEOG) to accept Israel into their regional bloc;

(2) other measures being undertaken, and which will be undertaken, to ensure and promote Israel's full and equal participation in the United Nations; and

(3) steps taken by the United States under subsection (b) to secure abolition by the United Nations of groups described in that subsection.

(d) ANNUAL CONSULTATION.—At the time of the submission of each annual report under subsection (c), the Secretary of State shall consult with the appropriate congressional committees on specific responses received by the Secretary of State from each of the nations of the Western Europe and Others Group (WEOG) on their position concerning Israel's acceptance into their organization.

SEC. 722. DATA ON COSTS INCURRED IN SUPPORT OF UNITED NATIONS PEACEKEEPING OPERATIONS.

Chapter 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2348 et seq.) is amended by adding at the end the following:

"SEC. 554. DATA ON COSTS INCURRED IN SUPPORT OF UNITED NATIONS PEACEKEEPING OPERATIONS.

"(a) UNITED STATES COSTS.—The President shall annually provide to the Secretary General of the United Nations data regarding all costs incurred by the United States Department of Defense during the preceding year in support of all United Nations Security Council resolutions as reported to the Congress pursuant to section 8079 of the Department of Defense Appropriations Act, 1998.

"(b) UNITED NATIONS MEMBER COSTS.—The President shall request that the United Nations compile and publish information concerning costs incurred by United Nations members in support of such resolutions.".

SEC. 723. REIMBURSEMENT FOR GOODS AND SERVICES PROVIDED BY THE UNITED STATES TO THE UNITED NATIONS.

The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following new section:

"SEC. 10. REIMBURSEMENT FOR GOODS AND SERVICES PROVIDED BY THE UNITED STATES TO THE UNITED NATIONS.

"(a) REQUIREMENT TO OBTAIN REIMBURSEMENT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the President shall seek and obtain in a timely fashion a commitment from the United Nations to provide reimbursement to the United States from the United Nations whenever the United States Government furnishes assistance pursuant to the provisions of law described in subsection (c)—

"(A) to the United Nations when the assistance is designed to facilitate or assist in carrying out an assessed peacekeeping operation;

"(B) for any United Nations peacekeeping operation that is authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping or regular budget assessment of the United Nations members; or

"(C) to any country participating in any operation authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping assessments of United Nations members when the assistance is designed to facilitate or assist the participation of that country in the operation.

"(2) EXCEPTIONS.—

"(A) IN GENERAL.—The requirement in paragraph (1) shall not apply to—

"(i) goods and services provided to the United States Armed Forces;

"(ii) assistance having a value of less than $3,000,000 per fiscal year per operation;

"(iii) assistance furnished before the date of enactment of this section;

"(iv) salaries and expenses of civilian police and other civilian and military monitors where United Nations policy is to require payment by contributing members for similar assistance to United Nations peacekeeping operations; or

"(v) any assistance commitment made before the date of enactment of this section.

"(B) DEPLOYMENTS OF UNITED STATES MILITARY FORCES.— The requirements of subsection (d)(1)(B) shall not apply to the deployment of United States military forces when the President determines that such deployment is important to the security interests of the United States. The cost of such deployment shall be included in the data provided under section 554 of the Foreign Assistance Act of 1961.

"(3) FORM AND AMOUNT.—

"(A) AMOUNT.—The amount of any reimbursement under this subsection shall be determined at the usual rate established by the United Nations.

"(B) FORM.—Reimbursement under this subsection may include credits against the United States assessed contributions for United Nations peacekeeping operations, if the expenses incurred by any United States department or agency providing the assistance have first been reimbursed.

"(b) TREATMENT OF REIMBURSEMENTS.—

"(1) CREDIT.—The amount of any reimbursement paid the United States under subsection (a) shall be credited to the current applicable appropriation, fund, or account of the United States department or agency providing the assistance for which the reimbursement is paid.

"(2) AVAILABILITY.—Amounts credited under paragraph (1) shall be merged with the appropriations, or with appropriations in the fund or account, to which credited and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged.

"(c) COVERED ASSISTANCE.—Subsection (a) applies to assistance provided under the following provisions of law:

"(1) Sections 6 and 7 of this Act.

"(2) Sections 451, 506(a)(1), 516, 552(c), and 607 of the Foreign Assistance Act of 1961.

"(3) Any other provisions of law pursuant to which assistance is provided by the United States to carry out the mandate of an assessed United Nations peacekeeping operation.

"(d) WAIVER.—

"(1) AUTHORITY.—

"(A) IN GENERAL.—The President may authorize the furnishing of assistance covered by this section without regard to subsection (a) if the President determines, and so notifies in writing the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives, that to do so is important to the security interests of the United States.

"(B) CONGRESSIONAL NOTIFICATION.—When exercising the authorities of subparagraph (A), the President shall notify the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

"(2) CONGRESSIONAL REVIEW.—Notwithstanding a notice under paragraph (1) with respect to assistance covered by this

section, subsection (a) shall apply to the furnishing of the assistance if, not later than 15 calendar days after receipt of a notification under that paragraph, the Congress enacts a joint resolution disapproving the determination of the President contained in the notification.

"(3) SENATE PROCEDURES.—Any joint resolution described in paragraph (2) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

"(e) RELATIONSHIP TO OTHER REIMBURSEMENT AUTHORITY.—Nothing in this section shall preclude the President from seeking reimbursement for assistance covered by this section that is in addition to the reimbursement sought for the assistance under subsection (a).

"(f) DEFINITION.—In this section, the term 'assistance' includes personnel, services, supplies, equipment, facilities, and other assistance if such assistance is provided by the Department of Defense or any other United States Government agency.".

SEC. 734. CODIFICATION OF REQUIRED NOTICE OF PROPOSED UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) CODIFICATION.—Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b) is amended—

(1) in subsection (a), by striking the second sentence; and

(2) by striking subsection (e) and inserting the following:

"(e) CONSULTATIONS AND REPORTS ON UNITED NATIONS PEACEKEEPING OPERATIONS.—

"(1) CONSULTATIONS.—Each month the President shall consult with Congress on the status of United Nations peacekeeping operations.

"(2) INFORMATION TO BE PROVIDED.—In connection with such consultations, the following information shall be provided each month to the designated congressional committees:

"(A) With respect to ongoing United Nations peacekeeping operations, the following:

"(i) A list of all resolutions of the United Nations Security Council anticipated to be voted on during such month that would extend or change the mandate of any United Nations peacekeeping operation.

"(ii) For each such operation, any changes in the duration, mandate, and command and control arrangements that are anticipated as a result of the adoption of the resolution.

"(iii) An estimate of the total cost to the United Nations of each such operation for the period covered by the resolution, and an estimate of the amount of that cost that will be assessed to the United States.

"(iv) Any anticipated significant changes in United States participation in or support for each such operation during the period covered by the resolution (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.)), and the estimated costs to the United States of such changes.

"(B) With respect to each new United Nations peacekeeping operation that is anticipated to be authorized by a Security Council resolution during such month, the following information for the period covered by the resolution:

"(i) The anticipated duration, mandate, and command and control arrangements of such operation, the planned exit strategy, and the vital national interest to be served.

"(ii) An estimate of the total cost to the United Nations of the operation, and an estimate of the amount of that cost that will be assessed to the United States.

"(iii) A description of the functions that would be performed by any United States Armed Forces participating in or otherwise operating in support of the operation, an estimate of the number of members of the Armed Forces that will participate in or otherwise operate in support of the operation, and an estimate of the cost to the United States of such participation or support.

"(iv) A description of any other United States assistance to or support for the operation (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.)), and an estimate of the cost to the United States of such assistance or support.

"(v) A reprogramming of funds pursuant to section 34 of the State Department Basic Authorities Act of 1956, submitted in accordance with the procedures set forth in such section, describing the source of funds that will be used to pay for the cost of the new United Nations peacekeeping operation, provided that such notification shall also be submitted to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

"(3) FORM AND TIMING OF INFORMATION.—

"(A) FORM.—The President shall submit information under clauses (i) and (iii) of paragraph (2)(A) in writing.

"(B) TIMING.—

"(i) ONGOING OPERATIONS.—The information required under paragraph (2)(A) for a month shall be submitted not later than the 10th day of the month.

"(ii) NEW OPERATIONS.—The information required under paragraph (2)(B) shall be submitted in writing with respect to each new United Nations peacekeeping operation not less than 15 days before the anticipated date of the vote on the resolution concerned unless the President determines that exceptional circumstances prevent compliance with the requirement to report 15 days in advance. If the President makes such a determination, the information required under paragraph (2)(B) shall be submitted as far in advance of the vote as is practicable.

"(4) NEW UNITED NATIONS PEACEKEEPING OPERATION DEFINED.—As used in paragraph (2), the term 'new United

Nations peacekeeping operation' includes any existing or otherwise ongoing United Nations peacekeeping operation—

"(A) where the authorized force strength is to be expanded;

"(B) that is to be authorized to operate in a country in which it was not previously authorized to operate; or

"(C) the mandate of which is to be changed so that the operation would be engaged in significant additional or significantly different functions.

"(5) NOTIFICATION AND QUARTERLY REPORTS REGARDING UNITED STATES ASSISTANCE.—

"(A) NOTIFICATION OF CERTAIN ASSISTANCE.—

"(i) IN GENERAL.—The President shall notify the designated congressional committees at least 15 days before the United States provides any assistance to the United Nations to support peacekeeping operations.

"(ii) EXCEPTION.—This subparagraph does not apply to—

"(I) assistance having a value of less than $3,000,000 in the case of nonreimbursable assistance or less than $14,000,000 in the case of reimbursable assistance; or

"(II) assistance provided under the emergency drawdown authority of sections 506(a)(1) and 552(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1) and 2348a(c)(2)).

"(B) QUARTERLY REPORTS.—

"(i) IN GENERAL.—The President shall submit quarterly reports to the designated congressional committees on all assistance provided by the United States during the preceding calendar quarter to the United Nations to support peacekeeping operations.

"(ii) MATTERS INCLUDED.—Each report under this subparagraph shall describe the assistance provided for each such operation, listed by category of assistance.

"(iii) FOURTH QUARTER REPORT.—The report under this subparagraph for the fourth calendar quarter of each year shall be submitted as part of the annual report required by subsection (d) and shall include cumulative information for the preceding calendar year.

"(f) DESIGNATED CONGRESSIONAL COMMITTEES.—In this section, the term 'designated congressional committees' means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.".

(2) CONFORMING REPEAL.—Subsection (a) of section 407 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287b note; 108 Stat. 448) is repealed.

(b) RELATIONSHIP TO OTHER NOTICE REQUIREMENTS.—Section 4 of the United Nations Participation Act of 1945, as amended by subsection (a), is further amended by adding at the end the following:

"(g) RELATIONSHIP TO OTHER NOTIFICATION REQUIREMENTS.—Nothing in this section is intended to alter or supersede any notification requirement with respect to peacekeeping operations that is established under any other provision of law.".

TITLE VIII—MISCELLANEOUS PROVISIONS

Subtitle A—General Provisions

SEC. 801. DENIAL OF ENTRY INTO UNITED STATES OF FOREIGN NATIONALS ENGAGED IN ESTABLISHMENT OR ENFORCEMENT OF FORCED ABORTION OR STERILIZATION POLICY.

(a) DENIAL OF ENTRY.—Notwithstanding any other provision of law, the Secretary of State may not issue any visa to, and the Attorney General may not admit to the United States, any foreign national whom the Secretary finds, based on credible and specific information, to have been directly involved in the establishment or enforcement of population control policies forcing a woman to undergo an abortion against her free choice or forcing a man or woman to undergo sterilization against his or her free choice, unless the Secretary has substantial grounds for believing that the foreign national has discontinued his or her involvement with, and support for, such policies.

(b) EXCEPTIONS.—The prohibitions in subsection (a) shall not apply in the case of a foreign national who is a head of state, head of government, or cabinet level minister.

(c) WAIVER.—The Secretary of State may waive the prohibitions in subsection (a) with respect to a foreign national if the Secretary—

(1) determines that it is important to the national interest of the United States to do so; and

(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

SEC. 802. TECHNICAL CORRECTIONS.

(a) Section 1422(b)(3)(B) of the Foreign Affairs Reform and Restructuring Act (as contained in division G of Public Law 105–277; 112 Stat. 2681–792) is amended by striking "divisionAct" and inserting "division".

(b) Section 1002(a) of the Foreign Affairs Reform and Restructuring Act (as contained in division G of Public Law 105–277; 112 Stat. 2681–762) is amended by striking paragraph (3).

(c) The table of contents of division G of Public Law 105–277 (112 Stat. 2681–762) is amended by striking "DIVISION__" and inserting "DIVISION G".

(d) Section 305 of Public Law 97–446 (19 U.S.C 2604) is amended in the first sentence by striking "Secretary" the first place it appears and inserting "Secretary, in consultation with the Secretary of State,".

SEC. 803. REPORTS WITH RESPECT TO A REFERENDUM ON WESTERN SAHARA.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than each of the dates specified in paragraph (2), the Secretary of State shall submit a report to the appropriate congressional committees describing specific

steps being taken by the Government of Morocco and by the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (POLISARIO) to ensure that a free, fair, and transparent referendum in which the people of the Western Sahara will choose between independence and integration with Morocco will be held by July 2000.

(2) DEADLINES FOR SUBMISSION OF REPORTS.—The dates referred to in paragraph (1) are January 1, 2000, and June 1, 2000.

(b) REPORT ELEMENTS.—The report shall include—

(1) a description of preparations for the referendum, including the extent to which free access to the territory for independent international organizations, including election observers and international media, will be guaranteed;

(2) a description of current efforts by the Department of State to ensure that a referendum will be held by July 2000;

(3) an assessment of the likelihood that the July 2000 date will be met;

(4) a description of obstacles, if any, to the voter registration process and other preparations for the referendum, and efforts being made by the parties and the United States Government to overcome those obstacles; and

(5) an assessment of progress being made in the repatriation process.

SEC. 804. REPORTING REQUIREMENTS UNDER PLO COMMITMENTS COMPLIANCE ACT OF 1989.

The PLO Commitments Compliance Act of 1989 is amended—

(1) in section 804(b), by striking "In conjunction with each written policy justification required under section 604(b)(1) of the Middle East Peace Facilitation Act of 1995 or every" and inserting "Every";

(2) in section 804(b)—

(A) by striking "and" at the end of paragraph (9);

(B) by striking the period at the end of paragraph (10); and

(C) by adding at the end the following new paragraphs:

"(11) a statement on the effectiveness of end-use monitoring of international or United States aid being provided to the Palestinian Authority, Palestinian Liberation Organization, or the Palestinian Legislative Council, or to any other agent or instrumentality of the Palestinian Authority, on Palestinian efforts to comply with international accounting standards and on enforcement of anti-corruption measures; and

"(12) a statement on compliance by the Palestinian Authority with the democratic reforms, with specific details regarding the separation of powers called for between the executive and Legislative Council, the status of legislation passed by the Legislative Council and sent to the executive, the support of the executive for local and municipal elections, the status of freedom of the press, and of the ability of the press to broadcast debate from within the Legislative Council and about the activities of the Legislative Council.".

SEC. 808. REPORT ON TERRORIST ACTIVITY IN WHICH UNITED STATES CITIZENS WERE KILLED AND RELATED MATTERS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act and every 6 months thereafter until October 1, 2001, the Secretary of State shall prepare and submit a report, with a classified annex as necessary, to the appropriate congressional committees regarding terrorist attacks in Israel, in territory administered by Israel, and in territory administered by the Palestinian Authority. The report shall contain the following information:

(1) A list of formal commitments the Palestinian Authority has made to combat terrorism.

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

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

(B) the date of each attack and the total number of people killed or injured in each attack;

(C) the person or group claiming responsibility for the attack and where such person or group has found refuge or support;

(D) a list of suspects implicated in each attack and the nationality of each suspect, including information on—

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

(ii) which suspects are still at large in areas controlled by the Palestinian Authority or Israel; and

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

(3) Of the suspects implicated in the attacks described in paragraph (2) and detained by Palestinian or Israeli authorities, information on—

(A) the date each suspect was incarcerated;

(B) whether any suspects have been released, the date of such release, and whether any released suspect was implicated in subsequent acts of terrorism; and

(C) the status of each case pending against a suspect, including information on whether the suspect has been indicted, prosecuted, or convicted by the Palestinian Authority or Israel.

(4) The policy of the Department of State with respect to offering rewards for information on terrorist suspects, including any information on whether a reward has been posted for suspects involved in terrorist attacks listed in the report.

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

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

(7) A list of any terrorist suspects in these cases who are members of Palestinian police or security forces, the Palestine Liberation Organization, or any Palestinian governing body.

(8) A list of all United States citizens killed or injured in terrorist attacks in Israel or in territory administered by Israel between 1950 and September 13, 1993, to include in each case, where such information is reasonably available, any stated claim of responsibility and the resolution or disposition of each case, except that this list shall be submitted only once with the initial report required under this section unless additional relevant information on these cases becomes available.

(b) CONSULTATION WITH OTHER DEPARTMENTS.—The Secretary of State shall, in preparing the report required by this section, consult and coordinate with all other Government officials who have information necessary to complete the report. Nothing contained in this section shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests or jeopardize ongoing criminal investigations or proceedings.

(c) INITIAL REPORT.—Except as provided in subsection (a)(8), the initial report filed under this section shall cover the period between September 13, 1993 and the date of the report.

SEC. 806. ANNUAL REPORTING ON WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE.

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

(1) in paragraph (6), by striking "and" at the end;

(2) in paragraph (7), by striking the period at the end and inserting "and"; and

(3) by adding at the end the following:

"(8) wherever applicable, consolidated information regarding the commission of war crimes, crimes against humanity, and evidence of acts that may constitute genocide (as defined in article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide and modified by the United States instrument of ratification to that convention and section 2(a) of the Genocide Convention Implementation Act of 1987).".

(b) SECTION 502B OF THE FOREIGN ASSISTANCE ACT OF 1961.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the first sentence the following: "Wherever applicable, such report shall include consolidated information regarding the commission of war crimes, crimes against humanity, and evidence of acts that may constitute genocide (as defined in article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide and modified by the United States instrument of ratification to that convention and section 2(a) of the Genocide Convention Implementation Act of 1987).".

Subtitle B—North Korea Threat Reduction

SEC. 821. SHORT TITLE.

This subtitle may be cited as the "North Korea Threat Reduction Act of 1999".

SEC. 822. RESTRICTIONS ON NUCLEAR COOPERATION WITH NORTH KOREA.

(a) IN GENERAL.—Notwithstanding any other provision of law or any international agreement, no agreement for cooperation (as defined in sec. 11 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2014 b.)) between the United States and North Korea may become effective, no license may be issued for export directly or indirectly to North Korea of any nuclear material, facilities, components, or other goods, services, or technology that would be subject to such agreement, and no approval may be given for the transfer or retransfer directly or indirectly to North Korea of any nuclear material, facilities, components, or other goods, services, or technology that would be subject to such agreement, until the President determines and reports to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that—

(1) North Korea has come into full compliance with its safeguards agreement with the IAEA (INFCIRC/403), and has taken all steps that have been deemed necessary by the IAEA in this regard;

(2) North Korea has permitted the IAEA full access to all additional sites and all information (including historical records) deemed necessary by the IAEA to verify the accuracy and completeness of North Korea's initial report of May 4, 1992, to the IAEA on all nuclear sites and material in North Korea;

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

(4) North Korea has consistently taken steps to implement the Joint Declaration on Denuclearization, and is in full compliance with its obligations under numbered paragraphs 1, 2, and 3 of the Joint Declaration on Denuclearization (excluding in the case of numbered paragraph 3 facilities frozen pursuant to the Agreed Framework);

(5) North Korea does not have uranium enrichment or nuclear reprocessing facilities (excluding facilities frozen pursuant to the Agreed Framework), and is making no significant progress toward acquiring or developing such facilities;

(6) North Korea does not have nuclear weapons and is making no significant effort to acquire, develop, test, produce, or deploy such weapons; and

(7) the transfer to North Korea of key nuclear components, under the proposed agreement for cooperation with North Korea and in accordance with the Agreed Framework, is in the national interest of the United States.

(b) CONSTRUCTION.—The restrictions contained in subsection (a) shall apply in addition to all other applicable procedures, requirements, and restrictions contained in the Atomic Energy Act of 1954 and other laws.

SEC. 323. DEFINITIONS.

In this subtitle:

(1) AGREED FRAMEWORK.—The term "Agreed Framework" means the "Agreed Framework Between the United States of America and the Democratic People's Republic of Korea", signed in Geneva on October 21, 1994, and the Confidential Minute to that Agreement.

(2) IAEA.—The term "IAEA" means the International Atomic Energy Agency.

(3) NORTH KOREA.—The term "North Korea" means the Democratic People's Republic of Korea.

(4) JOINT DECLARATION ON DENUCLEARIZATION.—The term "Joint Declaration on Denuclearization" means the Joint Declaration on the Denuclearization of the Korean Peninsula, issued by the Republic of Korea and the Democratic People's Republic of Korea on January 1, 1992.

Subtitle C—People's Republic of China

SEC. 371. FINDINGS.

Congress makes the following findings:

(1) Congress concurs in the conclusions of the Department of State, as set forth in the Country Reports on Human Rights Practices for 1998, on human rights in the People's Republic of China in 1998 as follows:

(A) "The People's Republic of China (PRC) is an authoritarian state in which the Chinese Communist Party (CCP) is the paramount source of power. . . . Citizens lack both the freedom peacefully to express opposition to the party-led political system and the right to change their national leaders or form of government.".

(B) "The Government continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms. These abuses stemmed from the authorities' very limited tolerance of public dissent aimed at the Government, fear of unrest, and the limited scope or inadequate implementation of laws protecting basic freedoms.".

(C) "Abuses included instances of extrajudicial killings, torture and mistreatment of prisoners, forced confessions, arbitrary arrest and detention, lengthy incommunicado detention, and denial of due process.".

(D) "Prison conditions at most facilities remained harsh. . . . The Government infringed on citizens' privacy rights. The Government continued restrictions on freedom of speech and of the press, and tightened these toward the end of the year. The Government severely restricted freedom of assembly, and continued to restrict freedom of association, religion, and movement.".

(E) "Discrimination against women, minorities, and the disabled; violence against women, including coercive family planning practices—which sometimes include forced abortion and forced sterilization; prostitution, trafficking in women and children, and the abuse of children all are problems.".

(F) "The Government continued to restrict tightly worker rights, and forced labor remains a problem.".

(G) "Serious human rights abuses persisted in minority areas, including Tibet and Xinjiang, where restrictions on religion and other fundamental freedoms intensified.".

(H) "Unapproved religious groups, including Protestant and Catholic groups, continued to experience varying degrees of official interference and repression.".

(I) "Although the Government denies that it holds political or religious prisoners, and argues that all those in prison are legitimately serving sentences for crimes under the law, an unknown number of persons, estimated at several thousand, are detained in violation of international human rights instruments for peacefully expressing their political, religious, or social views.".

(2) In addition to the State Department, credible press reports and human rights organizations have documented an intense crackdown on political activists by the Government of the People's Republic of China, involving the harassment, detainment, arrest, and imprisonment of dozens of activists.

(3) The People's Republic of China, as a member of the United Nations, is expected to abide by the provisions of the Universal Declaration of Human Rights.

(4) The People's Republic of China is a party to numerous international human rights conventions, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and is a signatory to the International Covenant on Civil and Political Rights and the Covenant on Economic, Social, and Cultural Rights.

SEC. 872. FUNDING FOR ADDITIONAL PERSONNEL AT DIPLOMATIC POSTS TO REPORT ON POLITICAL, ECONOMIC, AND HUMAN RIGHTS MATTERS IN THE PEOPLE'S REPUBLIC OF CHINA.

Of the amounts authorized to be appropriated for the Department of State by this Act, $2,200,000 for fiscal year 2000 and $2,200,000 for fiscal year 2001 shall be made available only to support additional personnel in the United States Embassies in Beijing and Kathmandu, as well as the American consulates in Guangzhou, Shanghai, Shenyang, Chengdu, and Hong Kong, in order to monitor political and social conditions, with particular emphasis on respect for, and violations of, internationally recognized human rights, in the People's Republic of China.

SEC. 873. PRISONER INFORMATION REGISTRY FOR THE PEOPLE'S REPUBLIC OF CHINA.

(a) REQUIREMENT.—The Secretary of State shall establish and maintain a registry which shall, to the extent practicable, provide information on all political prisoners, prisoners of conscience, and prisoners of faith in the People's Republic of China. The registry shall be known as the "Prisoner Information Registry for the People's Republic of China".

(b) INFORMATION IN REGISTRY.—The registry required by subsection (a) shall include information on the charges, judicial processes, administrative actions, uses of forced labor, incidents of torture, lengths of imprisonment, physical and health conditions, and other matters associated with the incarceration of prisoners in the People's Republic of China referred to in that subsection.

(c) AVAILABILITY OF FUNDS.—The Secretary may make a grant to nongovernmental organizations currently engaged in monitoring activities regarding political prisoners in the People's Republic of China in order to assist in the establishment and maintenance of the registry required by subsection (a).

TITLE IX—ARREARS PAYMENTS AND REFORM

Subtitle A—General Provisions

SEC. 901. SHORT TITLE.

This title may be cited as the "United Nations Reform Act of 1999".

SEC. 902. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

(2) DESIGNATED SPECIALIZED AGENCY DEFINED.—The term "designated specialized agency" means the International Labor Organization, the World Health Organization, and the Food and Agriculture Organization.

(3) GENERAL ASSEMBLY.—The term "General Assembly" means the General Assembly of the United Nations.

(4) SECRETARY GENERAL.—The term "Secretary General" means the Secretary General of the United Nations.

(5) SECURITY COUNCIL.—The term "Security Council" means the Security Council of the United Nations.

(6) UNITED NATIONS MEMBER.—The term "United Nations member" means any country that is a member of the United Nations.

(7) UNITED NATIONS PEACEKEEPING OPERATION.—The term "United Nations peacekeeping operation" means any United Nations-led operation to maintain or restore international peace or security that—

(A) is authorized by the Security Council; and

(B) is paid for from assessed contributions of United Nations members that are made available for peacekeeping activities.

Subtitle B—Arrearages to the United Nations

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS; OBLIGATION AND EXPENDITURE OF FUNDS

SEC. 911. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—

(1) FISCAL YEAR 1998.—

(A) REGULAR ASSESSMENTS.—Amounts appropriated by title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119), under the heading "Contributions to International Organizations", are hereby authorized to be appropriated and shall be available for obligation and expenditure subject to the provisions of this title.

(B) PEACEKEEPING ASSESSMENTS.—Amounts appropriated by title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119), under the heading "Contributions for International Peacekeeping Activities", are hereby authorized to be appropriated and shall be available for obligation and expenditure subject to the provisions of this title.

(2) FISCAL YEAR 1999.—Amounts appropriated under the heading "Arrearage Payments" in title IV of the Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as contained in section 101(b) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277), are hereby authorized to be appropriated and shall be available for obligation and expenditure subject to the provisions of this title.

(3) FISCAL YEAR 2000.—There are authorized to be appropriated to the Department of State for payment of arrearages owed by the United States described in subsection (b) as of September 30, 1997, $244,000,000 for fiscal year 2000. Amounts appropriated pursuant to this paragraph shall be available for obligation and expenditure subject to the provisions of this title.

(b) LIMITATION.—Amounts made available under subsection (a) are authorized to be available only—

(1) to pay the United States share of assessments for the regular budget of the United Nations;

(2) to pay the United States share of United Nations peacekeeping operations;

(3) to pay the United States share of United Nations specialized agencies; and

(4) to pay the United States share of other international organizations.

(c) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

(d) STATUTORY CONSTRUCTION.—For purposes of payments made using funds made available under subsection (a), section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) shall not apply to United Nations peacekeeping operation assessments received by the United States prior to October 1, 1995.

SEC. 912. OBLIGATION AND EXPENDITURE OF FUNDS.

(a) IN GENERAL.—Funds made available pursuant to section 911 may be obligated and expended only if the requirements of subsections (b) and (c) of this section are satisfied.

(b) OBLIGATION AND EXPENDITURE UPON SATISFACTION OF CERTIFICATION REQUIREMENTS.—Subject to subsections (e) and (f), funds made available pursuant to section 911 may be obligated and

expended only in the following allotments and upon the following certifications:

(1) Amounts made available for fiscal year 1998, upon the certification described in section 921.

(2) Amounts made available for fiscal year 1999, upon the certification described in section 931.

(3) Amounts authorized to be appropriated for fiscal year 2000, upon the certification described in section 941.

(c) ADVANCE CONGRESSIONAL NOTIFICATION.—Funds made available pursuant to section 911 may be obligated and expended only if the appropriate certification has been submitted to the appropriate congressional committees 30 days prior to the payment of the funds.

(d) TRANSMITTAL OF CERTIFICATIONS.—Certifications made under this chapter shall be transmitted by the Secretary of State to the appropriate congressional committees.

(e) WAIVER AUTHORITY WITH RESPECT TO FISCAL YEAR 1999 FUNDS.—

(1) IN GENERAL.—Subject to paragraph (3) and notwithstanding subsection (b), funds made available under section 911 for fiscal year 1999 may be obligated or expended pursuant to subsection (b)(2) even if the Secretary of State cannot certify that the condition described in section 931(b)(1) has been satisfied.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The authority to waive the condition described in paragraph (1) of this subsection may be exercised only if the Secretary of State—

(i) determines that substantial progress towards satisfying the condition has been made and that the expenditure of funds pursuant to that paragraph is important to the interests of the United States; and

(ii) has notified, and consulted with, the appropriate congressional committees prior to exercising the authority.

(B) EFFECT ON SUBSEQUENT CERTIFICATION.—If the Secretary of State exercises the authority of paragraph (1), the condition described in that paragraph shall be deemed to have been satisfied for purposes of making any certification under section 941.

(3) ADDITIONAL REQUIREMENT.—If the authority to waive a condition under paragraph (1)(A) is exercised, the Secretary of State shall notify the United Nations that the Congress does not consider the United States obligated to pay, and does not intend to pay, arrearages that have not been included in the contested arrearages account or other mechanism described in section 931(b)(1).

(f) WAIVER AUTHORITY WITH RESPECT TO FISCAL YEAR 2000 FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2) and notwithstanding subsection (b), funds made available under section 911 for fiscal year 2000 may be obligated or expended pursuant to subsection (b)(3) even if the Secretary of State cannot certify that the condition described in paragraph (1) of section 941(b) has been satisfied.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The authority to waive a condition under paragraph (1) may be exercised only if the Secretary of State has notified, and consulted with, the appropriate congressional committees prior to exercising the authority.

(B) EFFECT ON SUBSEQUENT CERTIFICATION.—If the Secretary of State exercises the authority of paragraph (1) with respect to a condition, such condition shall be deemed to have been satisfied for purposes of making any certification under section 941.

SEC. 913. FORGIVENESS OF AMOUNTS OWED BY THE UNITED NATIONS TO THE UNITED STATES.

(a) FORGIVENESS OF INDEBTEDNESS.—Subject to subsection (b), the President is authorized to forgive or reduce any amount owed by the United Nations to the United States as a reimbursement, including any reimbursement payable under the Foreign Assistance Act of 1961 or the United Nations Participation Act of 1945.

(b) LIMITATIONS.—

(1) TOTAL AMOUNT.—The total of amounts forgiven or reduced under subsection (a) may not exceed $107,000,000.

(2) RELATION TO UNITED STATES ARREARAGES.—Amounts shall be forgiven or reduced under this section only to the same extent as the United Nations forgives or reduces amounts owed by the United States to the United Nations as of September 30, 1997.

(c) REQUIREMENTS.—The authority in subsection (a) shall be available only to the extent and in the amounts provided in advance in appropriations Acts.

(d) CONGRESSIONAL NOTIFICATION.—Before exercising any authority in subsection (a), the President shall notify the appropriate congressional committees in accordance with the same procedures as are applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

(e) EFFECTIVE DATE.—This section shall take effect on the date a certification is transmitted to the appropriate congressional committees under section 931.

CHAPTER 2—UNITED STATES SOVEREIGNTY

SEC. 921. CERTIFICATION REQUIREMENTS.

(a) CONTENTS OF CERTIFICATION.—A certification described in this section is a certification by the Secretary of State that the following conditions are satisfied:

(1) SUPREMACY OF THE UNITED STATES CONSTITUTION.—No action has been taken by the United Nations or any of its specialized or affiliated agencies that requires the United States to violate the United States Constitution or any law of the United States.

(2) NO UNITED NATIONS SOVEREIGNTY.—Neither the United Nations nor any of its specialized or affiliated agencies—

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

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

(3) NO UNITED NATIONS TAXATION.—

(A) NO LEGAL AUTHORITY.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has the authority under United States law to impose taxes or fees on United States nationals.

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

(C) NO TAXATION PROPOSALS.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has, on or after October 1, 1996, officially approved any formal effort to develop, advocate, or promote any proposal concerning the imposition of a tax or fee on any United States national in order to raise revenue for the United Nations or any such agency.

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

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

(ii) the World Intellectual Property Organization; or

(iii) the staff assessment costs of the United Nations and its specialized or affiliated agencies.

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

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

(6) UNITED STATES REAL PROPERTY RIGHTS.—Neither the United Nations nor any of its specialized or affiliated agencies has exercised authority or control over any United States national park, wildlife preserve, monument, or real property, nor has the United Nations nor any of its specialized or affiliated agencies implemented plans, regulations, programs, or agreements that exercise control or authority over the private real property of United States citizens located in the United States without the approval of the property owner.

(7) TERMINATION OF BORROWING AUTHORITY.—

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

(B) PROHIBITION OF UNITED STATES PAYMENT OF INTEREST COSTS.—The United States has not, on or after October 1, 1984, paid its share of any interest costs made

known to or identified by the United States Government for loans incurred, on or after October 1, 1984, by the United Nations or any specialized agency of the United Nations through external borrowing.

(b) TRANSMITTAL.—The Secretary of State may transmit a certification under subsection (a) at any time during fiscal year 1998 or thereafter if the requirements of the certification are satisfied.

CHAPTER 3—REFORM OF ASSESSMENTS AND UNITED NATIONS PEACEKEEPING OPERATIONS

SEC. 931. CERTIFICATION REQUIREMENTS.

(a) IN GENERAL.—A certification described in this section is a certification by the Secretary of State that the conditions in subsection (b) are satisfied. Such certification shall not be made by the Secretary if the Secretary determines that any of the conditions set forth in section 921 are no longer satisfied.

(b) CONDITIONS.—The conditions under this subsection are the following:

(1) CONTESTED ARREARAGES.—The United Nations has established an account or other appropriate mechanism with respect to all United States arrearages incurred before the date of enactment of this Act with respect to which payments are not authorized by this Act, and the failure to pay amounts specified in the account does not affect the application of Article 19 of the Charter of the United Nations. The account established under this paragraph may be referred to as the "contested arrearages account".

(2) LIMITATION ON ASSESSED SHARE OF BUDGET FOR UNITED NATIONS PEACEKEEPING OPERATIONS.—The assessed share of the budget for each assessed United Nations peacekeeping operation does not exceed 25 percent for any single United Nations member.

(3) LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET.—The share of the total of all assessed contributions for the regular budget of the United Nations does not exceed 22 percent for any single United Nations member.

CHAPTER 4—BUDGET AND PERSONNEL REFORM

SEC. 941. CERTIFICATION REQUIREMENTS.

(a) IN GENERAL.—

(1) IN GENERAL.—Except as provided in paragraph (2), a certification described in this section is a certification by the Secretary of State that the conditions in subsection (b) are satisfied.

(2) SPECIFIED CERTIFICATION.—A certification described in this section is also a certification that, with respect to the United Nations or a particular designated specialized agency, the conditions in subsection (b)(4) applicable to that organization are satisfied, regardless of whether the conditions in subsection (b)(4) applicable to any other organization are satisfied, if the other conditions in subsection (b) are satisfied.

(3) EFFECT OF SPECIFIED CERTIFICATION.—Funds made available under section 912(b)(3) upon a certification made under this section with respect to the United Nations or a particular designated specialized agency shall be limited to

that portion of the funds available under that section that is allocated for the organization with respect to which the certification is made and for any other organization to which none of the conditions in subsection (b) apply.

(4) LIMITATION.—A certification described in this section shall not be made by the Secretary if the Secretary determines that any of the conditions set forth in sections 921 and 931 are no longer satisfied.

(b) CONDITIONS.—The conditions under this subsection are the following:

(1) LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET.—The share of the total of all assessed contributions for the regular budget of the United Nations, or any designated specialized agency of the United Nations, does not exceed 20 percent for any single United Nations member.

(2) INSPECTORS GENERAL FOR CERTAIN ORGANIZATIONS.—

(A) ESTABLISHMENT OF OFFICES.—Each designated specialized agency has established an independent office of inspector general to conduct and supervise objective audits, inspections, and investigations relating to the programs and operations of the organization.

(B) APPOINTMENT OF INSPECTORS GENERAL.—The Director General of each designated specialized agency has appointed an inspector general, with the approval of the member states, and that appointment was made principally on the basis of the appointee's integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(C) ASSIGNED FUNCTIONS.—Each inspector general appointed under subparagraph (A) is authorized to—

(i) make investigations and reports relating to the administration of the programs and operations of the agency concerned;

(ii) have access to all records, documents, and other available materials relating to those programs and operations of the agency concerned; and

(iii) have direct and prompt access to any official of the agency concerned.

(D) COMPLAINTS.—Each designated specialized agency has procedures in place designed to protect the identity of, and to prevent reprisals against, any staff member making a complaint or disclosing information to, or cooperating in any investigation or inspection by, the inspector general of the agency.

(E) COMPLIANCE WITH RECOMMENDATIONS.—Each designated specialized agency has in place procedures designed to ensure compliance with the recommendations of the inspector general of the agency.

(F) AVAILABILITY OF REPORTS.—Each designated specialized agency has in place procedures to ensure that all annual and other relevant reports submitted by the inspector general to the agency are made available to the member states without modification except to the extent necessary to protect the privacy rights of individuals.

(3) NEW BUDGET PROCEDURES FOR THE UNITED NATIONS.—The United Nations has established and is implementing budget procedures that—

(A) require the maintenance of a budget not in excess of the level agreed to by the General Assembly at the beginning of each United Nations budgetary biennium, unless increases are agreed to by consensus; and

(B) require the system-wide identification of expenditures by functional categories such as personnel, travel, and equipment.

(4) SUNSET POLICY FOR CERTAIN UNITED NATIONS PROGRAMS.—

(A) EXISTING AUTHORITY.—The Secretary General and the Director General of each designated specialized agency have used their existing authorities to require program managers within the United Nations Secretariat and the Secretariats of the designated specialized agencies to conduct evaluations of United Nations programs approved by the General Assembly, and of programs of the designated specialized agencies, in accordance with the standardized methodology referred to in subparagraph (B).

(B) DEVELOPMENT OF EVALUATION CRITERIA.—

(i) UNITED NATIONS.—The Office of Internal Oversight Services has developed a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(ii) DESIGNATED SPECIALIZED AGENCIES.—Patterned on the work of the Office of Internal Oversight Services of the United Nations, each designated specialized agency has developed a standardized methodology for the evaluation of the programs of the agency, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(C) PROCEDURES.—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each designated specialized agency has established and is implementing procedures—

(i) requiring the Secretary General or the Director General of the agency, as the case may be, to report on the results of evaluations referred to in this paragraph, including the identification of programs that have met criteria for continuing relevance and effectiveness and proposals to terminate or modify programs that have not met such criteria; and

(ii) authorizing an appropriate body within the United Nations or the agency, as the case may be, to review each evaluation referred to in this paragraph and report to the General Assembly on means of improving the program concerned or on terminating the program.

(D) UNITED STATES POLICY.—It shall be the policy of the United States to seek adoption by the United Nations of a resolution requiring that each United Nations program

approved by the General Assembly, and to seek adoption by each designated specialized agency of a resolution requiring that each program of the agency, be subject to an evaluation referred to in this paragraph and have a specific termination date so that the program will not be renewed unless the evaluation demonstrates the continuing relevance and effectiveness of the program.

(E) DEFINITION.—For purposes of this paragraph, the term "United Nations program approved by the General Assembly" means a program approved by the General Assembly of the United Nations which is administered or funded by the United Nations.

(5) UNITED NATIONS ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS.—

(A) IN GENERAL.—The United States has a seat on the United Nations Advisory Committee on Administrative and Budgetary Questions or the five largest member contributors each have a seat on the Advisory Committee.

(B) DEFINITION.—As used in this paragraph, the term "5 largest member contributors" means the 5 United Nations member states that, during a United Nations budgetary biennium, have more total assessed contributions than any other United Nations member state to the aggregate of the United Nations regular budget and the budget (or budgets) for United Nations peacekeeping operations.

(6) ACCESS BY THE GENERAL ACCOUNTING OFFICE.—The United Nations has in effect procedures providing access by the United States General Accounting Office to United Nations financial data to assist the Office in performing nationally mandated reviews of United Nations operations.

(7) PERSONNEL.—

(A) APPOINTMENT AND SERVICE OF PERSONNEL.—The Secretary General—

(i) has established and is implementing procedures that ensure that staff employed by the United Nations is appointed on the basis of merit consistent with Article 101 of the United Nations Charter; and

(ii) is enforcing those contractual obligations requiring worldwide availability of all professional staff of the United Nations to serve and be relocated based on the needs of the United Nations.

(B) CODE OF CONDUCT.—The General Assembly has adopted, and the Secretary General has the authority to enforce and is effectively enforcing, a code of conduct binding on all United Nations personnel, including the requirement of financial disclosure statements binding on senior United Nations personnel and the establishment of rules against nepotism that are binding on all United Nations personnel.

(C) PERSONNEL EVALUATION SYSTEM.—The United Nations has adopted and is enforcing a personnel evaluation system.

(D) PERIODIC ASSESSMENTS.—The United Nations has established and is implementing a mechanism to conduct periodic assessments of the United Nations payroll to determine total staffing, and the results of such assessments

are reported in an unabridged form to the General Assembly.

(E) REVIEW OF UNITED NATIONS ALLOWANCE SYSTEM.—The United States has completed a thorough review of the United Nations personnel allowance system. The review shall include a comparison of that system with the United States civil service system, and shall make recommendations to reduce entitlements to allowances and allowance funding levels from the levels in effect on January 1, 1998.

(8) REDUCTION IN BUDGET AUTHORITIES.—The designated specialized agencies have achieved zero nominal growth in their biennium budgets for 2000–01 from the 1998–99 biennium budget levels of the respective agencies.

(9) NEW BUDGET PROCEDURES AND FINANCIAL REGULATIONS.—Each designated specialized agency has established procedures to—

(A) require the maintenance of a budget that does not exceed the level agreed to by the member states of the organization at the beginning of each budgetary biennium, unless increases are agreed to by consensus;

(B) require the identification of expenditures by functional categories such as personnel, travel, and equipment; and

(C) require approval by the member states of the agency's supplemental budget requests to the Secretariat in advance of expenditures under those requests.

(10) LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET FOR THE DESIGNATED SPECIALIZED AGENCIES.—The share of the total of all assessed contributions for any designated specialized agency does not exceed 22 percent for any single member of the agency.

Subtitle C—Miscellaneous Provisions

SEC. 951. STATUTORY CONSTRUCTION ON RELATION TO EXISTING LAWS.

Except as otherwise specifically provided, nothing in this title may be construed to make available funds in violation of any provision of law containing a specific prohibition or restriction on the use of the funds, including section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (Public Law 98–164; 22 U.S.C. 287e note), section 151 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1987 (Public Law 99–93; 22 U.S.C. 287e note), and section 404 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287e note).

SEC. 952. PROHIBITION ON PAYMENTS RELATING TO UNIDO AND OTHER INTERNATIONAL ORGANIZATIONS FROM WHICH THE UNITED STATES HAS WITHDRAWN OR RESCINDED FUNDING.

None of the funds authorized to be appropriated by this title shall be used to pay any arrearage for—

(1) the United Nations Industrial Development Organization;

(2) any costs to merge that organization into the United Nations;

(3) the costs associated with any other organization of the United Nations from which the United States has withdrawn including the costs of the merger of such organization into the United Nations; or

(4) the World Tourism Organization, or any other international organization with respect to which Congress has rescinded funding.

DIVISION B—ARMS CONTROL, NONPROLIFERATION, AND SECURITY ASSISTANCE PROVISIONS

SEC. 1001. SHORT TITLE.

This division may be cited as the "Arms Control, Nonproliferation, and Security Assistance Act of 1999".

TITLE XI—ARMS CONTROL AND NONPROLIFERATION

SEC. 1101. SHORT TITLE.

This title may be cited as the "Arms Control and Nonproliferation Act of 1999".

SEC. 1102. DEFINITIONS.

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

(2) ASSISTANT SECRETARY.—The term "Assistant Secretary" means the position of Assistant Secretary of State for Verification and Compliance designated under section 1112.

(3) EXECUTIVE AGENCY.—The term "Executive agency" has the meaning given the term in section 105 of title 5, United States Code.

(4) INTELLIGENCE COMMUNITY.—The term "intelligence community" has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(5) START TREATY OR TREATY.—The term "START Treaty" or "Treaty" means the Treaty With the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms, including all agreed statements, annexes, protocols, and memoranda, signed at Moscow on July 31, 1991.

(6) START II TREATY.—The term "START II Treaty" means the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, and related protocols and memorandum of understanding, signed at Moscow on January 3, 1993.

Subtitle A—Arms Control

CHAPTER 1—EFFECTIVE VERIFICATION OF COMPLIANCE WITH ARMS CONTROL AGREEMENTS

SEC. 1111. KEY VERIFICATION ASSETS FUND.

(a) IN GENERAL.—The Secretary of State is authorized to transfer funds available to the Department of State under this section to the Department of Defense, the Department of Energy, or any agency, entity, or component of the intelligence community, as needed, for retaining, researching, developing, or acquiring technologies or programs relating to the verification of arms control, nonproliferation, and disarmament agreements or commitments.

(b) PROHIBITION ON REPROGRAMMING.—Notwithstanding any other provision of law, funds made available to carry out this section may not be used for any purpose other than the purposes specified in subsection (a).

(c) FUNDING.—Of the total amount of funds authorized to be appropriated to the Department of State by this Act for the fiscal years 2000 and 2001, $5,000,000 is authorized to be available for each such fiscal year to carry out subsection (a).

(d) DESIGNATION OF FUND.—Amounts made available under subsection (c) may be referred to as the "Key Verification Assets Fund".

SEC. 1112. ASSISTANT SECRETARY OF STATE FOR VERIFICATION AND COMPLIANCE.

(a) DESIGNATION OF POSITION.—The Secretary of State shall designate one of the Assistant Secretaries of State authorized by section 1(c)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(1)) as the Assistant Secretary of State for Verification and Compliance. The Assistant Secretary shall report to the Under Secretary of State for Arms Control and International Security.

(b) DIRECTIVE GOVERNING THE ASSISTANT SECRETARY OF STATE.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of State shall issue a directive governing the position of the Assistant Secretary.

(2) ELEMENTS OF THE DIRECTIVE.—The directive issued under paragraph (1) shall set forth, consistent with this section—

(A) the duties of the Assistant Secretary;

(B) the relationships between the Assistant Secretary and other officials of the Department of State;

(C) any delegation of authority from the Secretary of State to the Assistant Secretary; and

(D) such matters as the Secretary considers appropriate.

(c) DUTIES.—

(1) IN GENERAL.—The Assistant Secretary shall have as his principal responsibility the overall supervision (including oversight of policy and resources) within the Department of State of all matters relating to verification and compliance with international arms control, nonproliferation, and disarmament agreements or commitments.

(2) PARTICIPATION OF THE ASSISTANT SECRETARY.—

(A) PRIMARY ROLE.—Except as provided in subparagraphs (B) and (C), the Assistant Secretary, or his designee, shall participate in all interagency groups or organizations within the executive branch of Government that assess, analyze, or review United States planned or ongoing policies, programs, or actions that have a direct bearing on verification or compliance matters, including interagency intelligence committees concerned with the development or exploitation of measurement or signals intelligence or other national technical means of verification.

(B) REQUIREMENT FOR DESIGNATION.—Subparagraph (A) shall not apply to groups or organizations on which the Secretary of State or the Undersecretary of State for Arms Control and International Security sits, unless such official designates the Assistant Secretary to attend in his stead.

(C) NATIONAL SECURITY LIMITATION.—

(i) WAIVER BY PRESIDENT.—The President may waive the provisions of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

(ii) WAIVER BY OTHERS.—With respect to an interagency group or organization, or meeting thereof, working with exceptionally sensitive information contained in compartments under the control of the Director of Central Intelligence, the Secretary of Defense, or the Secretary of Energy, such Director or Secretary, as the case may be, may waive the provision of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

(iii) TRANSMISSION OF WAIVER TO CONGRESS.—Any waiver of participation under clause (i) or (ii) shall be transmitted in writing to the appropriate committees of Congress.

(3) RELATIONSHIP TO THE INTELLIGENCE COMMUNITY.—The Assistant Secretary shall be the principal policy community representative to the intelligence community on verification and compliance matters.

(4) REPORTING RESPONSIBILITIES.—The Assistant Secretary shall have responsibility within the Department of State for—

(A) all reports required pursuant to section 306 of the Arms Control and Disarmament Act (22 U.S.C. 2577);

(B) so much of the report required under paragraphs (4) through (6) of section 403(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)(4) through (6)) as relates to verification or compliance matters; and

(C) other reports being prepared by the Department of State as of the date of enactment of this Act relating to arms control, nonproliferation, or disarmament verification or compliance matters.

SEC. 1113. ENHANCED ANNUAL ("PELL") REPORT.

(a) ANNUAL REPORT.—Section 403(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) is amended—

(1) in paragraph (4)—

(A) by inserting "or commitments, including the Missile Technology Control Regime," after "agreements" the first time it appears;

(B) by inserting "or commitments" after "agreements" the second time it appears;

(C) by inserting "or commitment" after "agreement"; and

(D) by striking "and" at the end;

(2) by striking the period at the end of paragraph (5) and inserting "; and"; and

(3) by adding at the end the following:

"(6) a specific identification, to the maximum extent practicable in unclassified form, of each and every question that exists with respect to compliance by other countries with arms control, nonproliferation, and disarmament agreements with the United States.".

(b) ADDITIONAL REQUIREMENT.—Section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a) is amended by adding at the end the following:

"(d) Each report required by this section shall include a discussion of each significant issue described in subsection (a)(6) that was contained in a previous report issued under this section during 1995, or after December 31, 1995, until the question or concern has been resolved and such resolution has been reported in detail to the appropriate committees of Congress (as defined in section 1102(1) of the Arms Control, Non-Proliferation, and Security Assistance Act of 1999).".

SEC. 1114. REPORT ON START AND START II TREATIES MONITORING ISSUES.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of Central Intelligence shall submit to the appropriate committees of Congress a detailed report in classified form. Such report shall include the following:

(1) A comprehensive identification of all monitoring activities associated with the START Treaty and the START II Treaty.

(2) The specific intelligence community assets and capabilities, including analytical capabilities, that the Senate was informed, prior to the Senate giving its advice and consent to ratification of the treaties, would be necessary to accomplish those activities.

(3) An identification of the extent to which those assets and capabilities have, or have not, been attained or retained, and the corresponding effect this has had upon United States monitoring confidence levels.

(4) An assessment of any Russian activities relating to the START Treaty which have had an impact upon the ability of the United States to monitor Russian adherence to the Treaty.

(b) COMPARTMENTED ANNEX.—Exceptionally sensitive, compartmented information in the report required by this section may be provided in a compartmented annex submitted to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1115. STANDARDS FOR VERIFICATION.

(a) VERIFICATION OF COMPLIANCE.—Section 306(a) of the Arms Control and Disarmament Act (22 U.S.C. 2577(a)) is amended in the matter preceding paragraph (1) by striking "adequately".

(b) ASSESSMENTS UPON REQUEST.—Section 306 of the Arms Control and Disarmament Act (22 U.S.C. 2577) is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(2) by inserting after subsection (a) the following:

"(b) ASSESSMENTS UPON REQUEST.—Upon the request of the chairman or ranking minority member of the Committee on Foreign Relations of the Senate or the Committee on International Relations of the House of Representatives, in case of an arms control, nonproliferation, or disarmament proposal presented to a foreign country by the United States or presented to the United States by a foreign country, the Secretary of State shall submit a report to the Committee on the degree to which elements of the proposal are capable of being verified.".

SEC. 1116. CONTRIBUTION TO THE ADVANCEMENT OF SEISMOLOGY.

The United States Government shall, to the maximum extent practicable, make available to the public in real time, or as quickly as possible, all raw seismological data provided to the United States Government by any international organization that is directly responsible for seismological monitoring.

SEC. 1117. PROTECTION OF UNITED STATES COMPANIES.

(a) REIMBURSEMENT.—During the 2-year period beginning on the date of the enactment of this Act, the United States National Authority (as designated pursuant to section 101 of the Chemical Weapons Convention Implementation Act of 1998 (as contained in division I of Public Law 105–277)) shall, upon request of the Director of the Federal Bureau of Investigation, reimburse the Federal Bureau of Investigation for all costs incurred by the Bureau for such period in connection with implementation of section 303(b)(2)(A) of that Act, except that such reimbursement may not exceed $2,000,000 for such 2-year period.

(b) REPORT.—Not later than 180 days prior to the expiration of the 2-year period described in subsection (a), the Director of the Federal Bureau of Investigation shall prepare and submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report on how activities under section 303(b)(2)(A) of the Chemical Weapons Convention Implementation Act of 1998 will be fully funded and implemented by the Federal Bureau of Investigation notwithstanding the expiration of the 2-year period described in subsection (a).

SEC. 1118. REQUIREMENT FOR TRANSMITTAL OF SUMMARIES.

Whenever a United States delegation engaging in negotiations on arms control, nonproliferation, or disarmament submits to the Secretary of State a summary of the activities of the delegation or the status of those negotiations, a copy of each such summary shall be further transmitted by the Secretary of State to the Committee on Foreign Relations of the Senate and to the Committee on International Relations of the House of Representatives promptly.

CHAPTER 2—MATTERS RELATING TO THE CONTROL OF BIOLOGICAL WEAPONS

SEC. 1121. SHORT TITLE.

This chapter may be cited as the "National Security and Corporate Fairness under the Biological Weapons Convention Act".

SEC. 1122. DEFINITIONS.

In this chapter:

(1) BIOLOGICAL WEAPONS CONVENTION.—The term "Biological Weapons Convention" means the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.

(2) COMPLIANCE PROTOCOL.—The term "compliance protocol" means that segment of a bilateral or multilateral agreement that enables investigation of questions of compliance entailing written data or visits to facilities to monitor compliance.

(3) INDUSTRY.—The term "industry" means any corporate or private sector entity engaged in the research, development, production, import, and export of peaceful pharmaceuticals and bio-technological and related products.

SEC. 1123. FINDINGS.

Congress makes the following findings:

(1) The threat of biological weapons and their proliferation is one of the greatest national security threats facing the United States.

(2) The threat of biological weapons and materials represents a serious and increasing danger to people around the world.

(3) Biological weapons are relatively inexpensive to produce, can be made with readily available expertise and equipment, do not require much space to make and can therefore be readily concealed, do not require unusual raw materials or materials not readily available for legitimate purposes, do not require the maintenance of stockpiles, or can be delivered with low-technology mechanisms, and can effect widespread casualties even in small quantities.

(4) Unlike other weapons of mass destruction, biological materials capable of use as weapons can occur naturally in the environment and are also used for medicinal or other beneficial purposes.

(5) Biological weapons are morally reprehensible, prompting the United States Government to halt its offensive biological weapons program in 1969, subsequently destroy its entire biological weapons arsenal, and maintain henceforth only a robust defensive capacity.

(6) The Senate gave its advice and consent to ratification of the Biological Weapons Convention in 1974.

(7) The Director of the Arms Control and Disarmament Agency explained, at the time of the Senate's consideration of the Biological Weapons Convention, that the treaty contained no verification provisions because verification would be "difficult".

(8) A compliance protocol has now been proposed to strengthen the 1972 Biological Weapons Convention.

(9) The resources needed to produce, stockpile, and store biological weapons are the same as those used in peaceful industry facilities to discover, develop, and produce medicines.

(10) The raw materials of biological agents are difficult to use as an indicator of an offensive military program because the same materials occur in nature or can be used to produce a wide variety of products.

(11) Some biological products are genetically manipulated to develop new commercial products, optimizing production and ensuring the integrity of the product, making it difficult to distinguish between legitimate commercial activities and offensive military activities.

(12) Only a small culture of a biological agent and some growth medium are needed to produce a large amount of biological agents with the potential for offensive purposes.

(13) The United States pharmaceutical and biotechnology industries are a national asset and resource that contribute to the health and well-being of the American public as well as citizens around the world.

(14) One bacterium strain can represent a large proportion of a company's investment in a pharmaceutical product and thus its potential loss during an arms control monitoring activity could conceivably be worth billions of dollars.

(15) Biological products contain proprietary genetic information.

(16) The proposed compliance regime for the Biological Weapons Convention entails new data reporting and investigation requirements for industry.

(17) A compliance regime which contributes to the control of biological weapons and materials must have a reasonable chance of success in reducing the risk of production, stockpiling, or use of biological weapons while protecting the reputations, intellectual property, and confidential business information of legitimate companies.

SEC. 1124. TRIAL INVESTIGATIONS AND TRIAL VISITS.

(a) NATIONAL SECURITY TRIAL INVESTIGATIONS AND TRIAL VISITS.—The President shall conduct a series of national security trial investigations and trial visits, both during and following negotiations to develop a compliance protocol to the Biological Weapons Convention, with the objective of ensuring that the compliance procedures of the protocol are effective and adequately protect the national security of the United States. These trial investigations and trial visits shall be conducted at such sites as United States Government facilities, installations, and national laboratories.

(b) UNITED STATES INDUSTRY TRIAL INVESTIGATIONS AND TRIAL VISITS.—The President shall take all appropriate steps to conduct or sponsor a series of United States industry trial investigations and trial visits, both during and following negotiations to develop a compliance protocol to the Biological Weapons Convention, with the objective of ensuring that the compliance procedures of the protocol are effective and adequately protect the national security and the concerns of affected United States industries and research institutions. These trial investigations and trial visits shall be conducted at such sites as academic institutions, vaccine production

facilities, and pharmaceutical and biotechnology firms in the United States.

(c) PARTICIPATION BY DEFENSE DEPARTMENT AND OTHER APPROPRIATE PERSONNEL.—The Secretary of Defense and, as appropriate, the Director of the Federal Bureau of Investigation shall make available specialized personnel to participate—

(1) in each trial investigation or trial visit conducted pursuant to subsection (a); and

(2) in each trial investigation or trial visit conducted pursuant to subsection (b), except for any investigation or visit in which the host facility requests that such personnel not participate,

for the purpose of assessing the information security implications of such investigation or visit. The Secretary of Defense, in coordination with the Director of the Federal Bureau of Investigation, shall add to the report required by subsection (d)(2) a classified annex containing an assessment of the risk to proprietary and classified information posed by any investigation or visit procedures in the compliance protocol.

(d) STUDY.—

(1) IN GENERAL.—The President shall conduct a study on the need for investigations and visits under the compliance protocol to the Biological Weapons Convention, including—

(A) an assessment of risks to national security and United States industry and research institutions of such on-site activities; and

(B) an assessment of the monitoring results that can be expected from such investigations and visits.

(2) REPORT.—Not later than the date on which a compliance protocol to the Biological Weapons Convention is submitted to the Senate for its advice and consent to ratification, the President shall submit to the Committee on Foreign Relations of the Senate a report, in both unclassified and classified form, setting forth—

(A) the findings of the study conducted pursuant to paragraph (1); and

(B) the results of trial investigations and trial visits conducted pursuant to subsections (a) and (b).

Subtitle B—Nuclear Nonproliferation, Safety, and Related Matters

SEC. 1131. CONGRESSIONAL NOTIFICATION OF NONPROLIFERATION ACTIVITIES.

Section 602(c) of the Nuclear Non-Proliferation Act of 1978 (22 U.S.C. 3282(c)) is amended to read as follows:

"(c)(1) The Department of State, the Department of Defense, the Department of Commerce, the Department of Energy, the Commission, and, with regard to subparagraph (B), the Director of Central Intelligence, shall keep the Committees on Foreign Relations and Governmental Affairs of the Senate and the Committee on International Relations of the House of Representatives fully and currently informed with respect to—

"(A) their activities to carry out the purposes and policies of this Act and to otherwise prevent proliferation, including

the proliferation of nuclear, chemical, or biological weapons, or their means of delivery; and

"(B) the current activities of foreign nations which are of significance from the proliferation standpoint.

"(2) For the purposes of this subsection with respect to paragraph (1)(B), the phrase 'fully and currently informed' means the transmittal of credible information not later than 60 days after becoming aware of the activity concerned.".

SEC. 1132. EFFECTIVE USE OF RESOURCES FOR NONPROLIFERATION PROGRAMS.

(a) PROHIBITION.—Except as provided in subsection (b), no assistance may be provided by the United States Government to any person who is involved in the research, development, design, testing, or evaluation of chemical or biological weapons for offensive purposes.

(b) EXCEPTION.—The prohibition contained in subsection (a) shall not apply to any activity conducted pursuant to title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

SEC. 1133. DISPOSITION OF WEAPONS-GRADE MATERIAL.

(a) REPORT ON REDUCTION OF THE STOCKPILE.—Not later than 120 days after signing an agreement between the United States and Russia for the disposition of excess weapons plutonium, the Secretary of Energy, with the concurrence of the Secretary of Defense, shall submit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and to the Committee on International Relations and the Committee on Armed Services of the House of Representatives a report—

(1) detailing plans for United States implementation of such agreement;

(2) identifying, in classified form, the number of United States warhead "pits" of each type deemed "excess" for the purpose of dismantlement or disposition; and

(3) describing any implications this may have for the Stockpile Stewardship and Management Program.

(b) SUBMISSION OF THE FABRICATION FACILITY AGREEMENT PURSUANT TO LAW.—Whenever the President submits to Congress the agreement to establish a mixed oxide fuel fabrication or production facility in Russia pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), it is the sense of the Congress that the Secretary of State should be prepared to certify to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House Representatives that—

(1) arrangements for the establishment of that facility will further United States nuclear nonproliferation objectives and will outweigh the proliferation risks inherent in the use of mixed oxide fuel elements;

(2) a guaranty has been given by Russia that no fuel elements produced, fabricated, reprocessed, or assembled at such facility, and no sensitive nuclear technology related to such facility, will be exported or supplied by Russia to any country in the event that the United States objects to such export or supply; and

(3) a guaranty has been given by Russia that the facility and all nuclear materials and equipment therein, and any fuel elements or special nuclear material produced, fabricated,

reprocessed, or assembled at that facility, including fuel elements exported or supplied by Russia to a third party, will be subject to international monitoring and transparency sufficient to ensure that special nuclear material is not diverted.

(c) DEFINITIONS.—

(1) PRODUCED.—The terms "produce" and "produced" have the same meaning that such terms are given under section 11 u. of the Atomic Energy Act of 1954.

(2) PRODUCTION FACILITY.—The term "production facility" has the same meaning that such term is given under section 11 v. of the Atomic Energy Act of 1954.

(3) SPECIAL NUCLEAR MATERIAL.—The term "special nuclear material" has the meaning that such term is given under section 11 aa. of the Atomic Energy Act of 1954.

SEC. 1134. PROVISION OF CERTAIN INFORMATION TO CONGRESS.

(a) REQUIREMENT TO PROVIDE INFORMATION.—The head of each department and agency described in section 602(c) of the Nuclear Non-Proliferation Act of 1978 (22 U.S.C. 3282(c)) shall promptly provide information to the chairman and ranking minority member of the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives in meeting the requirements of subsection (c) or (d) of section 602 of such Act.

(b) ISSUANCE OF DIRECTIVES.—Not later than February 1, 2000, the Secretary of State, the Secretary of Defense, the Secretary of Commerce, the Secretary of Energy, the Director of Central Intelligence, and the Chairman of the Nuclear Regulatory Commission shall issue directives, which shall provide access to information, including information contained in special access programs, to implement their responsibilities under subsections (c) and (d) of section 602 of the Nuclear Non-Proliferation Act of 1978 (22 U.S.C. 3282(c) and (d)). Copies of such directives shall be forwarded promptly to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives upon the issuance of the directives.

SEC. 1135. AMENDED NUCLEAR EXPORT REPORTING REQUIREMENT.

Section 1523 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 2180; 42 U.S.C. 2155 note) is amended—

(1) by striking "Congress" and inserting "the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives"; and

(2) by adding at the end the following:

"(c) CONTENT OF NOTIFICATION.—The notification required pursuant to this section shall include—

"(1) a detailed description of the articles or services to be exported or reexported, including a brief description of the capabilities of any article to be exported or reexported;

"(2) an estimate of the number of officers and employees of the United States Government and of United States Government civilian contract personnel expected to be required in such country to carry out the proposed export or reexport;

"(3) the name of each licensee expected to provide the article or service proposed to be sold and a description from the licensee of any offset agreements proposed to be entered

into in connection with such sale (if known on the date of transmittal of such statement);

"(4) the projected delivery dates of the articles or services to be exported or reexported; and

"(5) the extent to which the recipient country in the previous two years has engaged in any of the actions specified in subparagraph (A), (B), or (C) of section 129(2) of the Atomic Energy Act of 1954.

SEC. 1136. ADHERENCE TO THE MISSILE TECHNOLOGY CONTROL REGIME.

(a) CLARIFICATION OF REQUIREMENT FOR CONTROL.—Section 74 of the Arms Export Control Act (22 U.S.C. 2797c) is amended—

(1) by inserting "(a) IN GENERAL.—" before "For purposes of"; and

(2) by adding at the end the following:

"(b) INTERNATIONAL UNDERSTANDING DEFINED.—For purposes of subsection (a)(3), as it relates to any international understanding concluded with the United States after January 1, 2000, the term 'international understanding' means—

"(1) any specific agreement by a country not to export, transfer, or otherwise engage in the trade of any MTCR equipment or technology that contributes to the acquisition, design, development, or production of missiles in a country that is not an MTCR adherent and would be, if it were United States-origin equipment or technology, subject to the jurisdiction of the United States under this Act; or

"(2) any specific understanding by a country that, notwithstanding section 73(b) of this Act, the United States retains the right to take the actions under section 73(a)(2) of this Act in the case of any export or transfer of any MTCR equipment or technology that contributes to the acquisition, design, development, or production of missiles in a country that is not an MTCR adherent and would be, if it were United States-origin equipment or technology, subject to the jurisdiction of the United States under this Act.".

(b) CLARIFICATION OF APPLICABILITY.—Section 73(b) of the Arms Export Control Act (22 U.S.C. 2797b(b)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such subparagraphs 2 ems to the right;

(2) by striking "Subsection (a)" and inserting the following:

"(1) IN GENERAL.—Except as provided in paragraph (2), subsection (a)"; and

(3) by adding at the end the following:

"(2) LIMITATION.—Notwithstanding paragraph (1), subsection (a) shall apply to an entity subordinate to a government that engages in exports or transfers described in section 498A(b)(3)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2295a(b)(3)(A)).".

(c) ENFORCEMENT ACTIONS.—Section 73(c) of the Arms Export Control Act (22 U.S.C. 2797b(c)) is amended by inserting before the period at the end the following: ", and if the President certifies to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives that—

"(1) for any judicial or other enforcement action taken by the MTCR adherent, such action has—

"(A) been comprehensive; and

"(B) been performed to the satisfaction of the United States; and

"(2) with respect to any finding of innocence of wrongdoing, the United States is satisfied with the basis for such finding".

(d) POLICY REPORT.—Section 73A of the Arms Export Control Act (22 U.S.C. 2797b–1) is amended—

(1) by striking "Following any action" and inserting the following:

"(a) POLICY REPORT.—Following any action"; and

(2) by adding at the end the following:

"(b) INTELLIGENCE ASSESSMENT REPORT.—At such times that a report is transmitted pursuant to subsection (a), the Director of Central Intelligence shall promptly prepare and submit to the Congress a separate report containing any credible information indicating that the country described in subsection (a) has engaged in any activity identified under subparagraph (A), (B), or (C) of section 73(a)(1) within the previous two years.".

(e) MTCR DEFINED.—The term "MTCR" means the Missile Technology Control Regime, as defined in section 74(a)(2) of the Arms Export Control Act (22 U.S.C. 2797c(a)(2)).

SEC. 1137. AUTHORITY RELATING TO MTCR ADHERENTS.

Chapter 7 of the Arms Export Control Act (22 U.S.C. 2797 et seq.) is amended by inserting after section 73A the following new section:

"SEC. 73B. AUTHORITY RELATING TO MTCR ADHERENTS.

"Notwithstanding section 73(b), the President may take the actions under section 73(a)(2) under the circumstances described in section 74(b)(2).".

SEC. 1138. TRANSFER OF FUNDING FOR SCIENCE AND TECHNOLOGY CENTERS IN THE FORMER SOVIET UNION.

(a) AUTHORIZATION.—For fiscal year 2001 and subsequent fiscal years, funds made available under "Nonproliferation, Antiterrorism, Demining, and Related Programs" accounts in annual foreign operations appropriations Acts are authorized to be available for science and technology centers in the independent states of the former Soviet Union assisted under section 503(a)(5) of the FREEDOM Support Act (22 U.S.C. 5853(a)(5)) or section 1412(b)(5) of the Former Soviet Union Demilitarization Act of 1992 (title XIV of Public Law 102–484; 22 U.S.C. 5901 et seq.), including the use of those and other funds by any Federal agency having expertise and programs related to the activities carried out by those centers, including the Departments of Agriculture, Commerce, and Health and Human Services and the Environmental Protection Agency.

(b) AVAILABILITY OF FUNDS.—Amounts made available under any provision of law for the activities described in subsection (a) shall be available until expended and may be used notwithstanding any other provision of law.

SEC. 1139. RESEARCH AND EXCHANGE ACTIVITIES BY SCIENCE AND TECHNOLOGY CENTERS.

(a) IN GENERAL.—Support for science and technology centers in the independent states of the former Soviet Union, as authorized

by section 503(a)(5) of the FREEDOM Support Act (22 U.S.C. 5853(a)(5)) and section 1412(b) of the Former Soviet Union Demilitarization Act of 1992 (title XIV of Public Law 102–484, 22 U.S.C. 5901 et seq.), is authorized for activities described in subsection (b) to support the redirection of former Soviet weapons scientists, especially those with expertise in weapons of mass destruction (nuclear, radiological, chemical, biological), missile and other delivery systems, and other advanced technologies with military applications.

(b) ACTIVITIES SUPPORTED.—Activities supported under subsection (a) include—

(1) any research activity involving the participation of former Soviet weapons scientists and civilian scientists and engineers, if the participation of the weapons scientists predominates; and

(2) any program of international exchanges that would provide former Soviet weapons scientists exposure to, and the opportunity to develop relations with, research and industry partners.

TITLE XII—SECURITY ASSISTANCE

SEC. 1201. SHORT TITLE.

This title may be cited as the "Security Assistance Act of 1999".

Subtitle A—Transfers of Excess Defense Articles

SEC. 1211. EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTHERN EUROPEAN COUNTRIES.

(a) TRANSPORTATION AND RELATED COSTS.—Section 105 of Public Law 104–164 (110 Stat. 1427) is amended by striking "1999 and 2000" and inserting "2000 and 2001".

(b) EXCESS DEFENSE ARTICLES FOR GREECE AND TURKEY.—Section 516(b)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(b)(2)) is amended by inserting after "four-year period beginning on October 1, 1998," the following: "and thereafter for the four-period beginning on October 1, 2000,".

SEC. 1212. EXCESS DEFENSE ARTICLES FOR CERTAIN OTHER COUNTRIES.

(a) USES FOR WHICH FUNDS ARE AVAILABLE.—Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during each of the fiscal years 2000 and 2001, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of that Act to Estonia, Georgia, Hungary, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Poland, Slovakia, Ukraine, and Uzbekistan.

(b) CONTENT OF CONGRESSIONAL NOTIFICATION.—Each notification required to be submitted under section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)) with respect to a proposed transfer of a defense article described in subsection (a) shall

include an estimate of the amount of funds to be expended under subsection (a) with respect to that transfer.

SEC. 1213. INCREASE IN ANNUAL LIMITATION ON TRANSFER OF EXCESS DEFENSE ARTICLES.

Section 516(g)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)(1)) is amended by striking "$350,000,000" and inserting "$425,000,000".

Subtitle B—Foreign Military Sales Authorities

SEC. 1221. TERMINATION OF FOREIGN MILITARY TRAINING.

Section 617 of the Foreign Assistance Act of 1961 (22 U.S.C. 2367) is amended by adding at the end the following new sentence: "Such expenses for orderly termination of programs under the Arms Export Control Act may include the obligation and expenditure of funds to complete the training or studies outside the countries of origin of students whose course of study or training program began before assistance was terminated, as long as the origin country's termination was not a result of activities beyond default of financial responsibilities.".

SEC. 1222. SALES OF EXCESS COAST GUARD PROPERTY.

Section 21(a)(1) of the Arms Export Control Act (22 U.S.C. 2761(a)(1)) is amended in the matter preceding subparagraph (A) by inserting "and the Coast Guard" after "Department of Defense".

SEC. 1223. COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES.

Section 22(d) of the Arms Export Control Act (22 U.S.C. 2762(d)) is amended—

(1) by striking "Procurement contracts" and inserting "(1) Procurement contracts"; and

(2) by adding at the end the following:

"(2) Direct costs associated with meeting additional or unique requirements of the purchaser shall be allowable under contracts described in paragraph (1). Loadings applicable to such direct costs shall be permitted at the same rates applicable to procurement of like items purchased by the Department of Defense for its own use.".

SEC. 1224. NOTIFICATION OF UPGRADES TO DIRECT COMMERCIAL SALES.

Section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) is amended by adding at the end the following new paragraph:

"(4) The provisions of subsection (b)(5) shall apply to any equipment, article, or service for which a numbered certification has been transmitted to Congress pursuant to paragraph (1) in the same manner and to the same extent as that subsection applies to any equipment, article, or service for which a numbered certification has been transmitted to Congress pursuant to subsection (b)(1). For purposes of such application, any reference in subsection (b)(5) to 'a letter of offer' or 'an offer' shall be deemed to be a reference to 'a contract'.".

SEC. 1228. UNAUTHORIZED USE OF DEFENSE ARTICLES.

Section 3 of the Arms Export Control Act (22 U.S.C. 2753) is amended by adding at the end the following new subsection:

"(g) Any agreement for the sale or lease of any article on the United States Munitions List entered into by the United States Government after the date of enactment of this subsection shall state that the United States Government retains the right to verify credible reports that such article has been used for a purpose not authorized under section 4 or, if such agreement provides that such article may only be used for purposes more limited than those authorized under section 4, for a purpose not authorized under such agreement.".

Subtitle C—Stockpiling of Defense Articles for Foreign Countries

SEC. 1231. ADDITIONS TO UNITED STATES WAR RESERVE STOCKPILES FOR ALLIES.

Paragraph (2) of section 514(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)) is amended to read as follows:

"(2)(A) The value of such additions to stockpiles of defense articles in foreign countries shall not exceed $60,000,000 for fiscal year 2000.

"(B) Of the amount specified in subparagraph (A), not more than $40,000,000 may be made available for stockpiles in the Republic of Korea and not more than $20,000,000 may be made available for stockpiles in Thailand.".

SEC. 1232. TRANSFER OF CERTAIN OBSOLETE OR SURPLUS DEFENSE ARTICLES IN THE WAR RESERVES STOCKPILE FOR ALLIES.

(a) ITEMS IN THE KOREAN STOCKPILE.—

(1) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to the Republic of Korea, in return for concessions to be negotiated by the Secretary of Defense, with the concurrence of the Secretary of State, any or all of the items described in paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and material such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, ammunition, barrier material, and ancillary equipment, if such items are—

(A) obsolete or surplus items;

(B) in the inventory of the Department of Defense;

(C) intended for use as reserve stocks for the Republic of Korea; and

(D) as of the date of the enactment of this Act, located in a stockpile in the Republic of Korea.

(b) ITEMS IN THE THAILAND STOCKPILE.—

(1) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to Thailand, in return for concessions to be negotiated by the Secretary of Defense, with the concurrence of the Secretary of State, any or all of the items described in paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and material such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, ammunition, barrier material, and ancillary equipment, if such items are—

(A) obsolete or surplus items;

(B) in the inventory of the Department of Defense;

(C) intended for use as reserve stocks for Thailand; and

(D) as of the date of the enactment of this Act, located in a stockpile in Thailand.

(c) VALUATION OF CONCESSIONS.—The value of concessions negotiated pursuant to subsections (a) and (b) shall be at least equal to the fair market value of the items transferred. The concessions may include cash compensation, services, waiver of charges otherwise payable by the United States, and other items of value.

(d) PRIOR NOTIFICATIONS OF PROPOSED TRANSFERS.—Not less than 30 days before making a transfer under the authority of this section, the President shall transmit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a detailed notification of the proposed transfer, which shall include an identification of the items to be transferred and the concessions to be received.

(e) TERMINATION OF AUTHORITY.—No transfer may be made under the authority of this section more than 3 years after the date of the enactment of this Act.

Subtitle D—Defense Offsets Disclosure

SEC. 1241. SHORT TITLE.

This subtitle may be cited as the "Defense Offsets Disclosure Act of 1999".

SEC. 1242. FINDINGS AND DECLARATION OF POLICY.

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

(1) A fair business environment is necessary to advance international trade, economic stability, and development worldwide, is beneficial for American workers and businesses, and is in the United States national interest.

(2) In some cases, mandated offset requirements can cause economic distortions in international defense trade and undermine fairness and competitiveness, and may cause particular harm to small- and medium-sized businesses.

(3) The use of offsets may lead to increasing dependence on foreign suppliers for the production of United States weapons systems.

(4) The offset demands required by some purchasing countries, including some close allies of the United States, equal or exceed the value of the base contract they are intended to offset, mitigating much of the potential economic benefit of the exports.

(5) Offset demands often unduly distort the prices of defense contracts.

(6) In some cases, United States contractors are required to provide indirect offsets which can negatively impact non-defense industrial sectors.

(7) Unilateral efforts by the United States to prohibit offsets may be impractical in the current era of globalization and would severely hinder the competitiveness of the United States defense industry in the global market.

(8) The development of global standards to manage and restrict demands for offsets would enhance United States efforts to mitigate the negative impact of offsets.

(b) DECLARATION OF POLICY.—It is the policy of the United States to monitor the use of offsets in international defense trade, to promote fairness in such trade, and to ensure that foreign participation in the production of United States weapons systems does not harm the economy of the United States.

SEC. 1243. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on International Relations of the House of Representatives.

(2) G–8.—The term "G–8" means the group consisting of France, Germany, Japan, the United Kingdom, the United States, Canada, Italy, and Russia established to facilitate economic cooperation among the eight major economic powers.

(3) OFFSET.—The term "offset" means the entire range of industrial and commercial benefits provided to foreign governments as an inducement or condition to purchase military goods or services, including benefits such as coproduction, licensed production, subcontracting, technology transfer, in-country procurement, marketing and financial assistance, and joint ventures.

(4) TRANSATLANTIC ECONOMIC PARTNERSHIP.—The term "Transatlantic Economic Partnership" means the joint commitment made by the United States and the European Union to reinforce their close relationship through an initiative involving the intensification and extension of multilateral and bilateral cooperation and common actions in the areas of trade and investment.

(5) WASSENAAR ARRANGEMENT.—The term "Wassenaar Arrangement" means the multilateral export control regime in which the United States participates that seeks to promote transparency and responsibility with regard to transfers of conventional armaments and sensitive dual-use items.

(6) WORLD TRADE ORGANIZATION.—The term "World Trade Organization" means the organization established pursuant to the WTO Agreement.

(7) WTO AGREEMENT.—The term "WTO Agreement" means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.

SEC. 1244. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the executive branch should pursue efforts to address trade fairness by establishing reasonable, business-friendly standards for the use of offsets in international business transactions between the United States and its trading partners and competitors;

(2) the Secretary of Defense, the Secretary of State, the Secretary of Commerce, and the United States Trade Representative, or their designees, should raise with other industrialized nations at every suitable venue the need for transparency and reasonable standards to govern the role of offsets in international defense trade;

(3) the United States Government should enter into discussions regarding the establishment of multilateral standards for the use of offsets in international defense trade through the appropriate multilateral fora, including such organizations as the Transatlantic Economic Partnership, the Wassenaar Arrangement, the G–8, and the World Trade Organization; and

(4) the United States Government, in entering into the discussions described in paragraph (3), should take into account the distortions produced by the provision of other benefits and subsidies, such as export financing, by various countries to support defense trade.

SEC. 1245. REPORTING OF OFFSET AGREEMENTS.

(a) INITIAL REPORTING OF OFFSET AGREEMENTS.—

(1) GOVERNMENT-TO-GOVERNMENT SALES.—Section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) is amended in subparagraph (C) of the fifth sentence, by striking "and a description" and all that follows and inserting "and a description of any offset agreement with respect to such sale;".

(2) COMMERCIAL SALES.—Section 36(c)(1) of the Arms Export Control Act (22 U.S.C. 2776(c)(1)) is amended in the second sentence, by striking "(if known on the date of transmittal of such certification)" and inserting "and a description of any such offset agreement".

(b) CONFIDENTIALITY OF INFORMATION RELATING TO OFFSET AGREEMENTS.—Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended—

(1) by redesignating the second subsection (e) (as added by section 155 of Public Law 104–164) as subsection (f); and

(2) by adding at the end the following new subsection:

"(g) Information relating to offset agreements provided pursuant to subparagraph (C) of the fifth sentence of subsection (b)(1) and the second sentence of subsection (c)(1) shall be treated as confidential information in accordance with section 12(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2411(c)).".

SEC. 1246. EXPANDED PROHIBITION ON INCENTIVE PAYMENTS.

(a) IN GENERAL.—Section 39A(a) of the Arms Export Control Act (22 U.S.C. 2779a(a)) is amended—

(1) by inserting "or licensed" after "sold"; and

(2) by inserting "or export" after "sale".

(b) DEFINITION OF UNITED STATES PERSON.—Section 39A(d)(3)(B)(ii) of the Arms Export Control Act (22 U.S.C. 2779a(d)(3)(B)(ii)) is amended by inserting "or by an entity described in clause (i)" after "subparagraph (A)".

SEC. 1247. ESTABLISHMENT OF REVIEW COMMISSION.

(a) IN GENERAL.—There is established a National Commission on the Use of Offsets in Defense Trade (in this section referred

to as the "Commission") to address all aspects of the use of offsets in international defense trade.

(b) COMMISSION MEMBERSHIP.—Not later than 120 days after the date of enactment of this Act, the President, with the concurrence of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, shall appoint 11 individuals to serve as members of the Commission. Commission membership shall include—

(1) representatives from the private sector, including—

(A) one each from—

(i) a labor organization,

(ii) a United States defense manufacturing company dependent on foreign sales,

(iii) a United States company dependent on foreign sales that is not a defense manufacturer, and

(iv) a United States company that specializes in international investment, and

(B) two members from academia with widely recognized expertise in international economics; and

(2) five members from the executive branch, including a member from—

(A) the Office of Management and Budget,

(B) the Department of Commerce,

(C) the Department of Defense,

(D) the Department of State, and

(E) the Department of Labor.

The member designated from the Office of Management and Budget shall serve as Chairperson of the Commission. The President shall ensure that the Commission is nonpartisan and that the full range of perspectives on the subject of offsets in the defense industry is adequately represented.

(c) DUTIES.—The Commission shall be responsible for reviewing and reporting on—

(1) the full range of current practices by foreign governments in requiring offsets in purchasing agreements and the extent and nature of offsets offered by United States and foreign defense industry contractors;

(2) the impact of the use of offsets on defense subcontractors and nondefense industrial sectors affected by indirect offsets; and

(3) the role of offsets, both direct and indirect, on domestic industry stability, United States trade competitiveness and national security.

(d) COMMISSION REPORT.—Not later than 12 months after the Commission is established, the Commission shall submit a report to the appropriate congressional committees. In addition to the items described under subsection (c), the report shall include—

(1) an analysis of—

(A) the collateral impact of offsets on industry sectors that may be different than those of the contractor providing the offsets, including estimates of contracts and jobs lost as well as an assessment of damage to industrial sectors;

(B) the role of offsets with respect to competitiveness of the United States defense industry in international trade and the potential damage to the ability of United States contractors to compete if offsets were prohibited or limited; and

(C) the impact on United States national security, and upon United States nonproliferation objectives, of the use of coproduction, subcontracting, and technology transfer with foreign governments or companies that results from fulfilling offset requirements, with particular emphasis on the question of dependency upon foreign nations for the supply of critical components or technology;

(2) proposals for unilateral, bilateral, or multilateral measures aimed at reducing any detrimental effects of offsets; and

(3) an identification of the appropriate executive branch agencies to be responsible for monitoring the use of offsets in international defense trade.

(e) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(f) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(g) MEETINGS.—The Commission shall meet at the call of the Chairman.

(h) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) STAFF.—

(A) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) COMPENSATION.—The Chairman of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(i) TERMINATION.—The Commission shall terminate 30 days after the transmission of the report from the President as mandated in section 1248(b).

SEC. 1248. MULTILATERAL STRATEGY TO ADDRESS OFFSETS.

(a) IN GENERAL.—The President shall initiate a review to determine the feasibility of establishing, and the most effective means of negotiating, a multilateral treaty on standards for the use of offsets in international defense trade, with a goal of limiting all offset transactions that are considered injurious to the economy of the United States.

(b) REPORT REQUIRED.—Not later than 90 days after the date on which the Commission submits the report required under section 1247(d), the President shall submit to the appropriate congressional committees a report containing the President's determination pursuant to subsection (a), and, if the President determines a multilateral treaty is feasible or desirable, a strategy for United States negotiation of such a treaty. One year after the date the report is submitted under the preceding sentence, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees a report detailing the progress toward reaching such a treaty.

(c) REQUIRED INFORMATION.—The report required by subsection (b) shall include—

(1) a description of the United States efforts to pursue multilateral negotiations on standards for the use of offsets in international defense trade;

(2) an evaluation of existing multilateral fora as appropriate venues for establishing such negotiations;

(3) a description on a country-by-country basis of any United States efforts to engage in negotiations to establish bilateral treaties or agreements with respect to the use of offsets in international defense trade; and

(4) an evaluation on a country-by-country basis of any foreign government efforts to address the use of offsets in international defense trade.

(d) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall monitor and periodically report to Congress on the progress in reaching a multilateral treaty.

Subtitle E—Automated Export System Relating to Export Information

SEC. 1251. SHORT TITLE.

This subtitle may be cited as the "Proliferation Prevention Enhancement Act of 1999".

SEC. 1252. MANDATORY USE OF THE AUTOMATED EXPORT SYSTEM FOR FILING CERTAIN SHIPPERS' EXPORT DECLARATIONS.

(a) AUTHORITY.—Section 301 of title 13, United States Code, is amended by adding at the end the following new subsection:

"(h) The Secretary is authorized to require by regulation the filing of Shippers' Export Declarations under this chapter through an automated and electronic system for the filing of export information established by the Department of the Treasury.".

(b) IMPLEMENTING REGULATIONS.—

(1) IN GENERAL.—The Secretary of Commerce, with the concurrence of the Secretary of State, shall publish regulations in the Federal Register to require that, upon the effective date of those regulations, exporters (or their agents) who are required to file Shippers' Export Declarations under chapter 9 of title 13, United States Code, file such Declarations through the Automated Export System with respect to exports of items on the United States Munitions List or the Commerce Control List.

(2) ELEMENTS OF THE REGULATIONS.—The regulations referred to in paragraph (1) shall include at a minimum—

(A) provision by the Department of Commerce for the establishment of on-line assistance services to be available for those individuals who must use the Automated Export System;

(B) provision by the Department of Commerce for ensuring that an individual who is required to use the Automated Export System is able to print out from the System a validated record of the individual's submission, including the date of the submission and a serial number or other unique identifier, where appropriate, for the export transaction; and

(C) a requirement that the Department of Commerce print out and maintain on file a paper copy or other acceptable back-up record of the individual's submission at a location selected by the Secretary of Commerce.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 270 days after the Secretary of Commerce, the Secretary of the Treasury, and the Director of the National Institute of Standards and Technology jointly provide a certification to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives that a secure Automated Export System available through the Internet that is capable of handling the expected volume of information required to be filed under subsection (b), plus the anticipated volume from voluntary use of the Automated Export System, has been successfully implemented and tested and is fully functional with respect to reporting all items on the United States Munitions List, including their quantities and destinations.

SEC. 1253. VOLUNTARY USE OF THE AUTOMATED EXPORT SYSTEM.

It is the sense of Congress that exporters (or their agents) who are required to file Shippers' Export Declarations under chapter 9 of title 13, United States Code, but who are not required under section 1252(b) to file such Declarations using the Automated Export System, should do so.

SEC. 1254. REPORT TO APPROPRIATE COMMITTEES OF CONGRESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of the Treasury, the Secretary of Energy, and the Director of Central Intelligence, shall submit a report to the appropriate committees of Congress setting forth—

(1) the advisability and feasibility of mandating electronic filing through the Automated Export System for all Shippers' Export Declarations;

(2) the manner in which data gathered through the Automated Export System can most effectively be used, consistent with the need to ensure the confidentiality of business information, by other automated licensing systems administered by Federal agencies, including—

(A) the Defense Trade Application System of the Department of State;

(B) the Export Control Automated Support System of the Department of Commerce;

(C) the Foreign Disclosure and Technology Information System of the Department of Defense;

(D) the Proliferation Information Network System of the Department of Energy;

(E) the Enforcement Communication System of the Department of the Treasury; and

(F) the Export Control System of the Central Intelligence Agency; and

(3) a proposed timetable for any expansion of information required to be filed through the Automated Export System.

(b) DEFINITION.—In this section, the term "appropriate committees of Congress" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

SEC. 1255. ACCELERATION OF DEPARTMENT OF STATE LICENSING PROCEDURES.

Notwithstanding any other provision of law, the Secretary of State may use funds appropriated or otherwise made available to the Department of State to employ—

(1) up to 40 percent of the individuals who are performing services within the Office of Defense Trade Controls of the Department of State in positions classified at GS-14 and GS-15 on the General Schedule under section 5332 of title 5, United States Code; and

(2) other individuals within the Office at a rate of basic pay that may exceed the maximum rate payable for positions classified at GS-15 on the General Schedule under section 5332 of that title.

SEC. 1256. DEFINITIONS.

In this subtitle:

(1) AUTOMATED EXPORT SYSTEM.—The term "Automated Export System" means the automated and electronic system for filing export information established under chapter 9 of title 13, United States Code, on June 19, 1995 (60 Federal Register 32040).

(2) COMMERCE CONTROL LIST.—The term "Commerce Control List" has the meaning given the term in section 774.1 of title 15, Code of Federal Regulations.

(3) SHIPPERS' EXPORT DECLARATION.—The term "Shippers' Export Declaration" means the export information filed under chapter 9 of title 13, United States Code, as described in part 30 of title 15, Code of Federal Regulations.

(4) UNITED STATES MUNITIONS LIST.—The term "United States Munitions List" means the list of items controlled under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

Subtitle F—International Arms Sales Code of Conduct Act of 1999

SEC. 1261. SHORT TITLE.

This subtitle may be cited as the "International Arms Sales Code of Conduct Act of 1999".

SEC. 1262. INTERNATIONAL ARMS SALES CODE OF CONDUCT.

(a) NEGOTIATIONS.—The President shall attempt to achieve the foreign policy goal of an international arms sales code of conduct. The President shall take the necessary steps to begin negotiations within appropriate international fora not later than 120 days after the date of the enactment of this Act. The purpose of these negotiations shall be to establish an international regime to promote global transparency with respect to arms transfers, including participation by countries in the United Nations Register of Conventional Arms, and to limit, restrict, or prohibit arms transfers to countries that do not observe certain fundamental values of human liberty, peace, and international stability.

(b) CRITERIA.—The President shall consider the following criteria in the negotiations referred to in subsection (a):

(1) PROMOTES DEMOCRACY.—The government of the country—

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

(B) promotes civilian control of the military and security forces and has civilian institutions controlling the policy, operation, and spending of all law enforcement and security institutions, as well as the armed forces;

(C) promotes the rule of law and provides its nationals the same rights that they would be afforded under the United States Constitution if they were United States citizens; and

(D) promotes the strengthening of political, legislative, and civil institutions of democracy, as well as autonomous institutions to monitor the conduct of public officials and to combat corruption.

(2) RESPECTS HUMAN RIGHTS.—The government of the country—

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

(i) extrajudicial or arbitrary executions;

(ii) disappearances;

(iii) torture or severe mistreatment;

(iv) prolonged arbitrary imprisonment;

(v) systematic official discrimination on the basis of race, ethnicity, religion, gender, national origin, or political affiliation; and

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

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

(C) permits access on a regular basis to political prisoners by international humanitarian organizations;

(D) promotes the independence of the judiciary and other official bodies that oversee the protection of human rights;

(E) does not impede the free functioning of domestic and international human rights organizations; and

(F) provides access on a regular basis to humanitarian organizations in situations of conflict or famine.

(3) NOT ENGAGED IN CERTAIN ACTS OF ARMED AGGRESSION.—The government of the country is not engaged in acts of armed aggression in violation of international law.

(4) NOT SUPPORTING TERRORISM.—The government of the country does not provide support for international terrorism.

(5) NOT CONTRIBUTING TO PROLIFERATION OF WEAPONS OF MASS DESTRUCTION.—The government of the country does not contribute to the proliferation of weapons of mass destruction.

(6) REGIONAL LOCATION OF COUNTRY.—The country is not located in a region in which arms transfers would exacerbate regional arms races or international tensions that present a danger to international peace and stability.

(c) REPORTS TO CONGRESS.—

(1) REPORT RELATING TO NEGOTIATIONS.—Not later than 6 months after the commencement of the negotiations under subsection (a), and not later than the end of every 6-month period thereafter until an agreement described in subsection (a) is concluded, the President shall report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate on the progress made during these negotiations.

(2) HUMAN RIGHTS REPORTS.—In the report required in sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(b) and 2304(b)), the Secretary of State shall describe the extent to which the practices of each country evaluated meet the criteria in paragraphs (1)(A) and (2) of subsection (a).

Subtitle G—Transfer of Naval Vessels to Certain Foreign Countries

SEC. 1271. AUTHORITY TO TRANSFER NAVAL VESSELS.

(a) INAPPLICABILITY OF AGGREGATE ANNUAL LIMITATION ON VALUE OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to authority provided by section 1018(a) of the National Defense Authorization Act for Fiscal Year 2000 shall not be counted

for the purposes of section 516(g) of the Foreign Assistance Act of 1961 in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 1018 of the National Defense Authorization Act for Fiscal Year 2000 is amended—

(1) in subsections (a) and (d), by striking "Secretary of the Navy" each place it appears and inserting "President";

(2) by striking subsection (b); and

(3) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively.

TITLE XIII—MISCELLANEOUS PROVISIONS

SEC. 1301. PUBLICATION OF ARMS SALES CERTIFICATIONS.

(a) IN GENERAL.—Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended in the second subsection (e) (as added by section 155 of Public Law 104-164)—

(1) by inserting "in a timely manner" after "to be published"; and

(2) by striking "the full unclassified text of" and all that follows and inserting the following: "the full unclassified text of—

"(1) each numbered certification submitted pursuant to subsection (b);

"(2) each notification of a proposed commercial sale submitted under subsection (c); and

"(3) each notification of a proposed commercial technical assistance or manufacturing licensing agreement submitted under subsection (d).".

(b) NOTICE OF CLASSIFIED ARMS SALES.—

(1) GOVERNMENT-TO-GOVERNMENT SALES.—Section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) is amended in the sixth sentence by inserting before the period at the end the following: ", in which case the information shall be accompanied by a description of the damage to the national security that could be expected to result from public disclosure of the information".

(2) COMMERCIAL SALES.—Section 36(c)(1) of the Arms Export Control Act (22 U.S.C. 2776(c)(1)) is amended in the fifth sentence by inserting before the period at the end the following: ", in which case the information shall be accompanied by a description of the damage to the national security that could be expected to result from public disclosure of the information".

SEC. 1302. NOTIFICATION REQUIREMENTS FOR COMMERCIAL EXPORT OF ITEMS ON UNITED STATES MUNITIONS LIST.

(a) NOTIFICATION REQUIREMENT.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following:

"(i) As prescribed in regulations issued under this section, a United States person to whom a license has been granted to export an item on the United States Munitions List shall, not later than 15 days after the item is exported, submit to the Department

of State a report containing all shipment information, including a description of the item and the quantity, value, port of exit, and end-user and country of destination of the item.".

(b) QUARTERLY REPORTS TO CONGRESS.—Section 36(a) of the Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(A) in paragraph (11), by striking "and" at the end;

(B) in paragraph (12), by striking "third-party transfers." and inserting "third-party transfers; and"; and

(C) by adding after paragraph (12) (but before the last sentence of the subsection), the following:

"(13) a report on all exports of significant military equipment for which information has been provided pursuant to section 38(i).".

SEC. 1303. ENFORCEMENT OF ARMS EXPORT CONTROL ACT.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended in sections 38(e), 39A(c), and 40(k) by inserting after "except that" each place it appears the following: "section 11(c)(2)(B) of such Act shall not apply, and instead, as prescribed in regulations issued under this section, the Secretary of State may assess civil penalties for violations of this Act and regulations prescribed thereunder and further may commence a civil action to recover such civil penalties, and except further that".

SEC. 1304. VIOLATIONS RELATING TO MATERIAL SUPPORT TO TERRORISTS.

Section 38(g)(1)(A)(iii) of the Arms Export Control Act (22 U.S.C. 2778(g)(1)(A)(iii)) is amended by adding at the end before the comma the following: "or section 2339A of such title (relating to providing material support to terrorists)".

SEC. 1305. AUTHORITY TO CONSENT TO THIRD PARTY TRANSFER OF EX-U.S.S. BOWMAN COUNTY TO USS LST SHIP MEMORIAL, INC.

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

(1) It is the long-standing policy of the United States Government to deny requests for the retransfer of significant military equipment that originated in the United States to private entities.

(2) In very exceptional circumstances, when the United States public interest would be served by the proposed retransfer and end-use, such requests may be favorably considered.

(3) Such retransfers to private entities have been authorized in very exceptional circumstances following appropriate demilitarization and receipt of assurances from the private entity that the item to be transferred would be used solely in furtherance of Federal Government contracts or for static museum display.

(4) Nothing in this section should be construed as a revision of long-standing policy referred to in paragraph (1).

(5) The Government of Greece has requested the consent of the United States Government to the retransfer of HS Rodos (ex-U.S.S. Bowman County (LST 391)) to the USS LST Ship Memorial, Inc.

(b) AUTHORITY TO CONSENT TO RETRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2), the President may consent to the retransfer by the Government of Greece

of HS Rodos (ex-U.S.S. Bowman County (LST 391)) to the USS LST Ship Memorial, Inc.

(2) CONDITIONS FOR CONSENT.—The President should not exercise the authority under paragraph (1) unless USS LST Memorial, Inc.—

(A) utilizes the vessel for public, nonprofit, museum-related purposes; and

(B) complies with applicable law with respect to the vessel, including law related to demilitarization of guns prior to transfer and to facilitation of Federal Government monitoring and mitigation of potential environmental hazards associated with aging vessels, and has a demonstrated financial capability to so comply.

SEC. 1306. ANNUAL MILITARY ASSISTANCE REPORT.

(a) INFORMATION RELATING TO MILITARY ASSISTANCE AND MILITARY EXPORTS.—Section 655(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is amended to read as follows:

"(b) INFORMATION RELATING TO MILITARY ASSISTANCE AND MILITARY EXPORTS.—Each such report shall show the aggregate dollar value and quantity of defense articles (including excess defense articles), defense services, and international military education and training activities authorized by the United States and of such articles, services, and activities provided by the United States, excluding any activity that is reportable under title V of the National Security Act of 1947, to each foreign country and international organization. The report shall specify, by category, whether such defense articles—

"(1) were furnished by grant under chapter 2 or chapter 5 of part II of this Act or under any other authority of law or by sale under chapter 2 of the Arms Export Control Act;

"(2) were furnished with the financial assistance of the United States Government, including through loans and guarantees; or

"(3) were licensed for export under section 38 of the Arms Export Control Act.".

(b) AVAILABILITY ON INTERNET.—Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended by adding at the end the following:

"(d) AVAILABILITY ON INTERNET.—All unclassified portions of such report shall be made available to the public on the Internet through the Department of State.".

SEC. 1307. ANNUAL FOREIGN MILITARY TRAINING REPORT.

Chapter 3 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2401 et seq.) is amended by inserting after section 655 the following:

"SEC. 656. ANNUAL FOREIGN MILITARY TRAINING REPORT.

"(a) ANNUAL REPORT.—Not later than January 31 of each year, the Secretary of Defense and the Secretary of State shall jointly prepare and submit to the appropriate congressional committees a report on all military training provided to foreign military personnel by the Department of Defense and the Department of State during the previous fiscal year and all such training proposed for the current fiscal year.

"(b) CONTENTS.—The report described in subsection (a) shall include the following:

"(1) For each military training activity, the foreign policy justification and purpose for the activity, the number of foreign military personnel provided training and their units of operation, and the location of the training.

"(2) For each country, the aggregate number of students trained and the aggregate cost of the military training activities.

"(3) With respect to United States personnel, the operational benefits to United States forces derived from each military training activity and the United States military units involved in each activity.

"(c) FORM.—The report described in subsection (a) shall be in unclassified form but may include a classified annex.

"(d) AVAILABILITY ON INTERNET.—All unclassified portions of the report described in subsection (a) shall be made available to the public on the Internet through the Department of State.

"(e) DEFINITION.—In this section, the term 'appropriate congressional committees' means—

"(1) the Committee on Appropriations and the Committee on International Relations of the House of Representatives; and

"(2) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.".

SEC. 1308. SECURITY ASSISTANCE FOR THE PHILIPPINES.

(a) STATEMENT OF POLICY.—The Congress declares the following:

(1) The President should transfer to the Government of the Philippines, on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), the excess defense articles described in subsection (b).

(2) The United States should not oppose the transfer of F–5 aircraft by a third country to the Government of the Philippines.

(b) EXCESS DEFENSE ARTICLES.—The excess defense articles described in this subsection are the following:

(1) UH–1 helicopters and A–4 aircraft.

(2) Amphibious landing craft, naval patrol vessels (including patrol vessels of the Coast Guard), and other naval vessels (such as frigates), if such vessels are available.

(c) FUNDING.—Of the amounts made available to carry out section 23 of the Arms Export Control Act (22 U.S.C. 2763) for fiscal years 2000 and 2001, $5,000,000 for each such fiscal year should be made available for assistance on a grant basis for the Philippines.

SEC. 1309. EFFECTIVE REGULATION OF SATELLITE EXPORT ACTIVITIES.

(a) LICENSING REGIME.—

(1) ESTABLISHMENT.—The Secretary of State shall establish a regulatory regime for the licensing for export of commercial satellites, satellite technologies, their components, and systems which shall include expedited approval, as appropriate, of the licensing for export by United States companies of commercial satellites, satellite technologies, their components, and systems, to NATO allies and major non-NATO allies (as used within the meaning of section 644(q) of the Foreign Assistance Act of 1961).

(2) REQUIREMENTS.—For proposed exports to those nations which meet the requirements of paragraph (1), the regime should include expedited processing of requests for export authorizations that—

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

(B) are required to submit bids to procurements offered by foreign persons;

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

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

(3) ADDITIONAL REQUIREMENTS.—In establishing the regulatory regime under paragraph (1), the Secretary of State shall ensure that—

(A) United States national security considerations and United States obligations under the Missile Technology Control Regime are given priority in the evaluation of any license; and

(B) such time is afforded as is necessary for the Department of Defense, the Department of State, and the United States intelligence community to conduct a review of any license.

(b) FINANCIAL AND PERSONNEL RESOURCES.—Of the funds authorized to be appropriated in section 101(1)(A), $9,000,000 is authorized to be appropriated for the Office of Defense Trade Controls of the Department of State for each of the fiscal years 2000 and 2001, to enable that office to carry out its responsibilities.

(c) IMPROVEMENT AND ASSESSMENT.—The Secretary of State should, not later than 6 months after the date of the enactment of this Act, submit to the Congress a plan for—

(1) continuously gathering industry and public suggestions for potential improvements in the Department of State's export control regime for commercial satellites; and

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

SEC. 1310. STUDY ON LICENSING PROCESS UNDER THE ARMS EXPORT CONTROL ACT.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary of State should submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a study on the performance of the licensing process pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.), with recommendations on how to improve that performance.

(b) CONTENTS.—The study should include the following:

(1) An analysis of the typology of licenses on which action was completed in 1999. The analysis should provide information on major categories of license requests, including—

(A) the number for nonautomatic small arms, automatic small arms, technical data, parts and components, and other weapons;

(B) the percentage of each category staffed to other agencies;

(C) the average and median time taken for the processing cycle for each category when staffed and not staffed;

(D) the average time taken by Presidential or National Security Council review or scrutiny, if significant; and

(E) the average time spent at the Department of State after a decision had been taken on a license but before a contractor was notified of the decision.

For each major category of license requests under this paragraph, the study should include a breakdown of licenses by country and the identity of each country that has been identified in the past three years pursuant to section 3(e) of the Arms Export Control Act (22 U.S.C. 2753(e)).

(2) A review of the current computer capabilities of the Department of State relevant to the processing of licenses and its capability to communicate electronically with other agencies and contractors, and what improvements could be made that would speed the process, including the cost for such improvements.

(3) An analysis of the work load and salary structure for export licensing officers of the Office of Defense Trade Controls of the Department of State as compared to comparable jobs at the Department of Commerce and the Department of Defense.

(4) Any suggestions of the Department of State relating to resources and regulations, and any relevant statutory changes that might expedite the licensing process while furthering the objectives of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

SEC. 1311. REPORT CONCERNING PROLIFERATION OF SMALL ARMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report containing—

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

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

(B) the challenges associated with monitoring small arms; and

(C) the political, economic, and security dimensions of this issue, and the threats posed, if any, by these weapons to United States interests, including national security interests;

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

(3) a description and analysis of the adequacy of current Department of State activities to monitor and, to the extent possible, ensure adequate control of, both the licit and illicit manufacture, transfer, and proliferation of small arms and light weapons, including efforts to survey and assess this matter with respect to Africa and to survey and assess the scope

and scale of the issue, including stockpile security and destruction of excess inventory, in NATO and Partnership for Peace countries;

(4) a description of the impact of the reorganization of the Department of State made by the Foreign Affairs Reform and Restructuring Act of 1998 on the transfer of functions relating to monitoring, licensing, analysis, and policy on small arms and light weapons, including—

(A) the integration of and the functions relating to small arms and light weapons of the United States Arms Control and Disarmament Agency with those of the Department of State;

(B) the functions of the Bureau of Arms Control, the Bureau of Nonproliferation, the Bureau of Political-Military Affairs, the Bureau of International Narcotics and Law Enforcement, regional bureaus, and any other relevant bureau or office of the Department of State, including the allocation of personnel and funds, as they pertain to small arms and light weapons;

(C) the functions of the regional bureaus of the Department of State in providing information and policy coordination in bilateral and multilateral settings on small arms and light weapons;

(D) the functions of the Under Secretary of State for Arms Control and International Security pertaining to small arms and light weapons; and

(E) the functions of the scientific and policy advisory board on arms control, nonproliferation, and disarmament pertaining to small arms and light weapons; and

(5) an assessment of whether foreign governments are enforcing their own laws concerning small arms and light weapons import and sale, including commitments under the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials or other relevant international agreements.

(b) DEFINITION.—In this section, the term "appropriate committees of Congress" means the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1312. CONFORMING AMENDMENT.

Subsection (d) of section 248 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1958) is amended by inserting ", and to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives," after "congressional defense committees".

Mr. SMITH OF NEW JERSEY. Section 801 of Title VIII of that act requires the Secretary of State not to issue any visa to, and the Attorney General not to admit to the United States, any foreign national whom the Secretary finds, based on credible and specific information, to have been directly involved in the establishment or enforcement of forced abortion or forced sterilization.

Sadly, Mr. Chairman, to the best of my knowledge, both under Presidents Bush and Obama, no one has been rendered inadmissible, owing to a glaring lack of implementation.

The China Democracy Promotion Act of 2011 doesn't seek to replace and, with one line of change in the bill text, would substantially strengthen U.S. law in this regard and get this issue once again front and center.

The bill seeks to deny entry to the U.S. senior government leadership, their immediate family members—and that is new; that wasn't in the act that I did in 2000—and anyone else who has committed human rights abuses in the PRC or anyone who has derived significant financial benefit from those policies—that, too, is new; we didn't put that in the 2000 act—including participation in China's cruel, coercive birth limitation policy, also known as the one-child-per-couple policy, which relies on forced abortion and involuntary sterilization to achieve its goals; the violent repression or persecution of Tibetans, Uyghurs, and Mongolians or other ethnic minorities; trafficking of North Korean refugees or their forcible return to North Korea.

I have held several hearings on that egregious practice by the Chinese government to not only turn women and men, but mostly women, who make their way across the border into sexual slaves who are bought and sold like commodities, but they also, when they are done with them, send them back to North Korea, where they are immediately incarcerated in gross violation of the Refugee Act, to which China is a signatory.

It also would include violent repression, imprisonment, torture, or any other form of persecution of religious believers, democracy adherents, workers' rights advocates—we all know there are no trade unions like those championed by Lech Walesa in China. There is one trade union, run by the government. Anyone outside of its purview, outside of the parameters very carefully set by the government, goes to prison.

And I, too, have held hearings on that, as you know, Mr. Chairman, where we have heard from these activists who bravely stand up to the government while there are government officials who are implementing that repression on these people who simply want collective bargaining and a decent wage for their work.

Independent media, journalists, and Internet users. I have held three hearings, Mr. Chairman, on the gross abuse of the Internet, including the infamous one, or infamous in terms of their testimony, when we heard from some of the big giants, including Google, Microsoft, Yahoo, and Cisco, who, under oath, said, we can't tell what you we are censoring, and we can't tell you this or that. But, meanwhile, 35,000 to 40,000—nobody knows the exact number—of cyber police comb the Internet looking to find users who say prohibited things like the "Dalai Lama" or "freedom of religion" or anything else or even something favorable about the United States.

As the recently released annual human rights report for 2011 by the Congressional-Executive Commission on China notes—and I do chair that commission—quote, "China's leaders have grown more assertive in their violation of rights, disregarding the very laws and international standards that they claim to uphold and tightening their grip on Chinese society."

They have done a head-fake. They are now citing human rights laws, signing on to U.N. documents, including the International

Covenant on Civil and Political Rights, and then they use the language of rights and they totally co-opt it while they repress their own society.

Liu Xiaobo, who was awarded the 2010 Nobel Peace Prize for his long and nonviolent struggle for fundamental human rights in China, continues to remain incarcerated, having served 11 years in prison, for simply signing a document calling for democracy in China.

Yesterday, Mr. Chairman, I chaired a hearing on the plight of Chinese activist lawyer Chen Guancheng and his wife Yuan Weijing, who since 2005 have been subjected to beatings. Their 6-year-old daughter is in their house under house arrest. And they pummel this man and his wife. We don't even know if he is dead or alive. And this man stood up for the women in Linyi city through a class action lawsuit—unbelievable bravery—who had been forced into abortion.

I finally say, because I know my time is running out, that in 2004 and again in 2006, Mr. Chairman, I authored the Belarus Democracy Act, which this language very closely parallels. And while it didn't say absolutely, "Create a list, Mr. President," President Bush did faithfully, as a result of the language in the bill which calls for denial of entry in the U.S. of senior leadership of the Government of Belarus, a list of about 200 people, egregious violators of human rights. And it has been paralleled by our friends in the European Union, who now have a list just like ours, almost identical names. And that has very much targeted and, in a calibrated way, said, let's target the abusers. And we won't allow them to come to the United States, and we will hold them to account in any way we can. This is but one more tool in that effort.

I thank you, Mr. Chairman. I ask that my full statement be made a part of the record.

[The prepared statement of Mr. Smith follows:]

CHRISTOPHER H. SMITH
4TH DISTRICT, NEW JERSEY

CONSTITUENT SERVICE CENTERS:
1546 Kuser Road, Suite A9
Hamilton, NJ 08619-1828
(609) 585-7878
TTY (609) 585-3650

108 Lacey Road, Suite 38A
Whiting, NJ 08759-1331
(732) 350-2300

2373 Rayburn House Office Building
Washington, DC 20515-3004
(202) 225-3765

http://chrissmith.house.gov

Congress of the United States
House of Representatives

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CHAIRMAN

DEAN, NEW JERSEY DELEGATION

Rep. Chris Smith
Chairman, Congressional-Executive Commission on China
Excerpts of Statement to the Subcommittee on Immigration Enforcement
November 2, 2011

In 2000, I wrote a law—The Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act for fiscal years 2000 and 2001.

That bill, HR 3427, was signed into law on November 29th, 1999 in its entirety by reference—Division B of PL 106-113.

Section 801 of Title VIII of that Act requires the Secretary of State not to issue any visa to, and the Attorney General not to admit to the United States, any foreign national whom the Secretary finds, based on credible and specific information, to have been directly involved in the establishment or enforcement of forced abortion or forced sterilization.

To the best of my knowledge both under Presidents Bush and Obama, no one has been rendered inadmissible—owing to a glaring lack of implementation.

The China Democracy Promotion Act of 2011 doesn't replace—and with one line of change in the bill text substantially strengthens—US law in this regard. The bill seeks to deny entry to the United States senior government leadership, their immediate family members and anyone else who has committed human rights abuse in the PRC or anyone who has derived significant financial benefit from those policies or actions including participation in:

- China's cruel coercive birth limitation policy known as the One Child Per Couple Policy which relies on forced abortion and involuntary sterilization to achieve its ends;
- The violent repression or persecution of Tibetans, Uyghurs, Mongolians or other ethnic minorities;
- Trafficking of North Korean refugees or their forcible return to North Korea;

- Violent repression, imprisonment, torture or any other form of persecution of religious believers, democracy adherents, workers rights advocates, independent media, journalists and internet users

As the recently released annual human rights report for 2011 by the Congressional-Executive Commission on China notes, "China's leaders have grown more assertive in their violation of rights, disregarding the very laws and international standards that they claim to uphold and tightening their grip on Chinese society."

Liu Xiaobo, who was awarded the 2010 Nobel Peace Prize for his long and non-violent struggle for fundamental human rights in China, continues to remain incarcerated serving an 11 year prison sentence for simply signing a document calling for democracy in China.

Yesterday, I chaired a hearing on the plight of Chinese activist lawyer Chen Guancheng and his wife Yuan Weijing, who since 2005 have been subjected to beatings, extralegal detention, numerous violations of their rights under criminal procedure law, confiscation of their personal belongings, 24-hour surveillance and invasion of their privacy, disconnection from all forms of communication, and even denial of education for their six-year old daughter.

Blinded by a childhood disease, Chen Guangcheng began his legal advocacy career in 1996 educating disabled citizens and farmers about their rights. Decades later, when local villagers started coming to him with their stories of forced abortions and forced sterilizations, Chen and his wife Yuan Weijing documented these stories, later building briefs and lawsuits against the officials involved. When Chen investigated and intervened with a class action suit on behalf of women in Linyi City who suffered horrific abuse under China's one child per couple policy, he was arrested, detained and tortured. He and his wife and child remain under house arrest—and at grave risk of additional harm.

China today is a gulag state.

I'd like to note here that laws urging the President to deny entry visas to gross human rights abusers have been very useful with respect to other repressive countries. The Belarus Democracy Reauthorization Act of 2006 (Public Law 109-480), which I authored, includes similar language on denying visas for those who hold senior positions in the Belarus government, their immediate family members and those who have participated in human rights violations and suppression of democracy. These visa denials, along with other sanctions imposed by the United States, were instrumental in securing the release of political prisoners in 2008. More recently, US and EU sanctions on Belarus, including visa denials to targeted senior officials involved in severe abuses, have had an effect in the release of many of the political prisoners who were convicted following the December 2010 post-election crackdown in Belarus.

Mr. Chairman, On October 10, the Congressional-Executive Commission on China, which I chair, published its 2011 Annual Report, documenting the Chinese government's continuing failure to secure its citizens fundamental rights and freedoms and to promote the rule

of law. Indeed, in some respects, conditions have worsened. Our report notes that China's leaders have grown more assertive in committing rights violations and are increasingly willing to disregard the law when it suits them, particularly to silence dissent. We saw this trend in sharp relief earlier in the year, as authorities launched a campaign to "disappear" numerous lawyers and activists following pro-democracy protests elsewhere in the world.

Rights abuses were not limited to this domain. In all the issues covered by the report, we saw continuing problems. Religious believers remained unable to worship freely, and authorities continued to shutter private places of worship and detain believers. The government maintained policies that threaten the viability of the languages, religions, and cultures of Tibetans, Uyghurs, and other ethnic groups in China. Women continued to suffer from the brutality of China's population planning policies, and our report documents continuing use of violence, forced abortion, and sterilization to coerce compliance.

General social controls increased throughout the country. Authorities stepped up monitoring of citizens in the name of "safeguarding social stability." The government took steps to tighten regulation of the Internet. We saw continued restrictions on freedom of residence and travel, and insufficient steps by the government to combat trafficking in persons. North Korean refugees were among trafficking victims in China and also were victims of forced deportation to North Korea, with tragic consequences.

In the area of commercial rule of law, China failed to fully comply with its WTO commitments. Workers were unable to organize freely and faced exploitative labor conditions. China's workers and others in the country encountered multiple barriers to seeking redress in the legal system.

The report also describes cases of men and women locked up in Chinese prisons, held in secret detention centers, or otherwise deprived of their freedoms for the "crime" of exercising their fundamental human rights. One such person is Nobel Laureate Liu Xiaobo, now serving an 11-year prison sentence for speaking out against oppression and promoting peaceful democratic reforms. The report also discusses Chen Guangcheng, a self-trained legal advocate who exposed the horrific abuses in China's population planning policies. Released from prison last year, he and his family were then confined to their home under constant surveillance, with reports of beatings by security officers and other abuses.

Liu, Chen, and the other political prisoners discussed in the report are but a fraction of the 6,600 cases in the Commission's Political Prisoner Database, including more than 1,400 current cases of detention. Our database is a publicly accessible resource that documents the Chinese government's abuses against its own citizens. Yet with China's tight curbs over the free flow of information and track record of secret trials, these records in our database are certain to be only a fraction of the true number of prisoners of conscience in China.

Needless to say, our report does not paint an attractive picture of the Chinese government's actions. China's Foreign Ministry spokesperson made a statement against the report, saying that it "distorts facts and interferes in China's internal affairs." As to the first charge, I'll simply note that our report is based on extensive research and analysis that cites to China's own laws, media, and government documents. Just look to any one of the report's 2,000-plus endnotes for proof. And where the facts indicate that there are bright spots, the report notes it. The report documents potential progress in areas such as legal aid, government transparency, and some criminal law reforms.

As to the second charge, the report measures the facts against international standards. This is a key point. China's actions in this regard are not a simply a domestic matter. We are holding China to universal standards that apply to all states and that China itself claims to uphold. Ensuring that these universal values are protected is a task that belongs to all of us, and indeed, where Chinese citizens lack the freedom to speak out against their government, we must not stand by in silence. That China's actions also bear global consequences in areas from food safety to infectious disease lends only further import to the task of keeping a spotlight on the country.

As a nation, we must not turn a blind eye to the Chinese government's continuing acts of silencing dissent, committing crimes against its own people, and repressing its citizens' fundamental human rights.

It is for these reasons that I heartily implore the consideration of HR-2121, the China Democracy Promotion Act of 2011. Thank you Mr. Chairman.

Mr. GALLEGLY. The time of the gentleman has expired. And, yes, as I said earlier, your entire statement will be made a part of the record of the hearing.

Ms. Chai?

TESTIMONY OF CHAI LING, FOUNDER, ALL GIRLS ALLOWED

Ms. CHAI. Well, thank you, Chairman and Chairman Lamar Smith and Congresswoman Lofgren. And I thank you for all the other Members of the Committee and for giving us this great opportunity to testify in front of you to really push forward H.R. 2121, the "China Democracy Promotion Act."

I believe the reason why I am standing here supporting this bill is, first of all, this is a historical step to reverse the previous 22-year-long U.S.-China relationship that had led China's human rights conditions to continue deteriorating and to massive crimes, which I will explain later. And the second reason why I am supporting this bill is because it can work. The third thing I believe is because this is the right thing to do to both help China and also defend the value and liberty of the United States.

I am especially honored to be testifying alongside with Chairman Smith, for he is our hero and the true force of America. And he has been fighting against China's cruel and inhumane one-child policy since it was first put into action in 1980—before many of us, the native Chinese, have ever realized how gruesome and brutal this policy has been for women and mothers.

I look forward for the day, Chairman Smith, Chris Smith and Lamar Smith, and Chairman—I hope I can pronounce your name—Gallegly and Congresswoman Lofgren, that we can all, together, put this really dark and bloody period of China's history into the history book so it may never happen again.

Twenty-two years ago, I was at Tiananmen Square on June 4th morning when the tanks and troops moved in. I remember at that time we stayed until 6 a.m., because rumor was telling us if we stayed there until the last hour—that is, 6 a.m.—somehow the United States leadership would come intervene to stop China's leadership's brutality. But it did not happen.

I came to America. Finally, I met with Ambassador Lilly, who passed away I think last year. And I asked him why; was that rumor true? And he said, no, it was not true at all. I said, why don't they do something? He said, because they don't care. And I was very disappointed.

Later on, I read his memoir, a really moving memoir, "China Hand." I realized in 1988 when South Korea was facing the same kind of confrontation between the dictatorship versus, you know, dissidents, President Reagan sent a very stern letter to warn the leaders and dictators of South Korean leaders, and Ambassador Lilly was able to hand-deliver that letter. That action changed the history of South Korea, and it led to the dictator to give amnesty to all the dissidents and eventually led to South Koreas' freedom and democracy.

I believe had the United States leadership acted that day, on the night of June 4th, and we would have a different China, different U.S. relationship today. But it is not too late to act, 22 years later.

However, after 22 years, now we are looking back, the massive crime that has been committed under the current U.S.-China, you know, "tolerate policy" of putting profit, business security above the basic human rights. And it allows China's government to repeat the Tiananmen massacre every hour. Under the one-child policy, every day there are 35,000 forced and coerced abortions taking place. Every day there are 500 women committing suicide. For every sixth girl that is scheduled to be born, the number-six girl will be killed, the number-six boy will never find a wife. So, all together, in the past 30 years, more than 400 million lives have been taken.

Later, I would like to show the real examples of all the faces and the cries of these victims in PowerPoint.

And I believe why this bill can work is because it worked before. In the past, in Burma, when in 2008 Congress passed the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) to close a loophole in the Burmese Freedom and Democracy Act. Together, that act calls for accountability for those who are responsible for human rights violations and it enforces visa bans for certain junta leaders. This extends to the immediate family members, as well.

According to reliable resources, when entering negotiations, a visa ban may become a powerful bargaining chip. The first thing the leaders requested when asked to release the Nobel Peace Prize winner Aung San Suu Kyi from house arrest, for the visa ban to be lifted. That is what they really care about. So does the same thing, and the Chinese leader will care. Today, in 2010, there are over 128,000 Chinese students studying in America. Every single Chinese leader and bureaucrat wants their children to be in America, and they want their assets to be stored and preserved and invested in America. And they cannot enjoy this privilege if they continue to brutalize their very own people.

And I believe this is the right thing to do for America because in many buildings they state, you know, "In God We Trust." And I remember, I was so struck when I first came to America in 1990 to testify in Congress. And it took me many years in America to try to understand what they really mean, until I finally came to Jesus one day 2 years ago. And now I know what it means.

So I want to quote a story from the Bible from the Old Testament. When Miriam and Aaron spoke against Moses, God said in Numbers, Chapter 12, "My servant Moses, of all my houses, he is the one I trust. So why were you free to criticize my servant Moses?" Then God punished Miriam and Aaron for their transgressions against God's chosen servant.

What I meant to say in that story is if you truly trust God, if we truly trust his promise, the surprising answer, what is the cost of the consequence for the U.S. Stand up against the human rights abuses in China? The answer is, the cost of doing nothing, the cost of repeating what we have been doing in the past 28 years will be much higher than standing up to doing the right thing, the Godly thing, and the righteous thing.

Mr. GALLEGLY. I am going to have to stop you there.

Ms. CHAI. Yes. I thank you for the time.

Mr. GALLEGLY. The full statement will be a part of the record of the hearing, and I thank you for your testimony.

Ms. CHAI. I would also like to include—this is the 350 names, and addresses of the forced-abortion one-child policy policymakers and enforcers. We would like this to be the beginning of those——

Mr. GALLEGLY. Without objection——

Ms. CHAI [continuing]. Names to be entered into the record——

Mr. GALLEGLY [continuing]. That will be added to the record of the hearing.

Ms. CHAI [continuing]. And also the pictures of the stories of all these, you know, one-child policy victims entered into the record, too.

Mr. GALLEGLY. That document will be added to the record, without objection.

Ms. CHAI. Thank you.

[The prepared statement of Ms. Chai follows:]

Congressional Testimony Regarding Bill HR 2121

Chai Ling: Founder, All Girls Allowed; Author: A Heart For Freedom

Introduction

Chairman Lamar Smith and respected Members of the Committee, I thank you for giving us this opportunity today as we discuss a very important and critical step in our nation's relationship with China---the hearing on China Democracy Promotion Act, of 2011, HR 2121. A bill that once passed, will give the President the right to ban U.S. visas to all Chinese human rights abusers and One-Child Policy enforcers. This effort could be the beginning of the end of the massive crime that takes place under the One-Child Policy. This policy has taken 400 million lives in the past 30 years. China's government has inflicted many other cruel and inhumane human rights abuses before and after the 1989 Tiananmen massacre, when Chinese leaders ordered tanks and troops to openly gun down its innocent and peaceful protestors.

I am especially honored to testify alongside Chairman Smith, who is our hero and has been fighting to end China's cruel and inhumane One-Child Policy since it was put into action in 1980. I look forward to the day when Chairman Chris Smith and Chairman Lamar Smith and other respected members of Congress, that with all your great leadership and courageous effort, we can put all these atrocities into the history books to close a very dark and bloody period of China's history.

The past two decades of China's Human Right Conditions:

22 years ago, I was at Tiananmen Square on the early morning of June 4th, when the tanks rolled in to crush our peaceful movement. As a key student leader, I remembered hoping until the last hour that America would take a stand to end China's government violence against its own people. However, America never came. Although late Ambassador Lilly wrote in his memoir, *China Hand*, about his call for action, his memo never made to the president. I believe that if the US President had been able to come to the Chinese people's aid, as President Reagan wrote a stern message in 1988 towards the leaders of South Korea, and South Korea was led to freedom, China would have had a different outcome both then and now, and our relationship with China today could have been a much more productive and fruitful one.

Once the Chinese leaders were given the green light to kill and torture their own people, they replicated an even worse Tiananmen massacre than we saw in 1989. Each day there are over 35,000 forced and coerced abortions taking place, and each day 500 women commit suicide out of a spirit of despair. To show an example of how cruel and inhumane this Policy is for the Chinese people, I will share with you again a few eyewitness cases that were brought to light.

- At a hearing last month, Liu Ping told members of Congress her tragic story through tears----5 forced abortions and a painful, forced IUD procedure that has caused many additional health problems and led to the demise of her marriage. In her textile factory, all female workers were forced to prove they were menstruating each month, and were incentivized to turn each other in if they wanted to get paid.

- Then Ji Yeqing shared her recent story: She suffered 2 forced abortions and her family was beaten violently by government officials. In 2007, after she lost her second child to a forced abortion, Ji woke up in a cold room and discovered there was an unexpected, painful IUD device inside her body. When she no longer could bear a son, her husband divorced her. When she got the IUD removed here in the States, her doctor found cervical erosion that will hinder her ability to have future children.

- The last story took place just a few weeks ago, on October 14th. At 9 in the morning, Lijin County Family Planning Commission sent a dozen agents by van into the village to arrest Ma Jihong, who was seven months pregnant with an over-quota child. As soon as she saw them, Ma began to run. The Family Planning agents chased the pregnant woman and caught her in a cotton field nearly. They dragged her to the car and drove away immediately. Her family had no idea where they went. It wasn't until 9 o'clock at night that a man came to notify the family that Ma had died in the hospital. The whole family rushed to the county hospital only to see her body still on the operating table.

  By then, poor Ma's body had already been totally freezing cold, with purple lips and bleeding nose, lying on the operating table without any movement . . . Ma had been healthy and could not have died from any illness, yet the hospital and the Family Planning Commission have still not disclosed the reason for her death. Ma's daughter does not know yet that her Mom has passed away. She cries looking for her Mom every day.

- Chen Guangcheng is a blind attorney who investigated incidents of forced abortions and forced sterilizations by Linyi Municipal Authorities. He revealed his findings and documentations of late-term abortions and forced sterilizations (130,000 in 2005 alone) to the media. For this, he was arrested and imprisoned for four years and three months, finally released in September 2010. No one had heard about Chen's condition for months. In July, a brutal four-hour beating by local authorities almost killed Chen and his wife. It was witnessed by their elementary school-age daughter.

How can a bill such as HR 2121 end this all?

There are many reasons why I support the China Democracy Promotion Act of 2011 (HR 2121), but I did not arrive at the decision quickly. Since my escape from China, I have continued to miss my home, love the Chinese people and hope to help in some way the entire nation of China. Now, with the forgiveness Jesus has shown me, I have forgiven China's leaders for their action against us in Tiananmen Square. China's success is something I long to see. So when I heard about a bill that would prevent not only wrongdoers, but their immediate family members from coming, I needed to be convinced of its necessity before supporting it. It seemed harsh to me. In 2009, 128,000 Chinese students studied in America. Even the leader appointed to succeed Hu Jintao, current Vice President Xi Jinping, has a daughter currently enrolled at Harvard. Should we punish children for the sins of their parents?

This bill is not intend to harm anyone whose family and children are doing good, rather to ban those who do evil and urge them to repent and to change. –It only affect people who are hurting others, people who are infusing terror into the hearts of millions of mothers, people who are sustaining a culture of abortion despite deep social problems of aging and gendercide. It would expose murderers who killed a woman, seven months pregnant, and would prevent these killers from coming to the United States. It would send a clear message.

It would also protect our country and our children from people who commits terrible violence to potentially harm our citizens.

The very reason I was concerned about the visa ban, namely, Chinese students—is the reason it can work to improve the human right conditions. Parents react strongly when they cannot send their children to American universities or visit them there.

In 2008, Congress passed the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act to close a loophole in the Burmese Freedom and Democracy Act. Together, these acts call for accountability of those responsible for human rights violations, and enforce a visa ban for certain Junta leaders. This extends to their immediate family members. According to reliable sources, when entering negotiations, a visa ban may become a powerful bargaining chip. The first thing leaders requested when asked to release Nobel Prize winner Aung San Suu Kyi from house arrest, was for the visa ban to be lifted. it is important to note that this has not hurt U.S.-Burma relations, but has arguably helped increase dialogue in other areas.

Imagine the day when Chinese leaders will ask: "What must we do to have this ban lifted?" would they offer to release Chinese Nobel Prize winner Liu Xiaobo, or would they offer to end China's One Child Policy? The day that US-China leaders can truly engage in this kind of discussion, rather than the one-sided denial and stonewalling given by the leaders of China today, will be the beginning of the end of this One Child Policy.

What might be the cost or consequences for the US to stand up again the human right abuses in China?

The surprising answer is: The cost of doing nothing is far greater than doing the right thing!

When Miriam and Aaron spoke against Moses.. God said in Numbers Chapter 12: "My servant Moses, of all my house, he is the one I trust. So why were you not afraid to criticize my servant Moses?" …

Then God punished Miriam and Aaron for their transgressions against God's chosen servant. (Numbers 12:1-16)

On many of the Congressional buildings, it was printed: "In God, we trust" to remind us what we ought to do as leaders of this nation. If we are truly trusting God, we ought to follow his command and do the right thing: Act Justly, love mercy and walk humbly with the Lord your God. When we act as his faithful servant like Moses did, God will be our protector and our shield, both to our leaders and to our nation. When we act out of our

own self interests and calculations, we are on our own, and are polluted and left defeated by the world.

That's exactly what is happening: when daily U.S. headlines demonstrate that the US's tiptoeing around China's human rights outrages, and kowtowing to their placing such topics "off limits," has led to little positive response from Chinese leaders on all fronts.

In contrast, public international condemnation of China's human rights violation threatens to undermine the status and legitimacy of Chinese leaders in the eyes of their people. That is something that the Chinese Government fears, especially in light of the resurgent interest in China's traditional Confucian and Buddhist moral values. Shining a spotlight on China's human rights record will **not** substantially harm, and may help resolve, other disputes with China. Taking a firm stance on the One-Child Policy could actually strengthen our relationship with China.

Recognizing this, the Administration has sharply criticized China's Internet policy. It has felt free to impose steel tariffs and announce new arms sales to Taiwan, despite knowing that both would upset Beijing. Even a few, isolated incidents of Chinese dissidents being jailed are critically noted, as well as China's treatment of the recent Nobel Peace Prize winner in absentia.

Historically, China may try to offset or divert public international focus from gross human rights violations by being more **flexible** on other disputes. For example, Canada's strong condemnation of persecution of Falun Gong did not halt their cooperation. In fact, it was followed by new trade agreements expanding Canada's grain exports to China.

We ask that this bill move forward even though it may seem superfluous to some. Subsection (f) of 8 U.S.C. 1182 broadly authorizes the President to order exclusion of person's whose admission the President deems barmful to the national interests. This and other administrations have used this authority to exclude torturers and other wrongdoers from various nations, but it is important to remember that so far **not one** has used this authority to deal with the problem of human rights in China.

As a matter of fact, we would like to ask for an Executive Order to be issued by President Obama to ban visas to those people whose names we are submitting as the leaders and enforcers of One Child Policy. These should immediately be banned to coming to the United States. If the President chooses not to confront this issue, Congress should move forward this bill in full force.

Warning against indifference:
Recently a two year-old child was run over by a van in Foshan, a city in China. The whole world watched security camera footage of 18 people who walked by the toddler as she lay in a pool of her own blood, waiting for help. Later, another car ran over her before a garbage collector finally had mercy and took her to the hospital. I want to know how these people could walk by unaffected, not acting on her behalf, even though they knew what had happened and that the baby needed help.

Are we any different? We know the statistics. We know that millions of girls are killed or abandoned every year as a result of China's One-Child Policy, and that mothers have been killed during forced abortion procedures simply because they were pregnant with a second child. If we do not do what we can do as a nation, we are no different from these 18 passersby who left Yue Yue to die.

Part of what made the media pick up this horrible story of a hit-and-run accident thousands of miles away was the indifference of people to a toddler's cry even though they knew what was happening to her.

Ma's poor family, who worked the cotton fields for less than $1,500/year, was destroyed by the One-Child Policy the same week that the little two-year-old toddler was run over in the street. In the case of the toddler, the government immediately arrested the drivers who had run over her. But Ma's killers continue to roam freely. Chinese officials had killed a pregnant mother and her seven-month old fetus, and yet these murderers have yet to be held accountable.

We know what is happening in China, and there is something we can do about it. We recognize the need to bar violent, cruel policy enforcers from entering our own local communities and we have brought with us a list of the most influential enforcers.

I continue to urge both sides of the political divide to unite on this issue. The Obama Administration is not the first to avoid a hard stance in our dealings with China's human rights abuses, and our nation has seen both liberal and conservative presidents be soft in their interactions with China.

Finally, it must be noted that in addition to the millions of families affected by this brutal One-Child Policy, human rights offenders in China have tortured and injured various other groups because of their ethnicity, religious backgrounds or political beliefs. We stand for justice against all such wrongdoers visiting the United States of America.

As we go forward from here knowing so much about such evil, we must ask ourselves what we can do and what we will do. Sometimes we speak at special hearings just to inform, but today is a day to act. I urge you to support this bill and act on behalf of the oppressed. While we cannot change China's policy of death overnight, we can stand firm on what we believe as a nation and not waver when it comes to our own moral boundaries.

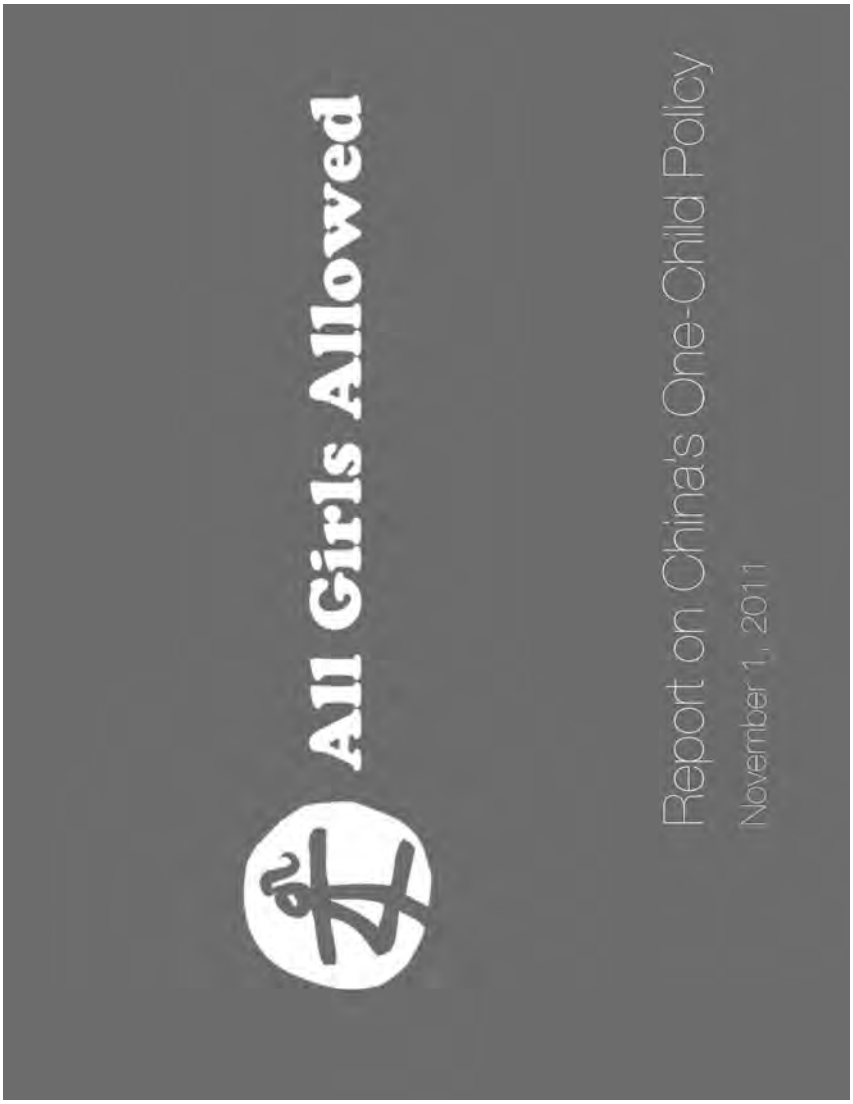
The issue of human rights in China and the opportunity for America to send the strongest possible signal of condemnation **is not** a political or partisan issue for Congress. Nor is it an issue of political ideology for liberals or conservatives. It's a question of whether America will tell China and the world where it **stands** on fundamental questions of decency and humanity.

Frenchman Alex de Tocqueville, who came to America in 1831 to study our nation, warned of the following:

"I sought for the key to the greatness and genius of America in her harbors; in her fertile fields and boundless forests; in her rich mines and vast world commerce; in her public

school system and institutions of learning. I sought for it in her democratic Congress and in her matchless Constitution. Not until I went into the churches of America and heard her pulpits aflame with righteousness did I understand the secret of her genius and power. America is great because America is good, and if America ever ceases to be good, America will cease to be great.

ATTACHMENT 1



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22 Rescue
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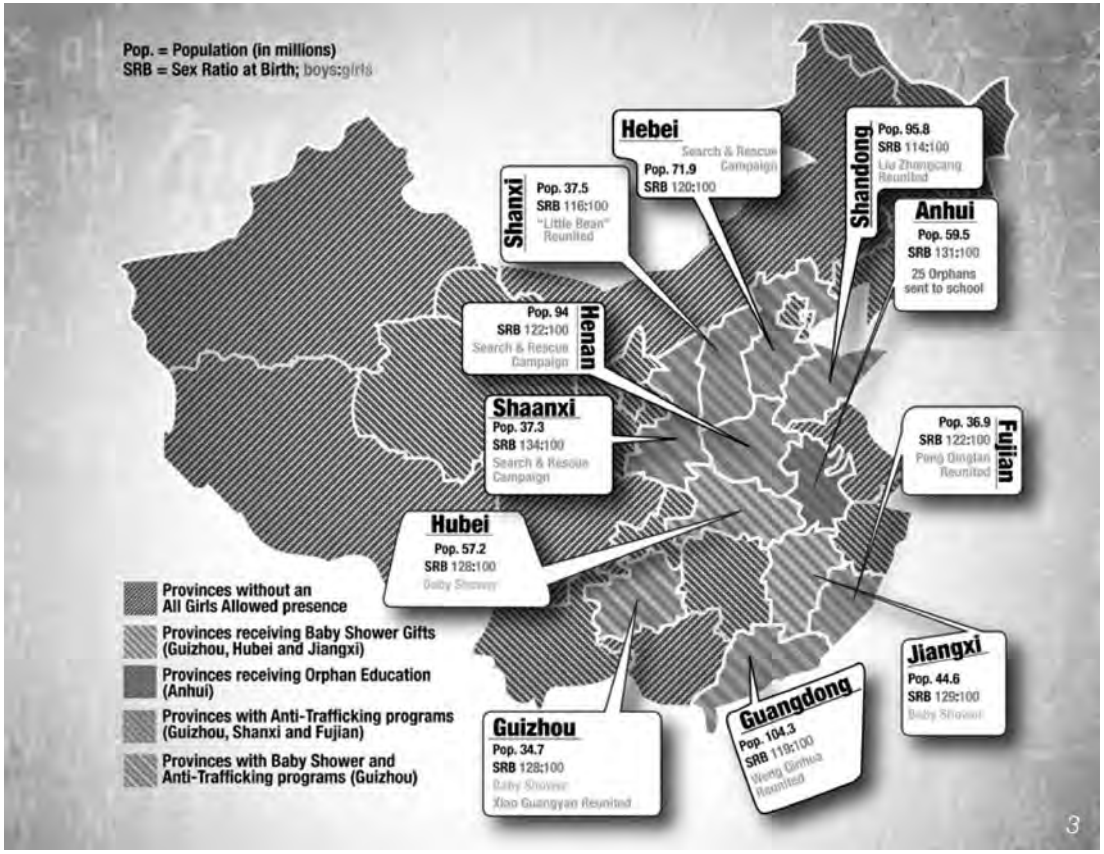
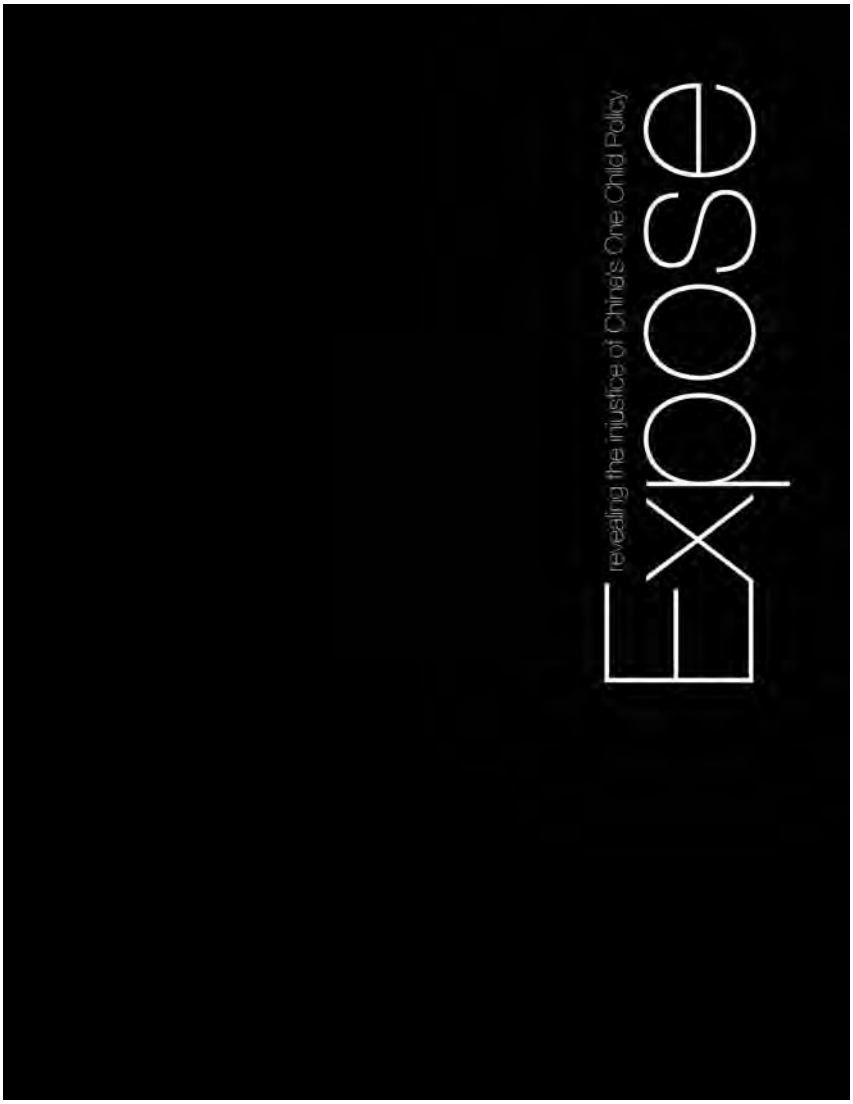

Pop. = Population (in millions)
SRB = Sex Ratio at Birth; boys:girls
Hebei
Search & Rescue Campaign
Pop. 71.9
SRB 120:100
Shandong
Pop. 95.8
SRB 114:100
Liu Zhangcang Reunited
Shanxi
Pop. 37.5
SRB 116:100
"Little Bean" Reunited
Anhui
Pop. 59.5
SRB 131:100
25 Orphans sent to school
Henan
Pop. 94
SRB 122:100
Search & Rescue Campaign
Shaanxi
Pop. 37.3
SRB 134:100
Search & Rescue Campaign
Fujian
Pop. 36.9
SRB 122:100
Peng Qingtian Reunited
Hubei
Pop. 57.2
SRB 128:100
Baby Shower
Provinces without an All Girls Allowed presence
Provinces receiving Baby Shower Gifts (Guizhou, Hubei and Jiangxi)
Provinces receiving Orphan Education (Anhui)
Provinces with Anti-Trafficking programs (Guizhou, Shanxi and Fujian)
Provinces with Baby Shower and Anti-Trafficking programs (Guizhou)
Jiangxi
Pop. 44.6
SRB 129:100
Baby Shower
Guangdong
Pop. 104.3
SRB 119:100
Weng Ginhua Reunited
Guizhou
Pop. 34.7
SRB 128:100
Baby Shower
Xiao Guangyan Reunited
3

洪珍珍 (Hong Zhenzhen, "hoong-jen-jen"), victim of forced sterilization


Expose
revealing the injustice of China's One Child Policy

Gendercide

noun, \'jen-der-sīd\: The systematic elimination of one gender.

In China, the three words, "**It's a girl!**", are often received with sadness and disappointment, leading to prenatal sex selection 1 out of every 6 times. Gendercide is the result of several factors that lead to a strong preference for boys, but in China, this preference is exacerbated by the One-Child Policy.

Sadly, there is very little understanding of both the magnitude of the gendercide happening in China and the implications of a large gender gap. In our first year of existence, All Girls Allowed has sought to expose the problem by taking the most **credible and up-to-date research** and translating it for the general public. Some key academic findings were:

- enforcement of the **One-Child Policy** is directly correlated to gendercide
- a surplus of young men has in the past led to **unrest or expansionism**
- the gender imbalance is leading to the **U.S.-China trade imbalance**
- a **financial incentive** for parents to keep girls will reduce gendercide rates

We implemented a multi-pronged approach to get the word out about gendercide. We met with leaders in **Congress** and the **State Department** to draw their attention to the gravity of the situation. We made presentations at **conferences for students** and **professionals** where many were mobilized to help. We spoke to **churches** and **justice groups**. We conducted **interviews** and published **op-eds**. We created a **website** for thousands of visitors to get the best research on the problem. We created **videos** to explain the problem and captured **on-the-ground footage** of the impacts of gendercide.

Thanks to our thousands of supporters, gendercide is becoming a commonly understood word. Now, let's make that word **history**.

"More girls have been killed in the last fifty years, precisely because they were girls, than men were killed in all the wars of the twentieth century."

Pulitzer Prize Winners Nicholas Kristof & Sheryl WuDunn in "Half the Sky"

Coalition to End Gendercide

At a historic press conference on June 1st, 2011, two Congressmen and two Congresswomen, Democrat and Republican, pro-choice and pro-life, came together to sign the Declaration to End Gendercide. Together, they launched the bipartisan Coalition to End Gendercide. The event also featured demographic experts from Texas A&M and the American Enterprise Institute, as well as an advocacy leader from Amnesty International.

Chai Ling said, "Together, whether we are pro-life or pro-choice, Democrat or Republican, we can all agree that the systemic elimination of girls simply because they're girls is a crime that has to be stopped. We are thrilled to work with U.S. leaders to discover root causes of gendercide, to understand the tragedy, and to explore solutions. We hope and pray to one day work with China's and India's leaders to end gendercide worldwide."

The unity of spirit at the event was evident throughout. It was a fitting way to celebrate All Girls Allowed's One-Year Anniversary!

Rep. Chris Smith launches the Coalition to End Gendercide

Infant Abandonment

Due to the tremendous number of infants abandoned each year, China is facing a crisis that must be comprehensively addressed. In 2007, UNICEF reported that there were **17 million orphans aged 0-17** in China. Those lucky orphans are taken in by an orphanage and given enough care to survive. However, due to lack of funding, many of these orphans receive little to no education, and once they reach adulthood they are cast onto the street with few opportunities to earn a livelihood.

While China has an extensive state-run orphanage system, it is unable to receive the overwhelming numbers of infants who are abandoned on the streets, in the woods, or even on orphanage doorsteps. Attempts to build more orphanages and create foster-care programs are well-meaning, but the **main culprit** is the One-Child Policy, which puts pressure on parents to abandon their newborns if they do not satisfy their hopes for their only child.

In December 2010, the Chinese government announced a program to assist orphans who did not already receive government funding. The orphans supported by All Girls Allowed were among those who should have benefitted from this funding, which was supposed to be retroactive back to January 2010. However, through a special investigation conducted by All Girls Allowed workers in March 2011, we discovered that even provincial-level welfare agencies had not received any funding, let alone city-, county-, and township-level agencies. Among the orphanages we supported, **not one had received any government assistance**.

All Girls Allowed has been working to expose the **hypocrisy** of the Chinese government, calling it to account for the disparity between its high-level public statements and the reality on the ground. By drawing attention to the plight of abandoned infants, we believe the Chinese government will begin to take better care of those who have been forgotten in society.

"I have been covering China for more than a decade. Thousands and thousands of baby girls are abandoned because of the One-Child Policy."

Lisa Ling, Co-Host of "The View" and Host of "Our America with Lisa Ling"

小不点
“Little Thing”

She was abandoned and found in June 2010, during the same month when All Girls Allowed was beginning to send aid to Buddhist orphanages in the poor countryside of Anhui province. Because of her delicate nature and small size, she was nicknamed 小不点 (“shao-bu-dee-en”, which means “Little Thing”). The nuns who had rescued her were told that they would need $3,000 in order to provide life-saving medical and IV care due to her lack of nutrition before she was found.

All Girls Allowed had committed to support the orphanages for many months with the same amount of funds required to rescue “Little Thing”, but we prayed for God to provide a way for her. Soon thereafter, the Department of Religion interceded and reduced the amount to $300, which we were able to support! The medical care was well-received by her body, and despite concerns that she might have some learning disabilities due to the circumstances of her abandonment, she has shown every sign of being a perfectly normal and intelligent little girl.

“Little Thing”, 6 months after she was rescued

Child Trafficking

These are just some of the faces of the 70,000+ children who are kidnapped each year and trafficked to become child-brides, male heirs and sex slaves (another estimate says that as many as 200,000 children are kidnapped per year). All Girls Allowed has developed a website that hosts over **2,000 profiles** of kidnapped children. Parents can upload information about their children to the database, which assists local community groups to find trafficked children.

Our anti-trafficking network has grown over the past year to include volunteers from all across China—mostly parents who have lost their own children. The Chinese government has done little to help these parents, and so they have taken matters **into their own hands**. They visit schools to educate children about how to protect themselves from potential traffickers. They cover entire city squares with banners, distributing flyers to passersby who may not be aware of the threat to their own children.

On June 13, 2011, Chai Ling **testified at a Congressional Hearing** about the growth of child trafficking in China. In that testimony, she clearly drew the connection between child trafficking and the One-Child Policy: many parents are willing to pay large sums to illegally acquire a boy as a male heir; parents of boys will also pay to guarantee a wife for their son by purchasing a child-bride; and the large surplus of men in China has led to a growing sex industry that is largely fed by the trafficking of girls and young women into China from surrounding countries.

"I think there must be something wrong with treating children as goods, but I can't figure out what it is."

Chinese Child Trafficker, interviewed on HBO's documentary Special "China's Stolen Children"

Child-Brides in Fujian Province

In the spring of 2011, All Girls Allowed launched an investigation in Putian, Fujian. The goal was to identify the number of child-brides in the city and to help them find their families. It came as a shock when our workers discovered, after pouring through census and government records, that this city of over three million people had up to 600,000 women who had been trafficked as child-brides over the last 30 years!

Unfortunately, local authorities have turned a blind eye to this issue, and so these child-brides have had to work together, forming their own campaigns to find their families. Due to the campaign, 800 women registered as child-brides on our website in an effort to find their parents.

Distributing pamphlets of missing children profiles during a search & rescue campaign

Forced Abortion

In October 2010, 骆炎泉 (Luo Yanquan, "law-yen-chwen") and 肖爱英 (Xiao Aiying, "shao-eye-ying") told reporters about their tragic forced abortion: eight months into Xiao's pregnancy, officials insisted her pregnancy must be terminated because they had not completed the necessary process or paperwork for her new son's birth. Though the couple asked for 24 hours, Chinese officials came, beat Xiao and carried her to an abortion clinic to forcefully abort her baby boy. Al Jazeera interviewed the couple immediately following these tragic events. During the video, she is still pregnant, **waiting to deliver her dead fetus**. Completely heartbroken, they do not know what to tell their 10-year-old daughter, who has been "rubbing mommy's belly" and saying, "soon I'll have a new baby brother!"

This problem is not an isolated issue – similar incidents happen daily in China, with **35,000 forced and coerced abortions happening every day**. Because of the One-Child Policy, women across China have no choice but to abort their babies, whether through financial pressure (ie, exorbitant fines, confiscation of property), relational pressure (ie, detaining family members), or direct intervention by government officials to forcibly terminate pregnancies. For those who are lucky enough to give birth, they are often forced to undergo sterilization surgery to prevent future births, occasionally leading to debilitating complications. These forced procedures are often performed under unsanitary conditions by untrained personnel.

All Girls Allowed is working tirelessly to give voice to those whose reproductive rights have been violated. In Xiao Aiying's case, our Chinese lawyers immediately drew attention to the matter and found the perpetrator of the crimes. While the perpetrator was never prosecuted, Luo and Xiao did receive financial compensation from the government. All Girls Allowed also helps Chinese mothers by conducting **investigative interviews**, **publicizing stories of forced abortion or forced sterilization**, helping mothers **find refuge in the U.S.**, and assisting victims who have found their way to the U.S. to secure **political asylum**.

"Out of all the issues I raised, the only one which received a response from [President] Hu was my statement urging the end of China's forced abortion policy. I was astonished when he insisted that such a policy does not exist."

(Congresswoman Ileana Ros-Lehtinen, Chairwoman of the Foreign Affairs Committee)

Advocacy on Capitol Hill

While China is a strong country with many resources, there is a reason that they are so consistently concerned about the prosperity of the United States. Far from being a giant to be contended with, China is a partner that relies on its relationship with the U.S. to prosper and grow. For this reason, All Girls Allowed believes that we can and must call our elected representatives and officials to act against the One-Child Policy and violations against women's reproductive rights.

In our first year, we presented about forced abortion and forced sterilization at three different Congressional press conferences. We also testified at a Congressional hearing about the persecution of our humanitarian aid workers who were simply standing up on behalf of China's girls and mothers. It is our prayer that this nation's leaders will take courage and stand up against these injustices.

Chai Ling speaks on Capitol Hill on the 30th Anniversary of the One-Child Policy

Recent Cases

Forced Abortion Caught on Tape

In October 2010, Luo Yan Qua and Xiao Ai Ying told reporters about their tragic forced abortion: eight months into Xiao's pregnancy, officials insisted her baby must be aborted because they had violated China's One-Child Policy.

The couple already have a daughter, and this second pregnancy was accidental, but when it was confirmed three months in, they both felt it was too late to have an abortion and assumed the most that could happen to them was a heavy fine.

Instead, Xiao was dragged kicking and screaming out of her own home by authorities. Though the couple asked for 24 hours, Chinese officials came, beat Xiao and carried her to an abortion clinic to forcefully abort her son. During the video, she is still pregnant, waiting to deliver her dead fetus. Completely heartbroken, they do not know what to tell their ten year old daughter, who has been "rubbing Mommy's belly" and saying, "Soon I'll have a new baby brother!"

Reporting by Melissa Chan, Al Jazeera

Video footage of Xiao after the operation (above), Luo explains how he begged for mercy (inset)

Wang Liping's baby was forcibly aborted because Wang did not have a marriage certificate

Forcibly Aborted Fetus Left to Die

The Population and Family Planning Office in Zhenzhou City Henan Province forcibly induced labor to expel a seven-month fetus and killed the fetus. This case evoked great anger in the society after it was exposed on the internet. The victim, Wang Liping, lived in Diaoyutai Village Guying Town Huiji District Zhenzhou City, Henan Province. She was 23 years old and was pregnant from her boyfriend before their marriage. Since they did not have a marriage certificate, the baby was deemed to be illegal. Wang was forcibly taken to the hospital by the local Population and Family Planning Office and was subjected to forcibly induced labor, which led to the death of her seven-month fetus.

She said of the ordeal, "When the injected medicine began to take effect, I had great pain in my belly. At 3:00 a.m., on April 2nd, my almost-fully-developed child was born. My child even mournfully cried for some minutes, and later the crying ceased. I cried out for help for a long time until a yawning nurse came and shouted at me: "No more crying!" I said: "Please take a look at my baby." That nurse took a glance and said it was dead and then put my baby beside me. I fainted on hearing this tragic news. When I woke up in the morning, there was a doctor standing by my bed and asked for money to "get rid of the fetus' body." I said I had no money and so they just used a plastic bag to wrap my baby and put it beside me."

Reporting by Reggie Littlejohn,
Women's Rights Without Frontiers

Child Taken & Sold By Officials

The New York Times

Ms. Chen said population-control officials in her hometown, Changle, in Fujian Province, took her daughter in 1999. Ms. Chen, who is in the United States illegally, applied for asylum as a dissident this year, but was denied. She declined to speak to The Times, but gave permission for a reporter to watch a videotaped interview conducted by a Christian group in Flushing, Queens, called All Girls Allowed.

Ms. Chen said that her first child, born in 1997, was a girl, and that she was under great pressure from her in-laws to produce a son. She became pregnant soon afterward, but this child, too, was a girl. Ms. Chen was in violation of the one-child law, which in her area allowed parents to have a second child after six years. Officials came to her with a choice: give up the second child—then 5 months old—or undergo tubal ligation.

"I was holding my daughter and crying," she said on the video. The official told her that if she gave up the child, in six years she could try again to have a son, she said. "I was afraid for my marriage," she said. "Of course I didn't want to give up the child. But I was afraid that without a boy my marriage wouldn't last."

She said, "I handed her over meekly."

Reporting by the New York Times

Ms. Chen's identity cannot be revealed as she may suffer repercussions if she is deported back to China

Ji testifies before the House Foreign Affairs Committee on September 23, 2011, with Chai Ling interpreting

Ji Yeqing's Two Forced Abortions

Ji Yeqing had her first child, a daughter, on September 7, 1997. In June 2003, she and her husband discovered they were pregnant with a second child. However, when they went to Jiading District Women and Children's Clinic for a check-up, they were told by the local Family Planning Commission that according to the One-Child Policy, they could not keep the child and would have to get an abortion. If they refused to submit, they would have to pay $31,000 and would lose their jobs. Fearing unemployment, they acquiesced.

In September 2006, Ji was found again to be pregnant, but this time she and her husband were prepared to pay the fines. However, when they went to the local hospital for the checkup, the Family Planning Commission gave them no choice. They grabbed Ji and dragged her into the operating room for a forced abortion, while they beat her husband as he attempted to rescue her. As Ji was sedated, the aborted her fetus and also forcibly inserted an IUD, which caused significant medical complications. She escaped to the U.S. in 2010 and courageously shared her story before Congress in September 2011.

Reporting by All Girls Allowed

Liu Ping's Five Forced Abortions

Liu Ping worked at a textile factory that only employed women. Because she already had one child, she would not be able to have another under the One-Child Policy. Each month, factory workers of reproductive age had to prove to the factory's Family Planning Commission that they were menstruating. If they could not prove that, they had to prove they were not pregnant, otherwise they would have to undergo a forced abortion. Factory workers were given an incentive to turn each other in—if any of the women were found to be pregnant, the whole factory floor would be punished and lose their bonuses.

As a result of this brutal system, Liu had five forced abortions on the following dates: 9/28/84; 12/17/85; 3/20/86; 5/5/89; and 12/14/90. The final forced abortion was the worst, as she also had an IUD forcibly inserted despite kidney complications. What's worse, the doctors gave her the bill for the operation. When her husband tried to rescue her, he was arrested and placed in prison for 15 days. In 1997, when she missed her monthly pregnancy check, the Family Planning Commission pushed her to the ground and injured her neck vertabrae as they dragged her to the local clinic. So great was the pain that she attempted suicide. By God's grace, she was able to escape to the U.S. in 1999.

Reporting by All Girls Allowed

Liu Ping testifies at the same hearing behind a screen to protect her relatives in China; Chai Ling interprets

Chen, his wife Yuan Weijing, and their daughter Kesi (above); Chen's February 2011 video (inset)

Chen Guangcheng, Defender of Women

Chen Guangcheng is a blind human rights lawyer who was imprisoned for four years and three months for exposing the violent measures used to enforce China's One-Child Policy, including forced abortions and involuntary sterilizations that in his county alone in 2005 numbered 130,000.

Since his release from prison in September. 2010, Chen has been kept under illegal house arrest, denied medical treatment for serious intestinal problems and deprived of all contact with the outside world. Reporters and activists who have tried to visit him have been roughed up and turned away.

In February, July and September 2011, Chen and his wife were severely beaten in front of their elementary school-age daughter. Each beating was in response to communication that Chen had made with the outside world, either by phone or by video. They have consistently been denied access to visitors or any medical help whatsoever, and remain under illegal house arrest.

In July 2011, the House Foreign Affairs Committee unanimously passed an amendment to the State Department 2012 appropriation bill supporting Chen and his wife. They are but one example of Chinese human rights lawyers and activists who are violently suppressed by the government.

Reporting by the China Aid Association

Mother Dies During Forced Abortion

On the morning of October 14, 2011, Lijin County Family Planning Officials paid a visit to the village of Ma Jihong and her husband, Gao Xuetao. Ma and Gao lived a peaceful but impoverished existence, subsisting on a mere $1,500/year working in the cotton fields. But when she was found to be pregnant with an over-quota child, the government arrested her and dragged her off for a forced abortion.

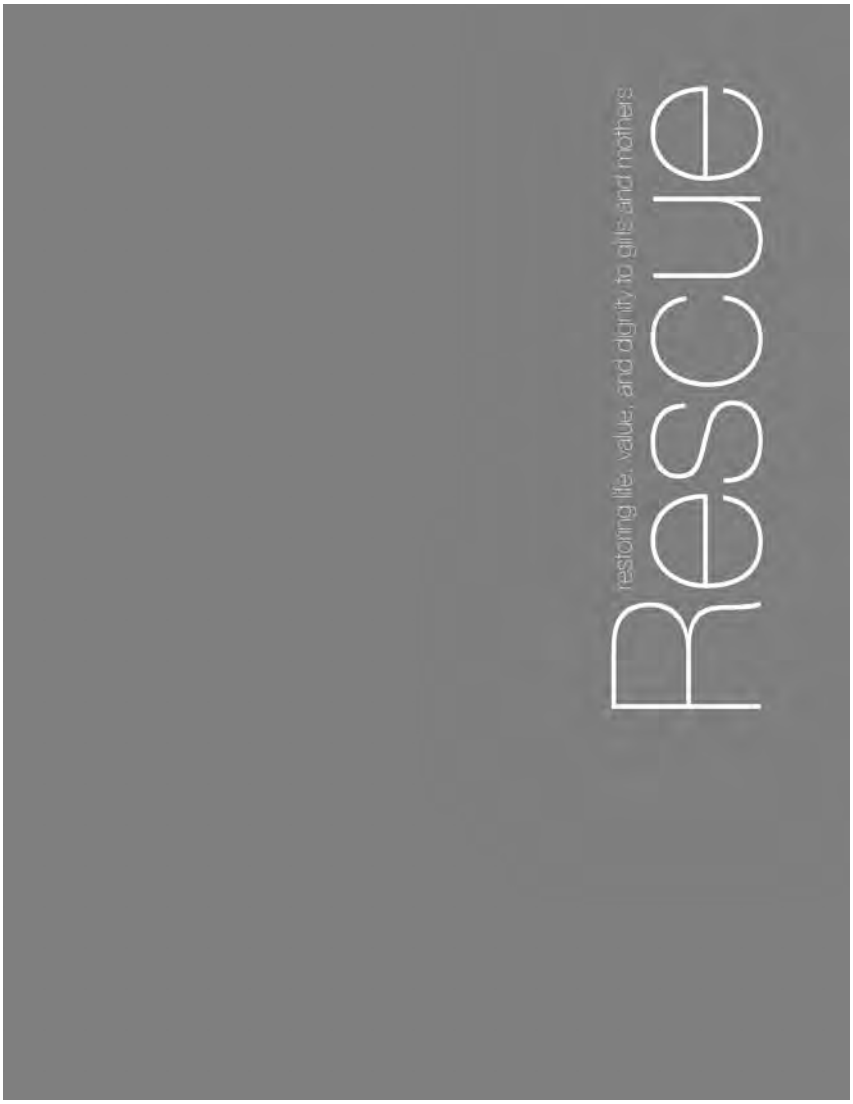
Twelve hours later, her family was notified that she had died. When the entire family rushed to the hospital, her body was still on the operating table, eyes wide open. Ma was perfectly healthy and would not have died of any illness, yet the government has not disclosed the cause of death.

No government investigation has begun, even as Ma's corpse remains in the morgue without any autopsy, the dead fetus still within her. The various government departments involved in the forced abortion procedure have been shifting the blame back and forth, resulting in no justice for the victim's family. Even when our workers went to their village to investigate the case, the government tried to prevent us from having access to the Gao family.

Reported by All Girls Allowed

Ma and Gao (top); Gao, daughter and grandmother at front door (bottom); poor conditions of their home (inset)

Some of the 550 mothers and girls enrolled in the Baby Shower Gift program during its first year


Rescue
restoring life, value, and dignity to girls and mothers

Baby Shower Gifts

Saving Girls from Prenatal Sex Selection,Abandonment & Trafficking

The Baby Shower Gift program was conceived out of a desire to give dignity and honor to mothers who keep their girls, while providing much-needed financial assistance for the girl. Parents may only use the stipend to buy food, medication and clothing. While $20/month doesn't seem like much for us, it goes a long way in helping poor rural Chinese families, many of whom live with under $2/day. This model, which is called a **"conditional cash transfer"**, has been successful in promoting healthy behavior in other countries. Moreover, Dr. Avraham Ebenstein, Professor of Economics at Hebrew University, independantly confirmed that there is a perceived financial cost to having a daughter in China, and recommended a financial incentive for families to keep their girls, much like the Baby Shower Gift.

> "In my mind, if I am to have a second one, and if the second one is a girl, I would still have her. I don't care what others say."
>
> 沈红梅 (Shen Hongmei, Chinese for Plum Blossom May), mother of baby girl receiving Baby Shower Gifts

In our first year, we have seen a remarkably positive reception to our Baby Shower Gift program. In one town, 15 boys and 9 girls were born two years ago. Yet, this past year alone, 14 mothers decided to keep their baby girls and enroll them into our program! In another village, 20 boys and 6 girls were born two years ago, but last year 11 baby girls were born into the program! Besides gender ratios being restored to normal, **culture has been changing too**, as many families now look favorably on having girls. Our follow-up survey showed that while nearly all of our mothers had had an ultrasound during pregnancy, they not only kept this girl, but vowed to keep their future children regardless of the gender!

Remember the Miracle

Li's (李) husband wanted a son. Even though they already had two daughters, they decided to try again for a son, an illegal act under the One-Child Policy. However, when they found out by ultrasound that it was another girl, Li was first kicked out of the house by her in-laws, then abandoned by her husband. What's worse, she was constantly afraid that the Family Planning Police would catch her and force her to abort. She went to the only people she could—her own parents. There, All Girls Allowed staff helped her to tell her story, provided some protection, and gave monthly financial assistance through our Baby Shower Gift program. On September 7, 2010, Li gave birth to a healthy girl! She called her 思齐 (Siqi, "suh-chee"), which means "Remember the Miracle". What a miracle indeed!

Li and "Remember the Miracle", Age 2 Months

Orphan Scholarships

Sending Abandoned Girls to School for a Better Future

International adoption has become more common, particularly from China. As a result, it is not uncommon for Americans to know at least one child (usually a girl) who was adopted from China by a compassionate American family. All Girls Allowed affirms international adoption as a necessary way to rescue abandoned children and give them hope for a future. While adoption has not become common within China, there are some—like the Buddhist nuns in our network of orphan caretakers—who have taken in abandoned girls as their own. While these "foster parents" provide enough for the girls to survive, they are often uneducated and **cannot afford to send the girls to school**.

> "I want to represent all the girls at the orphanage in thanking you for your kindness. We will certainly study hard and get exceptional grades to repay you for your deep affection!"
>
> 释来应 [illegible]

From the beginning, All Girls Allowed had a vision to not only save the lives of girls, but also to give them hope for a better future. While Chinese schools are technically public, there are book fees, travel expenses, and opportunity costs to sending girls to school. It's no wonder that China is ranked **107th in the world for female enrollment in school**, behind countries like Mauritania and Iran, and just ahead of Malawi. It becomes even more important to educate orphaned girls—it is in direct defiance of the very culture that led to their abandonment. An education says, "you have value" and "you have dignity" to those who lacked either before they were rescued. We are proud of our orphan scholars as they have the chance to lift themselves up and become agents of change in their communities!

From Orphanage to College!

October 22, 1992. That was a day both tragic and beautiful. It was on that snowy fall day that 释敏节 (Shi Minjié, "shuh-meen-jeh") was abandoned in a bamboo basket. She was so cold that her tears had frozen. Yet it was on that same day that she was rescued and taken in by a Buddhist nun. Since then, she has grown up among many other abandoned girls who were taken in by the community of nuns.

In the spring of 2010, Minjie was accepted into Anhui Agricultural University, but could not afford the school tuition and related fees. All Girls Allowed stepped in and provided a monthly scholarship that enabled her to attend. Meanwhile, her 24 orphan sisters were also empowered through educational scholarships provided through the generosity of our donors.

Top row, from left to right: Shi Quanxing, Shi Jieshun, Shi Quanlin, and Shi Zonghe. Bottom photo, from left to right: Shi Leiei, Shi Qianke and Shi Hongsheng

Search & Rescue

Reuniting Kidnapped Children with Their Families

Life is very difficult for our anti-trafficking field workers and volunteers. Many of them have lost a child of their own, kidnapped into the gigantic black market for children. They've committed their entire lives not only to find their own children, but also to help reunite other children with their parents. Unfortunately, even though the Chinese government recently launched a massive anti-trafficking campaign in response to a HBO documentary, *China's Stolen Children*, there are still hundreds of thousands of missing children. What's worse, these volunteers often receive little to no co-operation from the local police. It turns out that the local authorities are often in cahoots with the traffickers themselves, receiving a cut of the profits as bribes!

> "I'm extremely excited, extremely moved. Thanks, All Girls Allowed! Thanks to all the volunteers here for such a great favor to me."
>
> 彭清兰 [illegible]

This past year, All Girl Allowed's anti-trafficking teams organized their first-ever anti-trafficking conference, which brought together two dozen volunteers from several different provinces to discuss best practices for educating the public and rescuing children. A lawyer with expertise in trafficking issues came to discuss the legal implications of their work and how they can leverage the law to secure cooperation from local governments. The easier cases to resolve were actually those of grown adults who had been trafficked years ago as children. We were able to reconnect several of them with their long-lost parents. In most cases, they had been trafficked hundreds of miles away to a different province. However, we still work and pray to resolve the harder cases, to rescue children who were more recently kidnapped.

If you have faith like a Little Bean...

On June 4, 2010, just four days after All Girls Allowed was launched, the 刘 (Liu, "leo") family was in deep distress. Their little three-year-old daughter, 颖 (Ying, nicknamed 豆豆, "doh-doh", which means "Little Bean"), had suddenly disappeared while playing in their front yard. They found the All Girls Allowed anti-trafficking website and registered Little Bean's photograph and information, but still despaired of finding her.

In late December 2010, All Girls Allowed anti-trafficking volunteers launched our second search & rescue campaign, unfurling expansive banners displaying images of missing children. A sympathetic local resident recognized Little Bean as the little girl who had just moved into the neighborhood. This resident called the All Girls Allowed anti-trafficking hotline, and our workers worked with the local police to rescue Little Bean and restore her to her family! In the process, police arrested nine suspected traffickers: four "suppliers" and five "buyers".

"Little Bean" celebrates being home with her mommy and daddy

Defending Mothers

Political & Legal Advocacy Against Forced Abortion & Forced Sterilization

At All Girls Allowed, **we work to end forced abortions**. We want to make sure that they do not happen in the first place, that every mother has the choice to keep her baby, regardless of whether the mother is married, regardless of the child's quota number, regardless of the family's ability to pay fines—regardless. Unfortunately, it is often too late to intervene beforehand, as family planning police often come quickly without warning and physically drag pregnant women to clinics to terminate their pregnancies. Nearly all of the documented cases of forced abortions that have come our way have been of this nature.

> "I would like to thank all of you, friends from far away, for caring for me and crying out on my behalf."
>
> 聂丽娜 [illegible]

To give justice to these women, we launched a petition campaign to call on the U.S. government to take action against the One-Child Policy. In our first year, we had **2,081 petition signatures** from the U.S. and other countries around the world as well, even though they are not American voters. We are truly building a worldwide movement. At the same time, we supported human rights lawyers who represented victims of forced abortion and forced sterilization. Sadly, some among these lawyers were persecuted and threatened, detained and placed under house arrest. It is a risky and dangerous mission that they have undertaken, but they continue to strive ahead for these cases to be heard, to bring justice to these abused women. Even if there is no immediate result, we trust that the mere act of bringing these cases to court will draw attention to the plight of these women and pressure the Chinese government to rein in their officials and bring an end to this gross violence.

A forced abortion... aborted.

Some time ago, the home of 聂丽娜 (Nie Lina) was forcibly demolished to make way for a government project, but Nie received no compensation. Even though she was five-months pregnant, she petitioned the government in Beijing. Instead of giving her justice, government agents beat her and threw her into a detention center. On April 19, 2011, several male agents undressed her in the courtyard in front of dozens of onlookers, leaving only her bra on her upper body. Afterwards, she was dragged to ultrasound exams and threatened with a forced abortion.

It was at this time that the All Girls Allowed team learned of Nie's plight. We prayed fervently and mobilized our prayer team to pray as well for her. The result? A few days later, we heard word that she was spared a forced abortion in the end because none of the authorities dared sign their name to authorize it, fearing health complications. Since then, Nie has given birth to her second child, a girl. While her daughter (圆圆, "yuen-yuen") cannot be legally registered, her life has been saved. While we may feel powerless to defend these mothers against government oppression, we have a God who saves!

Nie Lina being undressed and abused in public by government officials

All Girls Allowed

ATTACHMENT 2

OFFICIALS

李斌: 现任国家计生委主任

Li Bin: Minister of National Population and Family Planning Commission

陈立 国家人口计生委党组成员、副主任

Chen Li: Vice Minister, National Population and Family Planning Commission

崔丽: 现任国家计生委副主任，反对普惠政策，主张个人一切权利跟计划生育挂钩

Cui Li: Vice Minister, National Population and Family Planning Commission

He opposes expanding preferential policies, supports linking all individual rights with family planning practices.

江帆：曾任国家计生委副主任

Jiang Fan: former Vice Minister, National Population and Family Planning Commission (Former)

潘贵玉：曾任国家计生委副主任

Pan Guiyu: former Vice Minister, National Population and Family Planning Commission

王培安：现任国家计生委副主任

Wang Pei'an: former Vice Minister, National Population and Family Planning Commission

赵白鸽：曾任国家计生委副主任

Zhao Baige: former Vice Minister, National Population and Family Planning Commission

陈慕华：第一任计生委主任，1981年3月-1982年4月

Chen Muhua: first Minister (March 1981-April 1982), National Population and Family Planning Commission (then known as the State Family Planning Commission)

钱信忠：第二任国家计生委主任

Qian Xinzhong: second Minister, National Population and Family Planning Commission (then known as the State Family Planning Commission)

彭佩云：第四任国家计生委主任，1988年1月-1998年3月

Peng Peiyun: fourth Minister (January 1988-March 1998), National Population and Family Planning Commission (then known as the State Family Planning Commission)

张维庆：第五任国家计生委主任，1998年3月-2008年3月

Zhang Weiqing: fifth Minister (March 1998-March 2008), National Population and Family Planning Commission

蒋正华：1991－1999年任国家计生委副主任，原全国人大副委员长

Jiang Zhenghua: former Vice Minister (1991-1999), National Population and Family Planning Commission, former vice chairman of the National People's Congress

顾秀莲：曾任国家计生委副主任

Gu Lilian : former Vice Minister, National Population and Family Planning Commission

刘汉彬：曾任国家计生委副主任

Liu Hanbin: former Vice Minister, National Population and Family Planning Commission

吴景春：曾任国家计生委副主任

Wu Jingchun: former Vice Minister, National Population and Family Planning Commission

周伯萍：曾任国家计生委副主任

Zhou Boping: former Vice Minister, National Population and Family Planning Commission

崔月犁：曾任国家计生委副主任

Cui Yueli: former Vice Minister, National Population and Family Planning Commission

张玉芹：曾任国家计生委副主任

Zhang Yuqin: former Vice Minister, National Population and Family Planning Commission

王国强：曾任国家计生委副主任

Wang Guoqiang: former Vice Minister, National Population and Family Planning Commission

彭玉：曾任国家计生委副主任

Peng Yu: former Vice Minister, National Population and Family Planning Commission

李宏规：曾任国家计生委副主任

Li Honggui: former Vice Minister, National Population and Family Planning Commission

杨魁孚：曾任国家计生委副主任

Yang Kuifu: former Vice Minister, National Population and Family Planning Commission

栗秀真：曾任国家计生委副主任

Li Xiuzhen: former Vice Minister, National Population and Family Planning Commission

赵炳礼：曾任国家计生委副主任

Zhao Bingli: former Vice Minister, National Population and Family Planning Commission

姜春云：中国计划生育协会会长

Jiang Chunyun: President, China Family Planning Association

宋平：中国计划生育协会第二任会长

Song Ping: Second President, China Family Planning Association

王首道：中国计划生育协会第一任会长

Wang Shoudao: First President, China Family Planning Association

STRATEGISTS & POLICY FORMULATORS

宋健：中国工程院院长，独生子女政策总设计师，著《人口控制论》，提出人口可以像导弹一样精密控制和中国最适人口7亿论。他设计的这枚计生导弹消灭了上亿人口，这是任何外国导弹专家望尘莫及的。

Song Jian:

President, Chinese Academy of Engineering, chief strategist of the one-child policy, author of *Population Control Theory*, proposed the idea that population could be tightly controlled like missiles and claim that China's ideal population should be was 700 million. The "Population Control" missile that he created led to the death of over many hundred million lives, the destruction no other missile expert could ever match.

马寅初：提出计划人口以适应计划经济的新人口论。"两个有奖，三个要罚"确实比独生子女政策和堕胎要好多了，但是果真实施的话，我们60－80年代出生的人大部分是没有机会赞扬马先生的，因为我们已经被计划掉了

Ma Yinchu:

His "New Population Theory" said that family planning should be part of a centrally planned economy. His "reward two, punish three" approach was certainly better than the one-child policy and forced abortions, but had it actually been implemented, most of those of us born in the 1960s to 1980s would have no opportunity to praise Mr. Ma because we would have been "planned" away.

李小平：提出中国最适人口3亿论

Li Xiaping

Proposed the theory that China's ideal population is 300 million.

李银河：强制计生支持者，用1974年耳闻目睹的事证明中国农民2009年生育意愿强劲，主张把中国人口减少到4亿。

Li Yinhe: Strong supporter of family planning, used material she gathered in 1974 as evidence of the strong desires of Chinese peasants in 2009 with regard to childbirth; advocates reducing China's population by 400 million.

田雪原：提出中国最适人口7亿论和中国生育率1.8数十年不变论

Tian Leiyuan:

Proposed the theory that China's ideal population is 700 million and that China's 1.8 birth rate should be maintained for 10 years.

程恩富：自称马克思的信徒，同时也是马尔萨斯和马寅初的信徒，鼓吹把独生子女政策强行推广到农村地区

Cheng Enfu:

Self-described disciple of Marx, as well as a disciple of Malthus and Ma Yinchu, vigorously advocates the forced expansion of the one-child policy into the countryside.

邬沧萍：著名人口学家，鼓吹多生孩子加重未来人口老化。看来只有让中国人全部断子绝孙才能彻底解决人口老化问题。

Wu Cangping:

Famous population expert, enthusiastic promoter of the idea that more children will increase the pressure of the future aging of the population.

中国各大城市计生委主要负责人资料
List of Chinese Family Planning Officials

代码 ¤	名称 City/Province	计生办公地址: Address	电话 Phone	网址: Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
	国家人口和计划生育委员会 **National Family Planning Commission**	北京市海淀区知春路14号	010 62030779	www.chinapop.gov.cn		李斌 Li Bin
110000	**北京市** **Beijing**	北京市宣武区枣林前街70号	010-83970800 83970801 83970802	www.bjfc.gov.cn	bgsxfzx@bjfc.gov.cn	邓行舟 Denghangzhou
120000	**天津市Tianjin**	天津市和平区泰安道17号	022-23326123 23325347	www.tjrkjs.gov.cn	rkjsw@tj.gov.cn	张丽娟 Zhanglijuan
130000	**河北省** **Hebei Province**	河北省石家庄市新华区合作路42号	0311 87044309，87046044，87043196 0311 12356	www.hebrkjsw.gov.cn	webmaster@hebrkjsw.gov.cn	赵新 Zhaoxin
130100	石家庄市 Shijiazhuang	石家庄市中山东路216号	0311-86689376，86689379，86689385	www.sjzjs.gov.cn/index.html		李志宏 Lizhihong
130400	邯郸市 Handan	邯郸市建设路	0310-3111263	http://www.hdrkjsw.cn/		王俊峰 Wangjunfong
130500	邢台市 Xingtai	邢台市红星街139号	0319 3288190 0319 3288190 0319 3288190	http://xtsrkjsw.gov.cn/		
130600	保定市 Baoding	保定市莲池北大街50号	0312-5032374	http://www.bdjsw.com.cn/		李斌 Libin
130700	张家口市 Zhangjiakou	张家口市南站街街	0313-4010288			
130800	承德市 Chengde	承德市东大街18号	0314 2050098，2050099	http://www.chengde.gov.cn/jishengwei/node 243.htm		
130200	唐山市 Tangshan	河北省，唐山市西山道7号，邮063000	0315 2040447	http://www.tsrkjsw.gov.cn/		

代码 ¤	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
130300	秦皇岛市 Qinhuangdao	秦皇岛市市辖区红旗路	0335-5021021	http://www.qhd.gov.cn/pcli_list.asp?depart_id=30		
130900	沧州市 Cangzhou	河北省沧州市 朝阳路21号 邮政编码：061001	0317 2129819,2129811, 2129829	http://www.czrkjsw.gov.cn/	ziyoudadi@163.com	张希格 Zhangxige
131100	衡水市 Hengshui		0318 2325400, 0318 2181811 0316 7377258	http://www.hsrkjsw.gov.cn/hscms/cms/website/jsw/jsw/index.jsp?channelId 606&siteId 24		高宏志 Gaohongzhi
131000	廊坊市 Langfang	市广阳道87号	0316-2113064		http://www.lfrkjsw.gov.cn/	
130481	武安市 Wu'an			http://qlgk.wnnn.gov.cn/list/bureau/index.aspx?BureauID=17		李如维 Liruwei
140000	**山西省** **Shanxi Province**	太原市长风大街7号 邮政编码：030006	0351 7596100 0351 7596112 140100	http://www.sxrk.gov.cn		杨增武 Yangzengwu
	太原市 Taiyuan		0351-4049247	http://www.tyrk.gov.cn/		刘剑 Liujian
140100	大同市 Datong		0351-4049247			
140300	阳泉市 Yangquan	阳泉市北京中路154号市人口计生委办公楼	0353-2038491	http://www.yqrk.gov.cn/	yqjsw_admin@163.com	郑清明 Zhengqingming
140400	长治市 Changzhi	长治市黎都区东街	0355-3562049, 0355-2207286	http://czxjsj.sxrk.gov.cn		张桂英 Zhangguiying
140500	晋城 Jincheng		0356- 2034240			

代码 ¤	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
141000	临汾 Linfen	临汾市尧都区解放西路市府街11号，邮编041000	0357- 2091730, 2228370	http://xxgk.linfen.gov.cn/LB001C0/LF001210/contents/3500/589.html		
140600	朔州市 Shouzhou	朔州市市府西街人口大楼	0349 2024290	http://kdsw.sx169.cn/company		郭有茂 Guoyoumao
140800	运城市 Yuncheng		0359 2164928, 0359 8169562			
140700	晋中市 Jinzhong	晋中市榆次区新华街199号	0354 2638551	http://www.jzjsw.ccm.cn		韩若兰 Hanruolan
140900	忻州市 Xinzhou	忻州市户野路	0350 2020765	http://xinzhou.china.cn	xzrk@sohu.com	刘焕英 Liuhuanying
141100	吕梁市 Luliang		0012-	http://www.lljsw.gov.cn		
150000	内蒙古自治区 Neimenggu	呼和浩特市桥靠西街1号	0471 6919079, 0471 4913071	http://www.nmgpop.gov.cn	nmgrk@vip.sina.com	王苏布道 **Wangsubudao**
150100	呼和浩特市 Huhchaote	呼和浩特市成吉思汗大街	0471 4606609 , 0471 4939193	http://www.hhrkw.gov.cn	lhy@hhrkw.gov.cn	张志茹 Zhangzhiru
150200	包头市 Baotoushi	包头市钢铁大街民族东路65号	0472 5156374	www.btjsw.gov.cn	hzy@btrkjsw.gov.cn	乌力吉图 Wulijitu
150300	乌海市 Wuhai	内蒙古自治区乌海市海勃湾区新华东街36号	0473-2025738	http://www.whrkjs.gov.cn	whrkjsw@163.com	刘素红 Liusuhong
150500	通辽市 Tongliao	内蒙古自治区通辽市	0475-8226770	http://www.tlrk.gov.cn	TLSGTK@126.com	孙景生 Sunjingsheng
150700	呼伦贝尔市 Hulumbeier	呼伦贝尔市新区行政大楼	0470—5622021, 0470—5625012	http://www.hllbrjsw.gov.cn		陈圃岩 Chenliyan
150800	巴彦淖尔市 Bayannaoer		0478- 8287993	http://jsw.bynr.gov.cn/	bynrjsw@bynr.gov.cn	张贝 Zhangxu
150900	乌兰察布 Wulanchabu	乌兰察布市乌兰察布路	0474 8226345 0000000000000000000 0000000000000000000 00	http://www.wlcbpop.gov.cn	y yh 051@163.com yh 051@163.com yyh 10yh 051@163.com	**徐志敏 Xuzhimin**
152502	锡林浩特市		0479 8255608	http://jhsyj.xilinhaote.gov.cn.	yh_051@163.com	包梅林

代码 ¤	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
	Xilinhaote					Baomeilin
	辽宁省 **Liaoning Province**	辽宁省沈阳市皇姑区北陵大街45-1号24823798-6601、6603	024-24823798-6601、6603 024-86905221	http://www.lnrkjsw.gov.cn	lnrkjsw@sina.com	**李秀君** **Lixiujun**
210200	大连市 Dalian	大连市庆顺 1区新城大街1号	0411-84648150 83629800 83686561	http://dlrk.dl.gov.cn	jsw_bgs@dl.gov.cn	**于 滋** **Yuzi**
210281	瓦房店市 Wafangdian	瓦房店市西长春路一段24号	85863400			
210300	鞍山市 Anshan	鞍山市铁东区一道街69号	0412-2669124 2699224 2699200 5535363	http://www.asfpc.gov.cn		杜荣山 Durongshan
210400	抚顺市 Fushun	抚顺市顺城区临江路东段 市政府10楼	0371- 7500916 7500354	http://www.fszwgk.gov.cn/jishengwei/jsw_jizn.htm	fsjsw@163.com	刘玉文 Liuyuwen
210500	本溪市 Benxi	本溪市人民路18号	0414 2845504 2218163	http://www.benxi.gov.cn/wbj/jswindex/index.jsp	bxjsw@163.com	**国乐宁** **Guolenning**
210600	丹东市 Dandong		0415 3128164			姜彩华 Jiangcaihua
210700	锦州市 Jinzhou	辽宁省锦州市市府路08号	0416-3123074 3872043	http://www.jzpop.gov.cn	jzpop@126.com	张莹 Zhangying
210800	营口市 Yingkou	营口市辽河大街	0417 2633448 3323606	http://www.yk.jsw.gov.cn	jsw@yk.jsw.gov.cn	高粱 Gaoliang
210900	阜新市 Fuxin	阜新民族路3 5号	0418 6618553 2929305	http://jsw.fuxin.gov.cn/		
211000	辽阳市 Liaoyang	辽阳市青年大街79号	0419 4122573	http://www.lyfpc.gov.cn	lyrkjsw@sina.com	潘宪君 Panxinjun
211100	盘锦市 Panjin	盘锦市兴隆台区石油大街	0427 3832349 2821328	http://www.pjrkjsw.gov.cn	panjkgk@163.com	贾洪琳 Jiahonglin
211200	铁岭市 Tieling	银州区文化路 31号	0410-2823828 2832355	http://202.97.172.13/BM/jsw.asp?Name=市人口计生委	litieyx@163.com	刘 丰 Liufeng

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211300	朝阳市 Chaoyang		0421-7280005 ,0421-7280006 2619176	http://www.zgcy.gov.cn/zwgk/zfjg/z_zfjg_disp.asp?item_id=13956		
211400	葫芦岛市 Huludao	辽宁省葫芦岛市龙港区龙誉街	0429 2125447 3120793	http://www.hldrkw.com		
220000	吉林省 Jilin Province	长春市人民大街刚54号	0431 88906341 8906330	http://jsw.jl.gov.cn/		于宏才 Yuhongcai
220100	长春市 Changchun	长春市人民大街10111号	0431-88777629 , 88906341 88777620	http://www.cc.jsw.gov.cn/index.php	jsw-bgs@sohu.com	高松柏 Gaosongbai
220200	吉林市 Jinlin	吉林市越山路城建大厦17楼	0432-2045679 4805798	http://www.jlpop.gov.cn/main/index.asp		李学勇 Lixueyong
222401	延吉市 Yanji	吉林省延吉市长白路8号	0433-2360216 2360201 2277015	http://www.yjjsj.gov.cn/		于晶 Yujing
220300	四平市 Siping	吉林省四平市市府路59号	0434-3266319 3266584	http://www.spjs.org.cn/		王 平 Wangping
220500	辽化市 Tonghua		0435 3214020	http://www.thsjsw.gov.cn/		杨秀敏 Yangxiumin
220800	白城市 Baicheng		0436-3225953 3224490	http://www.bc.jl.gov.cn/nywt_3/lcafcnl.jsp?cid=110		张岱英 Zhangdaiying
220400	辽源市 Liaoyuan	吉林省辽源市向阳街	0437-3635228 3512577	http://www.0437.gov.cn/gov/jsw/		于海波 Yuhaibo
230000	黑龙江省 Heilongjiang Province	哈尔滨市南岗区水和街51号	0451-82641939 , 82649238 , 82629991、	http://www.hljjsw.gov.cn	rkjsw@163.com	贾玉梅 Jiayumei
230100	哈尔滨市 Haerbin	哈尔滨市松北区圣纪大道1号	0451 82760650, 82629994,82648978	http://fpc.harbin.gov.cn/public/AA/index.jsp	fpc@harbin.gov.cn	庶文芬 Zhonwenfen
230200	齐齐哈尔市 Qiqihacr	齐齐哈尔市建华区新华街27号齐	0452-2790306 2794212			张丽杰 Zhanglijie
231000	牡丹江市	牡丹江市东福街71号楼727室	0453 69245436922784	http://www.mdjjsw.jz.com/index.asp	ygz_784@163.com	

代码 ¤	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
	Mudanjiang		6925046			
230800	佳木斯市 Jiamusi	佳木斯市长安路2668号	0454-8222024	http://www.jms.gov.cn/		单明菊 **Shanmingju**
231200	绥化市 Suihua		0455 8222659			
231100	黑河 Heihe		0456-8223422	http://www.heihejsw.gov.cn/		李钦进 Liqianjin
230700	伊春 Yichun	新兴中路106号	0458- 3603190 6107010	http://202.97.217.102/pop/out.do?viewType=outViewIndex	xgmhxxx@126.com	栾云岭 Luanyunling
230600	大庆市 Daqing	大庆市东风新村纬2路18号	0459-4661624 4661630	http://fpc.daqing.gov.cn/	jswbgs1230163.com	白连平 Bailianping
310000	上海市 Shanghai	上海市中山东一路9号	021 23111111 63335288	www.popinfo.gov.cn	xyang@rkw.shanghai.gov.cn	谢玲丽 Xielingli
320000	**江苏省** **Jiangsu Province**	南京市鼓楼区中央路42号	025-83268232 025-83613212	http://www.jsfpc.gov.cn/	bgs_fpc@js.gov.cn	孙燕丽 Sunyanli
320100	南京市 Nanjing	南京市北京东路41号	025-83603328	http://njjsw.nj.gov.cn	njjsw@nj.gov.cn	姬桂冷 Jiguiling
321100	镇江市 Zhenjiang	镇江市正东路141号	0511-88328957, -88328757	http://jsw.zhenjiang.gov.cn/		袁平 Yuanping
320500	苏州市 Suzhou	苏州市三香路861号	0512-68266016 68627613	http://www.jsw.suzhou.gov.cn		谭伟良 Tanweiliang
320600	南通市 Nantong	南通市工纺大道6号	0513-85698919	http://www.ntrk.gov.cn/	ntrkgtc@126.com	顾绮 Guqi
321000	扬州市 Yangzhou	扬州市文昌中路460号	0514-87341967	http://jsw.yangzhou.gov.cn/	dept_jsw@yangzhou.gvo.cn	王鸣芳 Wangmingfang
320900	盐城市 Yancheng	盐城市工纺大道21号	0515—88350972, 88192366 86662305	http://www.ycrkw.gov.cn/	bgs@ycrkw.gov.cn	季振荣 Jizhenrong
320300	徐州市 Xuzhou	徐州市行政中心行政综合办公楼6栋	0516 83722813	http://www.xzrk.gov.cn/	xz.jsw@126.com	张延刚 Zhangyangang
321200	泰州市 Taizhou	江苏省泰州市凤凰东路58号	0523—86898368	http://www.tzfpc.gov.cn/	tzjswbgs@163.com	王新华 Wangxinhua
320400	常州市 Changzhou	常州市龙城大道1280号1A12楼	0519-85682610	http://www.czfpc.gov.cn/	cz.jsw01@126.com	金玉如 Jiyuru

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320200	无锡市 Wuxi	无锡市滨杨路131号	0510-85760585	http://rkjsw.wuxi.gov.cn/	wxrkjswyqh@126.com	杨沔华 Yangqinghua
320581	常熟市 Changshu	常熟市宫山路9号	0512-52880563 52880314	http://www.csrkjsw.gov.cn/	csjsw@csjsw.gov.cn	顾玉芬 Guyufen
320582	张家港市 Zhangjiagang	张家港市长安南路165号	0512-58223103	http://www.zjgfpc.gov.cn/	jswzr@zjgfpc.gov.cn	侯庞珍 Houhuzhen
330000	**浙江省** **Zhejiang Province**	杭州市省府路8号2号楼省计生委	0571 87052425 87052416	http://www.zjjsw.gov.cn/jsw/index.html	zhibun@zjjsw.gov.cn	章文彪 Zhangwenbiao
330100	杭州市 Hangzhou	杭州市延安路484号	0571 85157912, 87229720	http://www.fpc.gov.cn/	jsw@hz.gov.cn	姚雅仙 Yaoyaxian
330500	湖州市 Huzhou	湖州市行政中心4号楼一楼	0572-2398960,2398966 23 98956	http://www.huzhoujsw.gov.cn/	jsw@huzhou.gov.cn	沈晓蓝 Shenxiaolan
330400	嘉兴市 Jiaxing	嘉兴市吉水路12	0573-3929306	http://www.jxrkjsw.gov.cn/	rkjsw@gw.jiaxing.cn	叶放 Yefang
330200	宁波市 Ningbo	宁波市解放北路91号	0574-87186261 87186254	http://www.nbjsw.gov.cn/	nbjsw19@ningbo.gov.cn	张爱琴 Zhang’aiqin
330600	绍兴市 Shaoxing	绍兴市横江世纪家园278号	0575 85154154 84130815	http://www.sxxrk.gov.cn/show.asp?id1248	sxxxx6000@sina.com	朱湖美 Zhuhaomei
331082	临海市 Linhai	台州市临海市东方大道市府新大楼	0576-85301073 85308068	http://lhrkjs.gov.cn/		林立剑 Linlijian
330300	温州市 Wenzhou	温州市行政管理中心18楼	0577-88966320	http://rkjsw.wenzhou.gov.cn/	rkjsw-xcc@wenzhou.gov.cn	
331100	丽水市 Lishui		0578 2536089, 2091316 2091317	http://jsw.lishui.gov.cn/		雷萍 Leiping
330700	金华市 Jinhua	双龙南街801号	0579-2469437,2468096 82468103		srkjsw@jinhua.gov.cn	方强洪 Fangqianghong
330800	衢州市 Quzhou	市区西安路125号	0570-3042808 3028996 3041552	http://jsw.qz.gov.cn		
330900	舟山市 Zhoushan	浙江省舟山市定海区海山路43号	0580-2054640 2021841	http://www.zsrk.gov.cn/		胡素萍 Huyanping
331000	台州市 Taizhou	浙江台州市人民政府综合大楼一楼	0576-8510393 8510393	http://www.tzrkjsw.gov.cn/	tzrk@tzrkjsw.gov.cn	林作民 Linzuomin
340000	**安徽省**	合肥市长江西路329 号，邮编：230031	0551-5117107,0551- 5111233	http://www.ahpfpc.gov.cn/	bgs@ahpfpc.gov.cn	**孙爱民**

代码	名称	计生办公地址	电话	网址	电子邮件	计生办主任名字
¤	City/Province	Address	Phone	Website	E-Mail	Name of Family Planning Official
	Anhui Province					**Sun' aimin**
340100	合肥市 Hefei	合肥市市政务中心一区B座11楼，邮编：230071	0551-3538626	http://s.jsw.hefei.gov.cn		查凯 Chakai
340300	蚌埠市 Bangbu		0552 2046772			
340200	芜湖市 Wuhu	芜湖市北京东路237号7楼，编码：241000	0553—3114805 3121590	http://jsw.wh.cn/about.htm		张克庚 Zhangkegeng
340500	马鞍山市 Maanshan	安徽省，马鞍山市花山区花山路114号	0555 2350539	http://www.masplpc.gov.cn/		李玉冷 Liyuzhen
340800	安庆市 Anqing	安庆市人民路515号	0556—5594897，传真：0556—5568100	http://www.aq.jsw.gov.cn/	wangj@ahpfpc.gov aqxx@ahpfpc.gov.cn	王金凤 Wangjinfeng
341200	阜阳市 Fuyang	阜阳市清河路369号农行人厦12楼，编码：236000	0558 2264648	http://60.172.12.18/xxgkweb/gkzn.aspx?unit KA024	fybgs@163.com;	孟林 Menglin
341000	黄山市 Huangshan	黄山市屯溪区阳湖镇余庄路51号	0559-2512708	http://web.huangshan.gov.cn	zghs@huangshan.gov.cn	徐健令 Xujianling
341100	滁州市 Chuzhou	滁州市天长东路	0550 3024286,3024697	http://60.175.184.26/		朱承艺 Zhuchengyi
340600	淮北市 Huaibei	淮北市花园路1号市工行营业部 楼 邮政编码：235000	0561 3053505			
340700	铜陵市 Tongling	铜陵市北京路20号	0562-2825018	http://zwgk.tl.gov.cn		徐正明 Xuzhengming
341800	宣城市 Xuancheng	宣城市宣州区 敬城南路	0563 3023010	http://www.xcpfpc.gov.cn		**徐晓东** **Xuxiaodong**
341500	六安市 Liu' an	六安市行政中心五号楼民楼，邮编237000	0564- 3379946	http://www.lark.gov.cn/	jsw@luan.gov.cn	崔树贵 Cuishugui 副主任

代码 ¤	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
341400	巢湖市 Chaohu	巢湖市人民政府行政大楼3楼	0565-2313102	http://xxgk.chaohu.gov.cn/xxgkweb/unit.aspx?unit=QA024		张晓元 Zhangxiaoyuan
341300	宿州市 Xiuzhou		0557 3023556，0557 3029411，0557-3023230	http://zwgk.ahsz.gov.cn/xxgkweb/unit.aspx?unit=LA024	0557 3029455	李传营 Lichuanying
341600	亳州市 Bozhou	安徽省亳州市芍花路行政中心 E区邮编：236800	0558-5555327、5555327、5555562	http://www.bzrkw.gov.cn/structure/index.htm	0558-5555335	
341700	池州市 Chizhou		0566 2023021	http://www.czszwgk.gov.cn/xxgkweb/unit.aspx?unit=RA024		周珍花 Zhouzhenhua
340400	淮南市 Huainan		0554-6644741 传真：0554-6664140	http://www.hnsjsw.gov.cn/	wta@hnjsw.vicp.net	王天安 Wangtian'an
350000	福建省 Fujian Province	福建省福州市华林路76号 邮政编码：350003	0591-87853000/87849149，87844701	http://www.fjjsw.gov.cn	fjmhjy@163.com	雍秀英 Yongxiuying
350100	福州市 Fuzhou	福州市台江区八一七中路798号合安大厦6楼	0591 87516229	http://www.fzjsw.gov.cn/		周应忠 Zhouyingzhong
350200	厦门市 Shamen	厦门市祥龙路518号厦门计生综合大楼	0592 5281817	http://www.jsw.xm.gov.cn/Html/sy/index.html		
350900	宁德市 Ningde	福建省宁德市古田路3号	0593-2971726	http://www.ndsjsw.gov.cn/		李少华 Lishaohua
350300	莆田市 Putian		2697945 2652195	http://www.ptjsw.gov.cn/		彭丽荣 Penglijing
350500	泉州市 Quanzhou	泉州市鲤城区开元西路24号市政府大院内。	0595-22284768	http://www.qzrk.gov.cn/		
350800	龙岩市 Longyan	龙岩市和平路62号 邮编：364000	0597－2323187	http://lyjsfpc.longyan.gov.cn/		
350400	三明市	三明市梅列区凯龙嘉村144幢	0598-8268352、8292196，8293390	http://www.smrk.jsw.com/	smjsc00@sina.com	王永

代码 ¤	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
	Sanming		92109			Wangyong
350700	南安市 Nan' an	南安市柳城路1号	0595-86382802，（0599）8318909	http://jsj.nanan.gov.cn/	nanjsw19998sina.com	
350600	漳州市 Zhangzhou		2596340、2594664	http://www.fjzz.jsw.gov.cn/		陈宝钧 Chenbaojun
	福安市 Fu' an	福安市人民政府大院内，355000	0593 6568113	http://www.fjfa.gov.cn/fajs/		
	福清市 Fuqing					
360000	**江西省 Jiangxi Province**	南昌市高新开发区高新1路239号 邮编：330096	0791-8106995、8105809	http://www.jxjsw.gov.cn/	jswchx@jiangxi.gov.cn	李既海 Lijianhai
360100	南昌市 Nanchang	南昌市红谷滩新区新府路118号市政府三楼 E邮编码： 330038	0791-3884251	http://jsw.nc.gov.cn/		任美清 Renmeiqing
360400	九江市 Jiujiang	九江市浔阳区长虹大道政府7楼	0792 8224094	http://www.jiujiangpop.gov.cn/	Jiujiangpop@jiujiangpop.gov.cn	高 婷 Gaoting
361100	上饶市 Shangrao	上饶市中山西路	0793 8223514	http://www.srjsw.gov.cn/	xjx@zgsr.gov.cn <xjx@zgsr.gov.cn>	徐金香 Xujinxiang
360900	宜春市 Yichun	宜春市明月北路76号	0795 3279375			
360800	吉安市 Ji' an	吉安市赣洲东路市政府大院8楼	0796-8228370	http://www.jxjatv.com/content 5 459	jajsw8228370@sina.com	
360700	赣州市 Ganzhou	江西省赣州市政中心一号楼9层 邮编：341000	0797 8391510，8391507	http://www.gzpop.gov.cn/	gzrkjsxx@126.com; gzrkyjs@126.com	张春风 Zhangchunfeng
360200	景德镇市 Jingdezhen		0798—8222191	http://www.jdzjsw.gov.cn/jsw/	jdzjsw@126.com	程和荣 Chenghherong
360300	萍乡市 Pingxiang	江西省萍乡市政府大院二栋五楼 邮政编码：337000	0799 6832438	http://bmwz.pingxiang.gov.cn/jsw/		李江萍 Lijiangping
360500	新余市	江西省新余市渝上东路7号 E邮编：338000	0790-6436830	http://www.xysjsw.gov.cn/index.asp	ShaoHua@xyjsw.com	何华武

代码 ¤	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
	Xinyu					Hehuiwu
360600	鹰潭市 Yingtan		0701-6233061, 6222025	http://www.ytjsw.gov.cn/	ytjsw@jiangxi.gov.cn	吴小莲 Wuxiaolian
361000	抚州市 Fuzhou	江西省抚州市临川大道770号	0794 8223445	http://www.fzrk.gov.cn/	fzjsw@jxfz.gov.cn	丁匡华 Dingguohua
370000	**山东省** **Shandong Province**	济南市 玉函路75号	0531-82984104	http://www.sdrkjsw.gov.cn	sdsyjjb@vip.163.com	蓋国强 Gaiguoqiang
370100	济南市 Jinan	文化西路58号	53186056703	http://www.shizhong.gov.cn	Szqjsjbgs2005@163.com	**宋英杰** **Songyingjie**
370200	青岛市 Qingdao	青岛市四方区敦化二路18号	0532-85912577	http://www.qdsfrk.gov.cn/	rkjsj@qdsf.gov.cn	张 平 Zhangping
370300	淄博市 Zibo	山东省淄博市张店区联通路与西十路路口西北角（市直部门综合办公楼）	0533 2183142	http://xxgk.zibo.gov.cn/gov/jcms_files/jcmsf/web23/site/index.html		孙明仕 Sunmingshi
371400	德州市 Dezhou		0534-2687174			
370600	烟台市 Yantai		0535-6226383	http://jsw.yantai.gov.cn/content/guide/index.jsp		
370700	潍坊市 Weifang		0536-8789440 ,0536-8789885	rk.jsw.wf.gov.cn/		杨锡广 Yangxiguang
370800	济宁市 Jining	济宁市洸河路88号	0537-2313512	http://jnjsw.net	jnjswbgs@163.com	孟昭振 Wengzhaozhen
370900	泰安市 Tai'an	泰安市政府大楼人口计生委	0537	http://www.taian.gov.cn/xxgk/bmxxgk/zfbm/jsw/	kejikc188@sina.com	管相贵 Guanxianggui
371300	临沂市 Linyi	山东省临沂市兰山区迎达路 7.5 公里 西北	0539-8308965	http://www.linyi.gov.cn/20060404/column/634.htm		
371700	菏泽市		0530- 5963799, 5223840			乔廷龙

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	Heze		0530840			Qiaotinglong
371000	威海市 Weihai		0631-5222641	www.wh.jsw.gov.cn		
371100	日照市 Rizhao	日照市山东路东段北侧	0633 8781936	http://gongkai.rizhao.gov.cn/Guide.php?OrganId=0123	huzhaoguo2008@163.com	
371200	莱芜市 Laiwu		0634-6212102			孟宪秀 Mengxianxiu
370400	枣庄市 Zaozhuang	枣庄市市中区君山路321号	0632-8888888		szqxxgk@163.com	
370500	东营市 Dongying	府前街87号	0546 8331506	WWW.DYRK.COM.CN	xxht.f@dongying.gov.cn	
371500	聊城市 Liaocheng	东昌东路南在临利医院路口的下一个路口	0635 8225276, 8510563			
371600	滨州市 Binzhou	黄河五路196号	0543 3325673	www.binzhou.gov.cn		宋家功 Songjiagong
410000	**河南省 Henan Province**	郑州市经五路20号	0371--65721009	www.hnjsw.gov.cn		孟宪臣 Mengxianchen
410100	郑州市 Zhengzhou	郑州市文化宫路134号	0371 68978261	http://www.zzsjsw.gov.cn		杨传文 Yangchuanwen
410500	安阳市 Anyang	安阳市东工路19号	0372-2995029	www.ayjsrk.jsw.gov.cn	ayrs.jswxxgk@163.com	祁荣 Qirong
410700	新乡市 Xinxiang	新乡市友谊路3号	0373-5031122	jsw.xinxiang.gov.cn	xxsjsw@163.com	杨素民 Yangsumin
411000	许昌市 Xuxiang	许昌市西过路43号	0374-2334309	www.xcs.jsw.gov.cn	xcsjswoffice@163.com	程志伟 Chengzhiwei
410400	平顶山市 Pingdingshan	平顶山市建设路西段258号	0375 4943293	www.pdsrk.jsw.gov.cn	pdsjswtjk@163.com	陈英杰 Chengyingjie
411500	信阳市 Xinyang	信阳市五星路（豫南商中对面）	0376-	http://www.xyjsw.gov.cn/		曹光宇 Caoguangyu
411300	南阳市 Nanyang	南阳市两相西路1099号	0377 63297925	http://218.28.87.10/	nyrkxxzx@sina.com	李天玉 Litianyu

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410200	开封市 Kaifeng	开封市西环路南段20号	0378-3974489	www.kfrk.gov.cn	jes999@sina.com	周洪刚 Zhouhonggang
410300	洛阳市 Luoyang	洛阳市洛南新区市政府大楼	0379-63335505	www.lys.jsw.gov.cn		张水利 Zhangshuili
411400	商丘市 Shangqiu	河南省商丘市南京路中段	0370 2950533	www.sqs.jsw.gov.cn/	sqs.jswx.jk@tom.com	郝卫华 Haoweihua
410800	焦作市 Jiaozuo	焦作市人民路889号市政大厦15楼	0391 3569350 传真0391 3569361	www.jzrk.jsw.gov.cn	jz.jswwz@126.com	王振禄 Wangzhenlu
410600	鹤壁市 Hebi	中国河南鹤壁市	0392	www.hbrk.jsw.gov.cn	hbrk.jsw.jis@163.com	张艾芳 Zhang' aifang
410900	濮阳市 Puyang	濮阳市人民路92号	0393-4414449	www.pys.jsw.gov.cn		马宜品 Mayipin
411600	周口市 Zhoukou	周口市干表路１０号	0394 8222860	www.zkrk.gov.cn	shaohot2004@163.com	康学谈 Kangxuetan
411100	漯河市 Luohe	泰山路189号	0395-3167086 传真：0395-3132846	www.lhrk.gov.cn	lhjsw@tom.com	安清跃 Anqingyue
411700	驻马店市 Zhumadian		0396-2813108, 2881235 , 2837720	www.zmdrk.gov.cn		杨铁良 Yangtieliang
411200	三门峡市 Sanmenxia	文明路东段	0398 2866511	www.smxrk.gov.cn	jswxxgk@163.com	董晓环 Dongxiaohuan
420000	**湖北省 Hubei Province**	武汉市武昌区洪山路64号浮光大厦12楼	027-87824814	http://www.hbpop.gov.cn		杨云彦 Yangyunyan
420100	武汉市 Wuhan	汉口蔡家田小区68栋，邮编：430017	027-88825319 82605357，82611625	http://www.whfpc.gov.cn/	whjswxf@21cn.com	韩燕君 Hanyanjun
420700	鄂州市 E' zhou	鄂州市鄂城区滨湖南路15号	0711-5038610，5038611	http://www.ezfpc.gov.cn/		缪元华 Miuyuanhua
420900	孝感市 Xiaogan	孝感市交通大道218号	0712 2326370	http://www.hbxgrkjsw.gov.cn		俞辉 Yuhui
421100	黄冈市 Huanggang	黄冈市东门路	0713-8352310	http://www.hgpop.gov.cn/info/	webmaster@hgpop.gov.cn	王永忠 Wangyongzhong
420200	黄石市	黄石市桂林南路.	0714 6355706	http://www.huangshi.gov.cn/zz.jg/zf.jg/rk.jhsy/		曹茂瑛

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	Huangshi	邮编：435000				Caomaoqi
421200	咸宁市 Xianning		0715-8138136	http://www.xnsjsw.com/		王勇 Wangyong
420500	宜昌市 Yichang	沿江大厦105号0717-6240289	0717-6240289	http://jsw.yichang.gov.cn/		张宗益 Zhangzongyi
420300	十堰市 Shiyan		0719 8651904、8666113	http://jsw.shiyan.gov.cn/		江尚坤 Jiangshangqun
420600	襄樊市 Xiangfan	襄樊市襄城区檀溪路110号 邮政编码：441021	0710-3629159	http://jsw.xf.cn/	xfjsw2008@163.com	任定超 Rendingchao
420800	荆门市 Jingmen	湖北省荆门市象山大道40号 邮政编码：448000	0724-6059243	http://dept3.jingmen.gov.cn		郭强 Guoqiang
421000	荆州市 Jingzhou	荆州市荆东路54号	0716 8450437	http://www.jzjsw.com/		姜保国 Jiangbaoguo
421300	随州市 Suizhou	邮441300	0722-3596360、3596638	http://www.szpop.gov.cn/	sz.jswgtk@163.com	罗国良 Louguoliang
422800	恩施土家族苗族自治州 En'shi	• 恩施东风大道381号	0718-8222608、8222840			向宏贵 Xianghonggui
430000	**湖南省** **Hunan Province**	长沙市雨花区马王堆南路80号 邮编：410001	0731 84698079，6498079	http://www.happyhome.net.cn/	zrxx@happyhome.net.cn	李万郴 Liwanchen
430100	长沙市 Zhangsha	长沙市人民政府大楼（岳麓大道一号）8410083	0731 88666176	http://www.cspop.com.cn	cs.jswtjc@126.com	周敏 Zhoumin
430200	株洲市 Zhuzhou	株洲市新华东路17号	0731 28475091	http://www.zzipc.gov.cn/		
430400	衡阳市	衡阳市船山路28号	0734 8292112	http://www.hengyang.gov.cn/main/hyzw/zwxxg/gkxx/bm/bd274ac8-4e58-41f4-a932-bfc0dae8850e.shtml		彭玉男

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	Hengyang					Pengyuming
431000	郴州市 Chenzhou	郴州市东风路9号郴州市人民政府办公楼4楼，423000	0735-2223078	http://www.anrenzf.gov.cn/gov/show.cms?key 20080422000009077		蒋玉连 Jiangyulian
430900	益阳市 Yiyang	益阳市赫山区大桃路381号	0737-4222610	http://www.yyrkjs.gov.cn/	hnyy.jsw@126.com	何伟良 Heweiliang
430700	常德市 Changde	常德市青泰东路54号	0736 7780215	http://www.cdcity.gov.cn	cdjsw@changde.gov.cn	张卫星 Zhangweixing
431300	娄底市 Loudi	娄底市长青中街89号	0738- 8282420, 8314528	http://www.jsw.hnloudi.gov.cn/	xtwfn9897@126.com	刘力 Liuli
430500	邵阳市 Shaoyang		0739-5403287, 5403110	http://www.sysjsw.gov.cn	sysjsw@tom.com	蒋志强 Jiangzhiqiang
430600	岳阳市 Yueyang	岳阳市青年中路126	0730 8206030			**谢晓玲** **Xiexiaoling**
431200	怀化市 Huaihua	怀化市迎丰中路665号	0745-2590808	http://www.hhrkw.com/		禹玉奇 Yuyuqi
431100	永州市 Yongzhou	永州市冷水滩区双源路92号	0746 8366537 8365002 8366537	http://www.yongzhou.gov.cn/yzjsw/	yzsjswbgs@126.com	屈松林 Qusonglin
430800	张家界市 Zhangjiajie		0744 8200912			张国庆 Zhangguoqing
430300	湘潭市 Xiangtan	关雨路市政府大楼14楼，邮编：411104	0731-57881305	http://www.xtld.gov.cn/html/JSJL/index.html	xtjsw@xiangtan.gov.cn	颜晓娜 Yanxiaomei
440000	**广东省** **Guangdong Province**	广东省人口和计划生育委员会	020-83134345	http://www.gdpic.gov.cn/	gdrkw@gdpic.gov.cn	
440100	广州市 Guangzhou	广州市府前路1号	020-83330656 020—83340210	http://www.gzfb.gov.cn		李文耀 Liwenyao
440200	韶关市 Shaoguan	韶关市武民南路138号	0751-8618285 （0751） 8618289	http://www.sgrk-jsj.gov.cn/comus/show.php	jihushenyuju@shaoguan.gov.cn	蔡建明 Caijianming

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441300	惠州市 Huizhou	惠州市惠城区南门浪街15号惠州市人口和计划生育局	0752- 2223540	http://hzrkjsj.huizhou.gov.cn		谢明武 Xiechaowu
441400	梅州市 Meizhou		0753 2249325	http://pic.meizhou.gov.cn/		
440500	汕头市 Shantou	汕头市茨泄路38号市政府大楼8楼	0754 88979534，88979534，88979534 88979534	http://www.stjhsy.gov.cn	stsjsj@vip.sina.com	
440300	深圳市 Shenzhen	深圳市罗湖区田贝一路21号大院 邮编：518020	0755-22208000，0755-22209045	http://www.szhpfpc.gov.cn/wsj/view?id 2		江捍平 Jianghanping
440400	珠海市 Zhuhai	珠海市香洲区东风路市政府大院5号	0576 2335514．2138675 2255064	http://www.zhfpc.gov.cn/	abc@zhfpc.gov.cn	陶海林 Taohailin
440600	佛山市 Foshan	广东省佛山市禅城区大福路14号市政府10号楼4楼	0757 83334699	http://www.fsjs.gov.cn/	fsrk@fsrkjs.gov.cn	伍丽芳 Wulifang
441200	肇庆市 Zhaoqing	城中路49号	0758-2236994 传真： 0758-2231785	http://www.zhaoqing.gov.cn/zwgk/zz.jg/gzbm/sjsj/default.htm	zhaoqingjs@tom.com	陈祖飞 Chenzufei
440800	湛江市 Zhanjiang		0759-3130000	http://www.zhanjiang.gov.cn/show.aspx?id=18161&cid=338		
440700	江门市 Jiangmen	广东省江门市白沙大道西一号市府大院综合楼6楼	0750 3276026 3333593	http://jsj.jiangmen.gov.cn/	imjt041@pub.jiangmen.gd.cn imjsj1@imswsf.com	宋华 Songhua
441900	东莞市 Dongwan	东莞市南城汾福路99号5楼	0769 22830521 2830510	http://dgrkjsj.dg.gov.cn/		
442000	中山市 Zhongshan	中山市东区松苑路1号市政府大院	0760-88201660 88337714	http://www.zsrkjs.gov.cn/	zhshjshw@21cn.com	张传永 Zhangchuanyong

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441600	河源市 Heyuan	河源市黄沙大道巨市政府政务小区市人口和计划生育局办公大楼	0762-3389235	http://rkjsj.heyuan.gov.cn		
441881	英德市 Yingde	英德市建设路30号	0763 2222849	http://www.yingde.gd.cn/main v2 2/contentfiles/detail.jsp?dparam=resgovernment&infoid=108	ydjhsy@microprofit.com	
445100	潮州市 Chaozhou	潮州市枫春路中段市政府大楼八楼	0768-2286254 2297452	http://www.czrkjs.gov.cn/	webmaster@czrkjs.gov.cn	余宣楷 Yuxuankai
440900	茂名市 Maoming	广东省茂名市官山一路177号大院	0668 2287782	http://jsj.maoming.gov.cn/	Jiang2869085@163.com	张冠达 Zhangguanda
441500	汕尾市 Shanwei		0660-3293138			
441700	阳江市 Yangjiang	阳江市石湾北路市计生服务大楼六、七楼	0662-3418195 3418851	http://www.yjrk.gov.cn	yjrkjsj@163.com	陈 平 Chenping
441800	清远市 Qingyuan	清远市人民一路19号机关办公楼5号楼	0763 3362517	http://js.gdqy.gov.cn/		何其标 Heqibiao
445200	揭阳市 Jieyang	揭阳市东山区新河路(11号街)中段	0663 8216950 0663 8233324	http://www.jieyangrkjs.gov.cn/	zfk@jieyangrkjs.gov.cn	
445300	云浮市 Yunfu	云浮市天马行政中心	0766 8988331 8822284 0766 8988331 8988897	http://rkjs.yunfu.gov.cn/	yfjhsy@163.com	梁永贤 Liangyongxian
450000	广西壮族自治区 Guangxi Zhuang Autonomous Region	南宁市民族大道80号 邮政编码：530022	0771-5853274 办公室：5885726 举 报 电 话：0771-5881010 ，5853274	http://www.gxrkjsw.gov.cn/		黄丹 Huangdan

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450100	南宁市 Nanning	南宁市民族大道86-2号	0771-5863352	http://js.nanning.gov.cn/	jishenginfo@nanning.gov.cn	黄 海 Huanghai
450200	柳州市 Liuzhou	柳州市柳北区 三中路59号	0772 02868517	http://www.lzrkw.com/index.html		黄荣芳 Huangchongfang
450300	桂林市 Guilin	广西桂林市叠彩路8号	0773 2825425、2807047	http://www.glrkjs.gov.cn/	glrkjsw@glrkjs.gov.cn	唐春洪 Tangchunhong
450400	梧州市 Wuzhou	梧州市新兴三路1号市政府大楼2楼	0774 3820851	http://www.wuzhou.gov.cn/	wzjswbgs@126.com	
450900	玉林市 Yulin	玉林市玉州区一环北路	0775-2823556	http://www.yulin.gov.cn/web/hmwz/ylsrkhjhsywyh/index.jsp		骆华中 Luohuazhong
450700	钦州市 Qinzhou	钦州市新华路9号	0777-2858786			劳兵 Laobing
451200	河池市 Hechi	广西河池市思源路 邮编：547000	0778 2285237	http://www.gxhcrkjs.gov.cn/	hcsjsw@163.com	胡美英 Humeiying
450500	北海市 Beihai	海城区东一路2号市府大院内（536000）	0779 3038804	http://new.beihai.gov.cn/682/index.htm		唐德华 Tangdehua
450600	防城港市 Fangchenggang	防城港市四川路	0770-2822694	http://fcgrkjsw.gov.cn/		甘炳洪 Ganbinghong
450800	贵港市 Guigang	中国广西壮族自治区贵港市市辖区江北大道	0775-4566976	http://www.gxggjsw.gov.cn/	webmaster@ggpic.gov.cn	刘新玲 Liuxinling
451000	百色市 Baise		0776-2824060			
451100	贺州市 Hezhou	贺州市星光路88号 邮政编码:52800	0774-5123823	http://www.hzsrkjsw.com/index.asp		
451300	来宾市 Laibin	来宾市兴宾区柳来路335号	0772-4212500		lbsjsw@163.com	王 华 Wanghua
451400	崇左市 Chongzuo		0771-7860215			黄家勤 Huangjiaqin

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460000	**海南省** **Hainan Province**	中国海南省海口市海府路第号 邮编：570204	0898-65339884	http://www.jhsy.hainan.gov.cn/	jhliang@hi.gov.cn	周公卒 Zhougongzu
460100	海口市 Haikou		0898-68533743	http://www.haikou.gov.cn/hkjshengji/		李学文 Lixuewen
460200	三亚市 Sanya	海南省三亚市文明路	0898-88268163			李伟山 Liweishan
500000	重庆市 Zhongqing	重庆市江北区建新东路3号附1号自业兴大厦	023-89075221 023 12356	www.cqrk.gov.cn		潘晓阳 Panxiaoyang
510000	**四川省** **Sichuan Province**	成都市下林南街2号附3号，邮610041	028-85552867 、85557684 、85556815	http://www.scpop.gov.cn/		王在铝 Wangzaiyin
510100	成都市 Chengdou		028-61881972	http://www.cdpop.gov.cn/		李建华 Lijianhua
510400	攀枝花市 Panzhihua	攀枝花市新华街	0812-3356892	www.scjg.com.cn		严文猛 Yanwenmeng
510300	自贡市 Zigong	自贡市自井区步坎上路16号 邮编：643000	0813-2202150、	http://www.zgpop.com.cn/		李明正 Limingzheng
510700	绵阳市 Mianyang	绵阳市涪城区园艺路63号 邮编： 621000	0816 2337767、0816-2319570	http://rk.jsw.my.gov.cn	jswwcb@my.gov.cn	顾仁良 Gutiliang
511300	南充市 Nanchong	顺庆区共安路4号，邮编：637000	0817- 2668818	http://www.ncrkjsw.gov.cn	ncjswfqfh@yhaoo.com.cn	赵坤年 Zhaokunnian
510500	泸州市 Luzhou		0830 3190745	lzrkjs.gov.cn 泸州人口网	lyxlsj@sina.com	曾建雄 Cengjianxiong
511500	宜宾市 Yibin	宜宾市商贸路105号	0831-2333461			兰祥义 Lanxiangyi
511000	内江市 Neijiang	内江市东兴区草桥街257号	0832-2213787			陈耗萍 Chenliping

代码 Code	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
511800	雅安市 Ya' an	雅安市小北街65号	0835-2222090	http://mail.yaan.gov.cn/hmmail/hmxx.aspx?hmid=5e254c6a-0aca-450c-adee-3a8fb8f451d1		杜智慧 Duzhihui
513401	西昌市 Xichang	四川省凉山彝族自治州西昌市上顺城街6号	0834-3222823			张维庆 Zhangweiqing
510600	德阳市 Deyang	中国四川省德阳市旌阳区泰山北路355	0838 2551287		dyrkw@dyrkw.com	尹 红 Yinhong
510800	广元市 Guangyuan	四川省广元市市中区嘉陵路南段72	0839 3285459	http://www.gysrkhjsw.gov.cn/default.asp		唐容华 Tangronghua
510900	遂宁市 Suining	船山区西山北路603号	0825 2226002			兰瑛 Lanying
511100	乐山市 Leshan	乐山市沙凤街308号，邮 编：614000	0833 2441169	http://www.leshan.gov.cn/Site/sitejishengwei/index.asp		余子刚 Yuzigang
511600	广安市 Guang' an		0826-2332152			黄 坚 Huangjianqin
511700	达州市 Dazhou		0818 2146136, 2124375	http://www.dzpop.gov.cn/		黄建琴 Huangjianqin
511900	巴中市 Bazhong	中国四川省巴中市 江北大道东段	0827-2263738	http://www.bzrkjsw.gov.cn/		王建华 Huangjianqin
512000	资阳市 Ziyang		0832 6630829	http://www.zysrkjsw.gov.cn/		张建强 Zhangjianqiang
520000	**贵州省** **Guizhou Province**	贵阳市中华北路省政府大院8号楼	0851 6892229	http://www.gzrenkon.gov.cn/		曾祥权 Cengxiangquan
520100	贵阳市 Guiyang	贵州省贵阳市中山东路45号	0851-7987091			贺宏琼 Hehongqiong

代码 ¤	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
520300	遵义市 Zunyi	:贵州省遵义市汇川区人民路343号	0852-3119287	http://zyzy.gzrenkou.gov.cn/	zyx_jsj@126.com	
520400	安顺市 Anshun	贵州省安顺市西秀区东山路	0853-3222775			褚代宽 Chudaikuan
522701	毛匀市 Douyun	贵州省都匀市广惠路440号 558000	0854-8222085			常 鸣 Changming
522601	凯里市 Kaili	中国贵州省黔东南苗族侗族自治州凯里市市府东路	0855-8063537	http://www.klrjs.gov.cn/	klrkjs@163.com	龙运国 Longyunguo
522200	铜仁地区 Tongren	贵州省铜仁地区铜仁市东太大道	0856-5282068			王大洪 Wangdahong
522401	毕节市 Bijie	毕节市环东路 邮政编码：551700	0857-8307710	http://www.bjsrkjsw.cn/	bjsbjrskjsw.cn	陈俊 Chenjun
520200	六盘水市 Liupanshui	六盘水市钟山区黄土坡康乐北路21号	0858-8322419	http://lpspop.gzlps.gov.cn/	Wangyah@gzlps.gov.cn	
522301	兴义市 Xingyi	兴义市坪东新区迎新路1号 邮编：562400	0859-3813933			任登华 Rendenghua
530000	**云南省** **Yunnan Province**	地址：昆明市关上围贸路85号 邮编：650200	0871 7195363 ,0871 3622477	http://www.ynf.gov.cn/canton model04/default.aspx?departmentid=1131		郑青山 Haoqingshan
530100	昆明市 Kunming	昆明市东风东路17号 邮编：650011	0871-3125974	http://www.pop-home.net/	peopleweekly@sohu.com	杨文惠 Yangwenhui
532901	大理市 Dali	大理市龙山州级行政办公区	0872-2202382	http://www.ynf.gov.cn/canton model117/default.aspx?departmentid=5779	dlzrkjswbgs@163.com	肖雪梅 Ruixuemei

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532501	个旧市 Gejiu	云南省个旧市五一路40号 邮编：661000	0873-2122014	http://www.hhmm.gov.cn/gjjs/	Hhjsfw@163.com	
530300	曲靖市 Qujing	曲靖市西关街123号	0874-3326229	http://www.ynf.gov.cn/canton_model2/default.aspx?departmentid=8442	qjjswlm@163.com	权美琼 Quanmeiqiong
530500	保山市 Baoshan	保山市隆阳区上街街41号 邮政编码：678000	0875-2229560 0875-2122850	http://xxgk.yn.gov.cn/canton_model17/default.aspx?departmentid=7182		刘冬青 Liudongqing
530400	玉溪市 Yuxi	玉溪市东风中路115号 邮编：653100	0877-2027933	http://www.yuxipop.gov.cn/	pop@yuxipop.gov.cn	蕾 毅 Leiyi
532301	楚雄市 Chuxiong	楚雄州鹿城北路25号. 675000	0878-3123987	http://www.ynf.gov.cn/canton_model12/default.aspx?departmentid=6340		杨敬林 Yangjinglin
532300	楚雄彝族自治州 Chuxiongyizu	楚雄市鹿城北路29号（675000）	0878－8989599	http://www.cxrkjsw.gov.cn/	cxjishengw@tom.com	孟树仙 Mengshuxian
530800	思茅市 Simao	云南省思茅市过街楼45号 665000	0879-2122654			张丽菊 Zhangliju
530600	昭通市 Zhaotong	昭通市迎丰路100号	0870-2158122	http://xxgk.yn.gov.cn/canton_model61/default.aspx?departmentid 44		龙波 Longbo
530700	丽江市 Lijiang	丽江市古城区祥和丽城太和口路	0888-5110699	http://lijiangpop.gov.cn	ljjsw@126.com	张菊兰 Zhangjulan
530900	临沧市 Lincang	临沧市临翔区凤翔街南屏西路101号	0883－2122313	http://lc.xxgk.yn.gov.cn/canton model17/default.aspx?departmentid 5902	lcsjswbgs@126.com	杨永红 Yangyonghong

代码 ¤	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
540000	**西藏** **Xizang (Tibet) Province**	拉萨市罗布林卡南路2号	0891-6823600			
540100	拉萨市 Lasa		0891-6350106	http://www.lasa.gov.cn/sitc/index.htm sid 28.html		
610000	**陕西省** **Shaanxi Province**	新城广场省政府大楼5楼	029 87297873, 029 86695366	http://www.sxpop.gov.cn/	jswwdg@shaanxi.gov.cn	冯月菊 Fengyueju
610100	西安 Xi' an	陕西省西安市莲湖区二府街45号	029-87392348	http://www.xianfp.gov.cn/		卫冬梅 Weidongmei
610600	延安市 Yan' an	延安市南关街	0911-2136791	http://www.yapop.gov.cn/		李慎健 Lishenjian
610800	榆林市 Yulin	榆林市政府办公楼六楼	0912 3893301	http://www.yljsj.gov.cn/	yljsj001@163.com	郭应在 Guoyingzai
610500	渭南市 （局） Weinan	陕西省省渭南市东风街83号陕西省	0913-2109052	http://www.wnpop.gov.cn/渭南人口网	wnjsj@163.com	程忠义 Chengzhongyi
610900	安康市 An' kang	安康市汉滨区育才西路137号	0915-3219106	http://www.akpop.gov.cn/		陈太新 Chentaixin
610700	汉中市 Hanzhong	汉中市民主街计划生育优质服务大楼（建设巷）	0916 2626701	http://jsj.hanzhong.gov.cn/	hzsjsj@163.com	李荣清 Lirongqing
610300	宝鸡市 Baoji	陕西省宝鸡市西风路1号	029 3260390 ,3223044,	http://www.bjpop.gov.cn/	zwc6496@sina.com	尹建国 Yingjianguo
610200	铜川市 Tongchuan	陕西省铜川市新区金凤东路2号	0919-3181322	http://jsj.tongchuan.gov.cn/	tcrkw@163.com	刘光亚 Liuguangya
610400	咸阳市 Xianyang	咸阳市世纪大道	029-33688422	http://www.xypop.gov.cn/		薛沛 Xuepei
611000	商洛市 Shangluo	陕西省商洛市上新街建宾路4 号	0914-2319441, 2338329	http://www.sljpop.gov.cn/	sjpop@163.com	陈徽清 Chenhuiqing
620000	**甘肃省** **Gansu Province**	兰州市广场南路13号（综办 1号楼）	0931-8116796 ,0931-8834927	http://www.gsjsw.gov.cn/		苏君 Sujun

代码 Code	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
620100	兰州市 Lanzhou	兰州市南滨河东路637号	0931-8837739, 0931-8847720	http://www.lzsrkw.gov.cn/	renkouwei@sina.com	王俊东 Wangjundong
621100	定西市 Dingxi	定西市安定区螭龙路104号	0932—8261382	http://www.dxrk.gov.cn/		苏存富 Sucunfu
620600	武威市 Wuwei	武威市凉州区西关街公园路3号	0935—6116869 ,0935 6123661	http://www.wwrk.gov.cn/		梁兴国 Liangxingguo
620700	张掖市 Zhangye			http://rk.zhangye.gov.cn/		杜学宝 Duxuebao
620900	酒泉市 Jiuquan	酒泉市市政大厦西座9楼	0537 2615893	http://www.jqrkg.gov.cn/		成祥 Cangfu
620500	天水市 Tianshui	天水市计生委	0938 8610974	http://www.tsrk.gov.cn/人口网		杨保珍 Yangbaozhen
621200	陇南市 Longnan		0939 8212335			
622901	临夏市 Linxia			http://www.gslxjsj.com/		
622900	临夏回族自治州 Linxiahuizu		0930-6214635			马虎成 Mahuchong
623000	甘南藏族自治州 Gannanzangzu		0941 8213439	http://www.gnrk.gov.cn/	lrp2888@163.com	李瑞平 Liruiping
630000	**青海省** **Qinghai Province**	青海省西宁市西大街12号省政府东二楼	0971-8227416 , 8244583	http://www.qhjsw.gov.cn/index.do		张运京 Zhangjinjing
630100	西宁市 Xining	西宁市西大街98号	0971-6163863	http://www.xnrkjsw.gov.cn/		刘萍 Liuping
640000	**宁夏回族自治区** **Ningxia Hui Autonomous Region**		0951-5054840	http://www.nxrkw.gov.cn/		吴海鹰 Wuhaiying
640100	银川市 Yinchuan	银川市北京中路106号(行政中心东四楼F3楼，750011		http://abc.yc.nx.cn/		
640200	石嘴山市	宁夏石嘴山市大武口区激之巷街99号 邮编:753000	0952 4011054	http://szsrk.szsnews.com/		叶宪静

代码	名称	计生办公地址	电话	网址	电子邮件	计生办主任名字
¤	City/Province	Address	Phone	Website	E-Mail	Name of Family Planning Official
	Shizuishan					Yexianjing
640300	吴忠市 Wuzhong		0953-6519777，0953-6513691	http://www.nxwzsrkw.org.cn/	wzjsw@163.com	宋丽 Songli
640400	固原市 Guyuan	固原市小川子行政中心	0954-2088116			
640500	中卫市 Zhongwei	中卫市鼓楼北街	0955 7012913			马桂岚 Maguilan
650000	新疆维吾尔自治区 Xinjiang Uyghur Autonomous Region	乌鲁木齐市高新产业技术开发区昆明路21一共127号 邮编:830011	0991-3846568，3816561	http://www.xjpop.gov.cn/tzgg.aspx	zfc@xjpop.gov.cn	
650100	乌鲁木齐市 Wulumuqi	乌鲁木齐市西虹东路52号 邮政编码:830063	0991 2647410	http://www.wspop.gov.cn/		马丽 Mali
654003	奎屯市 Kuitun		0992—3237390	http://www.kuitun.gov.cn/10031/10031/	ktjswgood@sina.com	
652300	昌吉回族自治州 Changjihuizu		0086-094-2323081-2323086			
652101	吐鲁番市 Tulufan		0995-8562900	http://jsw.turpanchina.gov.cn/		
652801	库尔勒市 Ku’erle			http://www.keljsw.gov.cn/	umut824@yahoo.com.cn	陆新民 Luxinmin
652901	阿克苏市 A’kesu	阿克苏市南大街3号 邮编：843000	0997-2152279	http://www.akss.gov.cn/childsite/KA039/		艾尼瓦尔·叶尔地 Ai’niwa ‘er - tu’er’di
653101	喀什市 Kashi	新疆喀什市解放北路46号 邮编：844000	0998 2823760	http://unit.kashi.gov.cn/department/fertility/		阿曼古力·艾则孜 A’mangulI-ai’zezi
650200	克拉玛依市 Kelamayi		0990 6245593			
652700	博尔塔拉蒙古自治州 Bo’ertalamenggu	博乐市吉得里大街140号，邮编833400	0909-2223181			

代码	名称 City/Province	计生办公地址 Address	电话 Phone	网址 Website	电子邮件 E-Mail	计生办主任名字 Name of Family Planning Official
652800	巴音郭楞蒙古自治州 Bayinguolengmengg u		0996-2022665			
653000	克孜勒苏柯尔克孜自治州 Kezilesuke'erkez i	新疆克州阿图什市解放路西3院 邮 编：845350	电话号码：0908 4224593	www.kz.jhsy.gov.cn		
654000	伊犁哈萨克自治州 Yilihasake		联系电话：0999-8024006，8036799 传真：8037588		webmaster@xjyl.gov.cn	

Mr. GALLEGLY. Dr. Wasem?

TESTIMONY OF RUTH ELLEN WASEM, Ph.D., CONGRESSIONAL RESEARCH SERVICE, THE LIBRARY OF CONGRESS, WASHINGTON, DC

Ms. WASEM. Chairman Gallegly, Chairman Smith, Ranking Member Lofgren, and Members of the Committee, I am honored to be testifying before you this afternoon on behalf of the Congressional Research Service.

As a backdrop to this afternoon's discussion of China Democracy Promotion Act, my testimony provides summaries of two sub-

sections of the Immigration and Nationality Act: section 212(a) on the grounds of inadmissibility; and section 212(f), which authorizes the President to bar the entry of foreign nationals he deems detrimental to the United States.

These subsections of current law may be considered comparable to provisions in H.R. 2121. This legislation states, as we have already heard, that the President may exercise the authority under 212(f) to deny the entry into the United States of foreign nationals from the People's Republic of China who engage in human rights violations and other specific acts.

To gain admission to the United States, foreign nationals must first meet a set of criteria specified in the Immigration and Nationality Act that determine whether they are eligible. Conversely, foreign nationals also must not be deemed inadmissible according to other specified grounds in the Immigration Act. The Bureau of Consular Affairs in the Department of State is the agency responsible for issuing visas. All foreign nationals seeking visas must undergo inadmissibility reviews performed by the Department of State consular offices.

Section 212(a), now, that is where the grounds of inadmissibility are spelled out in the Immigration Act. These criteria include health-related grounds, criminal history, national security violations. The provisions that discuss the criminal and national security grounds are particularly germane to today's hearing.

Among those foreign nationals who are deemed inadmissible under current law are: foreign government officials who have committed particularly severe violations of religious freedom; foreign nationals who have committed, conspired to commit, or aided in human trafficking; foreign nationals who ordered, incited, assisted, or otherwise participated in genocide; and foreign nationals who have committed, ordered, incited, assisted, or otherwise participated in the commission of any act of torture or extrajudicial killing.

Furthermore, the 2002 Consolidated Appropriations Act included a provision that deems inadmissible any foreign national that has been directly involved in the enforcement of population-control policies, forcing a woman to undergo an abortion against her free choice, or forcing a man to undergo sterilization against his—or a woman to undergo sterilization against his or her freewill.

The law does provide exceptions for foreign nationals who are heads of state or cabinet-level ministers and is subject to a waiver if the Secretary of State determines that it is important to national interest. The Secretary of State would provide a written notification to the appropriate congressional Committees.

Secondly, I am going to talk about 212(f), and that is the suspension of entry or imposition of restrictions. In addition to 212(a), which we just discussed, the Immigration Act gives the President authority to bar the entry of foreign nationals he deems detrimental to the United States. This broad authority states, "Whenever the President finds that the entry of any aliens or any class of aliens into the United States would be detrimental to the United States, he may, by proclamation and for such period as shall be deemed necessary, suspend the entry of all aliens of any class of

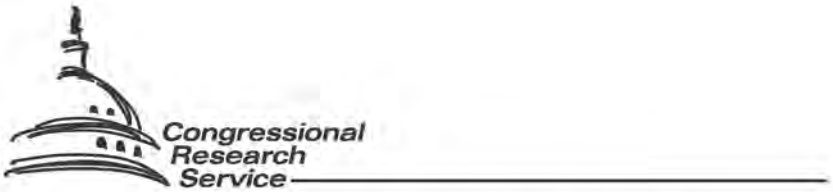
aliens as immigrants or nonimmigrants or impose upon the entry of aliens any restrictions he may deem appropriate."

In August of this year, the President issued Proclamation 8697, which bars the admission of any foreign national who planned, order, assisted, committed, or otherwise participated in widespread or systematic violence, war crimes, crimes against humanity, or other serious violations of human rights against a civilian population.

Of the 212(f) proclamations currently in effect, most are directed at foreign nationals from specific countries or regions. These countries currently in effect include Belarus, Bosnia, Burma, Cuba, Haiti, Nicaragua, Serbia and Montenegro, Sierra Leone, the Sudan, the Western Balkans, and Zimbabwe.

This concludes my testimony, and I look forward to your questions.

[The prepared statement of Ms. Wasem follows:]



U.S. House of Representative Committee on the Judiciary
Subcommittee on Immigration Policy and Enforcement
Hearing on H.R. 2121, the "China Democracy Promotion Act of 2011"
November 2, 2011

Ruth Ellen Wasem
Specialist in Immigration Policy
Congressional Research Service

Chairman Gallegly, Ranking Member Lofgren, and members of the Committee, I am honored to be testifying before you today on behalf of the Congressional Research Service. As a backdrop to this afternoon's discussion of the China Democracy Promotion Act of 2011 (H.R. 2121), my testimony provides summaries of two subsections of the Immigration and Nationality Act (INA):

- §212(a) lists the grounds of inadmissibility that bar the admission of specified foreign nationals; and,
- §212(f) authorizes the President to bar the entry of foreign nationals he deems detrimental to the United States.

These subsections are the basis of current law that may be considered comparable to provisions in H.R. 2121. This legislation states that the President may exercise authority under INA §212(f) to deny entry into the United States to an alien who:

- holds a position in the senior leadership of the government of the People's Republic of China (PRC), or is an immediate family member of such person;
- through his or her business dealings with senior PRC leadership derives significant financial benefit from policies or actions that undermine democratic institutions in the PRC;
- has participated in the PRC's coercive birth limitation policy;
- has participated in the repression or persecution of Tibetans, Uyghurs, Mongolians, or other ethnic minorities;
- has participated in the trafficking of North Korean refugees; or
- is a member of the PRC's security or law enforcement services and has participated in the repression or persecution of any individual in violation of such individual's human rights.

Brief Explanation of Visa Screening and Issuances

Foreign nationals not already legally residing in the United States who wish to come to the United States generally must obtain a visa to be admitted. Those admitted on a permanent basis

are known as immigrants or legal permanent residents (LPRs), while those admitted on a temporary basis are known as nonimmigrants (such as tourists, foreign students, diplomats, temporary agricultural workers, and exchange visitors). They must first meet a set of criteria specified in the Immigration and Nationality Act (INA) that determines whether they are eligible for admission. Conversely, foreign nationals also must not be deemed inadmissible according to other specified grounds in §212 of the INA.

The Bureau of Consular Affairs (Consular Affairs) in the Department of State (DOS) is the agency responsible for issuing visas. All foreign nationals seeking visas must undergo admissibility reviews performed by DOS consular officers abroad.[1] These reviews are intended to ensure that foreign nationals are not ineligible for visas or admission under the grounds for inadmissibility. Consular decisions are not appealable or reviewable; however, some of those seeking visas are able to bring additional information that may be used to overcome an initial refusal.[2] In some cases, the foreign national may be successful in overcoming the §212(a) exclusion if new or additional information comes forward. The decision of the consular officer, however, is not subject to judicial appeals.[3]

The documentary requirements for visas are stated in §§221-222 of the INA, with some discretion for further specifications or exceptions by regulation. Generally, the application requirements are more extensive for aliens who wish to permanently live in the United States than those coming for visits. The statutory provision that gives the consular officer the authority to disqualify a visa applicant is broad and straightforward:

> No visa or other documentation shall be issued to an alien if (1) it appears to the consular officer, from statements in the application, or in the papers submitted therewith, that such alien is ineligible to receive a visa or such other documentation under section 212 [8 USC §1182], or any other provision of law, (2) the application fails to comply with the provisions of this Act, or the regulations issued there under, or (3) the consular officer knows or has reason to believe that such alien is ineligible to receive a visa or such other documentation under section 212 [8 USC §1182], or any other provision of law....[4]

These determinations are based on the eligibility criteria of the various and numerous visa categories.[5] The shorthand reference for these disqualifications is §221(g), which is the subsection of the INA that provides the authority.

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[1] The Department of Homeland Security (DHS) U.S. Citizenship and Immigration Services (USCIS) adjudicators also conduct admissibility reviews for petitions filed within the United States, and DHS Customs and Border Protection (CBP) inspectors do so when aliens seek entry to the United States. Within the United States, however, the immigration judges in Department of Justice's Executive Office for Immigration Review (EOIR) determine whether an alien is admissible.

[2] Some of these grounds for exclusion may be waived for aliens seeking admission on immigrant visas if certain criteria are met. Immigration authorities have broader authority to waive these grounds with respect to aliens seeking admission as nonimmigrants (INA § 212(d)(3)).

[3] For further discussion of visa screening, see CRS Report R41093, *Visa Security Policy: Roles of the Departments of State and Homeland Security*, by Ruth Ellen Wasem.

[4] Section 221(g) of the INA. 8 USC 1201.

[5] For further information and analysis of these numerous visa categories, see CRS Report RL32235, *U.S. Immigration Policy on Permanent Admissions*, by Ruth Ellen Wasem, and CRS Report RL31381, *U.S. Immigration Policy on Temporary Admissions*, by Ruth Ellen Wasem.

§212(a) Exclusion

In addition to the determination that a foreign national is qualified for a visa, a decision must be made as to whether the foreign national is admissible or excludable under the INA. The grounds for inadmissibility are spelled out in §212(a) of the INA. These criteria are health-related grounds; criminal history; security and terrorist concerns; public charge (e.g., indigence); seeking to work without proper labor certification; illegal entrants and immigration law violations; ineligible for citizenship; and aliens previously removed. The decision of the consular officer, however, is not subject to judicial appeals.[6]

Provisions listed as criminal grounds under §212(a)(2) and as national security grounds under §212(a)(3) are relevant to today's hearing. Among those foreign nationals who are inadmissible under current law are:

- foreign government officials who have committed particularly severe violations of religious freedom;[7]
- foreign nationals who have committed or have conspired to commit a human trafficking offense or who are known or reasonably believed to have aided or otherwise furthered severe forms of human trafficking, or are known or reasonably believed to be the adult child or spouse of such an alien and knowingly benefitted from the proceeds of illicit activity while an adult in the past five years.[8]
- foreign nationals who ordered, incited, assisted, or otherwise participated in genocide;[9] and,
- foreign nationals who, outside the United States, have committed, ordered, incited, assisted, or otherwise participated in the commission of any act of torture or any extrajudicial killing.[10]

Furthermore, §801 of the Consolidated Appropriations Act, 2000 (P.L. 106-113) included a provision that deems inadmissible "any foreign national that has been directly involved in the enforcement of population control policies forcing a woman to undergo an abortion against her free choice, or forcing a man or woman to undergo sterilization against his or her free choice…" This law provides exceptions for foreign nationals who are heads of state or cabinet-level ministers, and is subject to waiver if the Secretary of State determines the waiver is important to the national interest and provides written notification to appropriate congressional committees.

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[6] For a complete analysis, see CRS Report R41104, *Immigration Visa Issuances and Grounds for Exclusion: Policy and Trends*, by Ruth Ellen Wasem.

[7] Any alien who, while serving as a foreign government official, was responsible for or directly carried out, at any time, particularly severe violations of religious freedom, as defined in section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402), is inadmissible. §212(a)(2)(G) of INA.

[8] §212(a)(2)(H) of INA.

[9] As defined in section 1091(a) of title 18, United States Code. §212(a)(3)(E) (ii) of INA.

[10] As defined in section 2340 of title 18, United States Code, and as defined in section 3(a) of the Torture Victim Protection Act of 1991, respectively. §212(a)(3)(E)(iii) of INA.

§212(f) Suspension of Entry or Imposition of Restrictions

In addition to the §212(a) grounds of inadmissibility, the INA gives the President authority to bar the entry of foreign nationals he deems detrimental to the United States. This broad authority is found in §212(f), which states:

> Whenever the President finds that the entry of any aliens or any class of aliens into the United States would be detrimental to the United States, he may by proclamation, and for such a period as he shall deem necessary, suspend the entry of all aliens of any class of aliens as immigrants of nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.[11]

During FY2010, the State Department reported that six foreign nationals seeking to become immigrants and 38 foreign nationals seeking to become nonimmigrants were denied visas on the basis of §212(f) proclamations.[12]

In August 2011, President Barack Obama issued Presidential Proclamation 8697, *Suspension of Entry as Immigrants and Nonimmigrants of Persons Who Participate in Serious Human Rights and Humanitarian Law Violations and Other Abuses*. As its title implies, this proclamation bars the admission of any foreign national who planned, ordered, assisted, aided and abetted, committed or otherwise participated in, including through command responsibility, widespread or systematic violence, war crimes, crimes against humanity, or other serious violations of human rights, against any civilian population.[13]

Also, there are 18 other §212(f) proclamations currently in effect according to the Department of State, most of which are directed at foreign nationals from specific countries. These countries or areas with §212(f) proclamations include: Belarus, Bosnia, Burma, Cuba, Haiti, Nicaragua, Serbia and Montenegro, Sierra Leone, Sudan, the Western Balkans, and Zimbabwe.[14]

[11] §212(f) of INA.

[12] Data from FY2010 Report of the Visa Office, U.S. Department of State, Bureau of Consular Affairs.

[13] Presidential Proclamation 8697, "Suspension of Entry as Immigrants and Nonimmigrants of Persons Who Participate in Serious Human Rights and Humanitarian Law Violations and Other Abuses," August 4, 2011.

[14] For a complete listing, see Bureau of Consular Affairs, *Presidential Proclamations*, U.S. Department of State, http://travel.state.gov/visa/fees/fees_3724.html.

Mr. GALLEGLY. Thank you very much, Dr. Wasem.

Chris, how successful is the visa restrictions with regard to Burma?

Mr. SMITH OF NEW JERSEY. It has been successful, although Burma is very, very heavily isolated by the junta itself. But it has

been part of a multifaceted set of sanctions imposed upon it by succeeding Administrations, Republican and Democrat. So there aren't many Burmese officials from Rangoon or anywhere else in Burma seeking to come here. That is precisely the opposite situation with regards to China and, as was proven, with Belarus.

I met with Alexander Lukashenko 2 years ago with 10 other Members of Congress and 1 Senator. Lukashenko looked at me and said—he is the dictator in Belarus, of course—and said, "You are public enemy number one," because of the Belarus Democracy Act and because he and his senior leadership are precluded visas to come here. And it has had an impact. And the fact that our European partners joined in and, likewise, promulgated a list to prevent, you know, the issuance of a visa has further isolated that last dictatorship in Europe.

If you look at the language of the Belarus Democracy Act, it mirrors what we put into this bill. This bill is a blueprint. I even cite in the Belarus Democracy Act section 212(f), as my good friend Dr. Wasem pointed out. I mean, these authorities exist, but they are dormant, they are on a shelf. And what we found with the Belarus Democracy Act, President Bush took that, and it animated what our policy became—some of it mandatory, some of it not. And this is a blueprint for action; that is what we have before the Committee.

Mr. GALLEGLY. I have a very limited amount of time, so if everybody could make an effort to give me succinct answers, I would appreciate it.

In relating to H.R. 2121, the current law, of course, already provides the authority to deny visas on human rights abusers and specifically with the issue of forced abortions. Can you explain why there is a need for 2121 if, in fact, what I have said is correct?

Mr. SMITH OF NEW JERSEY. Excellent question, Mr. Chairman. We add additional provisions that, again, we derived from the Belarus Democracy Act: immediate family members; we added a new "derived significant financial benefits from" human rights abuse.

I held a series of hearings, 31 to date, on human rights in China as Chairman of the Human Rights Committee for Foreign Affairs over the course of many years. At one of those hearings, we had members, Harry Wu and many others, who had been tortured in the Laogai; Palden Gyatso, a Buddhist monk; a woman, Catherine Ho, very courageous woman. And they brought in the implements used to torture. Well, this law would say and underscore that, at a minimum, people who manufacture those kinds of implements, made indigenously in China, should not be given visas. So it will require, or, at least, we hope it will inspire—better word—a list.

Right now, 10 years later—and, again, Mr. Chairman, as I said in my testimony, I wrote section 801, denial of entry. And, unfortunately, under President Bush and under Obama, nothing, nada, not a single person that I know of. And part of the reason might be we said "directly involved." The Chinese government goes into overdrive to deny, as does the U.N. Population Fund and all the cheerleaders for that horrific program, to say there is no coercion. And then our government says, "Well, we asked, and they said they weren't involved."

We need to be much more focused on a human rights policy that says, we are going to look at the facts on the ground. If you are involved with this, if you are censoring the Internet, if you are doing this or that, you can't get a visa to come to the United States. So this is a blueprint for action.

Mr. GALLEGLY. Thanks.

My time is getting short, so I would just like to ask Ms. Chai, what is your assessment of how the Chinese government would respond to us enacting H.R. 2121? How would you define and what would you expect for us to be prepared to deal with from the Chinese government?

Ms. CHAI. The Chinese government, to me, would be very upset. This is something that goes into their heart because every one of them want their children and their grandchildren and their relatives to be here. And the senior leaders might be already taken care of; they may already become U.S. citizens. It is the middle level.

And, for example, there might be between 350,000 to 850,000, one-child policy family-planning committee people. Those people will continue to attempt to send their children to America, their wives to America. They will not like it. This mess would get into their attention, will give them pause of what are they doing, and realize we are watching, and they must stop what they are doing.

I think this message if it gets into China would inspire many people to come over, volunteer to help. When the criminals list is put forth on the Internet in a central place, I think it will be very effective.

And I think the United States should stand firm. When you do act righteous and act justly, love mercy, walk humbly with the Lord our God, that God will be our protector and our shield. And just stand firm. We will be okay.

Mr. GALLEGLY. Ms. Lofgren?

Ms. LOFGREN. Dr. Wasem, if I am hearing you correctly, the only substantive change this would make to existing law would be to include senior government officials and their families whether or not you could prove up that they actively did the human rights abuse themselves.

Ms. WASEM. I wouldn't necessarily say the "only," but that is the major——

Ms. LOFGREN. The major issue.

Ms. WASEM [continuing]. Broadening of it, yes.

Ms. LOFGREN. Right. Now, have we included the families of individuals in the past when we have utilized barring, you know, visas as a diplomatic tool?

Ms. WASEM. I know, in current law, some of the bars, if you have already—if you have gained financially from the activities, particularly if you look at the human trafficking and some of the drug——

Ms. LOFGREN. Right.

Ms. WASEM [continuing]. Provisions, that if you are an adult child or a spouse, you are included if it appears that you have gained. That is the main thing I am aware of. But in the broader sense——

Ms. LOFGREN. What if you were a minor child? What if you are, you know, the 14-year-old of a——

Ms. WASEM. That I am not aware. But I could get back to you on it if you want me to——

Ms. LOFGREN. I would just be interested.

And, Chris, listening to you—I am sorry, Congressman Smith—it seems that, if I am hearing you correctly, one of the major benefits of this legislation would be to really incent the Administration to create a list. Because they have a lot of this authority already in existing law, but it hasn't been used by two Administrations of different parties. Is that about right?

Mr. SMITH OF NEW JERSEY. Part of it is out of frustration, Zoe—Ms. Lofgren—to the fact that, you know, we have had this for 10 years, we have had other existing authorities——

Ms. LOFGREN. Right.

Mr. SMITH OF NEW JERSEY [continuing]. And there has been——

Ms. LOFGREN. And they are never used.

Mr. SMITH OF NEW JERSEY. They haven't done a thing.

Ms. LOFGREN. Yeah. Yeah.

Mr. SMITH OF NEW JERSEY. And I raise issues of this kind.

Ms. LOFGREN. Right.

Mr. SMITH OF NEW JERSEY. There are other issues, like the memorandum of understanding on Gulag labor. It is Swiss cheese; it is not implemented.

Ms. LOFGREN. Right.

Mr. SMITH OF NEW JERSEY. This is one area where we could make a huge difference.

Ms. LOFGREN. Yeah, because it will force them to make the list.

Mr. SMITH OF NEW JERSEY. The Belarus Democracy Act specifically had the family members included, as well.

Ms. LOFGREN. I have another question, which—you referenced the Burma situation and the fact that we had gotten collaboration from our European allies. I don't think we are going to get that kind of collaboration with China because—well, maybe I would be wrong, but my guess is not.

Mr. SMITH OF NEW JERSEY. You know, I actually was one of the few who voted for sanctions against South Africa in the early 1980's. And part of the argument there was, the Europeans are doing it, why aren't we doing it? And, of course, I think it was the right policy. But just because some other nation refuses to go along, I mean——

Ms. LOFGREN. No, no, I am not suggesting that it should keep us from doing what we think is right. I am just asking about how effective it will be.

Mr. SMITH OF NEW JERSEY. I think that it would be very effective because we are a prime destination for high officials in the Chinese government. And there are many middle officials, there are many people in the security apparatus, which we referenced, who are torturers.

Manfred Nowak, the U.N. Special rapporteur for torture, did a scathing report on torture in the PRC, which is now blocked, by the way, on their Internet. You can get all of the alleged abuses in Guantanamo but nothing about what is going—he wrote one about there, too, and he wrote one about the People's Republic of China. I read his report. Very, very good U.N. diplomat. People do those

tortures, and they hop on a plane, they come to New York, they come to Washington.

This would hopefully incentivize the Administration to begin chronicling, putting together a list, who are the abusers. And, as Chai Ling said, she already has a number of abusers that would be a good starting point for the Administration. Right now, there is nothing of this kind, to the best of my knowledge, going on. If anything, we are enabling those people, "Come on over." Well, you know, any modest sanction we can impose on a gross abuser of human rights, we ought do it.

Ms. LOFGREN. Thank you for answering my questions.

I yield back, Mr. Chairman.

Mr. GALLEGLY. Mr. Gowdy?

Mr. GOWDY. Thank you, Mr. Chairman.

Ms. Chai, I want to use my time to give you the opportunity to give voice to the women and girls of China whose voices we haven't heard, or if we have heard—we have sent messages from this government—and I will allow that sometimes people commit verbal non sequiturs or verbal gaffes, but to say that we are not going to second-judge China's one-child policy or to say that we fully understand it, I don't understand it at all.

So I want you to give voice to the women and girls of China who have suffered under this policy.

Ms. CHAI. Thank you, Congressman Gowdy. Your voice and your support almost brought me to tears. So I would love to take the opportunity you give to me and the honor you give to me to speak of those women and the mothers and fathers who cannot be here.

With your permission, I would like to be able to show the PowerPoint—you showed it earlier? Okay, they are going to drive it, control it.

I just want to answer, Congresswoman Lofgren, your message earlier. Just imagine, the incoming Chinese President in 2012—his daughter is studying at Harvard. And imagine the impact if the next Chinese President will continue to tolerate this one-child policy. What might be the impact if this bill, H.R. 2121, is able to pass before that time? What might be the implication?

This would definitely be the most defining moment in the U.S.-China relationship, with this bill.

Ms. LOFGREN. If the gentleman would yield for a follow-up on that point since it was directed to me?

Mr. GOWDY. Yes, ma'am.

Ms. LOFGREN. Here is the question, and it is really not the intention, but, as you are saying that, I am thinking, "Well, then, does she go to Oxford instead?" You know, which goes to my question to Chris on how do we get kind of a worldwide collaboration on putting the pressure up.

Mr. SMITH OF NEW JERSEY. Even the worst abusers of human rights in Africa, China, North Korea—maybe not so much in North Korea—even people like Joseph Kony and Bashir in Sudan don't want to be on a list, don't want to be indicted. They seem impervious to any kind of criticism. And it seems to me that this is a modest step to say that if you abuse people, we are going to be promulgating lists, we are going to be following who you are, and you are not welcomed here.

You know, Chai Ling, hero of the Tiananmen Square student movement, suffered immensely, thankfully got out. She has led an effort to say, what about the gendercide? Ten years ago, the U.S. Department of State had a report in the Country Reports on Human Rights Practices that said as many as 100 million girls are missing in China.

I just had a hearing on the one-child-per-couple policy, and Chai Ling and several other very distinguished witnesses presented. And the point was made that between 40 million and 50 million, now, men won't find wives by 2020 because they have been systematically exterminated through sex-selection abortion.

This is the worst crime of gender ever, and it is being done by people. Well, let's focus on who those people are, create lists of who is doing not just forced abortion and forced sterilization, forced IUD insertion and all the other terrible abuses, but let's also look at the other human rights abuses, which we do here, and let's finally do something. Ten years since I got that law passed, not a thing.

And Chai Ling has been so brave for all these years, raising these issues. And it is about time we had—oh, like she has, 300 people who are intimately involved with this—you know, at the Nuremberg War Crimes Tribunal, forced abortion was construed to be a crime against humanity. It is no less a crime against humanity. The Nazis did it, you know, a smaller number, and now we have a situation here.

Ms. LOFGREN. I don't disagree with that. It is a question of efficacy.

Mr. SMITH OF NEW JERSEY. So let's cease political cover——

Ms. CHAI. Right. Exactly.

Mr. GOWDY. I think we only have about a minute, and I——

Ms. LOFGREN. I would ask unanimous consent that the gentleman be given an additional minute since he was——

Mr. GALLEGLY. Without objection. There is a conference that was just called, so.

Ms. CHAI. Okay. Thank you very much.

If could you roll the PowerPoint, I would really appreciate it.

And so we prepared pictures that could basically share the cases of these people. This is Chen Guancheng, the blind attorney. Chairman Smith had held a press conference yesterday. He was exposing 130,000 cases in 2005 of forced abortion and forced sterilizations in Linyi, he was imprisoned for 4 years and 3 months. He has been beaten consistently ever since he was released to house arrest in September. We listened in detail about how he was beaten for 4 hours nonstop in front of his child.

If you can go to the next page, this is a woman, Wan Li Ping, and she was 23. She was not married and got pregnant. They found her, dragged her into forced-abortion clinic and injected poison into the baby. The baby was killed, and they dumped this baby in a plastic bag in front of her bed and asked her to pay the money for the operation. She didn't have the money, and therefore the baby was dumped in front of her. They killed both her baby and her hope, and they want her to pay for the procedure.

The next page is—and every day the 70 percent of the women who are going through forced and coerced abortions are single

women because they are not allowed to have children, they don't have marriage certificates, therefore they don't have a birth permit.

This woman, Ms. Chen, she is still in fear. She lives in New York now. She had two daughters, and the family-planning committee went to her home, saying, "You are over quota. You have two options: be forcibly sterilized or give up one of your babies." And because of gendercide, her family, her in-laws still want her to try to give birth to a baby boy. She hesitated, and the baby girl was kidnapped. We don't know where that is. And her husband had a mental breakdown after that incident.

Mr. GOWDY. Ms. Chai, the Chairman has been very, very gracious to me, and I don't want to take advantage of his generosity. But it is unimpeachable that the suicide rate among women in China is higher, that the ratio of females to males is completely out of balance, that the orphanages are full of girls—not boys, but girls.

Ms. CHAI. Yes.

Mr. GOWDY. And I thank you, Mr. Chairman and Ranking Member Lofgren, for giving me extra time.

And I thank you for being here as the face of those who don't have a voice in China, because it is a travesty and it is immoral.

Ms. CHAI. Thank you very much.

Mr. GALLEGLY. I would just like to say to Ms. Chai that the fact that we don't have a large group of folks here today is not an indication of their lack of sensitivity or a lack of concern for this travesty that most of us are aware of, certainly not to the degree that you are or Chris is, but you can be assured that your testimony today is not taken lightly as a result of the fact of lack of participation. But there are so many things going on here.

I want to make sure that you are aware that, again, all the testimony that you have, whether you have formally presented it or you have it there in writing, will be made a part of record of the hearing so that we will all have an ability to look at that and also the pictures that you have brought along. For those that are not here, they will be available to them as well as us.

Ms. CHAI. Thank you very much. I am grateful.

Mr. GALLEGLY. But because of time constraints that we have, I am going to have to call the time on the hearing.

And, without objection, all Members will have 5 legislative days to submit to the Chair additional written questions for the witnesses, which we will forward to you for your response, and hope that we will have a timely response to the questions that will be made a part of the record of the hearing.

And, without objection, all Members will have 5 legislative days to submit any additional materials for inclusion in the record.

And, with that, I thank you for being here today.

And the Subcommittee stands adjourned.

[Whereupon, at 4:28 p.m., the Subcommittee was adjourned.]

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