

which the contract is to be performed shall not be deemed a limitation of access for purposes of this section.

"(2) For purposes of determining competitive status, bids qualifying under subsection (a)(1) shall be reduced by 10 per centum.

"(3) A determination of adequacy of competition for purposes of subsection (a) shall be made after advance publication by the Secretary of State of the proposed project, and receipt from not less than two prospective responsible bidders of intent to submit a bid or proposal. If competition is not determined to be adequate, contracts may be awarded without regard to subsection (a) and this subsection.

"(4) Bidder qualification under subsection (a) shall be determined on the basis of nationality of ownership, the burden of which shall be on the prospective bidder. Qualification under subsection (a)(1) shall require evidence of (A) performance of similar construction work in the United States, and (B) either (i) ownership in excess of fifty percent by United States citizens or permanent residents, or (ii) incorporation in the United States for more than three years and employment of United States citizens or permanent residents in more than half of the corporation's permanent full-time professional and managerial positions in the United States.

"(5) Qualification under this section shall be established on the basis of determinations at the time bids are requested.

"(c) Contracts for construction, alteration, or repair in the United States for or on behalf of any foreign mission (as defined in section 202(a)(4) of title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4302(a)(4))) may, pursuant to the authority of that title, only be awarded to or performed by bidders qualifying under subsection (a) (1) or (2) or by nationals of the country for which the contract is being performed who are granted the right of entry into the United States for that purpose.

"(d) Determinations under this section shall be committed to the discretion of the Secretary of State.

"(e) This section shall cease to be effective when the Secretary of State determines that there are internationally-agree-upon rules in effect on bidding for construction contracts."

Termination.

UNITED STATES CONSULATES

SEC. 137. Section 103(b) of the Department of State Authorization Act, fiscal years 1982 and 1983 (22 U.S.C. 2656 note) is amended by striking out the period at the end thereof and inserting in lieu thereof the following: ", to the extent such reopening is authorized by the foreign government involved. A report shall be made to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives concerning the extent to which such foreign government authorization has been received, and the progress achieved with respect to the reopening of the specified consulates."

Report to congressional committees.

TITLE II—UNITED STATES INFORMATION AGENCY

SHORT TITLE

SEC. 201. This title may be cited as the "United States Information Agency Authorization Act, Fiscal Years 1984 and 1985".

United States Information Agency Authorization Act, Fiscal Years 1984 and 1985.