

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4899

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26 (legislative day, SEPTEMBER 22), 2000

Received; read twice and referred to the Committee on Foreign Relations

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## AN ACT

To establish a commission to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Asia-Pacific region through the promotion of democracy, human rights, the rule of law, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Pacific Charter Com-  
5 mission Act of 2000”.

6 **SEC. 2. PURPOSES.**

7        The purposes of this Act are—

8            (1) to promote a consistent and coordinated  
9            foreign policy of the United States to ensure eco-  
10            nomic and military security in the Asia-Pacific re-  
11            gion;

12            (2) to support democratization, the rule of law,  
13            and human rights in the Asia-Pacific region;

14            (3) to promote United States exports to the  
15            Asia-Pacific region by advancing economic coopera-  
16            tion;

17            (4) to combat terrorism and the spread of illicit  
18            narcotics in the Asia-Pacific region; and

19            (5) to advocate an active role for the United  
20            States Government in diplomacy, security, and the  
21            furtherance of good governance and the rule of law  
22            in the Asia-Pacific region.

1 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

2       There is established a commission to be known as the  
3 Pacific Charter Commission (hereafter in this Act referred  
4 to as the “Commission”).

5 **SEC. 4. DUTIES OF COMMISSION.**

6       (a) DUTIES.—The Commission shall establish and  
7 carry out, either directly or through nongovernmental or-  
8 ganizations, programs, projects, and activities to achieve  
9 the purposes described in section 2, including research and  
10 educational or legislative exchanges between the United  
11 States and countries in the Asia-Pacific region.

12       (b) MONITORING OF DEVELOPMENTS.—The Com-  
13 mission shall monitor developments in countries of the  
14 Asia-Pacific region with respect to United States foreign  
15 policy toward such countries, the status of democratiza-  
16 tion, the rule of law and human rights in the region, eco-  
17 nomic relations among the United States and such coun-  
18 tries, and activities related to terrorism and the illicit nar-  
19 cotics trade.

20       (c) POLICY REVIEW AND RECOMMENDATIONS.—In  
21 carrying out this section, the Commission shall evaluate  
22 United States Government policies toward countries of the  
23 Asia-Pacific region and recommend options for policies of  
24 the United States Government with respect to such coun-  
25 tries, with a particular emphasis on countries that are of

1 importance to the foreign policy, economic, and military  
2 interests of the United States.

3 (d) CONTACTS WITH OTHER ENTITIES.—In per-  
4 forming the functions described in subsections (a) through  
5 (c), the Commission shall, as appropriate, seek out and  
6 maintain contacts with nongovernmental organizations,  
7 international organizations, and representatives of indus-  
8 try, including receiving reports and updates from such or-  
9 ganizations and evaluating such reports.

10 (e) ANNUAL REPORT.—Not later than 18 months  
11 after the date of the enactment of this Act, and not later  
12 than the end of each 12-month period thereafter, the Com-  
13 mission shall prepare and submit to the President and the  
14 Congress a report that contains the findings of the Com-  
15 mission during the preceding 12-month period. Each such  
16 report shall contain—

17 (1) recommendations for legislative, executive,  
18 or other actions resulting from the evaluation of  
19 policies described in subsection (c);

20 (2) a description of programs, projects, and ac-  
21 tivities of the Commission for the prior year; and

22 (3) a complete accounting of the expenditures  
23 made by the Commission during the prior year.

24 (f) CONGRESSIONAL HEARINGS ON ANNUAL RE-  
25 PORT.—The Committee on International Relations of the

1 House of Representatives and the Committee on Foreign  
2 Relations of the Senate, shall, not later than 45 days after  
3 the receipt by the Congress of the report referred to in  
4 subsection (c), hold hearings on the report, including any  
5 recommendations contained therein.

6 (g) ADVISORY COMMITTEES.—The Commission may  
7 establish such advisory committees as the Commission de-  
8 termines to be necessary to advise the Commission on pol-  
9 icy matters relating to the Asia-Pacific region and to oth-  
10 erwise carry out this Act.

11 **SEC. 5. MEMBERSHIP OF COMMISSION.**

12 (a) COMPOSITION.—The Commission shall be com-  
13 posed of seven members all of whom—

14 (1) shall be citizens of the United States who  
15 are not officers or employees of any government, ex-  
16 cept to the extent they are considered such officers  
17 or employees by virtue of their membership on the  
18 Commission; and

19 (2) shall have interest and expertise in issues  
20 relating to the Asia-Pacific region.

21 (b) APPOINTMENT.—

22 (1) IN GENERAL.—The individuals referred to  
23 in subsection (a) shall be appointed—

24 (A) by the President, after consultation  
25 with the Speaker and Minority Leader of the

1 House of Representatives, the Chairman and  
2 ranking member of the Committee on Inter-  
3 national Relations of the House of Representa-  
4 tives, the Majority Leader and Minority Leader  
5 of the Senate, and the Chairman and ranking  
6 member of the Committee on Foreign Relations  
7 of the Senate; and

8 (B) by and with the advice and consent of  
9 the Senate.

10 (2) POLITICAL AFFILIATION.—Not more than  
11 four of the individuals appointed under paragraph  
12 (1) may be affiliated with the same political party.

13 (c) TERM.—Each member of the Commission shall  
14 be appointed for a term of 6 years.

15 (d) VACANCIES.—A vacancy in the Commission shall  
16 be filled in the same manner in which the original appoint-  
17 ment was made.

18 (e) CHAIRPERSON; VICE CHAIRPERSON.—The Presi-  
19 dent shall designate a Chairperson and Vice Chairperson  
20 of the Commission from among the members of the Com-  
21 mission.

22 (f) COMPENSATION.—

23 (1) RATES OF PAY.—Except as provided in  
24 paragraph (2), members of the Commission shall  
25 serve without pay.

1           (2) TRAVEL EXPENSES.—Each member of the  
2           Commission may receive travel expenses, including  
3           per diem in lieu of subsistence, in accordance with  
4           sections 5702 and 5703 of title 5, United States  
5           Code.

6           (g) MEETINGS.—The Commission shall meet at the  
7           call of the Chairperson.

8           (h) QUORUM.—A majority of the members of the  
9           Commission shall constitute a quorum, but a lesser num-  
10          ber of members may hold hearings.

11          (i) AFFIRMATIVE DETERMINATIONS.—An affirmative  
12          vote by a majority of the members of the Commission shall  
13          be required for any affirmative determination by the Com-  
14          mission under section 4.

15          **SEC. 6. POWERS OF COMMISSION.**

16          (a) HEARINGS AND INVESTIGATIONS.—The Commis-  
17          sion may hold such hearings, sit and act at such times  
18          and places, take such testimony and receive such evidence,  
19          and conduct such investigations as the Commission con-  
20          siders advisable to carry out this Act.

21          (b) INFORMATION FROM FEDERAL AGENCIES.—The  
22          Commission may secure directly from any Federal depart-  
23          ment or agency such information as the Commission con-  
24          siders necessary to carry out this Act. Upon request of  
25          the Chairperson of the Commission, the head of any such

1 department agency shall furnish such information to the  
2 Commission as expeditiously as possible.

3 (c) CONTRIBUTIONS.—The Commission may accept,  
4 use, and dispose of gifts, bequests, or devises of services  
5 or property, both real and personal, for the purpose of  
6 assisting or facilitating the work of the Commission. Gifts,  
7 bequests, or devises of money and proceeds from sales of  
8 other property received as gifts, bequests, or devises shall  
9 be deposited in the Treasury and shall be available for  
10 disbursement upon order of the Commission.

11 (d) MAILS.—The Commission may use the United  
12 States mails in the same manner and under the same con-  
13 ditions as other departments and agencies of the United  
14 States.

15 **SEC. 7. STAFF AND SUPPORT SERVICES OF COMMISSION.**

16 (a) EXECUTIVE DIRECTOR.—The Commission shall  
17 have an executive director appointed by the Commission  
18 after consultation with the Speaker and Minority Leader  
19 of the House of Representatives and the Majority Leader  
20 and Minority Leader of the Senate. The executive director  
21 shall serve the Commission under such terms and condi-  
22 tions as the Commission determines to be appropriate.

23 (b) STAFF.—The Commission may appoint and fix  
24 the pay of such additional personnel, not to exceed 10 indi-  
25 viduals, as it considers appropriate.

1 (c) STAFF OF FEDERAL AGENCIES.—Upon request  
2 of the chairperson of the Commission, the head of any  
3 Federal agency may detail, on a nonreimbursable basis,  
4 any of the personnel of the agency to the Commission to  
5 assist the Commission in carrying out its duties under this  
6 Act.

7 (d) EXPERTS AND CONSULTANTS.—The chairperson  
8 of the Commission may procure temporary and intermit-  
9 tent services under section 3109(b) of title 5, United  
10 States Code.

11 **SEC. 9. TERMINATION.**

12 The Commission shall terminate not later than 5  
13 years after the date of the enactment of this Act.

14 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) IN GENERAL.—There are authorized to be appro-  
16 priated to carry out this Act \$2,500,000 for each of the  
17 fiscal years 2001 and 2002.

18 (b) AVAILABILITY.—Amounts appropriated pursuant  
19 to the authorization of appropriations under subsection (a)  
20 are authorized to remain available until expended.

21 **SEC. 11. EFFECTIVE DATE.**

22 This Act shall take effect on February 1, 2001.

Passed the House of Representatives September 25,  
2000.

Attest:

JEFF TRANDAHL,

*Clerk.*