

104TH CONGRESS
1ST SESSION

H. R. 1562

To consolidate the foreign affairs agencies of the United States in order to achieve greater efficiency and economy in the post-Cold War era.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 1995

Mr. GILMAN introduced the following bill; which was referred to the Committee on International Relations

A BILL

To consolidate the foreign affairs agencies of the United States in order to achieve greater efficiency and economy in the post-Cold War era.

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

3 **DIVISION A—CONSOLIDATION**
4 **OF FOREIGN AFFAIRS AGENCIES**
5 **TITLE I—GENERAL PROVISIONS**

6 **SEC. 101. SHORT TITLE.**

7 This division may be cited as the “Foreign Affairs
8 Agencies Consolidation Act of 1995”.

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1 **SEC. 103. CONGRESSIONAL FINDINGS.**

2 The Congress makes the following findings:

- 3 (1) With the end of the Cold War, the inter-
- 4 national challenges facing the United States have
- 5 changed, but the fundamental national interests of
- 6 the United States have not. The security, economic,
- 7 and humanitarian interests of the United States re-
- 8 quire continued American engagement in inter-
- 9 national affairs. The leading role of the United
- 10 States in world affairs will be as important in the
- 11 twenty-first century as it has been in the twentieth.

1 (2) The United States budget deficit requires
2 that the foreign as well as the domestic programs
3 and activities of the United States be carefully re-
4 viewed for potential savings. Wherever possible, for-
5 eign programs and activities must be streamlined,
6 managed more efficiently, and adapted to the re-
7 quirements of the post-Cold War era.

8 (3) In order to downsize the foreign programs
9 and activities of the United States without jeopardiz-
10 ing United States interests, strong and effective
11 leadership will be required. As the official principally
12 responsible for the conduct of foreign policy, the
13 Secretary of State must have the authority to allo-
14 cate efficiently the resources within the international
15 affairs budget. As a first step in the downsizing
16 process, the proliferation of foreign affairs agencies
17 that occurred during the Cold War must be re-
18 versed, and the functions of these agencies must be
19 restored to the Secretary of State.

20 (4) A streamlined and reorganized foreign af-
21 fairs structure under the strengthened leadership of
22 the Secretary of State can more effectively promote
23 the international interests of the United States in
24 the next century than the existing structure.

1 **SEC. 104. PURPOSES.**

2 The purposes of this division are—

3 (1) to consolidate and reinvent foreign affairs
4 agencies of the United States within the Department
5 of State;

6 (2) to provide for the reorganization of the De-
7 partment of State to maximize the efficient use of
8 resources, eliminate redundancy in functions, effect
9 budget savings, and improve the management of the
10 State Department;

11 (3) to strengthen—

12 (A) the coordination of United States for-
13 eign policy; and

14 (B) the leading role of the Secretary of
15 State in the formulation and articulation of
16 United States foreign policy; and

17 (4) to abolish, not later than March 1, 1997,
18 the United States Arms Control and Disarmament
19 Agency, the United States Information Agency, the
20 International Development Cooperation Agency, and
21 the Agency for International Development.

22 **SEC. 105. DEFINITIONS.**

23 The following terms have the following meaning for
24 the purposes of this division:

25 (1) The term “AID” means the Agency for
26 International Development.

1 (2) The term “ACDA” means the United
2 States Arms Control and Disarmament Agency.

3 (3) The term “appropriate congressional com-
4 mittees” means the Committee on International Re-
5 lations of the House of Representatives and the
6 Committee of Foreign Relations of the Senate.

7 (4) The term “Department” means the Depart-
8 ment of State.

9 (5) The term “Federal agency” has the mean-
10 ing given to the term “agency” by section 551(1) of
11 title 5, United States Code.

12 (6) The term “function” means any duty, obli-
13 gation, power, authority, responsibility, right, privi-
14 lege, activity, or program.

15 (7) The term “office” includes any office, ad-
16 ministration, agency, institute, unit, organizational
17 entity, or component thereof.

18 (8) The term “Secretary” means the Secretary
19 of State.

20 (9) The term “USIA” means the United States
21 Information Agency.

1 **TITLE II—UNITED STATES ARMS**
2 **CONTROL AND DISAR-**
3 **MAMENT AGENCY**

4 **CHAPTER 1—GENERAL PROVISIONS**

5 **SEC. 201. EFFECTIVE DATE.**

6 (a) IN GENERAL.—Except as provided in subsection
7 (b), this title, and the amendments made by this title, shall
8 take effect—

9 (1) March 1, 1997; or

10 (2) on such earlier date as the President shall
11 determine to be appropriate and announce by notice
12 published in the Federal Register, which date may
13 be not earlier than 60 calendar days (excluding any
14 day on which either House of Congress is not in ses-
15 sion because of an adjournment sine die) after the
16 President has submitted a reorganization plan to the
17 appropriate congressional committees pursuant to
18 section 221.

19 (b) REORGANIZATION PLAN.—Section 221 shall take
20 effect on the date of enactment of this Act.

21 **SEC. 202. REFERENCES IN TITLE.**

22 Except as specifically provided in this title, whenever
23 in this title an amendment or repeal is expressed in terms
24 of an amendment to, or repeal of, a provision, the ref-

1 erence shall be considered to be made to a provision of
2 the Arms Control and Disarmament Act.

3 **CHAPTER 2—ABOLITION OF UNITED**
4 **STATES ARMS CONTROL AND DISAR-**
5 **MAMENT AGENCY AND TRANSFER OF**
6 **FUNCTIONS TO SECRETARY OF STATE**

7 **SEC. 211. ABOLITION OF UNITED STATES ARMS CONTROL**
8 **AND DISARMAMENT AGENCY.**

9 The United States Arms Control and Disarmament
10 Agency is abolished.

11 **SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF**
12 **STATE.**

13 There are transferred to the Secretary of State all
14 functions of the Director of the United States Arms Con-
15 trol and Disarmament Agency and all functions of the
16 United States Arms Control and Disarmament Agency
17 and any officer or component of such agency under any
18 statute, reorganization plan, Executive order, or other pro-
19 vision of law before the effective date of this title, except
20 as otherwise provided in this title.

1 **CHAPTER 3—REORGANIZATION OF DE-**
2 **PARTMENT OF STATE RELATING TO**
3 **FUNCTIONS TRANSFERRED UNDER**
4 **THIS TITLE**

5 **SEC. 221. REORGANIZATION PLAN.**

6 (a) SUBMISSION OF PLAN.—Not later than March 1,
7 1996, the President, in consultation with the Secretary
8 and the Director of the Arms Control and Disarmament
9 Agency, shall transmit to the appropriate congressional
10 committees a reorganization plan providing for—

11 (1) the abolition of the Arms Control and Dis-
12 armament Agency in accordance with this title;

13 (2) the transfer to the Department of State of
14 the functions and personnel of the Arms Control and
15 Disarmament Agency consistent with the provisions
16 of this title; and

17 (3) the consolidation, reorganization, and
18 streamlining of the Department upon the transfer of
19 functions under this title in order to carry out such
20 functions.

21 (b) PLAN ELEMENTS.—The plan under subsection
22 (a) shall—

23 (1) identify the functions of the Arms Control
24 and Disarmament Agency that will be transferred to
25 the Department under the plan;

1 (2) identify the personnel and positions of the
2 Agency (including civil service personnel, Foreign
3 Service personnel, and detailees) that will be trans-
4 ferred to the Department, separated from service
5 with the Agency, or be eliminated under the plan,
6 and set forth a schedule for such transfers, separa-
7 tions, and terminations;

8 (3) identify the personnel and positions of the
9 Department (including civil service personnel, For-
10 eign Service personnel, and detailees) that will be
11 transferred within the Department, separated from
12 service with the Department, or eliminated under
13 the plan, and set forth a schedule for such transfers,
14 separations, and terminations;

15 (4) specify the consolidations and reorganiza-
16 tion of functions of the Department that will be re-
17 quired under the plan in order to permit the Depart-
18 ment to carry out the functions transferred to the
19 Department under the plan;

20 (5) specify the funds available to the Arms Con-
21 trol and Disarmament Agency that will be trans-
22 ferred to the Department as a result of the transfer
23 of functions of the Agency to the Department;

24 (6) specify the proposed allocations within the
25 Department of unexpended funds transferred in con-

1 nection with the transfer of functions under the
2 plan; and

3 (7) specify the proposed disposition of the prop-
4 erty, facilities, contracts, records, and other assets
5 and liabilities of the Agency in connection with the
6 transfer of the functions of the Agency to the De-
7 partment.

8 (c) ASSISTANT SECRETARY POSITIONS.—The plan
9 under subsection (a) shall provide for an appropriate num-
10 ber of Assistant Secretaries of State to carry out the func-
11 tions transferred to the Department under this title.

12 **SEC. 222. PRINCIPAL OFFICERS.**

13 (a) UNDER SECRETARY OF STATE FOR INTER-
14 NATIONAL SECURITY AND ARMS CONTROL.—

15 (1) ESTABLISHMENT.—Section 1(b) of the
16 State Department Basic Authorities Act of 1956 (22
17 U.S.C. 2651a(b) is amended—

18 (A) by striking “There” and inserting the
19 following:

20 “(1) IN GENERAL.—There”; and

21 (B) by adding at the end the following:

22 “(2) UNDER SECRETARY FOR INTERNATIONAL
23 SECURITY AND ARMS CONTROL.—There shall be in
24 the Department of State an Under Secretary for
25 International Security and Arms Control who shall

1 have responsibility to assist the Secretary and the
2 Deputy Secretary in the formation and implementa-
3 tion of United States policies and activities concern-
4 ing international security, arms control and disarm-
5 mament, and export controls.”.

6 (2) TRANSITION PROVISION.—The President
7 may appoint the individual serving as Director of the
8 Arms Control and Disarmament Agency on the day
9 before the effective date of this title, or such other
10 official appointed by and with the advice and con-
11 sent of the Senate and serving within the Depart-
12 ment of State or the Arms Control and Disar-
13 mament Agency on the day before the effective date
14 of the title as the President considers appropriate, to
15 serve as the acting Under Secretary for Inter-
16 national Security and Arms Control until an individ-
17 ual is appointed to that office in accordance with
18 section 1(b)(1) of the Department of State Basic
19 Authorities Act of 1956, as amended by this Act.

20 (b) COORDINATOR FOR ARMS CONTROL AND DISAR-
21 MAMENT.—Section 1(e) of the State Department Basic
22 Authorities Act of 1956 (22 U.S.C. 2651a(e)) is amended
23 by adding after paragraph (3) the following new para-
24 graph:

1 “(4) COORDINATOR FOR ARMS CONTROL AND
2 DISARMAMENT.—

3 “(A) There shall be within the office of the
4 Secretary of State a Coordinator for Arms Con-
5 trol and Disarmament (hereafter in this para-
6 graph referred to as the “Coordinator”) who
7 shall be appointed by the President, by and
8 with the advice and consent of the Senate. The
9 Coordinator shall report directly to the Sec-
10 retary of State.

11 “(B) The individual appointed to serve as
12 Coordinator for Arms Control and Disar-
13 mament shall be the same individual appointed
14 to serve as Assistant Secretary for Arms Con-
15 trol and Disarmament.

16 “(C) The Coordinator shall have the rank
17 and status of Ambassador-at-Large. The Coor-
18 dinator shall be compensated at the annual rate
19 of basic pay in effect for a position at level IV
20 of the Executive Schedule under section 5314
21 of title 5, United States Code, or, if the Coordi-
22 nator is appointed from the Foreign Service,
23 the annual rate of pay which the individual last
24 received under the Foreign Service Schedule,
25 whichever is greater.”.

1 (c) ASSISTANT SECRETARIES.—

2 (1) ESTABLISHMENT OF ASSISTANT SECRETARY
3 FOR ARMS CONTROL AND DISARMAMENT.—Section
4 1(c) of the State Department Basic Authorities Act
5 of 1956 (22 U.S.C. 2651a(c)) is amended by adding
6 after paragraph (2) the following:

7 “(3) ASSISTANT SECRETARY FOR ARMS CON-
8 TROL AND DISARMAMENT.—

9 “(A) There shall be in the Department of
10 State an Assistant Secretary for Arms Control
11 and Disarmament who shall be responsible for
12 arms control and disarmament matters and who
13 shall report to the Under Secretary for Inter-
14 national Security and Arms Control.

15 “(B) The individual appointed to serve as
16 Assistant Secretary for Arms Control and Dis-
17 armament shall be the same individual ap-
18 pointed to serve as the Coordinator for Arms
19 Control and Disarmament. The Assistant Sec-
20 retary for Arms Control and Disarmament shall
21 be compensated in accordance with subsection
22 (e)(4)(C).

23 “(4) ASSISTANT SECRETARY FOR NON-
24 PROLIFERATION AND EXPORT CONTROLS.—There
25 shall be in the Department of State an Assistant

1 Secretary for Nonproliferation and Export Controls
2 who shall be responsible for arms transfers, non-
3 proliferation policy, and export controls and who
4 shall report to the Under Secretary for International
5 Security and Arms Control.”.

6 (2) TRANSITION PROVISION.—The President
7 may appoint the individual serving as Director of the
8 Arms Control and Disarmament Agency on the day
9 before the effective date of this title, or such other
10 officials appointed by and with the advice and con-
11 sent of the Senate and serving within the Depart-
12 ment of State or the Arms Control and Disar-
13 mament Agency on the day before the effective date
14 of this title as the President considers appropriate,
15 to serve as the acting Assistant Secretary for Arms
16 Control and Disarmament and to serve as the acting
17 Assistant Secretary for Nonproliferation and Export
18 Controls until individuals are appointed to those of-
19 fices in accordance with section 1(c)(1) of the State
20 Department Basic Authorities Act of 1956, as
21 amended by this Act.

1 **CHAPTER 4—CONFORMING AMENDMENTS**

2 **SEC. 241. REFERENCES.**

3 Any reference in any statute, reorganization plan,
4 Executive order, regulation, agreement, determination, or
5 other official document or proceeding to—

6 (1) the Director of the United States Arms
7 Control and Disarmament Agency or any other offi-
8 cer or employee of the United States Arms Control
9 and Disarmament Agency shall be deemed to refer
10 to the Secretary of State; and

11 (2) the United States Arms Control and Disar-
12 mament Agency shall be deemed to refer to the De-
13 partment of State.

14 **SEC. 242. REPEAL OF ESTABLISHMENT OF AGENCY.**

15 Section 21 of the Arms Control and Disarmament
16 Act (22 U.S.C. 2561; relating to the establishment of the
17 agency) is repealed.

18 **SEC. 243. REPEAL OF POSITIONS AND OFFICES.**

19 The following sections of the Arms Control and Dis-
20 armament Act are repealed:

21 (1) Section 22 (22 U.S.C. 2562; relating to the
22 Director).

23 (2) Section 23 (22 U.S.C. 2563; relating to the
24 Deputy Director).

1 (3) Section 24 (22 U.S.C. 2564; relating to As-
2 sistant Directors).

3 (4) Section 25 (22 U.S.C. 2565; relating to bu-
4 reaus, offices, and divisions).

5 (5) Section 50 (22 U.S.C. 2593; relating to the
6 ACDA Inspector General).

7 **SEC. 244. TRANSFER OF AUTHORITIES AND FUNCTIONS**
8 **UNDER THE ARMS CONTROL AND DISAR-**
9 **MAMENT ACT TO THE SECRETARY OF STATE.**

10 (a) IN GENERAL.—The Arms Control and Disar-
11 mament Act (22 U.S.C. 2551 et seq.) is amended—

12 (1) by striking “Agency” each place it appears
13 and inserting “Department”; and

14 (2) by striking “Director” each place it appears
15 and inserting “Secretary”.

16 (b) PURPOSE.—Section 2 (22 U.S.C. 2551) is re-
17 pealed.

18 (c) DEFINITIONS.—Section 3 (22 U.S.C. 2552) is
19 amended by striking paragraph (c) and inserting the fol-
20 lowing:

21 “(c) The term ‘Department’ means the Depart-
22 ment of State.

23 “(d) The term ‘Secretary’ means the Secretary
24 of State.”.

1 (d) SCIENTIFIC AND POLICY ADVISORY COMMIT-
2 TEE.—Section 26(b) (22 U.S.C. 2566(b)) is amended by
3 striking “, the Secretary of State, and the Director” and
4 inserting “and the Secretary of State”.

5 (e) PRESIDENTIAL SPECIAL REPRESENTATIVES.—
6 Section 27 (22 U.S.C. 2567) is amended by striking “,
7 acting through the Director”.

8 (f) PROGRAM FOR VISITING SCHOLARS.—Section 28
9 (22 U.S.C. 2568) is amended—

10 (1) in the second sentence, by striking “Agen-
11 cy’s activities” and inserting “Department’s arms
12 control, nonproliferation, and disarmament activi-
13 ties”; and

14 (2) in the fourth sentence, by striking “, and all
15 former Directors of the Agency”.

16 (g) POLICY FORMULATION.—Section 33(a) (22
17 U.S.C. 2573(a)) is amended by striking “shall prepare for
18 the President, the Secretary of State,” and inserting
19 “shall prepare for the President”.

20 (h) NEGOTIATION MANAGEMENT.—Section 34 (22
21 U.S.C. 2574) is amended—

22 (1) in subsection (a), by striking “the President
23 and the Secretary of State” and inserting “the
24 President”; and

25 (2) by striking subsection (b).

1 (i) VERIFICATION OF COMPLIANCE.—Section 37(d)
2 (22 U.S.C. 2577(d)) is amended by striking “Director’s
3 designee” and inserting “Secretary’s designee”.

4 (j) GENERAL AUTHORITY.—Section 41 (22 U.S.C.
5 2581) is repealed.

6 (k) SECURITY REQUIREMENTS.—Section 45(a) (22
7 U.S.C. 2585(a)) is amended in the second sentence by
8 striking “Agency’s” and inserting “Department’s”.

9 (l) USE OF FUNDS.—Section 48 (22 U.S.C. 2588)
10 is repealed.

11 (m) ANNUAL REPORT.—Section 51(a) (22 U.S.C.
12 2593a(a)) is amended by striking “the Secretary of
13 State,”.

14 (n) REQUIREMENT FOR AUTHORIZATION OF APPRO-
15 PRIATIONS.—Section 53 (22 U.S.C. 2593c) is repealed.

16 (o) ON-SITE INSPECTION AGENCY.—Section 61 (22
17 U.S.C. 2595) is amended—

18 (1) in paragraph (1), by striking “United
19 States Arms Control and Disarmament Agency” and
20 inserting “Department of State”; and

21 (2) in paragraph (7), by striking “the United
22 States Arms Control and Disarmament Agency
23 and”.

1 **SEC. 245. CONFORMING AMENDMENTS TO OTHER PROVI-**
2 **SIONS OF LAW.**

3 (a) ARMS EXPORT CONTROL ACT.—The Arms Ex-
4 port Control Act is amended—

5 (1) in section 36(b)(1)(D) (22 U.S.C.
6 2776(b)(1)(D)), by striking “Director of the Arms
7 Control and Disarmament Agency in consultation
8 with the Secretary of State and” and inserting “Sec-
9 retary of State in consultation with”;

10 (2) in section 38(a)(2) (22 U.S.C.
11 2778(a)(2))—

12 (A) in the first sentence, by striking “Di-
13 rector of the United States Arms Control and
14 Disarmament Agency, taking into account the
15 Director’s” and inserting “Secretary of State,
16 taking into account the Secretary’s”; and

17 (B) in the second sentence, by striking
18 “The Director of the Arms Control and Disar-
19 mament Agency is authorized, whenever the Di-
20 rector” and inserting “The Secretary of State is
21 authorized, whenever the Secretary”;

22 (3) in section 42(a) (22 U.S.C. 2791(a))—

23 (A) in paragraph (1)(C), by striking “Di-
24 rector of the United States Arms Control and
25 Disarmament Agency” and inserting “Secretary
26 of State”; and

1 (B) in paragraph (2)—

2 (i) in the first sentence, by striking
3 “Director of the United States Arms Con-
4 trol and Disarmament Agency” and insert-
5 ing “Secretary of State”; and

6 (ii) in the second sentence, by striking
7 “Director of the Arms Control and Disar-
8 mament Agency is authorized, whenever
9 the Director” and inserting “Secretary of
10 State, whenever the Secretary”;

11 (4) in section 71(a) (22 U.S.C. 2797(a)), by
12 striking “, the Director of the Arms Control and
13 Disarmament Agency,” and inserting “, Secretary of
14 State,”;

15 (5) in section 71(b)(1) (22 U.S.C. 2797(b)(1)),
16 by striking “Director of the United States Arms
17 Control and Disarmament Agency” and inserting
18 “Secretary of State”;

19 (6) in section 71(b)(2) (22 U.S.C.
20 2797(b)(2))—

21 (A) by striking “Director of the United
22 States Arms Control and Disarmament Agen-
23 cy” and inserting “Secretary of State”; and

24 (B) by striking “, or the Director”;

1 (7) in section 71(c) (22 U.S.C. 2797(c)), by
2 striking “Director of the United States Arms Con-
3 trol and Disarmament Agency,” and inserting “Sec-
4 retary of State”; and

5 (8) in section 73(d) (22 U.S.C. 2797(d)), by
6 striking “Director of the United States Arms Con-
7 trol and Disarmament Agency” and inserting “Sec-
8 retary of State”.

9 (b) UNITED STATES INSTITUTE OF PEACE ACT.—
10 Section 1706(b) of the United States Institute of Peace
11 Act (22 U.S.C. 4605(b)) is amended—

12 (1) by striking out paragraph (3);

13 (2) by redesignating paragraphs (4) and (5) as
14 paragraphs (3) and (4), respectively; and

15 (3) in paragraph (4) (as redesignated by para-
16 graph (2)), by striking “Eleven” and inserting
17 “Twelve”.

18 (c) THE ATOMIC ENERGY ACT OF 1954.—The Atom-
19 ic Energy Act of 1954 is amended—

20 (1) in section 57b. (42 U.S.C. 2077(b))—

21 (A) in the first sentence, by striking “the
22 Arms Control and Disarmament Agency,”, and

23 (B) in the second sentence, by striking
24 “the Director of the Arms Control and Disar-
25 mament Agency,”; and

1 (2) in section 123 (42 U.S.C. 2153)—

2 (A) in subsection a. (in the text after para-
3 graph (9))—

4 (i) by striking “and in consultation
5 with the Director of the Arms Control and
6 Disarmament Agency (‘the Director’),
7 and

8 (ii) by striking “and the Director”
9 and inserting “and the Secretary of De-
10 fense”,

11 (B) in subsection d., in the first proviso, by
12 striking “Director of the Arms Control and Dis-
13 armament Agency” and inserting “Secretary of
14 Defense”, and

15 (C) in the first undesignated paragraph
16 following subsection d., by striking “the Arms
17 Control and Disarmament Agency,”.

18 (d) THE NUCLEAR NON-PROLIFERATION ACT OF
19 1978.—The Nuclear Non-Proliferation Act of 1978 is
20 amended—

21 (1) in section 4, by striking paragraph (2);

22 (2) in section 102, by striking “the Secretary of
23 State, and the Director of the Arms Control and
24 Disarmament Agency” and inserting “and the Sec-
25 retary of State”; and

1 (3) in section 602(c), by striking “the Arms
2 Control and Disarmament Agency,”.

3 (e) TITLE 5, UNITED STATES CODE.—Title 5,
4 United States Code, is amended—

5 (1) in section 5313, by striking “Director of the
6 United States Arms Control and Disarmament
7 Agency.”;

8 (2) in section 5314, by striking “Deputy Direc-
9 tor of the United States Arms Control and Disar-
10 mament Agency.”; and

11 (3) in section 5315, by striking “Assistant Di-
12 rectors, United States Arms Control and Disar-
13 mament Agency (4).”.

14 **TITLE III—UNITED STATES**
15 **INFORMATION AGENCY**

16 **CHAPTER 1—GENERAL PROVISIONS**

17 **SEC. 301. EFFECTIVE DATE.**

18 (a) IN GENERAL.—Except as provided in subsection
19 (b), this title, and the amendments made by this title, shall
20 take effect—

21 (1) March 1, 1997; or

22 (2) on such earlier date as the President shall
23 determine to be appropriate and announce by notice
24 published in the Federal Register, which date may
25 be not earlier than 60 calendar days (excluding any

1 day on which either House of Congress is not in ses-
2 sion because of an adjournment sine die) after the
3 President has submitted a reorganization plan to the
4 appropriate congressional committees pursuant to
5 section 321.

6 (b) REORGANIZATION PLAN.—Section 321 shall take
7 effect on the date of enactment of this Act.

8 **CHAPTER 2—ABOLITION OF UNITED**
9 **STATES INFORMATION AGENCY AND**
10 **TRANSFER OF FUNCTIONS TO SEC-**
11 **RETARY OF STATE**

12 **SEC. 311. ABOLITION OF UNITED STATES INFORMATION**
13 **AGENCY.**

14 The United States Information Agency is abolished.

15 **SEC. 312. TRANSFER OF FUNCTIONS TO SECRETARY OF**
16 **STATE.**

17 There are transferred to the Secretary of State all
18 functions of the Director of the United States Information
19 Agency and all functions of the United States Information
20 Agency and any officer or component of such agency
21 under any statute, reorganization plan, Executive order,
22 or other provision of law before the effective date of this
23 title, except as otherwise provided in this title.

1 **CHAPTER 3—REORGANIZATION OF DE-**
2 **PARTMENT OF STATE RELATING TO**
3 **FUNCTIONS TRANSFERRED UNDER**
4 **THIS TITLE**

5 **SEC. 321. REORGANIZATION PLAN.**

6 (a) SUBMISSION OF PLAN.—Not later than March 1,
7 1996, the President, in consultation with the Secretary
8 and the Director of the United States Information Agency,
9 shall transmit to the appropriate congressional committees
10 a reorganization plan providing for—

11 (1) the abolition of the United States Informa-
12 tion Agency in accordance with this title;

13 (2) the transfer to the Department of State of
14 the functions and personnel of the United States In-
15 formation Agency consistent with the provisions of
16 this title; and

17 (3) the consolidation, reorganization, and
18 streamlining of the Department upon the transfer of
19 functions under this title in order to carry out such
20 functions.

21 (b) PLAN ELEMENTS.—The plan under subsection
22 (a) shall—

23 (1) identify the functions of the United States
24 Information Agency that will be transferred to the
25 Department under the plan;

1 (2) identify the personnel and positions of the
2 Agency (including civil service personnel, Foreign
3 Service personnel, and detailees) that will be trans-
4 ferred to the Department, separated from service
5 with the Agency, or be eliminated under the plan,
6 and set forth a schedule for such transfers, separa-
7 tions, and terminations;

8 (3) identify the personnel and positions of the
9 Department (including civil service personnel, For-
10 eign Service personnel, and detailees) that will be
11 transferred within the Department, separated from
12 service with the Department, or eliminated under
13 the plan, and set forth a schedule for such transfers,
14 separations, and terminations;

15 (4) specify the consolidations and reorganiza-
16 tion of functions of the Department that will be re-
17 quired under the plan in order to permit the Depart-
18 ment to carry out the functions transferred to the
19 Department under the plan;

20 (5) specify the funds available to the United
21 States Information Agency that will be transferred
22 to the Department as a result of the transfer of
23 functions of the Agency to the Department;

24 (6) specify the proposed allocations within the
25 Department of unexpended funds transferred in con-

1 nection with the transfer of functions under the
2 plan; and

3 (7) specify the proposed disposition of the prop-
4 erty, facilities, contracts, records, and other assets
5 and liabilities of the Agency in connection with the
6 transfer of the functions of the Agency to the De-
7 partment.

8 (c) ASSISTANT SECRETARY POSITIONS.—The plan
9 under subsection (a) shall provide for an appropriate num-
10 ber of Assistant Secretaries of State to carry out the func-
11 tions transferred to the Department under this title.

12 **SEC. 322. PRINCIPAL OFFICERS.**

13 (a) UNDER SECRETARY OF STATE FOR PUBLIC DI-
14 PLOMACY.—

15 (1) ESTABLISHMENT.—Section 1(b) of the
16 State Department Basic Authorities Act of 1956 (22
17 U.S.C. 2651a(b) is amended by adding after para-
18 graph (2) the following new paragraph:

19 “(3) UNDER SECRETARY FOR PUBLIC DIPLO-
20 MACY.—There shall be in the Department of State
21 an Under Secretary for Public Diplomacy who shall
22 have responsibility to assist the Secretary and the
23 Deputy Secretary in the formation and implementa-
24 tion of United States public diplomacy policies and
25 activities, including international educational and

1 cultural exchange programs, information, and inter-
2 national broadcasting.”.

3 (2) TRANSITION PROVISION.—The President
4 may appoint the individual serving as Director of the
5 United States Information Agency on the day before
6 the effective date of this title, or such other official
7 appointed by and with the advice and consent of the
8 Senate and serving within the Department of State
9 or the United States Information Agency as the
10 President considers appropriate, to serve as the act-
11 ing Under Secretary for Public Diplomacy until an
12 individual is appointed to that office in accordance
13 with section (1)(b)(1) of the State Department
14 Basic Authorities Act of 1956, as amended by this
15 Act.

16 (b) ASSISTANT SECRETARIES.—

17 (1) ESTABLISHMENT.—Section 1(c) of the
18 State Department Basic Authorities Act of 1956 (22
19 U.S.C. 2651a(c)) is amended by adding after para-
20 graph (3) the following:

21 “(4) ASSISTANT SECRETARY FOR ACADEMIC
22 PROGRAMS AND CULTURAL EXCHANGES.—There
23 shall be in the Department of State an Assistant
24 Secretary for Academic Programs and Cultural Ex-

1 changes who shall report to the Under Secretary for
2 Public Diplomacy.

3 “(5) ASSISTANT SECRETARY FOR INFORMA-
4 TION, POLICY, AND PROGRAMS.—There shall be in
5 the Department of State an Assistant Secretary for
6 Information, Policy, and Programs who shall report
7 to the Under Secretary for Public Diplomacy.”.

8 (2) TRANSITION PROVISION.—The President
9 may appoint such officials appointed by and with the
10 advice and consent of the Senate and serving within
11 the Department of State or the United States Infor-
12 mation Agency as the President considers appro-
13 priate to serve as the acting Assistant Secretary for
14 Academic Programs and Cultural Exchanges and to
15 serve as the acting Assistant Secretary for Informa-
16 tion, Policy, and Programs until individuals are ap-
17 pointed to those offices in accordance with section
18 1(c)(1) of the State Department Basic Authorities
19 Act of 1956, as amended by this Act.

20 **CHAPTER 4—CONFORMING AMENDMENTS**

21 **SEC. 341. REFERENCES.**

22 Any reference in any statute, reorganization plan,
23 Executive order, regulation, agreement, determination, or
24 other official document or proceeding to—

1 (1) the Director of the United States Informa-
2 tion Agency, the Director of the International Com-
3 munication Agency, or any other officer or employee
4 of the United States Information Agency shall be
5 deemed to refer to the Secretary of State; and

6 (2) the United States Information Agency,
7 USIA, or the International Communication Agency
8 shall be deemed to refer to the Department of State.

9 **SEC. 342. ABOLITION OF OFFICE OF INSPECTOR GENERAL**
10 **OF THE UNITED STATES INFORMATION**
11 **AGENCY AND TRANSFER OF FUNCTIONS TO**
12 **OFFICE OF INSPECTOR GENERAL OF THE DE-**
13 **PARTMENT OF STATE.**

14 (a) ABOLITION OF OFFICE OF INSPECTOR GENERAL
15 OF THE USIA.—

16 (1) The Office of Inspector General of the
17 United States Information Agency is abolished.

18 (2) Section 11 of the Inspector General Act of
19 1978 (5 U.S.C. App.) is amended—

20 (A) in paragraph (1) by striking “, the Of-
21 fice of Personnel Management or the United
22 States Information Agency” and inserting “or
23 the Office of Personnel Management”; and

24 (B) in paragraph (2) by striking “the
25 United States Information Agency,”.

1 (3) Section 5315 of title 5, United States Code,
2 is amended by striking the following:

3 “Inspector General, United States Information
4 Agency.”.

5 (b) FUNCTIONS OF OFFICE OF INSPECTOR GENERAL
6 OF THE UNITED STATES INFORMATION AGENCY TRANS-
7 FERRED TO OFFICE OF INSPECTOR GENERAL OF THE DE-
8 PARTMENT OF STATE.—There are transferred to the Of-
9 fice of the Inspector General of the Department of State
10 the functions that the Office of Inspector General of the
11 United States Information Agency exercised before the ef-
12 fective date of this title (including all related functions of
13 the Inspector General of the United States Information
14 Agency).

15 (c) TRANSFER AND ALLOCATIONS OF APPROPRIA-
16 TIONS AND PERSONNEL.—The Director of the Office of
17 Management and Budget, in consultation with the Sec-
18 retary of State, is authorized to make such incidental dis-
19 positions of personnel, assets, liabilities, grants, contracts,
20 property, records, and unexpended balances of appropria-
21 tions, authorizations, allocations, and other funds held,
22 used, arising from, available to, or to be made available
23 in connection with such functions, as may be necessary
24 to carry out the provisions of this section.

1 **SEC. 343. AMENDMENTS TO TITLE 5.**

2 Title 5, United States Code, is amended—

3 (1) in section 5313, by striking “Director of the
4 United States Information Agency.”;

5 (2) in section 5315, by striking “Deputy Direc-
6 tor of the United States Information Agency.”; and

7 (3) in section 5316, by striking “Deputy Direc-
8 tor, Policy and Plans, United States Information
9 Agency.” and striking “Associate Director (Policy
10 and Plans), United States Information Agency.”.

11 **SEC. 344. AMENDMENTS TO UNITED STATES INFORMATION
12 AND EDUCATIONAL EXCHANGE ACT OF 1948.**

13 (a) IN GENERAL.—Except as otherwise provided in
14 this section, the United States Information and Edu-
15 cational Exchange Act of 1948 (22 U.S.C. 1431 et seq.)
16 is amended—

17 (1) by striking “United States Information
18 Agency” each place it appears and inserting “De-
19 partment of State”;

20 (2) by striking “Director of the United States
21 Information Agency” each place it appears and in-
22 serting “Secretary of State”;

23 (3) by striking “Director” each place it appears
24 and inserting “Secretary of State”;

25 (4) by striking “USIA” each place it appears
26 and inserting “Department of State”; and

1 (5) by striking “Agency” each place it appears
2 and inserting “Department of State”.

3 (b) SATELLITE AND TELEVISION BROADCASTS.—
4 Section 505 of the United States Information and Edu-
5 cational Exchange Act of 1948 (22 U.S.C. 1464a) is
6 amended—

7 (1) by striking “Director of the United States
8 Information Agency” each of the four places it ap-
9 pears and inserting “Secretary of State”;

10 (2) in subsection (b), by striking “To be effec-
11 tive, the United States Information Agency” and in-
12 serting “To be effective in carrying out this sub-
13 section, the Department of State”;

14 (3) by striking “USIA-TV” each place it ap-
15 pears and inserting “DEPARTMENT OF STATE-
16 TV”; and

17 (4) by striking subsection (e).

18 (c) UNITED STATES ADVISORY COMMISSION ON PUB-
19 LIC DIPLOMACY.—Section 604 of the United States Infor-
20 mation and Educational Exchange Act of 1948 (22 U.S.C.
21 1469) is amended—

22 (1) in subsection (c)(1)—

23 (A) by striking “the Director of the United
24 States Information Agency,”; and

1 (B) by striking “Director or the Agency,
2 and shall appraise the effectiveness of policies
3 and programs of the Agency” and inserting
4 “Secretary of State or the Department of State,
5 and shall appraise the effectiveness of the infor-
6 mation, educational, and cultural policies and
7 programs of the Department”;

8 (2) in subsection (c)(2), —

9 (A) in the first sentence by striking “the
10 Secretary of State, and the Director of the
11 United States Information Agency” and insert-
12 ing “and the Secretary of State”;

13 (B) in the second sentence by striking “by
14 the Agency” and inserting “by the Department
15 of State”; and

16 (C) by striking “Director for effectuating
17 the purposes of the Agency” and inserting
18 “Secretary for effectuating the information,
19 educational, and cultural functions of the De-
20 partment”;

21 (3) in subsection (c)(3), by striking “programs
22 conducted by the Agency” and inserting “informa-
23 tion, educational, and cultural programs conducted
24 by the Department of State”; and

1 (4) in subsection (c)(4), by striking “Director
2 of the United States Information Agency” and in-
3 serting “Secretary of State”.

4 **SEC. 345. AMENDMENTS TO THE MUTUAL EDUCATIONAL**
5 **AND CULTURAL EXCHANGE ACT OF 1961**
6 **(FULBRIGHT-HAYS ACT).**

7 (a) IN GENERAL.—The Mutual Educational and Cul-
8 tural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is
9 amended by striking “Director of the International Com-
10 munication Agency” and “Director” each place either
11 term appears and inserting “Secretary of State”.

12 (b) REPEAL OF DEFUNCT ADVISORY COMMIS-
13 SIONS.—Section 106 of such Act (22 U.S.C. 2456) is
14 amended by striking subsection (c).

15 (c) BUREAU OF EDUCATIONAL AND CULTURAL AF-
16 FAIRS.—Section 112 of the Mutual Educational and Cul-
17 tural Exchange Act of 1961 (22 U.S.C. 2460) is amend-
18 ed—

19 (1) by striking the first sentence of subsection

20 (a);

21 (2) by striking “Bureau” each place it appears
22 and inserting “Department of State”; and

23 (3) by striking subsection (e).

1 **SEC. 346. INTERNATIONAL BROADCASTING ACTIVITIES.**

2 (a) IN GENERAL.—Title III of the Foreign Relations
3 Authorization Act, Fiscal Years 1994 and 1995 (Public
4 Law 103–236) is amended—

5 (1) in section 305(b)(1), by striking “Agency’s”
6 and inserting “Department’s”;

7 (2) in section 306, by striking “, acting through
8 the Director of the United States Information Agen-
9 cy,” and inserting “, acting through the Under Sec-
10 retary of State for Public Diplomacy,”;

11 (3) by striking “Director of the United States
12 Information Agency” each place it appears and in-
13 serting “Secretary of State”;

14 (4) by striking all references to “United States
15 Information Agency” that were not stricken in para-
16 graph (3) and inserting “Department of State”;

17 (5) by striking “Bureau” each place it appears
18 and inserting “Office”; and

19 (6) in section 305(a)(1), by striking “title,” and
20 inserting “title (including activities of the Voice of
21 America previously carried out by the United States
22 Information Agency),”.

23 (b) CONFORMING AMENDMENT TO TITLE 5.—Sec-
24 tion 5315 of title 5, United States Code, is amended by
25 striking “Director of the International Broadcasting Bu-
26 reau, the United States Information Agency” and insert-

1 ing “Director of the International Broadcasting Office,
2 the Department of State”.

3 **SEC. 347. TELEVISION BROADCASTING TO CUBA.**

4 (a) **AUTHORITY.**—Section 243(a) of the Television
5 Broadcasting to Cuba Act (as contained in part D of title
6 II of Public Law 101–246) (22 U.S.C. 1465bb(a)) is
7 amended by striking “United States Information Agency
8 (hereafter in this part referred to as the ‘Agency’)” and
9 inserting “Department of State (hereafter in this part re-
10 ferred to as the ‘Department’)”.

11 (b) **TELEVISION MARTI SERVICE.**—Section 244 of
12 such Act (22 U.S.C. 1465cc) is amended—

13 (1) in subsection (a)—

14 (A) by amending the first sentence to read
15 as follows: “The Secretary of State shall admin-
16 ister within the Voice of America the Television
17 Marti Service.”; and

18 (B) in the third sentence, by striking “Di-
19 rector of the United States Information Agen-
20 cy” and inserting “Secretary of State”;

21 (2) in subsection (b)—

22 (A) in the subsection heading, by striking
23 “USIA” and inserting “DEPARTMENT OF
24 STATE”,

1 (B) by striking “Agency facilities” and in-
2 serting “Department facilities”; and

3 (C) by striking “United States Information
4 Agency Television Service” and inserting “De-
5 partment of State Television Service”; and

6 (3) in subsection (c)—

7 (A) by striking “USIA AUTHORITY.—The
8 Agency” and inserting “SECRETARY OF STATE
9 AUTHORITY.—The Secretary of State”; and

10 (B) by striking “Agency” the second place
11 it appears and inserting “Secretary of State”.

12 (c) ASSISTANCE FROM OTHER GOVERNMENT AGEN-
13 CIES.—Section 246 of such Act (22 U.S.C. 1465dd) is
14 amended—

15 (1) by striking “United States Information
16 Agency” and inserting “Department of State”; and

17 (2) by striking “the Agency” and inserting “the
18 Department”.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
20 247(a) of such Act (22 U.S.C. 1465ee(a)) is repealed.

21 **SEC. 348. RADIO BROADCASTING TO CUBA.**

22 (a) FUNCTIONS OF THE DEPARTMENT OF STATE.—
23 Section 3 of the Radio Broadcasting to Cuba Act (22
24 U.S.C. 1465a) is amended—

1 (1) in the section heading, by striking “UNITED
2 STATES INFORMATION AGENCY” and inserting “DE-
3 PARTMENT OF STATE”;

4 (2) in subsection (a), by striking “United
5 States Information Agency (hereafter in this Act re-
6 ferred to as the ‘Agency’)” and inserting “Depart-
7 ment of State (hereafter in this Act referred to as
8 the ‘Department’)”; and

9 (3) in subsection (f), by striking “Director of
10 the United States Information Agency” and insert-
11 ing “Secretary of State”.

12 (b) CUBA SERVICE.—Section 4 of such Act (22
13 U.S.C. 1465b) is amended—

14 (1) by amending the first sentence to read as
15 follows: “The Secretary of State shall administer
16 within the Voice of America the Cuba Service (here-
17 after in this section referred to as the ‘Service’).”;
18 and

19 (2) in the third sentence, by striking “Director
20 of the United States Information Agency” and in-
21 serting “Secretary of State”.

22 (c) ASSISTANCE FROM OTHER GOVERNMENT AGEN-
23 CIES.—Section 6 of such Act (22 U.S.C. 1465d) is amend-
24 ed—

25 (1) in subsection (a)—

1 (A) by striking “United States Information
2 Agency” and inserting “Department of State”;
3 and

4 (B) by striking “the Agency” and inserting
5 “the Department”; and

6 (2) in subsection (b)—

7 (A) by striking “The Agency” and insert-
8 ing “The Department”; and

9 (B) by striking “the Agency” and inserting
10 “the Secretary of State”.

11 (d) FACILITY COMPENSATION.—Section 7 of such
12 Act (22 U.S.C. 1465e) is amended—

13 (1) in subsection (b), by striking “the Agency”
14 and inserting “the Department”; and

15 (2) in subsection (d), by striking “Agency” and
16 inserting “Department”.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
18 8 of such Act (22 U.S.C. 1465f) is amended—

19 (1) by striking subsections (a) and (b) and in-
20 serting the following:

21 “(a) The amount obligated by the Department of
22 State each fiscal year to carry out this Act shall be suffi-
23 cient to maintain broadcasts to Cuba under this Act at
24 rates no less than the fiscal year 1985 level of obligations

1 by the former United States Information Agency for such
2 broadcasts.”; and

3 (2) by redesignating subsection (c) as sub-
4 section (b).

5 **SEC. 349. NATIONAL ENDOWMENT FOR DEMOCRACY.**

6 (a) GRANTS.—Section 503 of Public Law 98–164, as
7 amended (22 U.S.C. 4412) is amended—

8 (1) in subsection (a)—

9 (A) by striking “Director of the United
10 States Information Agency” and inserting “Sec-
11 retary of State”;

12 (B) by striking “the Agency” and inserting
13 “the Department of State”; and

14 (C) by striking “the Director” and insert-
15 ing “the Secretary of State”; and

16 (2) in subsection (b), by striking “United
17 States Information Agency” and inserting “Depart-
18 ment of State”.

19 (b) AUDITS.—Section 504(g) of such Act (22 U.S.C.
20 4413(g)) is amended by striking “United States Informa-
21 tion Agency” and inserting “Department of State”.

22 (c) FREEDOM OF INFORMATION.—Section 506 of
23 such Act (22 U.S.C. 4415) is amended—

24 (1) in subsection (b)—

1 (A) by striking “Director” each of the
2 three places it appears and inserting “Sec-
3 retary”; and

4 (B) by striking “of the United States In-
5 formation Agency” and inserting “of State”;
6 and

7 (2) in subsection (c)—

8 (A) in the subsection heading by striking
9 “USIA” and inserting “DEPARTMENT OF
10 STATE”;

11 (B) by striking “Director” each of the
12 three places it appears and inserting “Sec-
13 retary”;

14 (C) by striking “of the United States In-
15 formation Agency” and inserting “of State”;
16 and

17 (D) by striking “United States Informa-
18 tion Agency” and inserting “Department of
19 State”.

20 **SEC. 350. UNITED STATES SCHOLARSHIP PROGRAM FOR**
21 **DEVELOPING COUNTRIES.**

22 (a) PROGRAM AUTHORITY.—Section 603 of the For-
23 eign Relations Authorization Act, Fiscal Years 1986 and
24 1987 (22 U.S.C. 4703) is amended by striking “United

1 States Information Agency” and inserting “Department
2 of State”.

3 (b) GUIDELINES.—Section 604(11) of such Act (22
4 U.S.C. 4704(11)) is amended by striking “United States
5 Information Agency” and inserting “Department of
6 State”.

7 (c) POLICY REGARDING OTHER INTERNATIONAL
8 EDUCATIONAL PROGRAMS.—Section 606(b) of such Act
9 (22 U.S.C. 4706(b)) is amended—

10 (1) in the subsection heading, by striking
11 “USIA” and inserting “STATE DEPARTMENT”; and

12 (2) by striking “Director of United States In-
13 formation Agency” and inserting “Secretary of
14 State”.

15 (d) GENERAL AUTHORITIES.—Section 609(e) of such
16 Act (22 U.S.C. 4709(e)) is amended by striking “United
17 States Information Agency” and inserting “Department
18 of State”.

19 **SEC. 351. FASCELL FELLOWSHIP BOARD.**

20 Section 1003(b) of the Fascell Fellowship Act (22
21 U.S.C. 4902(b)) is amended—

22 (1) in the text above paragraph (1), by striking
23 “9 members” and inserting “8 members”;

24 (2) by striking paragraph (3); and

1 (3) by redesignating paragraph (4) as para-
2 graph (3).

3 **SEC. 352. NATIONAL SECURITY EDUCATION BOARD.**

4 Section 803 of the Intelligence Authorization Act,
5 Fiscal Year 1992 (50 U.S.C. 1903(b)) is amended—

6 (1) in subsection (b)—

7 (A) by striking paragraph (6); and

8 (B) by redesignating paragraphs (7) and
9 (8) as paragraphs (6) and (7); and

10 (2) in subsection (c), by striking “subsection
11 (b)(7)” and inserting “subsection (b)(6)”.

12 **SEC. 353. CENTER FOR CULTURAL AND TECHNICAL INTER-**
13 **CHANGE BETWEEN NORTH AND SOUTH.**

14 Section 208 of the Foreign Relations Authorization
15 Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is
16 amended by striking “Director of the United States Infor-
17 mation Agency” each place it appears and inserting “Sec-
18 retary of State”.

19 **SEC. 354. EAST-WEST CENTER.**

20 (a) DUTIES.—Section 703 of the Mutual Security Act
21 of 1960 (22 U.S.C. 2055) is amended—

22 (1) in the text above paragraph (1), by striking
23 “Director of the United States Information Agency
24 (hereinafter referred to as the ‘Director’)” and in-

1 serting “Secretary of State (hereinafter referred to
2 as the ‘Secretary’)”; and

3 (2) in paragraph (1), by striking “establishment
4 and”.

5 (b) ADMINISTRATION.—Section 704 of such Act (22
6 U.S.C. 2056) is amended—

7 (1) by striking “Director of the United States
8 Information Agency” and inserting “Secretary of
9 State”; and

10 (2) by striking “Director” each place it appears
11 and inserting “Secretary”.

12 **SEC. 355. MISSION OF THE DEPARTMENT OF STATE.**

13 Section 202 of the Foreign Relations Authorization
14 Act, Fiscal Year 1979 (22 U.S.C. 1461–1) is amended—

15 (1) in the first sentence, by striking “mission of
16 the International Communication Agency” and in-
17 serting “mission of the Department of State in car-
18 rying out its information, educational, and cultural
19 functions”;

20 (2) in the second sentence, in the text above
21 paragraph (1), by striking “International Commu-
22 nication Agency” and inserting “Department of
23 State”;

24 (3) in paragraph (1)(B), by striking “Agency”
25 and inserting “Department”; and

1 (4) in paragraph (5), by striking “mission of
2 the Agency” and inserting “mission described in this
3 section”.

4 **SEC. 356. CONSOLIDATION OF ADMINISTRATIVE SERVICES.**

5 Section 23(a) of the State Department Basic Au-
6 thorities Act of 1956 (22 U.S.C. 2695(a)) is amended—

7 (1) by striking “(including” and all that follows
8 through “Agency)”; and

9 (2) by striking “other such agencies” and in-
10 serting “other Federal agencies”.

11 **SEC. 357. GRANTS.**

12 Section 212 of the Foreign Relations Authorization
13 Act, Fiscal Years 1992 and 1993 (22 U.S.C. 1475h) is
14 amended—

15 (1) in subsection (a), by striking “United
16 States Information Agency” and inserting “Depart-
17 ment of State, in carrying out its international infor-
18 mation, educational, and cultural functions,”;

19 (2) in subsection (b), by striking “United
20 States Information Agency” and inserting “Depart-
21 ment of State”;

22 (3) in subsection (c)—

23 (A) in paragraph (1), by striking “United
24 States Information Agency shall substantially
25 comply with United States Information Agen-

1 cy” and inserting “Department of State, in car-
2 rying out its international information, edu-
3 cational, and cultural functions, shall substan-
4 tially comply with Department of State”; and

5 (B) in paragraphs (2) and (3)—

6 (i) by striking “United States Infor-
7 mation Agency” and inserting “Depart-
8 ment of State”; and

9 (ii) by striking “Agency” each of the
10 places it appears and inserting “Depart-
11 ment”; and

12 (4) by striking subsection (d).

13 **SEC. 358. BAN ON DOMESTIC ACTIVITIES.**

14 Section 208 of the Foreign Relations Authorization
15 Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a)
16 is amended—

17 (1) by striking out “United States Information
18 Agency” each of the two places it appears and in-
19 serting “Department of State”; and

20 (2) by inserting “in carrying out its inter-
21 national information, educational, and cultural ac-
22 tivities” before “shall be distributed”.

1 **SEC. 359. CONFORMING REPEAL TO THE ARMS CONTROL**
2 **AND DISARMAMENT ACT.**

3 Section 34(b) of the Arms Control and Disarmament
4 Act (22 U.S.C. 2574(b)) is repealed.

5 **SEC. 360. REPEAL RELATING TO PROCUREMENT OF LEGAL**
6 **SERVICES.**

7 Section 26(b) of the State Department Basic Au-
8 thorities Act of 1956 (22 U.S.C. 2698(b)) is repealed.

9 **SEC. 361. REPEAL RELATING TO PAYMENT OF SUBSIST-**
10 **ENCE EXPENSES.**

11 Section 32 of the State Department Basic Authorities
12 Act of 1956 (22 U.S.C. 2704) is amended by striking the
13 second sentence.

14 **SEC. 362. CONFORMING AMENDMENT TO THE SEED ACT.**

15 Section 2(c) of the Support for East European De-
16 mocracy (SEED) Act of 1989 (22 U.S.C. 5401(c)) is
17 amended in paragraph (17) by striking “United States In-
18 formation Agency” and inserting “Department of State”.

19 **SEC. 363. INTERNATIONAL CULTURAL AND TRADE CENTER**
20 **COMMISSION.**

21 Section 7(c) of the Federal Triangle Development Act
22 (40 U.S.C. 1106(c)) is amended—

23 (1) in the text above subparagraph (A), by
24 striking “15 members” and inserting “14 mem-
25 bers”;

26 (2) by striking subparagraph (F); and

1 (3) by redesignating subparagraphs (G)
2 through (J) as subparagraphs (F) through (I), re-
3 spectively.

4 **SEC. 364. FOREIGN SERVICE ACT OF 1980.**

5 (a) OTHER AGENCIES UTILIZING SERVICE.—Section
6 202(a) of the Foreign Service Act of 1980 (22 U.S.C.
7 3922(a)) is amended by striking paragraph (1).

8 (b) BOARD OF THE FOREIGN SERVICE.—Section 210
9 of such Act (22 U.S.C. 3930) is amended by striking “the
10 United States Information Agency, the United States
11 International Development Cooperation Agency,”.

12 **SEC. 365. AU PAIR PROGRAMS.**

13 Section 8 of the Eisenhower Exchange Fellowship
14 Act of 1990 (Public Law 101–454) is amended by striking
15 “Director of the United States Information Agency” and
16 inserting “Secretary of State”.

17 **SEC. 366. EXCHANGE PROGRAM WITH COUNTRIES IN TRAN-**
18 **SITION FROM TOTALITARIANISM TO DEMOC-**
19 **RACY.**

20 Section 602 of the National and Community Service
21 Act of 1990 (22 U.S.C. 2452a) is amended—

22 (1) in the second sentence of subsection (a), by
23 striking “United States Information Agency” and
24 inserting “Department of State”; and

25 (2) in subsection (b)—

1 (A) by striking “appropriations account of
2 the United States Information Agency” and in-
3 serting “appropriate appropriations account of
4 the Department of State”; and

5 (B) by striking “and the United States In-
6 formation Agency”.

7 **SEC. 367. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.**

8 Section 227 of the Foreign Relations Authorization
9 Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note)
10 is amended—

11 (1) by striking “United States Information
12 Agency” and inserting “Department of State”; and

13 (2) by striking subsection (d).

14 **SEC. 368. IMPLEMENTATION OF CONVENTION ON CUL-**
15 **TURAL PROPERTY.**

16 Title III of the Convention on Cultural Property Im-
17 plementation Act (19 U.S.C. 2601 et seq.) is amended by
18 striking “Director of the United States Information Agen-
19 cy” each place it appears and inserting “Secretary of
20 State”.

21 **SEC. 369. MIKE MANSFIELD FELLOWSHIPS.**

22 Section 252(a) of the Foreign Relations Authoriza-
23 tion Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101(a))
24 is amended by striking “Director of the United States In-
25 formation Agency” and inserting “Secretary of State”.

1 **TITLE IV—AGENCY FOR**
2 **INTERNATIONAL DEVELOPMENT**
3 **CHAPTER 1—GENERAL PROVISIONS**

4 **SEC. 401. EFFECTIVE DATE.**

5 (a) IN GENERAL.—Except as provided in subsection
6 (b), this title, and the amendments made by this title, shall
7 take effect—

8 (1) on March 1, 1997; or

9 (2) on such earlier date as the President shall
10 determine to be appropriate and announce by notice
11 published in the Federal Register, which date may
12 be not earlier than 60 calendar days (excluding any
13 day on which either House of Congress is not in ses-
14 sion because of an adjournment sine die) after the
15 President has submitted a reorganization plan to the
16 appropriate congressional committees pursuant to
17 section 421.

18 (b) REORGANIZATION PLAN.—Section 421 shall take
19 effect on the date of enactment of this Act.

20 **SEC. 402. REFERENCES IN TITLE.**

21 Except as specifically provided in this title, whenever
22 in this title an amendment or repeal is expressed in terms
23 of an amendment to, or repeal of, a provision, the ref-
24 erence shall be considered to be made to a provision of
25 the Foreign Assistance Act of 1961.

1 **CHAPTER 2—ABOLITION OF THE AGENCY**
2 **FOR INTERNATIONAL DEVELOPMENT**
3 **AND TRANSFER OF FUNCTIONS TO**
4 **SECRETARY OF STATE**

5 **SEC. 411. ABOLITION OF AGENCY FOR INTERNATIONAL DE-**
6 **VELOPMENT AND THE INTERNATIONAL DE-**
7 **VELOPMENT COOPERATION AGENCY.**

8 The Agency for International Development and the
9 International Development Cooperation Agency are abol-
10 ished.

11 **SEC. 412. TRANSFER OF FUNCTIONS TO SECRETARY OF**
12 **STATE.**

13 There are transferred to the Secretary of State all
14 functions of the Administrator of the Agency for Inter-
15 national Development and the Director of the Inter-
16 national Development Cooperation Agency and all func-
17 tions of the Agency for International Development and the
18 International Development Cooperation Agency and any
19 officer or component of such agencies under any statute,
20 reorganization plan, Executive order, or other provision of
21 law before the effective date of this title, except as other-
22 wise provided in this title.

1 **CHAPTER 3—REORGANIZATION OF DE-**
2 **PARTMENT OF STATE RELATING TO**
3 **FUNCTIONS TRANSFERRED UNDER**
4 **THIS TITLE**

5 **SEC. 421. REORGANIZATION PLAN.**

6 (a) SUBMISSION OF PLAN.—Not later than March 1,
7 1996, the President, in consultation with the Secretary
8 and the Administrator of the Agency for International De-
9 velopment, shall transmit to the appropriate congressional
10 committees a reorganization plan providing for—

11 (1) the abolition of the Agency for International
12 Development in accordance with this title;

13 (2) the transfer to the Department of State of
14 the functions and personnel of the Agency for Inter-
15 national Development consistent with the provisions
16 of this title; and

17 (3) the consolidation, reorganization, and
18 streamlining of the Department upon the transfer of
19 functions under this title in order to carry out such
20 functions.

21 (b) PLAN ELEMENTS.—The plan under subsection
22 (a) shall—

23 (1) identify the functions of the Agency for
24 International Development that will be transferred
25 to the Department under the plan;

1 (2) identify the personnel and positions of the
2 Agency (including civil service personnel, Foreign
3 Service personnel, and detailees) that will be trans-
4 ferred to the Department, separated from service
5 with the Agency, or be eliminated under the plan,
6 and set forth a schedule for such transfers, separa-
7 tions, and terminations;

8 (3) identify the personnel and positions of the
9 Department (including civil service personnel, For-
10 eign Service personnel, and detailees) that will be
11 transferred within the Department, separated from
12 service with the Department, or eliminated under
13 the plan, and set forth a schedule for such transfers,
14 separations, and terminations;

15 (4) specify the consolidations and reorganiza-
16 tion of functions of the Department that will be re-
17 quired under the plan in order to permit the Depart-
18 ment to carry out the functions transferred to the
19 Department under the plan;

20 (5) specify the funds available to the Agency for
21 International Development that will be transferred
22 to the Department under this title as a result of the
23 transfer of functions of the Agency to the Depart-
24 ment;

1 (6) specify the proposed allocations within the
2 Department of unexpended funds transferred in con-
3 nection with the transfer of functions under the
4 plan; and

5 (7) specify the proposed disposition of the prop-
6 erty, facilities, contracts, records, and other assets
7 and liabilities of the Agency in connection with the
8 transfer of the functions of the Agency to the De-
9 partment.

10 (c) ASSISTANT SECRETARY POSITIONS.—The plan
11 under subsection (a) shall provide for an appropriate num-
12 ber of Assistant Secretaries of State to carry out the func-
13 tions transferred to the Department under this title.

14 **SEC. 422. PRINCIPAL OFFICERS.**

15 (a) UNDER SECRETARY OF STATE FOR DEVELOP-
16 MENT, TRADE PROMOTION, AND ECONOMIC AFFAIRS.—

17 (1) ESTABLISHMENT.—Section 1(b) of the
18 State Department Basic Authorities Act of 1956 (22
19 U.S.C. 2651a(b)) is amended by adding after para-
20 graph (3) the following new paragraph:

21 “(4) UNDER SECRETARY FOR DEVELOPMENT,
22 TRADE PROMOTION, AND ECONOMIC AFFAIRS.—
23 There shall be in the Department of State an Under
24 Secretary for Development, Trade Promotion, and
25 Economic Affairs who shall assist the Secretary and

1 the Deputy Secretary in the formation and imple-
2 mentation of United States policies and activities
3 concerning international development, trade pro-
4 motion, and economic affairs.”.

5 (b) TRANSITION PROVISION.—The President may ap-
6 point the individual serving as Administrator of the Agen-
7 cy for International Development on the day before the
8 effective date of this title, or such other official appointed
9 by and with the advice and consent of the Senate and serv-
10 ing within the Department of State or the Agency for
11 International Development as the President considers ap-
12 propriate, to serve as the acting Under Secretary for De-
13 velopment, Trade Promotion, and Economic Affairs until
14 an individual is appointed to that office in accordance with
15 section 1(b)(1) of the State Department Basic Authorities
16 Act of 1956, as amended by this Act.

17 **SEC. 423. INTERNATIONAL DEVELOPMENT FOUNDATION.**

18 (a) ESTABLISHMENT.—There shall be within the De-
19 partment of State an International Development Founda-
20 tion (hereafter in this title referred to as the “Founda-
21 tion”).

22 (b) PRESIDENT AND CHIEF EXECUTIVE OFFICER.—
23 The Foundation shall be headed by the Under Secretary
24 of State for Development, Trade Promotion, and Eco-
25 nomic Affairs, who shall be the President and Chief Exec-

1 utive Officer of the Foundation. The President and Chief
2 Executive Officer shall be responsible, and shall report,
3 directly to the Secretary.

4 (c) FUNCTIONS.—All development functions under
5 the Foreign Assistance Act of 1961 of the Department
6 of State shall be carried out through the Foundation.

7 (d) CONDUCT OF DEVELOPMENT PROJECTS.—Under
8 the direction of the Secretary, the President and Chief Ex-
9 ecutive Officer of the Foundation shall consult with the
10 appropriate Assistant Secretaries of State concerning all
11 development projects of the Foundation. A development
12 project of the Foundation may be carried out only with
13 the approval of the appropriate Assistant Secretary of
14 State with regional responsibility for any country involved
15 with the project.

16 **CHAPTER 4—CONFORMING AMENDMENTS**

17 **SEC. 441. REFERENCES.**

18 Any reference in any statute, reorganization plan,
19 Executive order, regulation, agreement, determination, or
20 other official document or proceeding to—

21 (1) the Administrator of the Agency for Inter-
22 national Development, or any other officer or em-
23 ployee of the Agency for International Development
24 shall be deemed to refer to the Secretary of State;

1 (2) the Director or any other officer or em-
2 ployee of the International Development Cooperation
3 Agency (IDCA) shall be deemed to refer to the Sec-
4 retary of State; or

5 (3) the Agency for International Development,
6 AID, the agency primarily responsible for admin-
7 istering part I of the Foreign Assistance Act of
8 1961, or the International Development Cooperation
9 Agency (IDCA) shall be deemed to refer to the De-
10 partment of State.

11 **SEC. 442. ABOLITION OF OFFICE OF INSPECTOR GENERAL**
12 **OF THE AGENCY FOR INTERNATIONAL DE-**
13 **VELOPMENT AND TRANSFER OF FUNCTIONS**
14 **TO OFFICE OF INSPECTOR GENERAL OF THE**
15 **DEPARTMENT OF STATE.**

16 (a) ABOLITION OF OFFICE OF INSPECTOR GENERAL
17 OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.—
18 The Office of Inspector General of the Agency for Inter-
19 national Development is abolished.

20 (b) AMENDMENTS TO THE INSPECTOR GENERAL ACT
21 OF 1978.—The Inspector General Act of 1978 (5 U.S.C.
22 App.) is amended as follows:

23 (1) Section 8A is repealed.

1 (2) Section 11(1) is amended by striking “the
2 Administrator of the Agency for International Devel-
3 opment,”.

4 (3) Section 11(2) is amended by striking “the
5 Agency for International Development,”.

6 (c) AMENDMENTS TO TITLE 5, UNITED STATES
7 CODE.—Section 5315 of title 5, United States Code, is
8 amended by striking the following:

9 “Inspector General, Agency for International
10 Development.”.

11 (d) FUNCTIONS OF OFFICE OF INSPECTOR GENERAL
12 OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT
13 TRANSFERRED TO OFFICE OF INSPECTOR GENERAL OF
14 THE DEPARTMENT OF STATE.—There are transferred to
15 the Office of Inspector General of the Department of State
16 the functions that the Office of Inspector General of the
17 Agency for International Development exercised before the
18 effective date of this title (including all related functions
19 of the Inspector General of the Agency for International
20 Development).

21 (e) TRANSFER AND ALLOCATIONS OF APPROPRIA-
22 TIONS AND PERSONNEL.—The Inspector General of the
23 Department of State, is authorized to make such inciden-
24 tal dispositions of personnel, assets, liabilities, grants, con-
25 tracts, property, records, and unexpended balances of ap-

1 appropriations, authorizations, allocations, and other funds
2 held, used, arising from, available to, or to be made avail-
3 able in connection with such functions, as may be nec-
4 essary to carry out the provisions of this section.

5 **SEC. 443. ABOLITION OF CHIEF FINANCIAL OFFICER OF**
6 **THE AGENCY FOR INTERNATIONAL DEVELOP-**
7 **MENT AND TRANSFER OF FUNCTIONS TO**
8 **CHIEF FINANCIAL OFFICER DEPARTMENT OF**
9 **STATE.**

10 (a) ABOLITION OF OFFICE OF CHIEF FINANCIAL OF-
11 FICER OF THE AGENCY FOR INTERNATIONAL DEVELOP-
12 MENT.—The Office of Chief Financial Officer of the Agen-
13 cy for International Development is abolished.

14 (b) AMENDMENT TO TITLE 31, UNITED STATES
15 CODE.—Section 901(b)(2) of title 31, United States Code,
16 is amended by striking subparagraph (A).

17 (c) FUNCTIONS OF OFFICE OF CHIEF FINANCIAL
18 OFFICER OF THE AGENCY FOR INTERNATIONAL DEVEL-
19 OPMENT TRANSFERRED TO OFFICE OF CHIEF FINANCIAL
20 OFFICER OF THE DEPARTMENT OF STATE.—There are
21 transferred to the Office of Chief Financial Officer of the
22 Department of State the functions that the Office of Chief
23 Financial Officer of the Agency for International Develop-
24 ment exercised before the effective date of this title (in-

1 cluding all related functions of the Chief Financial Officer
2 of the Agency for International Development).

3 (d) TRANSFER AND ALLOCATIONS OF APPROPRIA-
4 TIONS AND PERSONNEL.—The Director of the Office of
5 Management and Budget, in consultation with the Sec-
6 retary of State, is authorized to make such incidental dis-
7 positions of personnel, assets, liabilities, grants, contracts,
8 property, records, and unexpended balances of appropria-
9 tions, authorizations, allocations, and other funds held,
10 used, arising from, available to, or to be made available
11 in connection with such functions, as may be necessary
12 to carry out the provisions of this section.

13 **SEC. 444. AMENDMENTS TO TITLE 5, UNITED STATES CODE.**

14 Title 5, United States Code, is amended—

15 (1) in section 5313, by striking “Administrator,
16 Agency for International Development.”;

17 (2) in section 5314, by striking “Deputy Ad-
18 ministrator, Agency for International Develop-
19 ment.”;

20 (3) in section 5315—

21 (A) by striking “Assistant Administrators,
22 Agency for International Development (6).”;

23 and

1 (B) by striking “Regional Assistant Ad-
2 ministrators, Agency for International Develop-
3 ment (4).”; and

4 (4) in section 5316 by striking “General Coun-
5 sel of the Agency for International Development.”.

6 **SEC. 445. PUBLIC LAW 480 PROGRAM.**

7 The Agricultural Trade Development and Assistance
8 Act of 1954 (Public Law 83–480; 7 U.S.C. 1691 et seq.)
9 is amended by striking “Administrator” each place it ap-
10 pears and inserting “Secretary of State”.

11 **TITLE V—TRANSITION**

12 **SEC. 501. REORGANIZATION AUTHORITY.**

13 (a) IN GENERAL.—The Secretary is authorized, sub-
14 ject to the requirements of this division, to allocate or re-
15 allocate any function transferred to the Department under
16 any title of this division among the officers of the Depart-
17 ment, and to establish, consolidate, alter, or discontinue
18 such organizational entities within the Department as may
19 be necessary or appropriate to carry out any reorganiza-
20 tion under this division, but the authority of the Secretary
21 under this section does not extend to—

22 (1) the abolition of organizational entities or of-
23 ficers established by this Act or any other Act; or

1 (2) the alteration of the delegation of functions
2 to any specific organizational entity or officer re-
3 quired by this Act or any other Act.

4 (b) REQUIREMENTS AND LIMITATIONS ON REORGA-
5 NIZATION PLANS.—A reorganization plan pursuant to any
6 title of this division may not have the effect of—

7 (1) creating a new executive department;

8 (2) continuing a function beyond the period au-
9 thorized by law for its exercise or beyond the time
10 when it would have terminated if the reorganization
11 had not been made;

12 (3) authorizing an agency to exercise a function
13 which is not authorized by law at the time the plan
14 is transmitted to Congress;

15 (4) creating a new agency which is not a com-
16 ponent or part of an existing executive department
17 or independent agency; or

18 (5) increasing the term of an office beyond that
19 provided by law for the office.

20 **SEC. 502. TRANSFER AND ALLOCATION OF APPROPRIA-**
21 **TIONS AND PERSONNEL.**

22 (a) IN GENERAL.—Except as otherwise provided in
23 this Act, the personnel employed in connection with, and
24 the assets, liabilities, contracts, property, records, and un-
25 expended balance of appropriations, authorizations, alloca-

1 tions, and other funds employed, held, used, arising from,
2 available to, or to be made available in connection with
3 the functions and offices, or portions thereof transferred
4 by any title of this division, subject to section 1531 of title
5 31, United States Code, shall be transferred to the Sec-
6 retary for appropriate allocation.

7 (b) LIMITATION ON USE OF TRANSFERRED
8 FUNDS.—Unexpended and unobligated funds transferred
9 pursuant to any title of this division shall be used only
10 for the purposes for which the funds were originally au-
11 thorized and appropriated.

12 (c) AUTHORIZED STRENGTH OF THE FOREIGN SERV-
13 ICE.—When an agency is abolished under this division, the
14 limitations for fiscal years 1996 and 1997 under section
15 2351 of this Act on the members of the Foreign Service
16 authorized to be employed by such agency shall be added
17 to the limitations under such section which apply to the
18 Department of State.

19 **SEC. 503. INCIDENTAL TRANSFERS.**

20 The Director of the Office of Management and Budg-
21 et, in consultation with the Secretary of State, is author-
22 ized to make such incidental dispositions of personnel, as-
23 sets, liabilities, grants, contracts, property, records, and
24 unexpended balances of appropriations, authorizations, al-
25 locations, and other funds held, used, arising from, avail-

1 able to, or to be made available in connection with such
2 functions, as may be necessary to carry out the provisions
3 of any title of this division. The Director of the Office of
4 Management and Budget, in consultation with the Sec-
5 retary of State, shall provide for the termination of the
6 affairs of all entities terminated by this division and for
7 such further measures and dispositions as may be nec-
8 essary to effectuate the purposes of any title of this divi-
9 sion.

10 **SEC. 504. EFFECT ON PERSONNEL.**

11 (a) EXECUTIVE SCHEDULE POSITIONS.—Except as
12 otherwise provided in this division, any person who, on the
13 day preceding the date of the abolition of an agency the
14 functions of which are transferred under any title of this
15 division, held a position compensated in accordance with
16 the Executive Schedule prescribed in chapter 53 of title
17 5, United States Code, and who, without a break in serv-
18 ice, is appointed in the Department to a position having
19 duties comparable to the duties performed immediately
20 preceding such appointment shall continue to be com-
21 pensated in such new position at not less than the rate
22 provided for such previous position, for the duration of
23 the service of such person in such new position.

24 (b) TERMINATION OF CERTAIN POSITIONS.—Posi-
25 tions whose incumbents are appointed by the President,

1 by and with the advice and consent of the Senate, the
2 functions of which are transferred by any title of this divi-
3 sion, shall terminate on the effective date of that title.

4 (c) EXCEPTED SERVICE.—(1) Subject to paragraph
5 (2), in the case of employees occupying positions in the
6 excepted service or the Senior Executive Service, any ap-
7 pointment authority established pursuant to law or regula-
8 tions of the Office of Personnel Management for filling
9 such positions shall be transferred.

10 (2) The Department of State may decline a transfer
11 of authority under paragraph (1) (and the employees ap-
12 pointed pursuant thereto) to the extent that such author-
13 ity relates to positions excepted from the competitive serv-
14 ice because of their confidential, policy-making, policy-de-
15 termining, or policy-advocating character, and noncareer
16 positions in the Senior Executive Service (within the
17 meaning of section 3132(a)(7) of title 5, United States
18 Code).

19 (d) EMPLOYEE BENEFIT PROGRAMS.—(1) Any em-
20 ployee accepting employment with the Department of
21 State as a result of a transfer pursuant to any title of
22 this division may retain for 1 year after the date such
23 transfer occurs membership in any employee benefit pro-
24 gram of the former agency, including insurance, to which

1 such employee belongs on the date of the enactment of
2 this Act if—

3 (A) the employee does not elect to give up the
4 benefit or membership in the program; and

5 (B) the benefit or program is continued by the
6 Secretary of State.

7 (2) The difference in the costs between the benefits
8 which would have been provided by such agency or entity
9 and those provided by this section shall be paid by the
10 Secretary of State. If any employee elects to give up mem-
11 bership in a health insurance program or the health insur-
12 ance program is not continued by the Secretary of State,
13 the employee shall be permitted to select an alternate Fed-
14 eral health insurance program within 30 days of such elec-
15 tion or notice, without regard to any other regularly sched-
16 uled open season.

17 (e) SENIOR EXECUTIVE SERVICE.—Any employee in
18 the career Senior Executive Service who is transferred
19 pursuant to any title of this division shall be placed in
20 a position at the Department of State which is comparable
21 to the position the employee held in the agency.

22 (f) ASSIGNMENTS.—(1) Transferring employees shall
23 be provided reasonable notice of new positions and assign-
24 ments prior to their transfer pursuant to any title of this
25 division.

1 (2) Foreign Service personnel transferred to the De-
2 partment of State pursuant to any title of this division
3 shall be eligible for any assignment open to Foreign Serv-
4 ice personnel within the Department for which such trans-
5 ferred personnel are qualified.

6 (g) TREATMENT OF PERSONNEL EMPLOYED IN TER-
7 MINATED FUNCTIONS.—The provisions of this subsection
8 shall apply with respect to officers and employees of the
9 agencies identified in section 505(b) whose employment is
10 terminated as a result of the abolition of the agency or
11 the reorganization and consolidation of functions of the
12 Department of State under any title of this division:

13 (1) Under such regulations as the Office of Per-
14 sonnel Management may prescribe, the head of any
15 agency in the executive branch may appoint in the
16 competitive service any person who is certified by
17 the head of the former agency as having served sat-
18 isfactorily in the former agency and who passes such
19 examination as the Office of Personnel Management
20 may prescribe. Any person so appointed shall, upon
21 completion of the prescribed probationary period, ac-
22 quire a competitive status.

23 (2) The head of any agency in the executive
24 branch having an established merit system in the ex-
25 cepted service may appoint in such service any per-

1 son who is certified by the head of the former agen-
2 cy as having served satisfactorily in the former agen-
3 cy and who passes such examination as the head of
4 such agency in the executive branch may prescribe.

5 (3) Any appointment under this subsection
6 shall be made within a period of one year after com-
7 pletion of the appointee's service in the former
8 agency.

9 (4) Any law, Executive order, or regulation
10 which would disqualify an applicant for appointment
11 in the competitive service or in the excepted service
12 concerned shall also disqualify an applicant for ap-
13 pointment under this subsection.

14 **SEC. 505. VOLUNTARY SEPARATION INCENTIVES.**

15 (a) **AUTHORITY TO PAY INCENTIVES.**—The head of
16 an agency referred to in subsection (b) may pay voluntary
17 incentive payments to employees of the agency in order
18 to avoid or minimize the need for involuntary separations
19 from the agency as a result of the abolition of the agency
20 and the reorganization and consolidation of functions of
21 the Department of State under any title of this division.

22 (b) **COVERED AGENCIES.**—Subsection (a) applies to
23 the following agencies:

24 (1) The Department of State.

1 (2) The United States Arms Control and Disar-
2 mament Agency.

3 (3) The United States Information Agency.

4 (4) The Agency for International Development.

5 (c) PAYMENT REQUIREMENTS.—The head of an
6 agency shall pay voluntary separation incentive payments
7 in accordance with the provisions of section 3 of the Fed-
8 eral Workforce Restructuring Act of 1994 (Public Law
9 103–226; 108 Stat. 111), except that an employee of the
10 agency shall be deemed to be eligible for payment of a
11 voluntary separation incentive payment under that section
12 if the employee separates from service with the agency
13 during the period beginning on the date of enactment of
14 this Act and ending—

15 (1) in the case of an agency referred to in para-
16 graph (2), (3), or (4) of subsection (b), on the date
17 of the abolition of that agency under this division;
18 and

19 (2) in the case of the Department of State, on
20 March 1, 1997.

21 (d) TERMINATION OF AUTHORITY.—The authority of
22 the head of an agency to authorize payment of voluntary
23 separation incentive payments under this section shall ex-
24 pire on—

1 (1) in the case of an agency referred to in para-
2 graph (2), (3), or (4) of subsection (b), on the date
3 of the abolition of that agency under this division;
4 and

5 (3) in the case of the Department of State,
6 March 1, 1997.

7 (e) BUDGET ACT COMPLIANCE.—Any new spending
8 authority (within the meaning of section 401 of the Con-
9 gressional Budget Act of 1974) which is provided under
10 this section shall be effective for any fiscal year only to
11 the extent or in such amounts as are provided in advance
12 in appropriations Acts.

13 **SEC. 506. SAVINGS PROVISIONS.**

14 (a) CONTINUING LEGAL FORCE AND EFFECT.—All
15 orders, determinations, rules, regulations, permits, agree-
16 ments, grants, contracts, certificates, licenses, registra-
17 tions, privileges, and other administrative actions—

18 (1) that have been issued, made, granted, or al-
19 lowed to become effective by the President, any Fed-
20 eral agency or official thereof, or by a court of com-
21 petent jurisdiction, in the performance of functions
22 that are transferred under any title of this division;
23 and

24 (2) that are in effect at the time such title
25 takes effect, or were final before the effective date

1 of such title and are to become effective on or after
2 the effective date of such title,
3 shall continue in effect according to their terms until
4 modified, terminated, superseded, set aside, or revoked in
5 accordance with law by the President, the Secretary, or
6 other authorized official, a court of competent jurisdiction,
7 or by operation of law.

8 (b) PENDING PROCEEDINGS.—(1) The provisions of
9 any title of this division shall not affect any proceedings,
10 including notices of proposed rulemaking, or any applica-
11 tion for any license, permit, certificate, or financial assist-
12 ance pending on the effective date of any title of this divi-
13 sion before any department, agency, commission, or com-
14 ponent thereof, functions of which are transferred by any
15 title of this division. Such proceedings and applications,
16 to the extent that they relate to functions so transferred,
17 shall be continued.

18 (2) Orders shall be issued in such proceedings, ap-
19 peals shall be taken therefrom, and payments shall be
20 made pursuant to such orders, as if this Act had not been
21 enacted. Orders issued in any such proceedings shall con-
22 tinue in effect until modified, terminated, superseded, or
23 revoked by the Secretary, by a court of competent jurisdic-
24 tion, or by operation of law.

1 (3) Nothing in this Act shall be deemed to prohibit
2 the discontinuance or modification of any such proceeding
3 under the same terms and conditions and to the same ex-
4 tent that such proceeding could have been discontinued
5 or modified if this Act had not been enacted.

6 (4) The Secretary is authorized to promulgate regula-
7 tions providing for the orderly transfer of proceedings con-
8 tinued under this subsection to the Department.

9 (c) NO EFFECT ON JUDICIAL PROCEEDINGS.—Ex-
10 cept as provided in subsection (e)—

11 (1) the provisions of this Act shall not affect
12 suits commenced prior to the effective date of this
13 Act, and

14 (2) in all such suits, proceedings shall be had,
15 appeals taken, and judgments rendered in the same
16 manner and effect as if this Act had not been en-
17 acted.

18 (d) NON-ABATEMENT OF PROCEEDINGS.—No suit,
19 action, or other proceeding commenced by or against any
20 officer in the official capacity of such individual as an offi-
21 cer of any department or agency, functions of which are
22 transferred by any title of this division, shall abate by rea-
23 son of the enactment of this Act. No cause of action by
24 or against any department or agency, functions of which
25 are transferred by any title of this division, or by or

1 against any officer thereof in the official capacity of such
2 officer shall abate by reason of the enactment of this Act.

3 (e) CONTINUATION OF PROCEEDING WITH SUBSTI-
4 TUTION OF PARTIES.—If, before the date on which any
5 title of this division takes effect, any department or agen-
6 cy, or officer thereof in the official capacity of such officer,
7 is a party to a suit, and under this Act any function of
8 such department, agency, or officer is transferred to the
9 Secretary or any other official of the Department, then
10 such suit shall be continued with the Secretary or other
11 appropriate official of the Department substituted or
12 added as a party.

13 (f) REVIEWABILITY OF ORDERS AND ACTIONS
14 UNDER TRANSFERRED FUNCTIONS.—Orders and actions
15 of the Secretary in the exercise of functions transferred
16 under any title of this division shall be subject to judicial
17 review to the same extent and in the same manner as if
18 such orders and actions had been by the agency or office,
19 or part thereof, exercising such functions immediately pre-
20 ceding their transfer. Any statutory requirements relating
21 to notice, hearings, action upon the record, or administra-
22 tive review that apply to any function transferred by any
23 title of this division shall apply to the exercise of such
24 function by the Secretary.

1 **SEC. 507. PROPERTY AND FACILITIES.**

2 The Secretary of State shall review the property and
3 facilities transferred to the Department under this division
4 to determine whether such property and facilities are re-
5 quired by the Department.

6 **SEC. 508. AUTHORITY OF SECRETARY TO FACILITATE**
7 **TRANSITION.**

8 Prior to, or after, any transfer of a function under
9 any title of this division, the Secretary is authorized to
10 utilize—

11 (1) the services of such officers, employees, and
12 other personnel of an agency with respect to func-
13 tions that will be or have been transferred to the De-
14 partment by any title of this division; and

15 (2) funds appropriated to such functions for
16 such period of time as may reasonably be needed to
17 facilitate the orderly implementation of any title of
18 this division.

19 **SEC. 509. RECOMMENDATIONS FOR ADDITIONAL CON-**
20 **FORMING AMENDMENTS.**

21 The Congress urges the President, in consultation
22 with the Secretary of State and the heads of other appro-
23 priate agencies, to develop and submit to the Congress rec-
24 ommendations for such additional technical and conform-
25 ing amendments to the laws of the United States as may

1 be appropriate to reflect the changes made by this divi-
 2 sion.

3 **SEC. 510. FINAL REPORT.**

4 Not later than October 1, 1998, the President, in
 5 consultation with the Secretary of the Treasury and the
 6 Director of the Office of Management and Budget shall
 7 submit to the appropriate congressional committees a re-
 8 port which provides a final accounting of the finances and
 9 operations of the United States Arms Control and Disar-
 10 mament Agency, the United States Information Agency,
 11 and the Agency for International Development.

12 **SEC. 511. SEVERABILITY.**

13 If a provision of this division or its application to any
 14 person or circumstance is held invalid, neither the remain-
 15 der of this division nor the application of the provision
 16 to other persons or circumstances shall be affected.

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