

# **The Human Rights, Refugee and Other Foreign Relations Provisions Act**

*Prime Sponsor: Christopher H. Smith (NJ-04)*

**Public Law 104-319**  
**Signed by the President**  
**October 19, 1996**

*Introduced by Mr. Smith as*  
**HR 4036**, September 5, 1996

Public Law 104–319  
104th Congress

An Act

Oct. 19, 1996  
[H.R. 4036]

Making certain provisions with respect to internationally recognized human rights, refugees, and foreign relations.

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

Human Rights,  
Refugee, and  
Other Foreign  
Relations  
Provisions Act of  
1996.  
22 USC 2151  
note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996”.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents of this Act is as follows:

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

TITLE I—FOREIGN RELATIONS PROVISIONS

- Sec. 101. Extension of certain adjudication provisions.
- Sec. 102. Conduct of certain educational and cultural exchange programs.
- Sec. 103. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
- Sec. 104. International Boundary and Water Commission.

TITLE II—FOREIGN ASSISTANCE PROVISIONS

- Sec. 201. Human rights reports.
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TITLE III—CLAIBORNE PELL INSTITUTE FOR INTERNATIONAL RELATIONS  
AND PUBLIC POLICY

- Sec. 301. Short title.
- Sec. 302. Grant authorized.
- Sec. 303. Authorization of appropriations.
- Sec. 304. Effective date.

TITLE IV—GEORGE BUSH SCHOOL OF GOVERNMENT AND PUBLIC  
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- Sec. 401. Short title.
- Sec. 402. Grant authorized.
- Sec. 403. Grant conditions.
- Sec. 404. Appropriations authorized.
- Sec. 405. Effective date.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Edmund S. Muskie Foundation.
- Sec. 502. Calvin Coolidge Memorial Foundation grant.

## TITLE I—FOREIGN RELATIONS PROVISIONS

### SEC. 101. EXTENSION OF CERTAIN ADJUDICATION PROVISIONS.

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking “and 1996” and inserting “1996, and 1997”; and

(B) in subsection (e), by striking out “October 1, 1996” each place it appears and inserting “October 1, 1997”; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking out “September 30, 1996” and inserting “September 30, 1997”.

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

22 USC 2452  
note.

In carrying out programs of educational and cultural exchange in countries whose people do not fully enjoy freedom and democracy (including but not limited to China, Vietnam, Cambodia, Tibet, and Burma), the Director of the United States Information Agency shall take appropriate steps to provide opportunities for participation in such programs to human rights and democracy leaders of such countries.

### SEC. 103. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE.

(a) ESTABLISHMENT OF EDUCATIONAL AND CULTURAL EXCHANGE FOR TIBETANS.—The Director of the United States Information Agency shall establish programs of educational and cultural exchange between the United States and the people of Tibet. Such programs shall include opportunities for training and, as the Director considers appropriate, may include the assignment of personnel and resources abroad.

(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

(1) Subject to the availability of appropriations, for fiscal year 1997 at least 30 scholarships shall be made available to Tibetan students and professionals who are outside Tibet, and at least 15 scholarships shall be made available to Burmese students and professionals who are outside Burma.

(2) WAIVER.—Paragraph (1) shall not apply to the extent that the Director of the United States Information Agency determines that there are not enough qualified students to fulfill such allocation requirement.

(3) SCHOLARSHIP DEFINED.—For the purposes of this section, the term “scholarship” means an amount to be used for full or partial support of tuition and fees to attend an educational institution, and may include fees, books, and supplies, equipment required for courses at an educational institution, living expenses at a United States educational institution, and travel expenses to and from, and within, the United States.

**SEC. 104. INTERNATIONAL BOUNDARY AND WATER COMMISSION.**

The Act of May 13, 1924 (49 Stat. 660, 22 U.S.C. 277-277f), is amended in section 3 (22 U.S.C. 277b) by adding at the end the following new subsection:

“(d) Pursuant to the authority of subsection (a) and in order to facilitate further compliance with the terms of the Convention for Equitable Distribution of the Waters of the Rio Grande, May 21, 1906, United States-Mexico, the Secretary of State, acting through the United States Commissioner of the International Boundary and Water Commission, may make improvements to the Rio Grande Canalization Project, originally authorized by the Act of August 29, 1935 (49 Stat. 961). Such improvements may include all such works as may be needed to stabilize the Rio Grande in the reach between the Percha Diversion Dam in New Mexico and the American Diversion Dam in El Paso.”

## **TITLE II—FOREIGN ASSISTANCE PROVISIONS**

**SEC. 201. HUMAN RIGHTS REPORTS.**

(a) SECTION 116 REPORT.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

- (1) in paragraph (2), by striking “and” at the end;
- (2) by redesignating paragraph (3) as paragraph (5); and
- (3) by inserting after paragraph (2) the following new paragraphs:

“(3) the votes of each member of the United Nations Commission on Human Rights on all country-specific and thematic resolutions voted on at the Commission’s annual session during the period covered during the preceding year;

“(4) the extent to which each country has extended protection to refugees, including the provision of first asylum and resettlement; and”.

(b) SECTION 502B REPORT.—Section 502B(b) of such Act (22 U.S.C. 2304(b)) is amended by adding after the second sentence the following new sentence: “Each report under this section shall list the votes of each member of the United Nations Commission on Human Rights on all country-specific and thematic resolutions voted on at the Commission’s annual session during the period covered during the preceding year.”

**SEC. 202. ASSISTANCE FOR MAURITANIA.**

(a) PROHIBITION.—The President should not provide economic assistance, military assistance or arms transfers to the Government of Mauritania unless the President certifies to the Congress that such Government has taken appropriate action to eliminate chattel slavery in Mauritania, including—

- (1) the enactment of anti-slavery laws that provide appropriate punishment for violators of such laws; and
- (2) the rigorous enforcement of such laws.

(b) DEFINITIONS.—For purposes of this section, the following definitions apply:

- (1) ECONOMIC ASSISTANCE.—The term “economic assistance” means any assistance under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), except that such term does not include humanitarian assistance.

(2) **MILITARY ASSISTANCE OR ARMS TRANSFERS.**—The term “military assistance or arms transfers” means—

(A) assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.; relating to military assistance), including the transfer of excess defense articles under sections 516 through 519 of that Act (22 U.S.C. 2321j through 2321m);

(B) assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training);

(C) assistance under the “Foreign Military Financing Program” under section 23 of the Arms Export Control Act (22 U.S.C. 2763); or

(D) the transfer of defense articles, defense services, or design and construction services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), including defense articles and defense services licensed or approved for export under section 38 of that Act (22 U.S.C. 2778).

### **TITLE III—CLAIBORNE PELL INSTITUTE FOR INTERNATIONAL RELATIONS AND PUBLIC POLICY**

Claiborne Pell  
Institute for  
International  
Relations and  
Public Policy Act.  
Rhode Island.

#### **SEC. 301. SHORT TITLE.**

This title may be cited as the “Claiborne Pell Institute for International Relations and Public Policy Act”.

#### **SEC. 302. GRANT AUTHORIZED.**

In recognition of the public service of Senator Claiborne Pell, the Secretary of Education is authorized to award a grant, in accordance with the provisions of this title, to assist in the establishment and operation of the Claiborne Pell Institute for International Relations and Public Policy, located at Salve Regina University, Newport, Rhode Island, including the purchase and renovation of facilities to house the Institute.

#### **SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated for fiscal year 1997 such sums, not to exceed \$3,000,000, as may be necessary to carry out this title.

#### **SEC. 304. EFFECTIVE DATE.**

This title shall take effect on the date of enactment of this Act.

### **TITLE IV—GEORGE BUSH SCHOOL OF GOVERNMENT AND PUBLIC SERVICE**

George Bush  
School of  
Government and  
Public Service  
Act.  
Texas.

#### **SEC. 401. SHORT TITLE.**

This title may be cited as the “George Bush School of Government and Public Service Act”.

#### **SEC. 402. GRANT AUTHORIZED.**

In recognition of the public service of President George Bush, the Secretary of Education is authorized to make a grant in accord-

ance with the provisions of this Act to assist in the establishment of the George Bush Fellowship Program, located at the George Bush School of Government and Public Service of the Texas A & M University.

**SEC. 403. GRANT CONDITIONS.**

No payment may be made under this title except upon an application at such time, in such manner, and containing or accompanied by such information as the Secretary of Education may require.

**SEC. 404. APPROPRIATIONS AUTHORIZED.**

There are authorized to be appropriated such sums, not to exceed \$3,000,000, as may be necessary to carry out the provisions of this title.

**SEC. 405. EFFECTIVE DATE.**

This title shall take effect on October 1, 1996.

## **TITLE V—MISCELLANEOUS PROVISIONS**

Washington, DC.  
Grants.

**SEC. 501. EDMUND S. MUSKIE FOUNDATION.**

In recognition of the public service of Senator and Secretary of State Edmund S. Muskie, the Secretary of Education is authorized to award a grant in accordance with the provisions of this Act to assist in the establishment of the Edmund S. Muskie Foundation, located in Washington, D.C., by providing assistance to support the Foundation, including assistance to be used for awarding stewardships, supporting the Muskie archives, and supporting the Edmund S. Muskie Institute of Public Affairs.

**SEC. 502. CALVIN COOLIDGE MEMORIAL FOUNDATION GRANT.**

(a) DEFINITIONS.—In this section:

(1) FOUNDATION.—The term “Foundation” means the Calvin Coolidge Memorial Foundation.

(2) SECRETARY.—The term “Secretary” means the Secretary of Education.

(b) GRANT AUTHORIZED.—The Secretary is authorized to make a grant in the amount of \$1,000,000 in accordance with the provisions of this section to the Foundation.

(c) GRANT CONDITIONS.—

(1) APPLICATION.—No payment may be made under this section except upon an application at such time, in such manner, and containing or accompanied by such information as the Secretary may require.

(2) USE OF GRANT FUNDS.—Funds received under this section may be used for any of the following purposes:

(A) To increase the endowment of the Foundation.

(B) To conduct educational, archival, or preservation activities of the Foundation.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary \$1,000,000, without fiscal year limitation, to carry out the provisions of this section.

(e) EFFECTIVE DATE.—This section shall take effect on October 1, 1996.

Approved October 19, 1996.

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LEGISLATIVE HISTORY—H.R. 4036:

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 25, considered and passed House.

Oct. 3, considered and passed Senate, amended.

Oct. 4, House concurred in Senate amendments.

