



Legislative Bulletin.....July 15, 2003

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H.R. 1950—Foreign Relations Authorization Act for Fiscal Years 2004 and 2005 (Hyde)

Order of Business: The bill is scheduled to be considered on Tuesday, July 15th, subject to a structured rule (H.Res. 316). A summary of amendments made in order under this rule will be provided in a separate document.

Summary of Key Provisions:

Authorizations –

	<u>FY2004</u>	<u>FY2005</u>
Diplomatic and Consular Programs	\$4.19 billion	\$4.44 billion
Capital Investment Fund	\$157.0 million	\$161.7 million
Embassy Security, Construction, and Maintenance	\$653.0 million	\$784.0 million
Office of the Inspector General	\$31.7 million	\$32.7 million
Education and Cultural Exchange Programs	\$393.0 million	\$405.0 million
<i>HIV/AIDS research and mitigation</i>	<i>\$1.0 million</i>	<i>\$1.0 million</i>
<i>George Mitchell Scholarships (Ireland)</i>	<i>\$500,000</i>	<i>\$500,000</i>
<i>Initiatives for Muslim countries</i>	<i>\$35.0 million</i>	<i>\$35.0 million</i>
<i>Tibetan exchanges</i>	<i>\$500,000</i>	<i>\$500,000</i>
<i>East Timorese Scholarships</i>	<i>\$1.0 million</i>	<i>\$1.0 million</i>
<i>Sudanese Scholarships</i>	<i>\$500,000</i>	<i>\$500,000</i>
Assessed Contributions to Int'l Organizations	\$1.01 billion	\$1.04 billion
Contributions for Int'l Peacekeeping	\$550.2 million	Such Sums
Voluntary Contributions for Int'l Peacekeeping	\$110.0 million	\$110.0 million
<i>Peacekeeping in Africa</i>	<i>\$40.0 million</i>	<i>Such Sums</i>
Voluntary Contributions to Int'l Organizations	\$342.6 million	\$345.0 million
<i>United Nations Population Fund (UNFPA)</i>	<i>\$50.0 million</i>	<i>\$50.0 million</i>

--availability of funds subject to presidential certification that UNFPA does not directly support or participate in coercive abortion or involuntary sterilization

<i>UN Voluntary Fund for Torture Victims</i>	\$6.0 million	\$7.0 million
<i>Includes limitation on certain funds spent in Burma, pending certification</i>		
Migration and Refugee Assistance	\$927.0 million	\$957.0 million
<i>Refugee resettlement in Israel</i>	\$50.0 million	\$50.0 million
<i>Tibetan refugees in India and Nepal</i>	\$2.0 million	\$2.0 million
<i>Displaced Burmese</i>	\$2.0 million	\$2.0 million
Int'l Broadcasting Operations	\$600.4 million	\$612.1 million

Language of note –

Public Diplomacy Reserve Corps. Establishes a new public diplomacy reserve corps to augment the public diplomacy capacity of the State Department in critical circumstances internationally. *NEW PROGRAM*

Predominantly Muslim Countries. There are several provisions throughout the bill regarding predominantly Muslim countries (PMC), such as:

- The Secretary of State would have to seek to increase the number of Foreign Service officers proficient in languages spoken in PMCs.
- A sense of Congress that the Secretary of State should include countries in sub-Saharan Africa with predominantly Muslim populations in the public diplomacy activities authorized by this legislation.
- Establishing a journalism program, an English language teaching program, sister city partnerships, a civics education program, youth ambassadors, and a library training exchange program in PMCs.
- Requiring that the Secretary seek to “substantially increase” the number of Fulbright scholarships awarded for study in PMCs and of Humphrey fellowships awarded to candidates from PMCs.

Public Library Program. Directs the Secretary of State to conduct a demonstration program to assist foreign governments to establish or upgrade their public library systems to improve literacy and support public education. *NEW PROGRAM*

Israel. The bill contains various language regarding Israel, such as:

- Preventing funding for a U.S. diplomatic facility in Jerusalem that is not under the supervision of the U.S. Ambassador to Israel.
- Preventing funds from going toward any publication that lists countries and their capital cities if the publication does not identify Jerusalem as Israel’s capital.
- Increasing requirements for annually reporting terrorist attacks on American citizens in Israel, territory administered by Israel, and territory administered by the Palestinian Authority.
- Calling on the State Department to encourage other countries to establish full diplomatic relations with Israel.
- Calling on the Secretary of State and other appropriate officials to pursue an “aggressive diplomatic effort” toward the extension and upgrade of Israel's membership in the Western European and Others Group at the United Nations.

Palestinian State. Expresses a congressional finding that “a stable and peaceful Palestinian state is necessary to achieve the security that Israel longs for, and Israel should take concrete

steps to support the emergence of a viable, credible Palestinian state.” The bill goes on to express a sense of Congress about the recognition of a Palestinian state that essentially mirrors President Bush’s “Roadmap to Peace,” which includes certain conditions (regarding democracy and terrorism, among other things) that the Palestinian government must meet.

The bill authorizes such sums as may be necessary for a future Palestinian state, pending certification that the various pre-conditions have been met. Such assistance would be for economic development, promoting democracy, developing water resources, fostering security cooperation with the Israelis, and helping with the compensation and rehabilitation of Palestinian refugees.

Israel and Egypt Security Assistance. Extends the authorization for security assistance to Israel and Egypt through fiscal year 2005.

Refugee Resettlement. Directs the State Department to increase partnerships with voluntary and private organizations to increase the efficiency of refugee resettlement worldwide. Establishes “refugee response teams” among the State Department, non-governmental organizations, and private voluntary organizations for increasing such efficiency.

UNESCO. Authorizes the annual assessment of the United States’ participation in the United Nations Educational, Scientific, and Cultural Organization (UNESCO). Encourages the President to appoint a U.S. Representative to the Organization for Economic Cooperation and Development (OECD) who would also serve as the U.S. Representative to UNESCO. Encourages the President to ensure that more Americans are employed by UNESCO (especially at senior levels).

Democracy Caucus. Calls upon the President and relevant officials at the State Department to establish a democracy caucus at the United Nations, the UN Human Rights Commission, and other such international organizations.

Office on Multilateral Negotiations. Establishes an Office on Multilateral Negotiations within the Bureau of International Organizational Affairs. *NEW PROGRAM*

Cuba. Includes language authorizing the improved signal delivery of any U.S. Government radio broadcast to Cuba. Authorizes appropriations of \$15 million for each of fiscal years 2004 and 2005 in support of human rights dissidents, independent journalists, independent labor leaders, and other opposition individuals and groups in Cuba.

North Korea. Calls on Radio Free Asia to increase its broadcasting into North Korea to 24 hours a day.

Afghanistan. Directs the President to take immediate steps to secure the highways connecting major Afghan urban centers and to disarm and demobilize the Afghan militias and irregulars that are not formally part of the Afghan National Army.

Global Internet Freedom. Establishes an Office of Global Internet Freedom to combat state-sponsored and state-directed Internet jamming and persecution of those who use the Internet. *NEW PROGRAM*

U.S. International Broadcasting Agency. Establishes as an independent agency in the executive branch the United States International Broadcasting Agency to serve as a focal point for international broadcasting policy and oversight. Abolishes the Broadcasting Board of Governors and the International Broadcasting Bureau.

Coordinator for International Free Media. Establishes within the State Department a Coordinator for International Free Media to promote international press freedoms and free media. Establishes a U.S. Advisory Commission on Public Diplomacy and International Media to advise the Coordinator. Also establishes an International Free Media Fund (authorized at \$15 million for FY2004) at the State Department for the free media efforts of the Coordinator. *NEW PROGRAM*

Under Secretary of Commerce for Industry and Security. Establishes an Under Secretary of Commerce for Industry and Security within the Department of Commerce. *NEW PROGRAM*

Agricultural Information Sharing Program. Establishes an international Agricultural Biotechnology Information Program to provide other countries (as appropriate) the scientific evidence on the benefits, safety, and potential uses of agricultural biotechnology. *NEW PROGRAM*

Export controls. Tightens controls on the export of certain dual-use products, munitions, and weapons.

Concurrent Jurisdiction. Grants the FBI authority to investigate and enforce violations of the Arms Export Control Act without affecting the existing authority of the Bureau of Customs and Border Protection (of the Homeland Security Department).

Defense and Dual-Use Articles in Iraq. Requires an annual report to Congress on the foreign-supplied defense articles, defense services, and dual-use goods and technology supplied to Iraq since 1991 and not destroyed or otherwise accounted for by the United Nations.

Highly Enriched Uranium. Authorizes the Secretary of State to carry out an initiative to secure and dispose of highly enriched uranium stockpiles in foreign countries (including the provisions of such assistance as may be required to secure host-country cooperation).

Iran. Expresses a congressional statement of policy that:

- “Iran’s support of terrorism and its efforts to develop nuclear weapons are a grave threat to the national security of the United States and its allies and to the United States Armed Forces;
- “the United States and our friends and allies must make maximum efforts to prevent Iran from developing or acquiring nuclear weapons and he missiles to deliver them; and
- “the President [should] use all appropriate means to prevent Iran from gaining such capabilities.”

Missile Non-Proliferation. States that it is the policy of the United States to seek a binding international instrument (treaty, UN resolution, etc.) to restrict the trade in offensive ballistic

missiles with ranges of at least 300km capable of carrying at least 500kg. Expresses a sense of Congress that the U.S. should immediately promote a UN resolution prohibiting all missile transactions with North Korea. Strengthens U.S. missile proliferation sanctions on foreigners. Authorizes \$250 million for the President to give to countries as incentives to destroy their ballistic missiles and their facilities for producing such missiles.

Belarus. Authorizes “such sums as may be necessary” for pro-democracy activities (including Voice of America radio broadcasting) in Belarus. Implements loan- and investment-sanctions against the government of Belarus and encourages the President to ban senior Belarusian officials from entering the United States.

Minority-Only Recruitment and Employment. The bill includes several provisions designed to increase the number of minorities employed at the State Department, including setting aside specific funds for minority-only recruitment and extending the reporting requirement on minority recruitment and promotion.

Miscellaneous Reports. Requires various new reports on the political situations in such countries as Colombia, Haiti, Uganda, Ecuador, Pakistan, the Great Lakes region of Africa,

Committee Action: On May 8, 2003, the International Relations Committee marked up and favorably reported the bill by a vote of 42-3. The three Members voting “no” were Rep. Jeff Flake (R-AZ), Rep. Jo Ann Davis (R-VA), and Rep. Ron Paul (R-TX). On June 26, 2003, the Armed Services Committee marked up and favorably reported the bill by voice vote. On July 9, 2003, the Energy & Commerce Committee marked up and reported the bill without recommendation by voice vote.

Possible RSC Concerns: Some RSC Members may be concerned about the following items (details about each item above):

- 1) The unrealistic standard (“directly support or participate in”) for withholding UNFPA funds;
- 2) The assertion that the establishment of a Palestinian state is “necessary” for Israel’s security and uncapped funding (“such sums”) for a future Palestinian state;
- 3) The high levels of authorizations overall;
- 4) The provisions for support of UNESCO (which President Reagan withdrew the U.S. from in 1984);
- 5) The creation of various new programs, such as the public library program; and
- 6) The focus on recruiting individuals based on their minority status.

Cost to Taxpayers: CBO estimates that H.R. 1950, as reported to the House, would authorize appropriations of \$15.2 billion in FY2004, \$15.6 billion in FY2005, and a total of \$32.2 billion over the FY2004-2008 period. The bill would also increase mandatory spending by less than \$500,000 in FY2004, less than \$500,000 in FY2005, and a total of about \$26.0 million over the FY2004-2008 period. The bill would have an “insignificant” effect on revenues.

Does the Bill Create New Federal Programs or Rules?: Yes, as detailed throughout the Legislative Bulletin, including: Public Diplomacy Reserve Corp; Public Library Program; Office of Multilateral Negotiations; Office of Global Internet Freedom; Coordinator for

International Free Media; Under Secretary of Commerce for Industry and Security; and Agricultural Information Sharing Program.

Constitutional Authority: The International Relations Committee, in House Report 108-105 Part I, cites constitutional authority in Article I, Section 8, Clause 18 (“necessary and proper”).

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**H.Con.Res. 236— Permitting the use of the rotunda of the Capitol for a ceremony to commemorate the unveiling of the statue of Sakakawea provided by the State of North Dakota for display in Statuary Hall
(Pomeroy)**

Order of Business: The resolution is scheduled for consideration on Tuesday, July 15th, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 236 authorizes the use of the Capitol rotunda on October 16, 2003, for a ceremony to commemorate the unveiling of the statue of Sakakawea provided by the State of North Dakota for display in Statuary Hall.

Additional Background: Sakakawea (also known as Sacagawea) was a Shoshone Indian who served in 1805 and 1806 as an interpreter and guide during the Lewis and Clark expedition of the western United States.

The Sakakawea statue will be North Dakota’s second statue placed in the Capitol for display. It is a replica of a statue that is outside the state capitol building in Bismarck depicting Sakakawea and her infant son. The statue was paid for entirely by private donations.

Committee Action: The resolution was introduced on June 26 and referred to the Committee on House Administration, but was not considered.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Create New Federal Programs or Rules?: No.

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H.R. 2195—Smithsonian Facilities Authorization Act (Regula)

Order of Business: The bill is scheduled for consideration on Tuesday, July 15th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2195 authorizes the Smithsonian Institution to plan, design, or construct additional special use storage and laboratory space at the Smithsonian’s museum support facility in Suitland, Maryland. The bill authorizes \$2 million in fiscal year 2003, \$10 million in fiscal year 2004, and “such sums as are necessary” in fiscal years 2005 through 2008.

H.R. 2195 also:

- authorizes improvements to the interior and exterior of the Smithsonian’s Patent Office Building (located in Washington, D.C. and currently housing the National Portrait Gallery and the Smithsonian American Art Museum) using funds available from non-appropriated sources;
- gives the Secretary of the Smithsonian authority to enter into multi-year contracts for the acquisition of property and services and to enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year;
- allows the Secretary of the Smithsonian to establish a program to make voluntary separation incentive payments for employees (similar to that established by the Homeland Security Act of 2002 for INS employees); and
- expresses the sense of the Congress that the Smithsonian’s National Museum of American History should be commended for establishing a Jazz Appreciation Month and that schools, libraries, museums, and other organizations should “develop programs to explore, perpetuate, and honor jazz as a national and world treasure.”

Committee Action: H.R. 2195 was introduced on May 21st and referred to the Committees on House Administration and Transportation and Infrastructure. No further action was taken by either committee.

Cost to Taxpayers: A cost estimate is not available.

Does the Bill Create New Federal Programs or Rules?: No.

Constitutional Authority: A committee report citing constitutional authority is not available.

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