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(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To provide for certain authorities of the Department of State, and for other purposes.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Mr. MEEKS introduced the following bill; which was referred to the Committee on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To provide for certain authorities of the Department of State, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Department of State Authorization Act of 2021”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—ORGANIZATION AND OPERATIONS OF THE  
DEPARTMENT OF STATE

- Sec. 1001. Diplomatic Programs.
- Sec. 1002. Sense of Congress on importance of Department of State's work.
- Sec. 1003. Bureau of Democracy, Human Rights, and Labor.
- Sec. 1004. Assistant Secretary for International Narcotics and Law Enforcement Affairs.
- Sec. 1005. Bureau of Consular Affairs; Bureau of Population, Refugees, and Migration.
- Sec. 1006. Office of International Disability Rights.
- Sec. 1007. Anti-piracy information sharing.
- Sec. 1008. Importance of foreign affairs training to national security.
- Sec. 1009. Classification and assignment of Foreign Service officers.
- Sec. 1010. Energy diplomacy and security within the Department of State.
- Sec. 1011. National Museum of American Diplomacy.
- Sec. 1012. Extension of period for reimbursement of fishermen for costs incurred from the illegal seizure and detention of U.S.-flag fishing vessels by foreign governments.
- Sec. 1013. Art in embassies.
- Sec. 1014. Amendment or repeal of reporting requirements.
- Sec. 1015. Reporting on implementation of GAO recommendations.
- Sec. 1016. Office of Global Criminal Justice.

## TITLE II—EMBASSY CONSTRUCTION

- Sec. 1201. Embassy security, construction, and maintenance.
- Sec. 1202. Standard design in capital construction.
- Sec. 1203. Capital construction transparency.
- Sec. 1204. Contractor performance information.
- Sec. 1205. Growth projections for new embassies and consulates.
- Sec. 1206. Long-range planning process.
- Sec. 1207. Value engineering and risk assessment.
- Sec. 1208. Business volume.
- Sec. 1209. Embassy security requests and deficiencies.
- Sec. 1210. Overseas security briefings.
- Sec. 1211. Contracting methods in capital construction.
- Sec. 1212. Competition in embassy construction.
- Sec. 1213. Statement of policy.
- Sec. 1214. Definitions.

## TITLE III—PERSONNEL ISSUES

- Sec. 1301. Defense Base Act insurance waivers.
- Sec. 1302. Study on Foreign Service allowances.
- Sec. 1303. Science and technology fellowships.
- Sec. 1304. Travel for separated families.
- Sec. 1305. Home leave travel for separated families.
- Sec. 1306. Sense of Congress regarding certain fellowship programs.
- Sec. 1307. Technical correction.
- Sec. 1308. Foreign Service awards.
- Sec. 1309. Diplomatic programs.
- Sec. 1310. Sense of Congress regarding veterans employment at the Department of State.
- Sec. 1311. Employee assignment restrictions and preclusions.
- Sec. 1312. Recall and reemployment of career members.

- Sec. 1313. Strategic staffing plan for the Department of State.
- Sec. 1314. Consulting services.
- Sec. 1315. Incentives for critical posts.
- Sec. 1316. Extension of authority for certain accountability review boards.
- Sec. 1317. Foreign Service suspension without pay.
- Sec. 1318. Foreign Affairs Manual and Foreign Affairs Handbook changes.
- Sec. 1319. Waiver authority for individual occupational requirements of certain positions.
- Sec. 1320. Appointment of employees to the Global Engagement Center.
- Sec. 1321. Rest and recuperation and overseas operations leave for Federal employees.
- Sec. 1322. Emergency medical services authority.
- Sec. 1323. Department of State Student Internship Program.
- Sec. 1324. Competitive status for certain employees hired by Inspectors General to support the lead IG mission.
- Sec. 1325. Cooperation with Office of the Inspector General.

#### TITLE IV—A DIVERSE WORKFORCE: RECRUITMENT, RETENTION, AND PROMOTION

- Sec. 1401. Definitions.
- Sec. 1402. Collection, analysis, and dissemination of workforce data.
- Sec. 1403. Exit interviews for workforce.
- Sec. 1404. Recruitment and retention.
- Sec. 1405. Promoting diversity and inclusion in the national security workforce.
- Sec. 1406. Leadership engagement and accountability.
- Sec. 1407. Professional development opportunities and tools.
- Sec. 1408. Examination and oral assessment for the Foreign Service.
- Sec. 1409. Payne fellowship authorization.
- Sec. 1410. Voluntary participation.

#### TITLE V—INFORMATION SECURITY

- Sec. 1501. Definitions.
- Sec. 1502. List of certain telecommunications providers.
- Sec. 1503. Preserving records of electronic communications conducted related to official duties of positions in the public trust of the American people.
- Sec. 1504. Foreign Relations of the United States (FRUS) series and declassification.
- Sec. 1505. Vulnerability Disclosure Policy and Bug Bounty Pilot Program.

#### TITLE VI—PUBLIC DIPLOMACY

- Sec. 1601. Short title.
- Sec. 1602. Avoiding duplication of programs and efforts.
- Sec. 1603. Improving research and evaluation of public diplomacy.
- Sec. 1604. Permanent reauthorization of the United States Advisory Commission on Public Diplomacy.
- Sec. 1605. Streamlining of support functions.
- Sec. 1606. Guidance for closure of public diplomacy facilities.
- Sec. 1607. Definitions.

#### TITLE VII—COMBATING PUBLIC CORRUPTION

- Sec. 1701. Sense of congress.
- Sec. 1702. Annual assessment.

Sec. 1703. Transparency and accountability.

Sec. 1704. Designation of embassy anti-corruption points of contact.

TITLE VIII—OTHER MATTERS

Sec. 1801. Case-Zablocki Act Reform.

Sec. 1802. Limitation on assistance to countries in default.

Sec. 1803. Sean and David Goldman Child Abduction Prevention and Return Act of 2014 amendment.

Sec. 1804. Modification of authorities of Commission for the Preservation of America's Heritage Abroad.

Sec. 1805. Chief of mission concurrence.

Sec. 1806. Report on efforts of the Coronavirus Repatriation Task Force.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
4 TEES.—The term “appropriate congressional com-  
5 mittees” means the Committee on Foreign Affairs of  
6 the House of Representatives and the Committee on  
7 Foreign Relations of the Senate.

8 (2) DEPARTMENT.—If not otherwise specified,  
9 the term “Department” means the Department of  
10 State.

11 (3) SECRETARY.—If not otherwise specified, the  
12 term “Secretary” means the Secretary of State.

13 **TITLE I—ORGANIZATION AND**  
14 **OPERATIONS OF THE DE-**  
15 **PARTMENT OF STATE**

16 **SEC. 1001. DIPLOMATIC PROGRAMS.**

17 For “Diplomatic Programs”, there is authorized to  
18 be appropriated \$9,170,013,000 for fiscal year 2022.

1 **SEC. 1002. SENSE OF CONGRESS ON IMPORTANCE OF DE-**  
2 **PARTMENT OF STATE'S WORK.**

3 It is the sense of Congress that—

4 (1) United States global engagement is key to  
5 a stable and prosperous world;

6 (2) United States leadership is indispensable in  
7 light of the many complex and interconnected  
8 threats facing the United States and the world;

9 (3) diplomacy and development are critical tools  
10 of national power, and full deployment of these tools  
11 is vital to United States national security;

12 (4) challenges such as the global refugee and  
13 migration crises, terrorism, historic famine and food  
14 insecurity, and fragile or repressive societies cannot  
15 be addressed without sustained and robust United  
16 States diplomatic and development leadership;

17 (5) the United States Government must use all  
18 of the instruments of national security and foreign  
19 policy at its disposal to protect United States citi-  
20 zens, promote United States interests and values,  
21 and support global stability and prosperity;

22 (6) United States security and prosperity de-  
23 pend on having partners and allies that share our in-  
24 terests and values, and these partnerships are nur-  
25 tured and our shared interests and values are pro-  
26 moted through United States diplomatic engage-

1       ment, security cooperation, economic statecraft, and  
2       assistance that helps further economic development,  
3       good governance, including the rule of law and  
4       democratic institutions, and the development of  
5       shared responses to natural and humanitarian disas-  
6       ters;

7           (7) as the United States Government agencies  
8       primarily charged with conducting diplomacy and  
9       development, the Department and the United States  
10      Agency for International Development (USAID) re-  
11      quire sustained and robust funding to carry out this  
12      important work, which is essential to our ability to  
13      project United States leadership and values and to  
14      advance United States interests around the world;

15          (8) the work of the Department and USAID  
16      makes the United States and the world safer and  
17      more prosperous by alleviating global poverty and  
18      hunger, fighting HIV/AIDS and other infectious dis-  
19      eases, strengthening alliances, expanding educational  
20      opportunities for women and girls, promoting good  
21      governance and democracy, supporting anti-corrup-  
22      tion efforts, driving economic development and  
23      trade, preventing armed conflicts and humanitarian  
24      crises, and creating American jobs and export oppor-  
25      tunities;

1           (9) the Department and USAID are vital na-  
2           tional security agencies, whose work is critical to the  
3           projection of United States power and leadership  
4           worldwide, and without which Americans would be  
5           less safe, United States economic power would be di-  
6           minished, and global stability and prosperity would  
7           suffer;

8           (10) investing in diplomacy and development  
9           before conflicts break out saves American lives while  
10          also being cost-effective; and

11          (11) the contributions of personnel working at  
12          the Department and USAID are extraordinarily val-  
13          uable and allow the United States to maintain its  
14          leadership around the world.

15 **SEC. 1003. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND**  
16 **LABOR.**

17          Paragraph (2) of section 1(c) of the State Depart-  
18          ment Basic Authorities Act of 1956 (22 U.S.C. 2651a)  
19          is amended—

20                (1) in subparagraph (A), by adding at the end  
21                the following new sentence: “All special envoys, am-  
22                bassadors, and coordinators located within the Bu-  
23                reau of Democracy, Human Rights, and Labor shall  
24                report directly to the Assistant Secretary unless oth-  
25                erwise provided by law.”;

1 (2) in subparagraph (B)(ii)—

2 (A) by striking “section” and inserting  
3 “sections 116 and”; and

4 (B) by inserting before the period at the  
5 end the following: “(commonly referred to as  
6 the annual ‘Country Reports on Human Rights  
7 Practices’)”; and

8 (3) by adding at the end the following new sub-  
9 paragraphs:

10 “(C) AUTHORITIES.—In addition to the  
11 duties, functions, and responsibilities specified  
12 in this paragraph, the Assistant Secretary of  
13 State for Democracy, Human Rights, and  
14 Labor is authorized to—

15 “(i) promote democracy and actively  
16 support human rights throughout the  
17 world;

18 “(ii) promote the rule of law and good  
19 governance throughout the world;

20 “(iii) strengthen, empower, and pro-  
21 tect civil society representatives, programs,  
22 and organizations, and facilitate their abil-  
23 ity to engage in dialogue with governments  
24 and other civil society entities;



1           “(iv) work with regional bureaus to  
2           ensure adequate personnel at diplomatic  
3           posts are assigned responsibilities relating  
4           to advancing democracy, human rights,  
5           labor rights, women’s equal participation  
6           in society, and the rule of law, with par-  
7           ticular attention paid to adequate oversight  
8           and engagement on such issues by senior  
9           officials at such posts;

10           “(v) review and, as appropriate, make  
11           recommendations that shall be given equal  
12           weight to those of other bureaus or offices  
13           to the Secretary of State regarding the  
14           proposed transfer of—

15           “(I) defense articles and defense  
16           services authorized under the Foreign  
17           Assistance Act of 1961 (22 U.S.C.  
18           2151 et seq.) or the Arms Export  
19           Control Act (22 U.S.C. 2751 et seq.);  
20           and

21           “(II) military items listed on the  
22           ‘600 series’ of the Commerce Control  
23           List contained in Supplement No. 1 to  
24           part 774 of subtitle B of title 15,  
25           Code of Federal Regulations;

1           “(vi) coordinate programs and activi-  
2           ties that protect and advance the exercise  
3           of human rights and internet freedom in  
4           cyberspace; and

5           “(vii) implement other relevant poli-  
6           cies and provisions of law.

7           “(D) LOCAL OVERSIGHT.—United States  
8           missions, when executing DRL programming,  
9           to the extent practicable, should assist in exer-  
10          cising oversight authority and coordinate with  
11          the Bureau of Democracy, Human Rights, and  
12          Labor to ensure that funds are appropriately  
13          used and comply with anti-corruption prac-  
14          tices.”.

15 **SEC. 1004. ASSISTANT SECRETARY FOR INTERNATIONAL**  
16 **NARCOTICS AND LAW ENFORCEMENT AF-**  
17 **FAIRS.**

18          (a) IN GENERAL.—Section 1(c) of the State Depart-  
19          ment Basic Authorities Act of 1956 (22 U.S.C. 2651a(c))  
20          is amended—

21                 (1) by redesignating paragraph (3) as para-  
22                 graph (4); and

23                 (2) by inserting after paragraph (2) the fol-  
24                 lowing new paragraph:

1           “(3) ASSISTANT SECRETARY FOR INTER-  
2 NATIONAL NARCOTICS AND LAW ENFORCEMENT AF-  
3 FAIRS.—

4           “(A) IN GENERAL.—There is authorized to  
5 be in the Department of State an Assistant  
6 Secretary for International Narcotics and Law  
7 Enforcement Affairs, who shall be responsible  
8 to the Secretary of State for all matters, pro-  
9 grams, and related activities pertaining to inter-  
10 national narcotics, anti-crime, and law enforce-  
11 ment affairs in the conduct of foreign policy by  
12 the Department, including, as appropriate, lead-  
13 ing the coordination of programs carried out by  
14 United States Government agencies abroad, and  
15 such other related duties as the Secretary may  
16 from time to time designate.

17           “(B) AREAS OF RESPONSIBILITY.—The  
18 Assistant Secretary for International Narcotics  
19 and Law Enforcement Affairs shall maintain  
20 continuous observation and coordination of all  
21 matters pertaining to international narcotics,  
22 anti-crime, and law enforcement affairs in the  
23 conduct of foreign policy, including programs  
24 carried out by other United States Government

1 agencies when such programs pertain to the fol-  
2 lowing matters:

3 “(i) Combating international narcotics  
4 production and trafficking.

5 “(ii) Strengthening foreign justice sys-  
6 tems, including judicial and prosecutorial  
7 capacity, appeals systems, law enforcement  
8 agencies, prison systems, and the sharing  
9 of recovered assets.

10 “(iii) Training and equipping foreign  
11 police, border control, other government of-  
12 ficials, and other civilian law enforcement  
13 authorities for anti-crime purposes, includ-  
14 ing ensuring that no foreign security unit  
15 or member of such unit shall receive such  
16 assistance from the United States Govern-  
17 ment absent appropriate vetting.

18 “(iv) Ensuring the inclusion of human  
19 rights and women’s participation issues in  
20 law enforcement programs, in consultation  
21 with the Assistant Secretary for Democ-  
22 racy, Human Rights, and Labor, and other  
23 senior officials in regional and thematic  
24 bureaus and offices.

1           “(v) Combating, in conjunction with  
2           other relevant bureaus of the Department  
3           of State and other United States Govern-  
4           ment agencies, all forms of transnational  
5           organized crime, including human traf-  
6           ficking, illicit trafficking in arms, wildlife,  
7           and cultural property, migrant smuggling,  
8           corruption, money laundering, the illicit  
9           smuggling of bulk cash, the licit use of fi-  
10          nancial systems for malign purposes, and  
11          other new and emerging forms of crime.

12           “(vi) Identifying and responding to  
13          global corruption, including strengthening  
14          the capacity of foreign government institu-  
15          tions responsible for addressing financial  
16          crimes and engaging with multilateral or-  
17          ganizations responsible for monitoring and  
18          supporting foreign governments’ anti-cor-  
19          ruption efforts.

20           “(C) ADDITIONAL DUTIES.—In addition to  
21          the responsibilities specified in subparagraph  
22          (B), the Assistant Secretary for International  
23          Narcotics and Law Enforcement Affairs shall  
24          also—

1           “(i) carry out timely and substantive  
2           consultation with chiefs of mission and, as  
3           appropriate, the heads of other United  
4           States Government agencies to ensure ef-  
5           fective coordination of all international  
6           narcotics and law enforcement programs  
7           carried out overseas by the Department  
8           and such other agencies;

9           “(ii) coordinate with the Office of Na-  
10          tional Drug Control Policy to ensure les-  
11          sons learned from other United States  
12          Government agencies are available to the  
13          Bureau of International Narcotics and  
14          Law Enforcement Affairs of the Depart-  
15          ment;

16          “(iii) develop standard requirements  
17          for monitoring and evaluation of Bureau  
18          programs, including metrics for success  
19          that do not rely solely on the amounts of  
20          illegal drugs that are produced or seized;

21          “(iv) in coordination with the Sec-  
22          retary of State, annually certify in writing  
23          to the Committee on Foreign Affairs of the  
24          House of Representatives and the Com-  
25          mittee on Foreign Relations of the Senate

1 that United States law enforcement per-  
2 sonnel posted abroad whose activities are  
3 funded to any extent by the Bureau of  
4 International Narcotics and Law Enforce-  
5 ment Affairs are complying with section  
6 207 of the Foreign Service Act of 1980  
7 (22 U.S.C. 3927); and

8 “(v) carry out such other relevant du-  
9 ties as the Secretary may assign.

10 “(D) RULE OF CONSTRUCTION.—Nothing  
11 in this paragraph may be construed to limit or  
12 impair the authority or responsibility of any  
13 other Federal agency with respect to law en-  
14 forcement, domestic security operations, or in-  
15 telligence activities as defined in Executive  
16 Order 12333.”.

17 (b) MODIFICATION OF ANNUAL INTERNATIONAL  
18 NARCOTICS CONTROL STRATEGY REPORT.—Subsection  
19 (a) of section 489 of the Foreign Assistance Act of 1961  
20 (22 U.S.C. 2291h) is amended by inserting after para-  
21 graph (9) the following new paragraph:

22 “(10) A separate section that contains an iden-  
23 tification of all United States Government-supported  
24 units funded by the Bureau of International Nar-  
25 cotics and Law Enforcement Affairs and any Bu-

1 reau-funded operations by such units in which  
2 United States law enforcement personnel have been  
3 physically present.”.

4 **SEC. 1005. BUREAU OF CONSULAR AFFAIRS; BUREAU OF**  
5 **POPULATION, REFUGEES, AND MIGRATION.**

6 Section 1 of the State Department Basic Authorities  
7 Act of 1956 (22 U.S.C. 2651a) is amended—

8 (1) by redesignating subsection (g) as sub-  
9 section (i); and

10 (2) by inserting after subsection (f) the fol-  
11 lowing new subsections:

12 “(g) BUREAU OF CONSULAR AFFAIRS.—There is in  
13 the Department of State the Bureau of Consular Affairs,  
14 which shall be headed by the Assistant Secretary of State  
15 for Consular Affairs.

16 “(h) BUREAU OF POPULATION, REFUGEES, AND MI-  
17 GRATION.—There is in the Department of State the Bu-  
18 reau of Population, Refugees, and Migration, which shall  
19 be headed by the Assistant Secretary of State for Popu-  
20 lation, Refugees, and Migration.”.

21 **SEC. 1006. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

22 (a) ESTABLISHMENT.—There should be established  
23 in the Department of State an Office of International Dis-  
24 ability Rights (referred to in this section as the “Office”).

25 (b) DUTIES.—The Office should—



1           (1) seek to ensure that all United States for-  
2           eign operations are accessible to, and inclusive of,  
3           persons with disabilities;

4           (2) promote the human rights and full partici-  
5           pation in international development activities of all  
6           persons with disabilities;

7           (3) promote disability inclusive practices and  
8           the training of Department of State staff on solie-  
9           iting quality programs that are fully inclusive of peo-  
10          ple with disabilities;

11          (4) represent the United States in diplomatic  
12          and multilateral fora on matters relevant to the  
13          rights of persons with disabilities, and work to raise  
14          the profile of disability across a broader range of or-  
15          ganizations contributing to international develop-  
16          ment efforts;

17          (5) conduct regular consultation with civil soci-  
18          ety organizations working to advance international  
19          disability rights and empower persons with disabil-  
20          ities internationally;

21          (6) consult with other relevant offices at the  
22          Department that are responsible for drafting annual  
23          reports documenting progress on human rights, in-  
24          cluding, wherever applicable, references to instances

1 of discrimination, prejudice, or abuses of persons  
2 with disabilities;

3 (7) advise the Bureau of Human Resources or  
4 its equivalent within the Department regarding the  
5 hiring and recruitment and overseas practices of civil  
6 service employees and Foreign Service officers with  
7 disabilities and their family members with chronic  
8 medical conditions or disabilities; and

9 (8) carry out such other relevant duties as the  
10 Secretary of State may assign.

11 (c) SUPERVISION.—The Office may be headed by—

12 (1) a senior advisor to the appropriate Assist-  
13 ant Secretary of State; or

14 (2) an officer exercising significant authority  
15 who reports to the President or Secretary of State,  
16 appointed by and with the advice and consent of the  
17 Senate.

18 (d) CONSULTATION.—The Secretary of State should  
19 direct Ambassadors at Large, Representatives, Special  
20 Envoys, and coordinators working on human rights to con-  
21 sult with the Office to promote the human rights and full  
22 participation in international development activities of all  
23 persons with disabilities.

1 **SEC. 1007. ANTI-PIRACY INFORMATION SHARING.**

2 The Secretary is authorized to provide for the partici-  
3 pation by the United States in the Information Sharing  
4 Centre located in Singapore, as established by the Re-  
5 gional Cooperation Agreement on Combating Piracy and  
6 Armed Robbery against Ships in Asia (ReCAAP).

7 **SEC. 1008. IMPORTANCE OF FOREIGN AFFAIRS TRAINING**  
8 **TO NATIONAL SECURITY.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-  
10 gress that—

11 (1) the Department is a crucial national secu-  
12 rity agency, whose employees, both Foreign and Civil  
13 Service, require the best possible training at every  
14 stage of their careers to prepare them to promote  
15 and defend United States national interests and the  
16 health and safety of United States citizens abroad;

17 (2) the Department's Foreign Service Institute  
18 should seek to substantially increase its educational  
19 and training offerings to Department personnel, in-  
20 cluding developing new and innovative educational  
21 and training courses, methods, programs, and oppor-  
22 tunities; and

23 (3) consistent with existing Department gift ac-  
24 ceptance authority and other applicable laws, the  
25 Department and Foreign Service Institute may ac-  
26 cept funds and other resources from foundations,

1 not-for-profit corporations, and other appropriate  
2 sources to help the Department and the Institute ac-  
3 complish the goals specified in paragraph (3).

4 (b) TRAINING FLOAT.—Not later than 90 days after  
5 the date of the enactment of this Act, the Secretary of  
6 State shall develop and submit to the appropriate congres-  
7 sional committees a strategy to establish a “training float”  
8 to allow for up to 15 percent of the Foreign Service to  
9 participate in long-term training at any given time. The  
10 strategy should identify steps necessary to ensure suffi-  
11 cient training capacity and opportunities are available to  
12 Foreign Service officers, mechanisms to ensure equitable  
13 distribution of long-term training opportunities to Foreign  
14 Service officers, and resources and any additional authori-  
15 ties necessary to facilitate such a training float. The strat-  
16 egy shall identify which types of training would be  
17 prioritized, the extent (if any) to which such training is  
18 already being provided to Foreign Service officers by the  
19 Department of State, and why such training cannot be  
20 achieved without Foreign Service officers leaving the  
21 workforce.

22 **SEC. 1009. CLASSIFICATION AND ASSIGNMENT OF FOREIGN**  
23 **SERVICE OFFICERS.**

24 The Foreign Service Act of 1980 is amended—

1           (1) in section 501 (22 U.S.C. 3981), by insert-  
2           ing “If a position designated under this section is  
3           unfilled for more than 365 calendar days, such posi-  
4           tion may be filled, as appropriate, on a temporary  
5           basis, in accordance with section 309.” after “Posi-  
6           tions designated under this section are excepted  
7           from the competitive service.”; and

8           (2) in paragraph (2) of section 502(a) (22  
9           U.S.C. 3982(a)), by inserting “, or domestically, in  
10          a position working on issues relating to a particular  
11          country or geographic area,” after “geographic  
12          area”.

13 **SEC. 1010. ENERGY DIPLOMACY AND SECURITY WITHIN**  
14 **THE DEPARTMENT OF STATE.**

15          Section 1(c) of the State Department Basic Authori-  
16 ties Act of 1956 (22 U.S.C. 2651a), as amended by sec-  
17 tion 1004 of this Act, is further amended—

18           (1) by redesignating paragraph (4) (as redesign-  
19           ated pursuant to such section 1003) as paragraph  
20           (5); and

21           (2) by inserting after paragraph (3) the fol-  
22           lowing new paragraph:

23           “(4) ENERGY RESOURCES.—

24           “(A) AUTHORIZATION FOR ASSISTANT SEC-  
25           RETARY.—Subject to the numerical limitation

1 specified in paragraph (1), there is authorized  
2 to be established in the Department of State an  
3 Assistant Secretary of State for Energy Re-  
4 sources.

5 “(B) PERSONNEL.—If the Department es-  
6 tablishes an Assistant Secretary of State for  
7 Energy Resources in accordance with the au-  
8 thorization provided in subparagraph (A), the  
9 Secretary of State shall ensure there are suffi-  
10 cient personnel dedicated to energy matters  
11 within the Department of State whose respon-  
12 sibilities shall include—

13 “(i) formulating and implementing  
14 international policies aimed at protecting  
15 and advancing United States energy secu-  
16 rity interests by effectively managing  
17 United States bilateral and multilateral re-  
18 lations;

19 “(ii) ensuring that analyses of the na-  
20 tional security implications of global en-  
21 ergy and environmental developments are  
22 reflected in the decision making process  
23 within the Department;

1           “(iii) incorporating energy security  
2 priorities into the activities of the Depart-  
3 ment;

4           “(iv) coordinating energy activities of  
5 the Department with relevant Federal de-  
6 partments and agencies;

7           “(v) coordinating with the Office of  
8 Sanctions Coordination on economic sanc-  
9 tions pertaining to the international energy  
10 sector; and

11           “(vi) working internationally to—

12           “(I) support the development of  
13 energy resources and the distribution  
14 of such resources for the benefit of  
15 the United States and United States  
16 allies and trading partners for their  
17 energy security and economic develop-  
18 ment needs;

19           “(II) promote availability of di-  
20 versified energy supplies and a well-  
21 functioning global market for energy  
22 resources, technologies, and expertise  
23 for the benefit of the United States  
24 and United States allies and trading  
25 partners;

1                   “(III) resolve international dis-  
2                   putes regarding the exploration, devel-  
3                   opment, production, or distribution of  
4                   energy resources;

5                   “(IV) support the economic and  
6                   commercial interests of United States  
7                   persons operating in the energy mar-  
8                   kets of foreign countries;

9                   “(V) support and coordinate  
10                  international efforts to alleviate en-  
11                  ergy poverty;

12                  “(VI) leading the United States  
13                  commitment to the Extractive Indus-  
14                  tries Transparency Initiative; and

15                  “(VII) coordinating energy secu-  
16                  rity and other relevant functions with-  
17                  in the Department currently under-  
18                  taken by—

19                         “(aa) the Bureau of Eco-  
20                         nomic and Business Affairs;

21                         “(bb) the Bureau of Oceans  
22                         and International Environmental  
23                         and Scientific Affairs; and

24                         “(cc) other offices within the  
25                         Department of State.”.



1 **SEC. 1011. NATIONAL MUSEUM OF AMERICAN DIPLOMACY.**

2 Title I of the State Department Basic Authorities Act  
3 of 1956 is amended by adding after section 63 (22 U.S.C.  
4 2735) the following new section:

5 **“SEC. 64. NATIONAL MUSEUM OF AMERICAN DIPLOMACY.**

6 “(a) **ACTIVITIES.—**

7 “(1) **SUPPORT AUTHORIZED.—**The Secretary of  
8 State is authorized to provide, by contract, grant, or  
9 otherwise, for the performance of appropriate mu-  
10 seum visitor and educational outreach services and  
11 related events, including organizing programs and  
12 conference activities, museum shop services and food  
13 services in the public exhibition and related space  
14 utilized by the National Museum of American Diplo-  
15 macy.

16 “(2) **RECOVERY OF COSTS.—**The Secretary of  
17 State is authorized to recover any revenues gen-  
18 erated under the authority of paragraph (1) for vis-  
19 itor and outreach services and related events re-  
20 ferred to in such paragraph, including fees for use  
21 of facilities at the National Museum for American  
22 Diplomacy. Any such revenues may be retained as a  
23 recovery of the costs of operating the museum.

24 “(b) **DISPOSITION OF NATIONAL MUSEUM OF AMER-**  
25 **ICAN DIPLOMACY DOCUMENTS, ARTIFACTS, AND OTHER**  
26 **ARTICLES.—**

1           “(1) PROPERTY.—All historic documents, arti-  
2 facts, or other articles permanently acquired by the  
3 Department of State and determined by the Sec-  
4 retary of State to be suitable for display by the Na-  
5 tional Museum of American Diplomacy shall be con-  
6 sidered to be the property of the United States Gov-  
7 ernment and shall be subject to disposition solely in  
8 accordance with this subsection.

9           “(2) SALE, TRADE, OR TRANSFER.—Whenever  
10 the Secretary of State makes the determination de-  
11 scribed in paragraph (3) with respect to a document,  
12 artifact, or other article under paragraph (1), the  
13 Secretary may sell at fair market value, trade, or  
14 transfer such document, artifact, or other article  
15 without regard to the requirements of subtitle I of  
16 title 40, United States Code. The proceeds of any  
17 such sale may be used solely for the advancement of  
18 the mission of the National Museum of American  
19 Diplomacy and may not be used for any purpose  
20 other than the acquisition and direct care of the col-  
21 lections of the museum.

22           “(3) DETERMINATIONS PRIOR TO SALE, TRADE,  
23 OR TRANSFER.—The determination described in this  
24 paragraph with respect to a document, artifact, or

1 other article under paragraph (1), is a determination  
2 that—

3 “(A) such document, artifact, or other arti-  
4 cle no longer serves to further the purposes of  
5 the National Museum of American Diplomacy  
6 as set forth in the collections management pol-  
7 icy of the museum;

8 “(B) the sale, trade, or transfer of such  
9 document, artifact, or other article would serve  
10 to maintain the standards of the collection of  
11 the museum; or

12 “(C) sale, trade, or transfer of such docu-  
13 ment, artifact, or other article would be in the  
14 best interests of the United States.

15 “(4) LOANS.—In addition to the authorization  
16 under paragraph (2) relating to the sale, trade, or  
17 transfer of documents, artifacts, or other articles  
18 under paragraph (1), the Secretary of State may  
19 loan such documents, artifacts, or other articles,  
20 when not needed for use or display by the National  
21 Museum of American Diplomacy to the Smithsonian  
22 Institution or a similar institution for repair, study,  
23 or exhibition.”.

1 **SEC. 1012. EXTENSION OF PERIOD FOR REIMBURSEMENT**  
2 **OF FISHERMEN FOR COSTS INCURRED FROM**  
3 **THE ILLEGAL SEIZURE AND DETENTION OF**  
4 **U.S.-FLAG FISHING VESSELS BY FOREIGN**  
5 **GOVERNMENTS.**

6 (a) IN GENERAL.—Subsection (e) of section 7 of the  
7 Fishermen’s Protective Act of 1967 (22 U.S.C. 1977) is  
8 amended to read as follows:

9 “(e) AMOUNTS.—Payments may be made under this  
10 section only to such extent and in such amounts as are  
11 provided in advance in appropriation Acts.”.

12 (b) RETROACTIVE APPLICABILITY.—

13 (1) EFFECTIVE DATE.—The amendment made  
14 by subsection (a) shall take effect on the date of the  
15 enactment of this Act and apply as if the date speci-  
16 fied in subsection (e) of section 7 of the Fishermen’s  
17 Protective Act of 1967, as in effect on the day be-  
18 fore the date of the enactment of this Act, were the  
19 day after such date of enactment.

20 (2) AGREEMENTS AND PAYMENTS.—The Sec-  
21 retary of State is authorized to—

22 (A) enter into agreements pursuant to sec-  
23 tion 7 of the Fishermen’s Protective Act of  
24 1967 for any claims to which such section  
25 would otherwise apply but for the date specified  
26 in subsection (e) of such section, as in effect on

1 the day before the date of the enactment of this  
2 Act; and

3 (B) make payments in accordance with  
4 agreements entered into pursuant to such sec-  
5 tion if any such payments have not been made  
6 as a result of the expiration of the date speci-  
7 fied in such section, as in effect on the day be-  
8 fore the date of the enactment of this Act.

9 **SEC. 1013. ART IN EMBASSIES.**

10 (a) IN GENERAL.—No funds are authorized to be ap-  
11 propriated for the purchase of any piece of art for the  
12 purposes of installation or display in any embassy, con-  
13 sulate, or other foreign mission of the United States if  
14 the purchase price of such piece of art is in excess of  
15 \$25,000, unless such purchase is subject to prior consulta-  
16 tion with, and the regular notification procedures of, the  
17 appropriate congressional committees.

18 (b) REPORT.—Not later than 90 days after the date  
19 of the enactment of this Act, the Secretary of State shall  
20 submit to the appropriate congressional committees a re-  
21 port on the costs of the Art in Embassies Program for  
22 fiscal years 2012 through 2020.

23 (c) SUNSET.—This section shall terminate on the  
24 date that is two years after the date of the enactment of  
25 this Act.

1 (d) DEFINITION.—In this section, the term “art” in-  
2 cludes paintings, sculptures, photographs, industrial de-  
3 sign, and craft art.

4 **SEC. 1014. AMENDMENT OR REPEAL OF REPORTING RE-**  
5 **QUIREMENTS.**

6 (a) BURMA.—

7 (1) IN GENERAL.—Section 570 of Public Law  
8 104–208 is amended—

9 (A) by amending subsection (c) to read as  
10 follows:

11 “(c) MULTILATERAL STRATEGY.—The President  
12 shall develop, in coordination with like-minded countries,  
13 a comprehensive, multilateral strategy to—

14 “(1) assist Burma in addressing corrosive ma-  
15 lign influence of the People’s Republic of China; and

16 “(2) support democratic, constitutional, eco-  
17 nomic, and security sector reforms in Burma de-  
18 signed to—

19 “(A) advance democratic development and  
20 improve human rights practices and the quality  
21 of life; and

22 “(B) promote genuine national reconcili-  
23 ation.”; and

24 (B) in subsection (d)—

1 (i) in the matter preceding paragraph  
2 (1), by striking “six months” and inserting  
3 “year”;

4 (ii) by redesignating paragraph (3) as  
5 paragraph (7); and

6 (iii) by inserting after paragraph (2)  
7 the following new paragraphs:

8 “(3) improvements in human rights practices;

9 “(4) progress toward broad-based and inclusive  
10 economic growth;

11 “(5) progress toward genuine national reconcili-  
12 ation;

13 “(6) progress on improving the quality of life of  
14 the Burmese people, including progress relating to  
15 market reforms, living standards, labor standards,  
16 use of forced labor in the tourism industry, and en-  
17 vironmental quality; and”.

18 (2) EFFECTIVE DATE.—The amendments made  
19 by paragraph (1) shall take effect on the date of the  
20 enactment of this Act and apply with respect to the  
21 first report required under subsection (d) of section  
22 570 of Public Law 104–208 that is required after  
23 the date of the enactment of this Act.

24 (b) REPEALS.—The following provisions of law are  
25 hereby repealed:

1 (1) Subsection (b) of section 804 of Public Law  
2 101–246.

3 (2) Section 6 of Public Law 104–45.

4 (3) Section 406 of Public Law 101–246 (22  
5 U.S.C. 2414a).

6 (4) Subsection (c) of section 702 of Public Law  
7 96–465 (22 U.S.C. 4022).

8 (5) Section 404 of the Arms Control and Disar-  
9 mament Act (22 U.S.C. 2593b).

10 (6) Section 5 of Public Law 94–304 (22 U.S.C.  
11 3005).

12 (7) Subsection (b) of section 502 of the Inter-  
13 national Security and Development Cooperation Act  
14 of 1985 (22 U.S.C. 2349aa–7).

15 (c) TECHNICAL AND CONFORMING AMENDMENT.—  
16 Subsection (c) of section 502 of the International Security  
17 and Development Cooperation Act of 1985 (22 U.S.C.  
18 2349aa–7) is redesignated as subsection (b).

19 **SEC. 1015. REPORTING ON IMPLEMENTATION OF GAO REC-**  
20 **COMMENDATIONS.**

21 (a) INITIAL REPORT.—Not later than 120 days after  
22 the date of the enactment of this Act, the Secretary of  
23 State shall submit to the appropriate congressional com-  
24 mittees a report that lists all of the Government Account-



1 ability Office's recommendations relating to the Depart-  
2 ment that have not been fully implemented.

3 (b) COMPTROLLER GENERAL REPORT.—Not later  
4 than 30 days after the Secretary submits the report under  
5 subsection (a), the Comptroller General of the United  
6 States shall submit to the appropriate congressional com-  
7 mittees a report that identifies any discrepancies between  
8 the list of recommendations included in such report and  
9 the Government Accountability Office's list of outstanding  
10 recommendations for the Department.

11 (c) IMPLEMENTATION REPORT.—

12 (1) IN GENERAL.—Not later than 120 days  
13 after the date of the submission of the Comptroller  
14 General's report under subsection (b), the Secretary  
15 shall submit to the appropriate congressional com-  
16 mittees a report that describes the implementation  
17 status of each recommendation from the Govern-  
18 ment Accountability Office included in the report  
19 submitted under subsection (a).

20 (2) JUSTIFICATION.—The report under para-  
21 graph (1) shall include—

22 (A) a detailed justification for each deci-  
23 sion not to fully implement a recommendation  
24 or to implement a recommendation in a dif-

1           ferent manner than specified by the Govern-  
2           ment Accountability Office;

3           (B) a timeline for the full implementation  
4           of any recommendation the Secretary has de-  
5           cided to adopt, but has not yet fully imple-  
6           mented; and

7           (C) an explanation for any discrepancies  
8           included in the Comptroller General report sub-  
9           mitted under subsection (b).

10          (d) FORM.—The information required in each report  
11          under this section shall be submitted in unclassified form,  
12          to the maximum extent practicable, but may be included  
13          in a classified annex to the extent necessary.

14          **SEC. 1016. OFFICE OF GLOBAL CRIMINAL JUSTICE.**

15          (a) IN GENERAL.—There should be established with-  
16          in the Department of State an Office of Global Criminal  
17          Justice (referred to in this section as the “Office”), which  
18          may be placed within the organizational structure of the  
19          Department at the discretion of the Secretary.

20          (b) DUTIES.—The Office should carry out the fol-  
21          lowing:

22                  (1) Advise the Secretary of State and other rel-  
23                  evant senior officials on issues related to atrocities,  
24                  including war crimes, crimes against humanity, and  
25                  genocide.

1           (2) Assist in formulating United States policy  
2           on the prevention of, responses to, and account-  
3           ability for atrocities.

4           (3) Coordinate, as appropriate and with other  
5           relevant Federal departments and agencies, United  
6           States Government positions relating to the inter-  
7           national and hybrid courts currently prosecuting  
8           persons suspected of atrocities around the world.

9           (4) Work with other governments, international  
10          organizations, and nongovernmental organizations,  
11          as appropriate, to establish and assist international  
12          and domestic commissions of inquiry, fact-finding  
13          missions, and tribunals to investigate, document,  
14          and prosecute atrocities around the world.

15          (5) Coordinate, as appropriate and with other  
16          relevant Federal departments and agencies, the de-  
17          ployment of diplomatic, legal, economic, military,  
18          and other tools to help collect evidence of atrocities,  
19          judge those responsible, protect and assist victims,  
20          enable reconciliation, prevent and deter atrocities,  
21          and promote the rule of law.

22          (6) Provide advice and expertise on transitional  
23          justice mechanisms to United States personnel oper-  
24          ating in conflict and post-conflict environments.

1           (7) Act as a point of contact for international,  
2           hybrid, and domestic tribunals exercising jurisdiction  
3           over atrocities committed around the world.

4           (8) Represent the Department on any inter-  
5           agency whole-of-government coordinating entities ad-  
6           dressing genocide and other atrocities.

7           (9) Perform any additional duties and exercise  
8           such powers as the Secretary of State may prescribe.

9           (c) SUPERVISION.—If established, the Office shall be  
10          led by an Ambassador-at-Large for Global Criminal Jus-  
11          tice who is nominated by the President and appointed by  
12          and with the advice and consent of the Senate.

## 13                                   **TITLE II—EMBASSY** 14                                   **CONSTRUCTION**

### 15          **SEC. 1201. EMBASSY SECURITY, CONSTRUCTION, AND MAIN-** 16                                   **TENANCE.**

17          For “Embassy Security, Construction, and Mainte-  
18          nance”, there is authorized to be appropriated  
19          \$1,950,449,000 for fiscal year 2021.

### 20          **SEC. 1202. STANDARD DESIGN IN CAPITAL CONSTRUCTION.**

21          (a) SENSE OF CONGRESS.—It is the sense of Con-  
22          gress that the Department’s Bureau of Overseas Building  
23          Operations (OBO) or successor office should give appro-  
24          priate consideration to standardization in construction, in  
25          which each new United States embassy and consulate

1 starts with a standard design and keeps customization to  
2 a minimum.

3 (b) CONSULTATION.—The Secretary of State shall  
4 carry out any new United States embassy compound or  
5 new consulate compound project that utilizes a non-stand-  
6 ard design, including those projects that are in the design  
7 or pre-design phase as of the date of the enactment of  
8 this Act, only in consultation with the appropriate con-  
9 gressional committees. The Secretary shall provide the ap-  
10 propriate congressional committees, for each such project,  
11 the following documentation:

12 (1) A comparison of the estimated full lifecycle  
13 costs of the project to the estimated full lifecycle  
14 costs of such project if it were to use a standard de-  
15 sign.

16 (2) A comparison of the estimated completion  
17 date of such project to the estimated completion  
18 date of such project if it were to use a standard de-  
19 sign.

20 (3) A comparison of the security of the com-  
21 pleted project to the security of such completed  
22 project if it were to use a standard design.

23 (4) A justification for the Secretary's selection  
24 of a non-standard design over a standard design for  
25 such project.

1           (5) A written explanation if any of the docu-  
2           mentation necessary to support the comparisons and  
3           justification, as the case may be, described in para-  
4           graphs (1) through (4) cannot be provided.

5           (c) SUNSET.—The consultation requirement under  
6           subsection (b) shall expire on the date that is 4 years after  
7           the date of the enactment of this Act.

8   **SEC. 1203. CAPITAL CONSTRUCTION TRANSPARENCY.**

9           Section 118 of the Department of State Authorities  
10          Act, Fiscal Year 2017 (22 U.S.C. 304) is amended—

11           (1) in the section heading , by striking “**AN-**  
12           **NUAL REPORT ON EMBASSY CONSTRUCTION**  
13           **COSTS**” and inserting “**BIANNUAL REPORT ON**  
14           **OVERSEAS CAPITAL CONSTRUCTION**  
15           **PROJECTS**”; and

16           (2) by striking subsections (a) and (b) and in-  
17           serting the following new subsections:

18           “(a) **IN GENERAL.**—Not later than 180 days after  
19           the date of the enactment of this subsection and every 180  
20           days thereafter until the date that is four years after such  
21           date of enactment, the Secretary of State shall submit to  
22           the appropriate congressional committees a comprehensive  
23           report regarding all ongoing overseas capital construction  
24           projects and major embassy security upgrade projects.

1       “(b) CONTENTS.—Each report required under sub-  
2 section (a) shall include the following with respect to each  
3 ongoing overseas capital construction project and major  
4 embassy security upgrade project:

5           “(1) The initial cost estimate as specified in the  
6 proposed allocation of capital construction and main-  
7 tenance funds required by the Committees on Appro-  
8 priations for Acts making appropriations for the De-  
9 partment of State, foreign operations, and related  
10 programs.

11           “(2) The current cost estimate.

12           “(3) The value of each request for equitable ad-  
13 justment received by the Department to date.

14           “(4) The value of each certified claim received  
15 by the Department to date.

16           “(5) The value of any usage of the project’s  
17 contingency fund to date and the value of the re-  
18 mainder of the project’s contingency fund.

19           “(6) An enumerated list of each request for ad-  
20 justment and certified claim that remains out-  
21 standing or unresolved.

22           “(7) An enumerated list of each request for eq-  
23 uitable adjustment and certified claim that has been  
24 fully adjudicated or that the Department has settled,

1 and the final dollar amount of each adjudication or  
2 settlement.

3 “(8) The date of estimated completion specified  
4 in the proposed allocation of capital construction  
5 and maintenance funds required by the Committees  
6 on Appropriations not later than 45 days after the  
7 date of the enactment of an Act making appropria-  
8 tions for the Department of State, foreign oper-  
9 ations, and related programs.

10 “(9) The current date of estimated comple-  
11 tion.”.

12 **SEC. 1204. CONTRACTOR PERFORMANCE INFORMATION.**

13 (a) DEADLINE FOR COMPLETION.—The Secretary of  
14 State shall complete all contractor performance evalua-  
15 tions outstanding as of the date of the enactment of this  
16 Act required by subpart 42.15 of the Federal Acquisition  
17 Regulation for those contractors engaged in construction  
18 of new embassy or new consulate compounds by April 1,  
19 2022.

20 (b) PRIORITIZATION SYSTEM.—

21 (1) IN GENERAL.—Not later than 90 days after  
22 the date of the enactment of this Act, the Secretary  
23 of State shall develop a prioritization system for  
24 clearing the current backlog of required evaluations  
25 referred to in subsection (a).



1           (2) ELEMENTS.—The system required under  
2 paragraph (1) should prioritize the evaluations as  
3 follows:

4           (A) Project completion evaluations should  
5 be prioritized over annual evaluations.

6           (B) Evaluations for relatively large con-  
7 tracts should have priority.

8           (C) Evaluations that would be particularly  
9 informative for the awarding of government  
10 contracts should have priority.

11       (c) BRIEFING.—Not later than 90 days after the date  
12 of the enactment of this Act, the Secretary of State shall  
13 brief the appropriate congressional committees on the De-  
14 partment’s plan for completing all evaluations by October  
15 1, 2021, in accordance with subsection (a) and the  
16 prioritization system developed pursuant to subsection (b).

17       (d) SENSE OF CONGRESS.—It is the sense of Con-  
18 gress that—

19           (1) contractors deciding whether to bid on De-  
20 partment contracts would benefit from greater un-  
21 derstanding of the Department as a client; and

22           (2) the Department should develop a forum  
23 where contractors can comment on the Department’s  
24 project management performance.

1 **SEC. 1205. GROWTH PROJECTIONS FOR NEW EMBASSIES**  
2 **AND CONSULATES.**

3 (a) IN GENERAL.—For each new United States em-  
4 bassy compound (NEC) and new consulate compound  
5 project (NCC) in or not yet in the design phase as of the  
6 date of the enactment of this Act, the Department of State  
7 shall project growth over the estimated life of the facility  
8 using all available and relevant data, including the fol-  
9 lowing:

10 (1) Relevant historical trends for Department  
11 personnel and personnel from other agencies rep-  
12 resented at the NEC or NCC that is to be con-  
13 structed.

14 (2) An analysis of the tradeoffs between risk  
15 and the needs of United States Government policy  
16 conducted as part of the most recent Vital Presence  
17 Validation Process, if applicable.

18 (3) Reasonable assumptions about the strategic  
19 importance of the NEC or NCC, as the case may be,  
20 over the life of the building at issue.

21 (4) Any other data that would be helpful in pro-  
22 jecting the future growth of NEC or NCC.

23 (b) OTHER FEDERAL AGENCIES.—The head of each  
24 Federal agency represented at a United States embassy  
25 or consulate shall provide to the Secretary, upon request,  
26 growth projections for the personnel of each such agency

1 over the estimated life of each embassy or consulate, as  
2 the case may be.

3 (c) BASIS FOR ESTIMATES.—The Department of  
4 State shall base its growth assumption for all NECs and  
5 NCCs on the estimates required under subsections (a) and  
6 (b).

7 (d) CONGRESSIONAL NOTIFICATION.—Any congres-  
8 sional notification of site selection for a NEC or NCC sub-  
9 mitted after the date of the enactment of this Act shall  
10 include the growth assumption used pursuant to sub-  
11 section (c).

12 **SEC. 1206. LONG-RANGE PLANNING PROCESS.**

13 (a) PLANS REQUIRED.—

14 (1) IN GENERAL.—Not later than 180 days  
15 after the date of the enactment of this Act and an-  
16 nually thereafter for the next five years as the Sec-  
17 retary of State considers appropriate, the Secretary  
18 shall develop—

19 (A) a comprehensive 6-year plan docu-  
20 menting the Department's overseas building  
21 program for the replacement of overseas diplo-  
22 matic posts taking into account security factors  
23 under the Secure Embassy Construction and  
24 Counterterrorism Act of 1999 and other rel-  
25 evant statutes and regulations, as well as occu-

1           pational safety and health factors pursuant to  
2           the Occupational Safety and Health Act of  
3           1970 and other relevant statutes and regula-  
4           tions, including environmental factors such as  
5           indoor air quality that impact employee health  
6           and safety; and

7           (B) a comprehensive 6-year plan detailing  
8           the Department's long-term planning for the  
9           maintenance and sustainment of completed dip-  
10          lomatic posts, which takes into account security  
11          factors under the Secure Embassy Construction  
12          and Counterterrorism Act of 1999 and other  
13          relevant statutes and regulations, as well as oc-  
14          cupational safety and health factors pursuant to  
15          the Occupational Safety and Health Act of  
16          1970 and other relevant statutes and regula-  
17          tions, including environmental factors such as  
18          indoor air quality that impact employee health  
19          and safety.

20          (2) INITIAL REPORT.—The first plan developed  
21          pursuant to paragraph (1)(A) shall also include a  
22          one-time status report on existing small diplomatic  
23          posts and a strategy for establishing a physical dip-  
24          lomatic presence in countries in which there is no  
25          current physical diplomatic presence and with which

1 the United States maintains diplomatic relations.  
2 Such report, which may include a classified annex,  
3 shall include the following:

4 (A) A description of the extent to which  
5 each small diplomatic post furthers the national  
6 interest of the United States.

7 (B) A description of how each small diplo-  
8 matic post provides American Citizen Services,  
9 including data on specific services provided and  
10 the number of Americans receiving services over  
11 the previous year.

12 (C) A description of whether each small  
13 diplomatic post meets current security require-  
14 ments.

15 (D) A description of the full financial cost  
16 of maintaining each small diplomatic post.

17 (E) Input from the relevant chiefs of mis-  
18 sion on any unique operational or policy value  
19 the small diplomatic post provides.

20 (F) A recommendation of whether any  
21 small diplomatic posts should be closed.

22 (3) UPDATED INFORMATION.—The annual up-  
23 dates of each of the plans developed pursuant to  
24 paragraph (1) shall highlight any changes from the

1 previous year's plan to the ordering of construction  
2 and maintenance projects.

3 (b) REPORTING REQUIREMENTS.—

4 (1) SUBMISSION OF PLANS TO CONGRESS.—Not  
5 later than 60 days after the completion of each plan  
6 required under subsection (a), the Secretary of State  
7 shall submit the plans to the appropriate congress-  
8 sional committees.

9 (2) REFERENCE IN BUDGET JUSTIFICATION  
10 MATERIALS.—In the budget justification materials  
11 submitted to the appropriate congressional commit-  
12 tees in support of the Department of State's budget  
13 for any fiscal year (as submitted with the budget of  
14 the President under section 1105(a) of title 31,  
15 United States Code), the plans required under sub-  
16 section (a) shall be referenced to justify funding re-  
17 quested for building and maintenance projects over-  
18 seas.

19 (3) FORM OF REPORT.—Each report required  
20 under paragraph (1) shall be submitted in unclassi-  
21 fied form but may include a classified annex.

22 (c) SMALL DIPLOMATIC POST DEFINED.—In this  
23 section, the term “small diplomatic post” means any  
24 United States embassy or consulate that has employed five  
25 or fewer United States Government employees or contrac-

1 tors on average over the 36 months prior to the date of  
2 the enactment of this Act.

3 **SEC. 1207. VALUE ENGINEERING AND RISK ASSESSMENT.**

4 (a) FINDINGS.—Congress makes the following find-  
5 ings:

6 (1) Federal departments and agencies are re-  
7 quired to use value engineering (VE) as a manage-  
8 ment tool, where appropriate, to reduce program and  
9 acquisition costs pursuant to OMB Circular A–131,  
10 Value Engineering, dated December 31, 2013.

11 (2) OBO has a Policy Directive and Standard  
12 Operation Procedure, dated May 24, 2017, on con-  
13 ducting risk management studies on all international  
14 construction projects.

15 (b) NOTIFICATION REQUIREMENTS.—

16 (1) SUBMISSION TO AUTHORIZING COMMIT-  
17 TEES.—Any operating plan that includes the alloca-  
18 tion of capital construction and maintenance funds  
19 shall be submitted to the Committee on Foreign Re-  
20 lations of the Senate and the Committee on Foreign  
21 Affairs of the House of Representatives.

22 (2) REQUIREMENT TO CONFIRM COMPLETION  
23 OF VALUE ENGINEERING AND RISK ASSESSMENT  
24 STUDIES.—The notifications required under para-  
25 graph (1) shall include confirmation that the De-

1       partment has completed the requisite VE and risk  
2       management process described in subsection (a), or  
3       applicable successor process.

4       (c) REPORTING AND BRIEFING REQUIREMENTS.—  
5       The Secretary of State shall provide to the appropriate  
6       congressional committees upon request—

7               (1) a description of each risk management  
8       study referred to in subsection (a)(2) and a table de-  
9       tailing which recommendations related to each such  
10      study were accepted and which were rejected; and

11              (2) a report or briefing detailing the rationale  
12      for not implementing any such recommendations  
13      that may otherwise yield significant cost savings to  
14      the Department if implemented.

15   **SEC. 1208. BUSINESS VOLUME.**

16      Section 402(c)(2)(E) of the Omnibus Diplomatic Se-  
17      curity and Antiterrorism Act of 1986 (22 U.S.C.  
18      4852(c)(2)(E)) is amended by striking “in 3 years” and  
19      inserting “cumulatively over 3 years”.

20   **SEC. 1209. EMBASSY SECURITY REQUESTS AND DEFICI-**  
21                                   **CIENCIES.**

22      The Secretary of State shall provide to the appro-  
23      priate congressional committees, the Committee on Armed  
24      Services of the House of Representatives, and the Com-  
25      mittee on Armed Services of the Senate upon request in-



1 formation on physical security deficiencies at United  
2 States diplomatic posts, including relating to the fol-  
3 lowing:

4 (1) Requests made over the previous year by  
5 United States diplomatic posts for security up-  
6 grades.

7 (2) Significant security deficiencies at United  
8 States diplomatic posts that are not operating out of  
9 a new embassy compound or new consulate com-  
10 pound.

11 **SEC. 1210. OVERSEAS SECURITY BRIEFINGS.**

12 Not later than one year after the date of the enact-  
13 ment of this Act, the Secretary of State shall revise the  
14 Foreign Affairs Manual to stipulate that information on  
15 the current threat environment shall be provided to all  
16 United States Government employees under chief of mis-  
17 sion authority traveling to a foreign country on official  
18 business. To the extent practicable, such material shall be  
19 provided to such employees prior to their arrival at a  
20 United States diplomatic post or as soon as possible there-  
21 after.

22 **SEC. 1211. CONTRACTING METHODS IN CAPITAL CON-**  
23 **STRUCTION.**

24 (a) DELIVERY.—Unless the Secretary of State noti-  
25 fies the appropriate congressional committees that the use

1 of the design-build project delivery method would not be  
2 appropriate, the Secretary shall make use of such method  
3 at United States diplomatic posts that have not yet re-  
4 ceived design or capital construction contracts as of the  
5 date of the enactment of this Act.

6 (b) NOTIFICATION.—Before executing a contract for  
7 a delivery method other than design-build in accordance  
8 with subsection (a), the Secretary of State shall notify the  
9 appropriate congressional committees in writing of the de-  
10 cision, including the reasons therefor. The notification re-  
11 quired by this subsection may be included in any other  
12 report regarding a new United States diplomatic post that  
13 is required to be submitted to the appropriate congres-  
14 sional committees.

15 (c) PERFORMANCE EVALUATION.—Not later than  
16 180 days after the date of the enactment of this Act, the  
17 Secretary of State shall report to the appropriate congres-  
18 sional committees regarding performance evaluation meas-  
19 ures in accordance with GAO’s “Standards for Internal  
20 Control in the Federal Government” that will be applica-  
21 ble to design and construction, lifecycle cost, and building  
22 maintenance programs of the Bureau of Overseas Build-  
23 ing Operations of the Department.

1 **SEC. 1212. COMPETITION IN EMBASSY CONSTRUCTION.**

2 Not later than 45 days after the date of the enact-  
3 ment of this Act, the Secretary of State shall submit to  
4 the appropriate congressional committee a report detailing  
5 steps the Department of State is taking to expand the em-  
6 bassy construction contractor base in order to increase  
7 competition and maximize value.

8 **SEC. 1213. STATEMENT OF POLICY.**

9 It is the policy of the United States that the Bureau  
10 of Overseas Building Operations of the Department or its  
11 successor office shall continue to balance functionality and  
12 security with accessibility, as defined by guidelines estab-  
13 lished by the United States Access Board in constructing  
14 embassies and consulates, and shall ensure compliance  
15 with the Architectural Barriers Act of 1968 (42 U.S.C.  
16 4151 et seq.) to the fullest extent possible.

17 **SEC. 1214. DEFINITIONS.**

18 In this title:

19 (1) DESIGN-BUILD.—The term “design-build”  
20 means a method of project delivery in which one en-  
21 tity works under a single contract with the Depart-  
22 ment to provide design and construction services.

23 (2) NON-STANDARD DESIGN.—The term “non-  
24 standard design” means a design for a new embassy  
25 compound project or new consulate compound  
26 project that does not utilize a standardized design

1 for the structural, spatial, or security requirements  
2 of such embassy compound or consulate compound,  
3 as the case may be.

## 4 **TITLE III—PERSONNEL ISSUES**

### 5 **SEC. 1301. DEFENSE BASE ACT INSURANCE WAIVERS.**

6 (a) APPLICATION FOR WAIVERS.—Not later than 30  
7 days after the date of the enactment of this Act, the Sec-  
8 retary of State shall apply to the Department of Labor  
9 for a waiver from insurance requirements under the De-  
10 fense Base Act (42 U.S.C. 1651 et seq.) for all countries  
11 with respect to which the requirement was waived prior  
12 to January 2017, and for which there is not currently a  
13 waiver.

14 (b) CERTIFICATION REQUIREMENT.—Not later than  
15 45 days after the date of the enactment of this Act, the  
16 Secretary of State shall certify to the appropriate congres-  
17 sional committees that the requirement in subsection (a)  
18 has been met.

### 19 **SEC. 1302. STUDY ON FOREIGN SERVICE ALLOWANCES.**

20 (a) REPORT REQUIRED.—

21 (1) IN GENERAL.—Not later than one year  
22 after date of the enactment of this Act, the Sec-  
23 retary of State shall submit to the appropriate con-  
24 gressional committees a report detailing an empirical  
25 analysis on the effect of overseas allowances on the

1 foreign assignment of Foreign Service officers  
2 (FSOs), to be conducted by a federally-funded re-  
3 search and development center with appropriate ex-  
4 pertise in labor economics and military compensa-  
5 tion.

6 (2) CONTENTS.—The analysis required under  
7 paragraph (1) shall—

8 (A) identify all allowances paid to FSOs  
9 assigned permanently or on temporary duty to  
10 foreign areas;

11 (B) examine the efficiency of the Foreign  
12 Service bidding system in determining foreign  
13 assignments;

14 (C) examine the factors that incentivize  
15 FSOs to bid on particular assignments, includ-  
16 ing danger levels and hardship conditions;

17 (D) examine the Department's strategy  
18 and process for incentivizing FSOs to bid on  
19 assignments that are historically in lower de-  
20 mand, including with monetary compensation,  
21 and whether monetary compensation is nec-  
22 essary for assignments in higher demand;

23 (E) make any relevant comparisons to  
24 military compensation and allowances, noting

1           which allowances are shared or based on the  
2           same regulations;

3           (F) recommend options for restructuring  
4           allowances to improve the efficiency of the as-  
5           signments system and better align FSO incen-  
6           tives with the needs of the Foreign Service, in-  
7           cluding any cost savings associated with such  
8           restructuring;

9           (G) recommend any statutory changes nec-  
10          essary to implement subparagraph (F), such as  
11          consolidating existing legal authorities for the  
12          provision of hardship and danger pay; and

13          (H) detail any effects of recommendations  
14          made pursuant to subparagraphs (F) and (G)  
15          on other United States Government depart-  
16          ments and agencies with civilian employees per-  
17          manently assigned or on temporary duty in for-  
18          eign areas, following consultation with such de-  
19          partments and agencies.

20          (b) BRIEFING REQUIREMENT.—Before initiating the  
21          analysis required under subsection (a)(1), and not later  
22          than 60 days after the date of the enactment of this Act,  
23          the Secretary of State shall provide to the Committee on  
24          Foreign Relations of the Senate and the Committee on  
25          Foreign Affairs in the House of Representatives a briefing

1 on the implementation of this section that includes the fol-  
2 lowing:

3 (1) The name of the federally funded research  
4 and development center that will conduct such anal-  
5 ysis.

6 (2) The scope of such analysis and terms of ref-  
7 erence for such analysis as specified between the De-  
8 partment of State and such federally funded re-  
9 search and development center.

10 (c) AVAILABILITY OF INFORMATION.—

11 (1) IN GENERAL.—The Secretary of State shall  
12 make available to the federally-funded research and  
13 development center carrying out the analysis re-  
14 quired under subsection (a)(1) all necessary and rel-  
15 evant information to allow such center to conduct  
16 such analysis in a quantitative and analytical man-  
17 ner, including historical data on the number of bids  
18 for each foreign assignment and any survey data col-  
19 lected by the Department of State from eligible bid-  
20 ders on their bid decision-making.

21 (2) COOPERATION.—The Secretary of State  
22 shall work with the heads of other relevant United  
23 States Government departments and agencies to en-  
24 sure such departments and agencies provide all nec-  
25 essary and relevant information to the federally-

1 funded research and development center carrying  
2 out the analysis required under subsection (a)(1).

3 (d) INTERIM REPORT TO CONGRESS.—The Secretary  
4 of State shall require that the chief executive officer of  
5 the federally-funded research and development center that  
6 carries out the analysis required under subsection (a)(1)  
7 submit to the Committee on Foreign Relations of the Sen-  
8 ate and the Committee on Foreign Affairs of the House  
9 of Representatives an interim report on such analysis not  
10 later than 180 days after the date of the enactment of  
11 this Act.

12 **SEC. 1303. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

13 Section 504 of the Foreign Relations Authorization  
14 Act, Fiscal Year 1979 (22 U.S.C. 2656d) is amended by  
15 adding at the end the following new subsection:

16 “(e) GRANTS AND COOPERATIVE AGREEMENTS RE-  
17 LATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP  
18 PROGRAMS.—

19 “(1) IN GENERAL.—The Secretary of State is  
20 authorized to make grants or enter into cooperative  
21 agreements related to Department of State science  
22 and technology fellowship programs, including for  
23 assistance in recruiting fellows and the payment of  
24 stipends, travel, and other appropriate expenses to  
25 fellows.



1           “(2) EXCLUSION FROM CONSIDERATION AS  
2           COMPENSATION.—Stipends under paragraph (1)  
3           shall not be considered compensation for purposes of  
4           section 209 of title 18, United States Code.

5           “(3) MAXIMUM ANNUAL AMOUNT.—The total  
6           amount of grants made pursuant to this subsection  
7           may not exceed \$500,000 in any fiscal year.”.

8   **SEC. 1304. TRAVEL FOR SEPARATED FAMILIES.**

9           Section 901(15) of the Foreign Service Act of 1980  
10          (22 U.S.C. 4081(15)) is amended—

11           (1) in the matter preceding subparagraph (A),  
12           by striking “1 round-trip per year for each child  
13           below age 21 of a member of the Service assigned  
14           abroad” and inserting “in the case of one or more  
15           children below age 21 of a member of the Service as-  
16           signed abroad, one round-trip per year”;

17           (2) in subparagraph (A)—

18           (A) by inserting “for each child” before  
19           “to visit the member abroad”; and

20           (B) by striking “; or” and inserting a  
21           comma;

22           (3) in subparagraph (B)—

23           (A) by inserting “for each child” before  
24           “to visit the other parent”; and

25           (B) by inserting “or” after “resides,”;

1 (4) by inserting after subparagraph (B) the fol-  
2 lowing new subparagraph:

3 “(C) for one of the child’s parents to visit  
4 the child or children abroad if the child or chil-  
5 dren do not regularly reside with that parent  
6 and that parent is not receiving an education  
7 allowance or educational travel allowance for  
8 the child or children under section 5924(4) of  
9 title 5, United States Code,”; and

10 (5) in the matter following subparagraph (C),  
11 as added by paragraph (4) of this section, by strik-  
12 ing “a payment” and inserting “the cost of round-  
13 trip travel”.

14 **SEC. 1305. HOME LEAVE TRAVEL FOR SEPARATED FAMI-**  
15 **LIES.**

16 Section 903(b) of the Foreign Service Act of 1980  
17 (22 U.S.C. 4083(b)) is amended by adding at the end the  
18 following new sentence: “In cases in which a member of  
19 the Service has official orders to an unaccompanied post  
20 and in which the family members of the member reside  
21 apart from the member at authorized locations outside the  
22 United States, the member may take the leave ordered  
23 under this section where that member’s family members  
24 reside, notwithstanding section 6305 of title 5, United  
25 States Code.”.

1 **SEC. 1306. SENSE OF CONGRESS REGARDING CERTAIN FEL-**  
2 **LOWSHIP PROGRAMS.**

3 It is the sense of Congress that Department fellow-  
4 ships that promote the employment of candidates belong-  
5 ing to under-represented groups, including the Charles B.  
6 Rangel International Affairs Graduate Fellowship Pro-  
7 gram, the Thomas R. Pickering Foreign Affairs Fellow-  
8 ship Program, and the Donald M. Payne International De-  
9 velopment Fellowship Program, represent smart invest-  
10 ments vital for building a strong, capable, and representa-  
11 tive national security workforce.

12 **SEC. 1307. TECHNICAL CORRECTION.**

13 Subparagraph (A) of section 601(c)(6) of the Foreign  
14 Service Act of 1980 (22 U.S.C. 4001(c)(6)) is amended,  
15 in the matter preceding clause (i), by—

16 (1) striking “promotion” and inserting “pro-  
17 motion, on or after January 1, 2017,”; and

18 (2) striking “individual joining the Service on  
19 or after January 1, 2017,” and inserting “Foreign  
20 Service officer, appointed under section 302(a)(1),  
21 who has general responsibility for carrying out the  
22 functions of the Service”.

23 **SEC. 1308. FOREIGN SERVICE AWARDS.**

24 (a) IN GENERAL.—Section 614 of the Foreign Serv-  
25 ice Act of 1980 (22 U.S.C. 4013) is amended—

1           (1) by amending the section heading to read as  
2 follows: “DEPARTMENT AWARDS”; and

3           (2) in the first sentence, by inserting “or Civil  
4 Service” after “the Service”.

5           (b) CONFORMING AMENDMENT.—The item relating  
6 to section 614 in the table of contents of the Foreign Serv-  
7 ice Act of 1980 is amended to read as follows:

“Sec. 614. Department awards.”.

8 **SEC. 1309. DIPLOMATIC PROGRAMS.**

9           (a) SENSE OF CONGRESS ON WORKFORCE RECRUIT-  
10 MENT.—It is the sense of Congress that the Secretary of  
11 State should continue to hold entry-level classes for For-  
12 eign Service officers and specialists and continue to recruit  
13 civil servants through programs such as the Presidential  
14 Management Fellows Program and Pathways Internship  
15 Programs in a manner and at a frequency consistent with  
16 prior years and consistent with the need to maintain a  
17 pool of experienced personnel effectively distributed across  
18 skill codes and ranks. It is further the sense of Congress  
19 that absent continuous recruitment and training of For-  
20 eign Service officers and civil servants, the Department  
21 of State will lack experienced, qualified personnel in the  
22 short, medium, and long terms.

23           (b) LIMITATION.—The Secretary of State should not  
24 implement any reduction-in-force action under section  
25 3502 or 3595 of title 5, United States Code, or for any

1 incentive payments for early separation or retirement  
2 under any other provision of law unless—

3 (1) the appropriate congressional committees  
4 are notified not less than 15 days in advance of such  
5 obligation or expenditure; and

6 (2) the Secretary has provided to the appro-  
7 priate congressional committees a detailed report  
8 that describes the Department of State's strategic  
9 staffing goals, including—

10 (A) a justification that describes how any  
11 proposed workforce reduction enhances the ef-  
12 fectiveness of the Department;

13 (B) a certification that such workforce re-  
14 duction is in the national interest of the United  
15 States;

16 (C) a comprehensive strategic staffing plan  
17 for the Department, including 5-year workforce  
18 forecasting and a description of the anticipated  
19 impact of any proposed workforce reduction;  
20 and

21 (D) a dataset displaying comprehensive  
22 workforce data for all current and planned em-  
23 ployees of the Department, disaggregated by—

24 (i) Foreign Service officer and For-  
25 eign Service specialist rank;

1 (ii) civil service job skill code, grade  
2 level, and bureau of assignment;

3 (iii) contracted employees, including  
4 the equivalent job skill code and bureau of  
5 assignment; and

6 (iv) employees hired under schedule C  
7 of subpart C of part 213 of title 5, Code  
8 of Federal Regulations, including their  
9 equivalent grade and job skill code and bu-  
10 reau of assignment.

11 **SEC. 1310. SENSE OF CONGRESS REGARDING VETERANS**  
12 **EMPLOYMENT AT THE DEPARTMENT OF**  
13 **STATE.**

14 It is the sense of Congress that—

15 (1) the Department of State should continue to  
16 promote the employment of veterans, in accordance  
17 with section 301 of the Foreign Service Act of 1980  
18 (22 U.S.C. 3941), as amended by section 1407 of  
19 this Act, including those veterans belonging to tradi-  
20 tionally underrepresented groups at the Department;

21 (2) veterans employed by the Department have  
22 made significant contributions to United States for-  
23 eign policy in a variety of regional and global affairs  
24 bureaus and diplomatic posts overseas; and

1           (3) the Department should continue to encour-  
2           age veteran employment and facilitate their partici-  
3           pation in the workforce.

4 **SEC. 1311. EMPLOYEE ASSIGNMENT RESTRICTIONS AND**  
5 **PRECLUSIONS.**

6           (a) SENSE OF CONGRESS.—It is the sense of Con-  
7           gress that the Department of State should expand the ap-  
8           peal process it makes available to employees related to as-  
9           signment preclusions and restrictions.

10          (b) APPEAL OF ASSIGNMENT RESTRICTION OR PRE-  
11          CLUSION.—Subsection (a) of section 414 of the Depart-  
12          ment of State Authorities Act, Fiscal Year 2017 (22  
13          U.S.C. 2734e(a)) is amended by adding at the end the  
14          following new sentences: “Such right and process shall en-  
15          sure that any employee subjected to an assignment restric-  
16          tion or preclusion shall have the same appeal rights as  
17          provided by the Department regarding denial or revocation  
18          of a security clearance. Any such appeal shall be resolved  
19          not later than 60 days after such appeal is filed.”.

20          (c) NOTICE AND CERTIFICATION.—Not later than 90  
21          days after the date of the enactment of this Act, the Sec-  
22          retary of State shall revise, and certify to the Committee  
23          on Foreign Affairs of the House of Representatives and  
24          the Committee on Foreign Relations of the Senate regard-  
25          ing such revision, the Foreign Affairs Manual guidance

1 regarding denial or revocation of a security clearance to  
2 expressly state that all review and appeal rights relating  
3 thereto shall also apply to any recommendation or decision  
4 to impose an assignment restriction or preclusion to an  
5 employee.

6 **SEC. 1312. RECALL AND REEMPLOYMENT OF CAREER MEM-**  
7 **BERS.**

8 (a) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that—

10 (1) career Department of State employees pro-  
11 vide invaluable service to the United States as non-  
12 partisan professionals who contribute subject matter  
13 expertise and professional skills to the successful de-  
14 velopment and execution of United States foreign  
15 policy; and

16 (2) reemployment of skilled former members of  
17 the Foreign and civil service who have voluntarily  
18 separated from the Foreign or civil service due to  
19 family reasons or to obtain professional skills outside  
20 government is of benefit to the Department.

21 (b) REEMPLOYMENT.—Subsection (b) of section 308  
22 of the Foreign Service Act of 1980 (22 U.S.C. 3948) is  
23 amended by adding at the end the following new sentence:  
24 “Former career tenured members of the Service seeking  
25 reappointment, who were separated for other than cause



1 for up to five years prior to the date of the enactment  
2 of this sentence, shall not be required to accept a directed  
3 first assignment as a condition of reappointment.”.

4 (c) NOTICE OF EMPLOYMENT OPPORTUNITIES.—

5 (1) IN GENERAL.—Title 5, United States Code,  
6 is amended by inserting after chapter 102 the fol-  
7 lowing new chapter:

8 **“CHAPTER 103—NOTICE OF EMPLOYMENT**  
9 **OPPORTUNITIES FOR DEPARTMENT**  
10 **OF STATE AND USAID POSITIONS**

11 **“§ 10301. Notice of employment opportunities for de-**  
12 **partment of state and usaid positions**

13 “To ensure that individuals who have separated from  
14 the Department of State or the United States Agency for  
15 International Development and who are eligible for re-  
16 appointment are aware of such opportunities, the Depart-  
17 ment of State and the United States Agency for Inter-  
18 national Development shall publicize notice of all employ-  
19 ment opportunities, including positions for which the rel-  
20 evant agency is accepting applications from individuals  
21 within the agency’s workforce under merit promotion pro-  
22 cedures, on publicly accessible sites, including  
23 www.usajobs.gov. If using merit promotion procedures, the  
24 notice shall expressly state that former employees eligible  
25 for reinstatement may apply.”.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
2           tions for subpart I of title 5, United States Code, is  
3           amended by adding at the end the following:

“10301. Notice of employment opportunities for Department of State and  
USAID positions”.

4   **SEC. 1313. STRATEGIC STAFFING PLAN FOR THE DEPART-**  
5                                   **MENT OF STATE.**

6           (a) IN GENERAL.—Not later than 18 months after  
7           the date of the enactment of this Act, the Secretary of  
8           State shall submit to the appropriate congressional com-  
9           mittees a comprehensive 5-year strategic staffing plan for  
10          the Department of State that is aligned with and furthers  
11          the objectives of the National Security Strategy of the  
12          United States of America issued in December 2017, or  
13          any subsequent strategy issued not later than 18 months  
14          after the date of the enactment of this Act, which shall  
15          include the following:

16                 (1) A dataset displaying comprehensive work-  
17                 force data, including all shortages in bureaus de-  
18                 scribed in GAO report GAO–19–220, for all current  
19                 and planned employees of the Department,  
20                 disaggregated by—

21                         (A) Foreign Service officer and Foreign  
22                         Service specialist rank;

23                         (B) civil service job skill code, grade level,  
24                         and bureau of assignment;

1 (C) contracted employees, including the  
2 equivalent job skill code and bureau of assign-  
3 ment; and

4 (D) employees hired under schedule C of  
5 subpart C of part 213 of title 5, Code of Fed-  
6 eral Regulations, including the equivalent grade  
7 and job skill code and bureau of assignment of  
8 such employee.

9 (2) Recommendations on the number of For-  
10 eign Service officers disaggregated by service cone  
11 that should be posted at each United States diplo-  
12 matic post and in the District of Columbia, with a  
13 detailed basis for such recommendations.

14 (3) Recommendations on the number of civil  
15 service officers that should be employed by the De-  
16 partment, with a detailed basis for such rec-  
17 ommendations.

18 (b) MAINTENANCE.—The dataset required under  
19 subsection (a)(1) shall be maintained and updated on a  
20 regular basis.

21 (c) CONSULTATION.—The Secretary of State shall  
22 lead the development of the plan required under sub-  
23 section (a) but may consult or partner with private sector  
24 entities with expertise in labor economics, management,  
25 or human resources, as well as organizations familiar with

1 the demands and needs of the Department of State's  
2 workforce.

3 (d) REPORT.—Not later than 120 days after the date  
4 of the enactment of this Act, the Secretary of State shall  
5 submit to the appropriate congressional committees a re-  
6 port regarding root causes of Foreign Service and civil  
7 service shortages, the effect of such shortages on national  
8 security objectives, and the Department of State's plan  
9 to implement recommendations described in GAO-19-  
10 220.

11 **SEC. 1314. CONSULTING SERVICES.**

12 (a) IN GENERAL.—Chapter 103 of title 5, United  
13 States Code, as added by section 1312 of this Act, is  
14 amended by adding at the end the following:

15 **“§ 10302. Consulting services for the Department of**  
16 **State**

17 “Any consulting service obtained by the Department  
18 of State through procurement contract pursuant to section  
19 3109 of title 5, United States Code, shall be limited to  
20 those contracts with respect to which expenditures are a  
21 matter of public record and available for public inspection,  
22 except if otherwise provided under existing law, or under  
23 existing Executive order issued pursuant to existing law.”.

24 (b) CLERICAL AMENDMENT.—The table of sections  
25 for subpart I of title 5, United States Code, is amended

1 by adding after the item relating to section 10302 the fol-  
2 lowing new item:

“10302. Consulting services for the Department of State”.

3 **SEC. 1315. INCENTIVES FOR CRITICAL POSTS.**

4 Section 1115(d) of the Supplemental Appropriations  
5 Act, 2009 (Public Law 111–32) is amended by striking  
6 the last sentence.

7 **SEC. 1316. EXTENSION OF AUTHORITY FOR CERTAIN AC-**  
8 **COUNTABILITY REVIEW BOARDS.**

9 Section 301(a)(3) of the Omnibus Diplomatic Secu-  
10 rity and Antiterrorism Act of 1986 (22 U.S.C.  
11 4831(a)(3)) is amended—

12 (1) in the heading, by striking “AFGHANISTAN  
13 AND” and inserting “AFGHANISTAN, YEMEN, SYRIA,  
14 AND”; and

15 (2) in subparagraph (A)—

16 (A) in clause (i), by striking “Afghanistan  
17 or” and inserting “Afghanistan, Yemen, Syria,  
18 or”; and

19 (B) in clause (ii), by striking “beginning  
20 on October 1, 2005, and ending on September  
21 30, 2009” and inserting “beginning on October  
22 1, 2020, and ending on September 30, 2022”.

23 **SEC. 1317. FOREIGN SERVICE SUSPENSION WITHOUT PAY.**

24 Subsection (c) of section 610 of the Foreign Service  
25 Act of 1980 (22 U.S.C. 4010) is amended—

1           (1) in paragraph (1), in the matter preceding  
2           subparagraph (A), by striking “suspend” and insert-  
3           ing “indefinitely suspend without duties”;

4           (2) by redesignating paragraph (5) as para-  
5           graph (7);

6           (3) by inserting after paragraph (4) the fol-  
7           lowing new paragraphs:

8           “(5) Any member of the Service suspended  
9           from duties under this subsection may be suspended  
10          without pay only after a final written decision is pro-  
11          vided to such member under paragraph (2).

12          “(6) If no final written decision under para-  
13          graph (2) has been provided within one calendar  
14          year of the date the suspension at issue was pro-  
15          posed, not later than 30 days thereafter the Sec-  
16          retary of State shall report to the Committee on  
17          Foreign Affairs of the House of Representatives and  
18          the Committee on Foreign Relations of the Senate  
19          in writing regarding the specific reasons for such  
20          delay.”; and

21          (4) in paragraph (7), as so redesignated—

22                  (A) by striking “(7) In this subsection.”;

23                  (B) in subparagraph (A), by striking “(A)  
24          The term” and inserting the following:

25          “(7) In this subsection, the term”;

1 (C) by striking subparagraph (B) (relating  
2 to the definition of “suspend” and “suspension”); and  
3

4 (D) by redesignating clauses (i) and (ii) as  
5 subparagraphs (A) and (B), respectively, and  
6 moving such subparagraphs 2 ems to the left.

7 **SEC. 1318. FOREIGN AFFAIRS MANUAL AND FOREIGN AF-**  
8 **FAIRS HANDBOOK CHANGES.**

9 (a) **APPLICABILITY.**—The Foreign Affairs Manual  
10 and the Foreign Affairs Handbook apply with equal force  
11 and effect and without exception to all Department of  
12 State personnel, including the Secretary of State, Depart-  
13 ment employees, contractors, and political appointees, re-  
14 gardless of an individual’s status as a Foreign Service offi-  
15 cer, Civil Service employee, contractor, or political ap-  
16 pointee hired under any legal authority.

17 (b) **CERTIFICATION.**—Not later than 30 days after  
18 the date of the enactment of this Act, the Secretary of  
19 State shall submit to the appropriate congressional com-  
20 mittees a certification in unclassified form that the Office  
21 of the Legal Adviser of the Department of State has com-  
22 municated the applicability described in subsection (a) to  
23 all Department personnel, including the personnel referred  
24 to in such subsection.

25 (c) **REPORT.**—

1           (1) IN GENERAL.—Not later than 180 days  
2 after the date of the enactment of this Act and every  
3 180 days thereafter for five years, the Secretary of  
4 State shall submit to the appropriate congressional  
5 committees a report detailing all changes made to  
6 the Foreign Affairs Manual or the Foreign Affairs  
7 Handbook.

8           (2) COVERED PERIODS.—The first report re-  
9 quired under paragraph (1) shall cover the 5-year  
10 period preceding the submission of such report.  
11 Each subsequent report shall cover the 180-day pe-  
12 riod preceding submission.

13           (3) CONTENTS.—Each report required under  
14 paragraph (1) shall contain the following:

15           (A) The location within the Foreign Af-  
16 fairs Manual or the Foreign Affairs Handbook  
17 where a change has been made.

18           (B) The statutory basis for each such  
19 change.

20           (C) A side-by-side comparison of the For-  
21 eign Affairs Manual or Foreign Affairs Hand-  
22 book before and after such change.

23           (D) A summary of such changes displayed  
24 in spreadsheet form.



1 **SEC. 1319. WAIVER AUTHORITY FOR INDIVIDUAL OCCUPA-**  
2 **TIONAL REQUIREMENTS OF CERTAIN POSI-**  
3 **TIONS.**

4 The Secretary of State may waive any or all of the  
5 individual occupational requirements with respect to an  
6 employee or prospective employee of the Department of  
7 State for a civilian position categorized under the GS-  
8 0130 occupational series if the Secretary determines that  
9 the individual possesses significant scientific, techno-  
10 logical, engineering, or mathematical expertise that is inte-  
11 gral to performing the duties of the applicable position,  
12 based on demonstrated job performance and qualifying ex-  
13 perience. With respect to each waiver granted under this  
14 subsection, the Secretary shall set forth in a written docu-  
15 ment that is transmitted to the Director of the Office of  
16 Personnel Management the rationale for the decision of  
17 the Secretary to waive such requirements.

18 **SEC. 1320. APPOINTMENT OF EMPLOYEES TO THE GLOBAL**  
19 **ENGAGEMENT CENTER.**

20 The Secretary of State may appoint, for a 3-year pe-  
21 riod that may be extended for up to an additional two  
22 years, solely to carry out the functions of the Global En-  
23 gagement Center, employees of the Department of State  
24 without regard to the provisions of title 5, United States  
25 Code, governing appointment in the competitive service,  
26 and may fix the basic compensation of such employees

1 without regard to chapter 51 and subchapter III of chap-  
2 ter 53 of such title.

3 **SEC. 1321. REST AND RECUPERATION AND OVERSEAS OP-**  
4 **ERATIONS LEAVE FOR FEDERAL EMPLOYEES.**

5 (a) IN GENERAL.—Subchapter II of chapter 63 of  
6 title 5, United States Code, is amended by adding at the  
7 end the following new sections:

8 **“§ 6329d. Rest and recuperation leave**

9 “(a) DEFINITIONS.—In this section—

10 “(1) the term ‘agency’ means an Executive  
11 agency (as that term is defined in section 105), but  
12 does not include the Government Accountability Of-  
13 fice;

14 “(2) the term ‘combat zone’ means a geo-  
15 graphic area designated by an Executive order of the  
16 President as an area in which the Armed Forces are  
17 engaging or have engaged in combat, an area des-  
18 ignated by law to be treated as a combat zone, or  
19 a location the Department of Defense has certified  
20 for combat zone tax benefits due to its direct sup-  
21 port of military operations;

22 “(3) the term ‘employee’ has the meaning given  
23 that term in section 6301;

24 “(4) the term ‘high risk, high threat post’ has  
25 the meaning given that term in section 104 of the

1 Omnibus Diplomatic Security and Antiterrorism Act  
2 of 1986 (22 U.S.C. 4803); and

3 “(5) the term ‘leave year’ means the period be-  
4 ginning on the first day of the first complete pay pe-  
5 riod in a calendar year and ending on the day imme-  
6 diately before the first day of the first complete pay  
7 period in the following calendar year.

8 “(b) LEAVE FOR REST AND RECUPERATION.—The  
9 head of an agency may prescribe regulations to grant up  
10 to 20 days of paid leave, per leave year, for the purposes  
11 of rest and recuperation to an employee of the agency  
12 serving in a combat zone, any other high risk, high threat  
13 post, or any other location presenting significant security  
14 or operational challenges.

15 “(c) DISCRETIONARY AUTHORITY OF AGENCY  
16 HEAD.—Use of the authority under subsection (b) is at  
17 the sole and exclusive discretion of the head of the agency  
18 concerned.

19 “(d) RECORDS.—An agency shall record leave pro-  
20 vided under this section separately from leave authorized  
21 under any other provision of law.

22 **“§ 6329e. Overseas operations leave**

23 “(a) DEFINITIONS.—In this section—

24 “(1) the term ‘agency’ means an Executive  
25 agency (as that term is defined in section 105), but

1 does not include the Government Accountability Of-  
2 fice;

3 “(2) the term ‘employee’ has the meaning given  
4 that term in section 6301; and

5 “(3) the term ‘leave year’ means the period be-  
6 ginning with the first day of the first complete pay  
7 period in a calendar year and ending with the day  
8 immediately before the first day of the first complete  
9 pay period in the following calendar year.

10 “(b) LEAVE FOR OVERSEAS OPERATIONS.—The head  
11 of an agency may prescribe regulations to grant up to 10  
12 days of paid leave, per leave year, to an employee of the  
13 agency serving abroad where the conduct of business could  
14 pose potential security or safety related risks or would be  
15 inconsistent with host-country practice. Such regulations  
16 may provide that additional leave days may be granted  
17 during such leave year if the head of the agency deter-  
18 mines that to do so is necessary to advance the national  
19 security or foreign policy interests of the United States.

20 “(c) DISCRETIONARY AUTHORITY OF AGENCY  
21 HEAD.—Use of the authority under subsection (b) is at  
22 the sole and exclusive discretion of the head of the agency  
23 concerned.

1 “(d) RECORDS.—An agency shall record leave pro-  
2 vided under this section separately from leave authorized  
3 under any other provision of law.”.

4 (b) CLERICAL AMENDMENTS.—The table of sections  
5 at the beginning of such chapter is amended by inserting  
6 after the item relating to section 6329c the following new  
7 items:

“6329d. Rest and recuperation leave  
“6329e. Overseas operations leave”.

8 **SEC. 1322. EMERGENCY MEDICAL SERVICES AUTHORITY.**

9 Section 3 of the State Department Basic Authorities  
10 Act of 1956 (22 U.S.C. 2670) is amended—

11 (1) in subsection (l), by striking “and” after  
12 the semicolon;

13 (2) in subsection (m), by striking the period  
14 and inserting “; and”; and

15 (3) by adding at the end the following new sub-  
16 section:

17 “(n) in exigent circumstances, as determined by the  
18 Secretary, provide emergency medical services or related  
19 support for private United States citizens, nationals, and  
20 permanent resident aliens abroad, or third country nation-  
21 als connected to such persons or to the diplomatic or devel-  
22 opment missions of the United States abroad, who are un-  
23 able to obtain such services or support otherwise, with

1 such assistance provided on a reimbursable basis to the  
2 extent feasible.”.

3 **SEC. 1323. DEPARTMENT OF STATE STUDENT INTERNSHIP**  
4 **PROGRAM.**

5 (a) IN GENERAL.—The Secretary of State shall es-  
6 tablish the Department of State Student Internship Pro-  
7 gram (in this section referred to as the “Program”) to  
8 offer internship opportunities at the Department of State  
9 to eligible students to raise awareness of the essential role  
10 of diplomacy in the conduct of United States foreign policy  
11 and the realization of United States foreign policy objec-  
12 tives.

13 (b) ELIGIBILITY.—To be eligible to participate in the  
14 Program, an applicant shall—

15 (1) be enrolled, not less than half-time, at—

16 (A) an institution of higher education (as  
17 such term is defined section 102 of the Higher  
18 Education Act of 1965 (20 U.S.C. 1002)); or

19 (B) an institution of higher education  
20 based outside the United States, as determined  
21 by the Secretary of State;

22 (2) be able to receive and hold an appropriate  
23 security clearance; and

24 (3) satisfy such other criteria as established by  
25 the Secretary.

1           (c) SELECTION.—The Secretary of State shall estab-  
2   lish selection criteria for students to be admitted into the  
3   Program that includes the following:

4           (1) Demonstrable interest in a career in foreign  
5   affairs.

6           (2) Academic performance.

7           (3) Such other criteria as determined by the  
8   Secretary.

9           (d) OUTREACH.—The Secretary of State shall adver-  
10   tise the Program widely, including on the internet,  
11   through the Department of State’s Diplomats in Resi-  
12   dence program, and through other outreach and recruiting  
13   initiatives targeting undergraduate and graduate students.  
14   The Secretary shall actively encourage people belonging to  
15   traditionally under represented groups in terms of racial,  
16   ethnic, geographic, and gender diversity, and disability  
17   status to apply to the Program, including by conducting  
18   targeted outreach at minority serving institutions (as such  
19   term is described in section 371(a) of the Higher Edu-  
20   cation Act of 1965 (20 U.S.C. 1067q(a)).

21           (e) COMPENSATION.—

22           (1) IN GENERAL.—Students participating in the  
23   Program shall be paid at least—

1 (A) the amount specified in section 6(a)(1)  
2 of the Fair Labor Standards Act of 1938 (29  
3 U.S.C. 206(a)(1)), or

4 (B) the minimum wage of the jurisdiction  
5 in which the internship is located,  
6 whichever is greatest.

7 (2) HOUSING ASSISTANCE.—

8 (A) ABROAD.—The Secretary of State  
9 shall provide housing assistance to a student  
10 participating in the Program whose permanent  
11 address is within the United States if the loca-  
12 tion of the internship in which such student is  
13 participating is outside the United States.

14 (B) DOMESTIC.—The Secretary of State is  
15 authorized to provide housing assistance to a  
16 student participating in the Program whose  
17 permanent address is within the United States  
18 if the location of the internship in which such  
19 student is participating is more than 50 miles  
20 away from such student's permanent address.

21 (3) TRAVEL ASSISTANCE.—The Secretary of  
22 State shall provide a student participating in the  
23 Program whose permanent address is within the  
24 United States financial assistance to cover the costs  
25 of travel once to and once from the location of the



1 internship in which such student is participating, in-  
2 cluding travel by air, train, bus, or other transit as  
3 appropriate, if the location of such internship is—

4 (A) more than 50 miles from such stu-  
5 dent's permanent address; or

6 (B) outside the United States.

7 (f) WORKING WITH INSTITUTIONS OF HIGHER EDU-  
8 CATION.—The Secretary of State is authorized to enter  
9 into agreements with institutions of higher education to  
10 structure internships to ensure such internships satisfy  
11 criteria for academic programs in which participants in  
12 such internships are enrolled.

13 (g) TRANSITION PERIOD.—Not later than one year  
14 after the date of the enactment of this Act, the Secretary  
15 of State shall transition all unpaid internship programs  
16 of the Department of State, including the Foreign Service  
17 Internship Program, to internship programs that offer  
18 compensation. Upon selection as a candidate for entry into  
19 an internship program of the Department after such date,  
20 a participant in such internship program shall be afforded  
21 the opportunity to forgo compensation if doing so allows  
22 such participant to receive college or university curricular  
23 credit.

24 (h) REPORTS.—Not later than 18 months after the  
25 date of the enactment of this Act, the Secretary of State

1 shall submit to the Committee on Foreign Affairs of the  
2 House of Representatives and the Committee on Foreign  
3 Relations of a Senate a report that includes the following:

4 (1) Information regarding the number of stu-  
5 dents, disaggregated by race, ethnicity, gender, insti-  
6 tution of higher learning, home State, State where  
7 each student graduated from high school, and dis-  
8 ability status, who applied to the Program, were of-  
9 fered a position, and participated.

10 (2) Information on the number of security  
11 clearance investigations started and the timeline for  
12 such investigations, including whether such inves-  
13 tigation were completed or if, and when, an interim  
14 security clearance was granted.

15 (3) Information on expenditures on the Pro-  
16 gram.

17 (4) Information regarding the Department of  
18 State's compliance with subsection (g).

19 (i) VOLUNTARY PARTICIPATION.—

20 (1) IN GENERAL.—Nothing in this section may  
21 be construed to compel any student who is a partici-  
22 pant in an internship program of the Department of  
23 State to participate in the collection of the data or  
24 divulge any personal information. Such students

1 shall be informed that their participation in the data  
2 collection contemplated by this section is voluntary.

3 (2) PRIVACY PROTECTION.—Any data collected  
4 under this section shall be subject to the relevant  
5 privacy protection statutes and regulations applica-  
6 ble to Federal employees.

7 **SEC. 1324. COMPETITIVE STATUS FOR CERTAIN EMPLOY-**  
8 **EES HIRED BY INSPECTORS GENERAL TO**  
9 **SUPPORT THE LEAD IG MISSION.**

10 Subparagraph (A) of section 8L(d)(5) of the Inspec-  
11 tor General Act of 1978 (5 U.S.C. App.) is amended by  
12 striking “a lead Inspector General for” and inserting “any  
13 of the Inspectors General specified in subsection (c) for  
14 oversight of”.

15 **SEC. 1325. COOPERATION WITH OFFICE OF THE INSPECTOR**  
16 **GENERAL.**

17 (a) ADMINISTRATIVE DISCIPLINE.—Not later than  
18 30 days after the date of the enactment of this Act, the  
19 Secretary of State shall make explicit in writing to all De-  
20 partment of State personnel, including the Secretary of  
21 State, Department employees, contractors, and political  
22 appointees, and shall consider updating the Foreign Af-  
23 fairs Manual and the Foreign Affairs Handbook to explic-  
24 itly specify, that if any of such personnel does not comply  
25 within 60 days with a request for an interview or access

1 to documents from the Office of the Inspector General of  
2 the Department such personnel shall be subject to appro-  
3 priate administrative discipline including, when cir-  
4 cumstances warrant, suspension without pay or removal.

5 (b) REPORT.—

6 (1) IN GENERAL.—Not later than 180 days  
7 after the date of the enactment of this Act and on  
8 a quarterly basis thereafter, the Office of the Inspec-  
9 tor General of the Department of State and the  
10 United States Agency for Global Media shall submit  
11 to the appropriate congressional committees a report  
12 in unclassified form detailing the following:

13 (A) The title of any individual who has not  
14 complied within 60 days with a request for an  
15 interview or access to documents from the Of-  
16 fice of the Inspector General.

17 (B) The date on which such request was  
18 initially made.

19 (C) Any extension of time that was volun-  
20 tarily granted to such individual by the Office  
21 of the Inspector General.

22 (D) The general subject matter regarding  
23 which the Office of the Inspector General has  
24 requested of such individual.

1           (2) FORM.—Additional information pertaining  
2 solely to the subject matter of a request described in  
3 paragraph (1) may be provided in a supplemental  
4 classified annex, if necessary, but all other informa-  
5 tion required by the reports required under such  
6 paragraph shall be provided in unclassified form.

7 **TITLE IV—A DIVERSE WORK-**  
8 **FORCE: RECRUITMENT, RE-**  
9 **TENTION, AND PROMOTION**

10 **SEC. 1401. DEFINITIONS.**

11 In this title:

12           (1) APPLICANT FLOW DATA.—The term “appli-  
13 cant flow data” means data that tracks the rate of  
14 applications for job positions among demographic  
15 categories.

16           (2) DEMOGRAPHIC DATA.—The term “demo-  
17 graphic data” means facts or statistics relating to  
18 the demographic categories specified in the Office of  
19 Management and Budget statistical policy directive  
20 entitled “Standards for Maintaining, Collecting, and  
21 Presenting Federal Data on Race and Ethnicity”  
22 (81 Fed. Reg. 67398).

23           (3) DIVERSITY.—The term “diversity” means  
24 those classes of persons protected under the Civil  
25 Rights Act of 1964 (42 U.S.C. 2000a et seq.) and

1 the Americans with Disabilities Act of 1990 (42  
2 U.S.C. 12101 et seq.).

3 (4) WORKFORCE.—The term “workforce”  
4 means—

5 (A) individuals serving in a position in the  
6 civil service (as such term is defined in section  
7 2101 of title 5, United States Code);

8 (B) individuals who are members of the  
9 Foreign Service (as such term defined in sec-  
10 tion 103 of the Foreign Service Act of 1980 (22  
11 U.S.C. 3902));

12 (C) all individuals serving under a personal  
13 services contract;

14 (D) all individuals serving under a Foreign  
15 Service limited appointment under section 309  
16 of the Foreign Service Act of 1980 (22 U.S.C.  
17 3949); or

18 (E) individuals other than Locally Em-  
19 ployed Staff working in the Department of  
20 State under any other authority.

21 **SEC. 1402. COLLECTION, ANALYSIS, AND DISSEMINATION**  
22 **OF WORKFORCE DATA.**

23 (a) INITIAL REPORT.—Not later than 180 days after  
24 the date of the enactment of this Act, the Secretary of  
25 State shall, in consultation with the Director of the Office

1 of Personnel Management and the Director of the Office  
2 of Management and Budget, submit to the appropriate  
3 congressional committees a report, which shall also be  
4 posted on a publicly available website of the Department  
5 in a searchable database format, that includes  
6 disaggregated demographic data and other information re-  
7 garding the diversity of the workforce of the Department  
8 of State.

9 (b) DATA.—The report under subsection (a) shall in-  
10 clude the following data:

11 (1) Demographic data on each element of the  
12 workforce of the Department of State, disaggregated  
13 by rank and grade or grade-equivalent, with respect  
14 to the following groups:

15 (A) Applicants for positions in the Depart-  
16 ment.

17 (B) Individuals hired to join the workforce.

18 (C) Individuals promoted during the 5-year  
19 period ending on the date of the enactment of  
20 this Act, including promotions to and within the  
21 Senior Executive Service or the Senior Foreign  
22 Service.

23 (D) Individuals serving during the 5-year  
24 period ending on the date of the enactment of  
25 this Act as special assistants in any of the of-

1           fices of the Secretary of State, the Deputy Sec-  
2           retary of State, the Counselor of the Depart-  
3           ment of State, the Secretary's Policy Planning  
4           Staff, the Under Secretary for Arms Control  
5           and International Security, the Under Secretary  
6           for Civilian Security, Democracy, and Human  
7           Rights, the Under Secretary for Economic  
8           Growth, Energy, and the Environment, the Un-  
9           dersecretary for Management, the Undersecre-  
10          tary of State for Political Affairs, and the Un-  
11          dersecretary for Public Diplomacy and Public  
12          Affairs.

13                 (E) Individuals serving in the 5-year pe-  
14                 riod ending on the date of the enactment of this  
15                 Act in each bureau's front office.

16                 (F) Individuals serving in the 5-year pe-  
17                 riod ending on the date of the enactment of this  
18                 Act as detailees to the National Security Coun-  
19                 cil.

20                 (G) Individuals serving on applicable selec-  
21                 tion boards.

22                 (H) Members of any external advisory  
23                 committee or board who are subject to appoint-  
24                 ment by individuals at senior positions in the  
25                 Department.



1 (I) Individuals participating in professional  
2 development programs of the Department, and  
3 the extent to which such participants have been  
4 placed into senior positions within the Depart-  
5 ment after such participation.

6 (J) Individuals participating in mentorship  
7 or retention programs.

8 (K) Individuals who separated from the  
9 agency during the 2-year period ending on the  
10 date of the enactment of this Act, including in-  
11 dividuals in the Senior Executive Service or the  
12 Senior Foreign Service.

13 (2) An assessment of agency compliance with  
14 the essential elements identified in Equal Employ-  
15 ment Opportunity Commission Management Direc-  
16 tive 715, effective October 1, 2003.

17 (3) Data on the overall number of individuals  
18 who are part of the workforce, the percentages of  
19 such workforce corresponding to each element speci-  
20 fied in section 1401(4), and the percentages cor-  
21 responding to each rank, grade, or grade-equivalent.

22 (c) RECOMMENDATION.—The Secretary of State may  
23 include in the report under subsection (a) a recommenda-  
24 tion to the Director of Office of Management and Budget  
25 and to the appropriate congressional committees regarding

1 whether the Department of State should collect more de-  
2 tailed data on demographic categories in addition to the  
3 race and ethnicity categories specified in the Office of  
4 Management and Budget statistical policy directive enti-  
5 tled “Standards for Maintaining, Collecting, and Pre-  
6 senting Federal Data on Race and Ethnicity” (81 Fed.  
7 Reg. 67398).

8 (d) OTHER CONTENTS.—The report under sub-  
9 section (a) shall also describe and assess the effectiveness  
10 of the efforts of the Department of State—

11 (1) to propagate fairness, impartiality, and in-  
12 clusion in the work environment, both domestically  
13 and abroad;

14 (2) to enforce anti-harassment and anti-dis-  
15 crimination policies, both domestically and at posts  
16 overseas;

17 (3) to refrain from engaging in unlawful dis-  
18 crimination in any phase of the employment process,  
19 including recruitment, hiring, evaluation, assign-  
20 ments, promotion, retention, and training;

21 (4) to prevent illegal retaliation against employ-  
22 ees for participating in a protected equal employ-  
23 ment opportunity activity or for reporting sexual  
24 harassment or sexual assault;

1           (5) to provide reasonable accommodation for  
2           qualified employees and applicants with disabilities;  
3           and

4           (6) to recruit a representative workforce by—

5                   (A) recruiting women and minorities;

6                   (B) recruiting at women’s colleges, histori-  
7                   cally Black colleges and universities, minority-  
8                   serving institutions, and other institutions serv-  
9                   ing a significant percentage of minority stu-  
10                  dents;

11                  (C) placing job advertisements in news-  
12                  papers, magazines, and job sites oriented to-  
13                  ward women and minorities;

14                  (D) sponsoring and recruiting at job fairs  
15                  in urban and rural communities and land-grant  
16                  colleges or universities;

17                  (E) providing opportunities through the  
18                  Foreign Service Internship Program under  
19                  chapter 12 of the Foreign Service Act of 1980  
20                  (22 U.S.C. 4141 et seq.) and other hiring ini-  
21                  tiatives;

22                  (F) recruiting mid-level and senior-level  
23                  professionals through programs designed to in-  
24                  crease minority representation in international  
25                  affairs;

1           (G) offering the Foreign Service written  
2           and oral assessment examinations in several lo-  
3           cations throughout the United States to reduce  
4           the burden of applicants having to travel at  
5           their own expense to take either or both such  
6           examinations;

7           (H) expanding the use of paid internships;  
8           and

9           (I) supporting recruiting and hiring oppor-  
10          tunities through—

11                 (i) the Charles B. Rangel Inter-  
12                 national Affairs Fellowship Program;

13                 (ii) the Thomas R. Pickering Foreign  
14                 Affairs Fellowship Program; and

15                 (iii) other initiatives, including agen-  
16                 cy-wide policy initiatives.

17          (e) ANNUAL UPDATES.—Not later than one year  
18          after the publication of the report required under sub-  
19          section (a) and annually thereafter for the following five  
20          years, the Secretary of State shall work with the Director  
21          of the Office of Personnel Management and the Director  
22          of the Office of Management and Budget to provide a re-  
23          port to the appropriate congressional committees, which  
24          shall be posted on the Department's website, which may

1 be included in another annual report required under an-  
2 other provision of law, that includes—

3 (1) disaggregated demographic data relating to  
4 the workforce and information on the status of di-  
5 versity and inclusion efforts of the Department;

6 (2) an analysis of applicant flow data; and

7 (3) disaggregated demographic data relating to  
8 participants in professional development programs of  
9 the Department and the rate of placement into sen-  
10 ior positions for participants in such programs.

11 **SEC. 1403. EXIT INTERVIEWS FOR WORKFORCE.**

12 (a) **RETAINED MEMBERS.**—The Director General of  
13 the Foreign Service and the Director of the Bureau of  
14 Human Resources or its equivalent shall conduct periodic  
15 interviews with a representative and diverse cross-section  
16 of the workforce of the Department of State—

17 (1) to understand the reasons of individuals in  
18 such workforce for remaining in a position in the  
19 Department; and

20 (2) to receive feedback on workplace policies,  
21 professional development opportunities, and other  
22 issues affecting the decision of individuals in the  
23 workforce to remain in the Department.

24 (b) **DEPARTING MEMBERS.**—The Director General of  
25 the Foreign Service and the Director of the Bureau of

1 Human Resources or its equivalent shall provide an oppor-  
2 tunity for an exit interview to each individual in the work-  
3 force of the Department of State who separates from serv-  
4 ice with the Department to better understand the reasons  
5 of such individual for leaving such service.

6 (c) USE OF ANALYSIS FROM INTERVIEWS.—The Di-  
7 rector General of the Foreign Service and the Director of  
8 the Bureau of Human Resources or its equivalent shall  
9 analyze demographic data and other information obtained  
10 through interviews under subsections (a) and (b) to deter-  
11 mine—

12 (1) to what extent, if any, the diversity of those  
13 participating in such interviews impacts the results;  
14 and

15 (2) whether to implement any policy changes or  
16 include any recommendations in a report required  
17 under subsection (a) or (e) of section 1402 relating  
18 to the determination reached pursuant to paragraph  
19 (1).

20 (d) TRACKING DATA.—The Department of State  
21 shall—

22 (1) track demographic data relating to partici-  
23 pants in professional development programs and the  
24 rate of placement into senior positions for partici-  
25 pants in such programs;

1 (2) annually evaluate such data—

2 (A) to identify ways to improve outreach  
3 and recruitment for such programs, consistent  
4 with merit system principles; and

5 (B) to understand the extent to which par-  
6 ticipation in any professional development pro-  
7 gram offered or sponsored by the Department  
8 differs among the demographic categories of the  
9 workforce; and

10 (3) actively encourage participation from a  
11 range of demographic categories, especially from cat-  
12 egories with consistently low participation, in such  
13 professional development programs.

14 **SEC. 1404. RECRUITMENT AND RETENTION.**

15 (a) IN GENERAL.—The Secretary of State shall—

16 (1) continue to seek a diverse and talented pool  
17 of applicants; and

18 (2) instruct the Director General of the Foreign  
19 Service and the Director of the Bureau of Human  
20 Resources of the Department of State to have a re-  
21 cruitment plan of action for the recruitment of peo-  
22 ple belonging to traditionally under-represented  
23 groups, which should include outreach at appro-  
24 priate colleges, universities, affinity groups, and pro-  
25 fessional associations.

1 (b) SCOPE.—The diversity recruitment initiatives de-  
2 scribed in subsection (a) shall include—

3 (1) recruiting at women’s colleges, historically  
4 Black colleges and universities, minority-serving in-  
5 stitutions, and other institutions serving a signifi-  
6 cant percentage of minority students;

7 (2) placing job advertisements in newspapers,  
8 magazines, and job sites oriented toward diverse  
9 groups;

10 (3) sponsoring and recruiting at job fairs in  
11 urban and rural communities and land-grant colleges  
12 or universities;

13 (4) providing opportunities through highly re-  
14 spected, international leadership programs, that  
15 focus on diversity recruitment and retention;

16 (5) expanding the use of paid internships; and

17 (6) cultivating partnerships with organizations  
18 dedicated to the advancement of the profession of  
19 international affairs and national security to advance  
20 shared diversity goals.

21 (c) EXPAND TRAINING ON ANTI-HARASSMENT AND  
22 ANTI-DISCRIMINATION.—

23 (1) IN GENERAL.—The Secretary of State shall,  
24 through the Foreign Service Institute and other edu-  
25 cational and training opportunities—



1           (A) ensure the provision to all individuals  
2           in the workforce of training on anti-harassment  
3           and anti-discrimination information and poli-  
4           cies, including in existing Foreign Service Insti-  
5           tute courses or modules prioritized in the De-  
6           partment of State's Diversity and Inclusion  
7           Strategic Plan for 2016–2020 to promote diver-  
8           sity in Bureau awards or mitigate unconscious  
9           bias;

10           (B) expand the provision of training on  
11           workplace rights and responsibilities to focus on  
12           anti-harassment and anti-discrimination infor-  
13           mation and policies, including policies relating  
14           to sexual assault prevention and response; and

15           (C) make such expanded training manda-  
16           tory for—

17                   (i) individuals in senior and super-  
18                   visory positions;

19                   (ii) individuals having responsibilities  
20                   related to recruitment, retention, or pro-  
21                   motion of employees; and

22                   (iii) any other individual determined  
23                   by the Department who needs such train-  
24                   ing based on analysis by the Department  
25                   or OPM analysis.

1           (2) BEST PRACTICES.—The Department of  
2           State shall give special attention to ensuring the  
3           continuous incorporation of research-based best  
4           practices in training provided under this subsection.

5   **SEC. 1405. PROMOTING DIVERSITY AND INCLUSION IN THE**  
6                               **NATIONAL SECURITY WORKFORCE.**

7           (a) IN GENERAL.—The Secretary of State shall en-  
8           sure that individuals in senior and supervisory positions  
9           of the Department of State, or Department individuals  
10          having responsibilities related to recruitment, retention, or  
11          promotion of employees, should have a demonstrated com-  
12          mitment to equal opportunity, diversity, and inclusion.

13          (b) CONSIDERATION.—In making any recommenda-  
14          tions on nominations, conducting interviews, or appointing  
15          acting individuals for positions equivalent to an Assistant  
16          Secretary or above, the Secretary of State shall use best  
17          efforts to consider at least one individual reflective of di-  
18          versity.

19          (c) ESTABLISHMENT.—

20               (1) IN GENERAL.—The Secretary of State shall  
21               establish a mechanism to ensure that appointments  
22               of Department of State employees to staff positions  
23               in the Offices of the Secretary, the Deputy Sec-  
24               retary, the Counselor of the Department, the Sec-  
25               retary's Policy Planning Staff, or any of the Under-

1 secretaries of State, and details to the National Se-  
2 curity Council, are transparent, competitive, equi-  
3 table, and inclusive.

4 (2) REPORT.—Not later than 60 days after the  
5 date of the enactment of this Act, the Secretary of  
6 State shall submit to the appropriate congressional  
7 committees a report regarding the mechanism re-  
8 quired under paragraph (1).

9 (d) AVAILABILITY.—The Secretary of State shall use  
10 best efforts to consider at least one individual reflective  
11 of diversity for the staff positions specified in subsection  
12 (c)(1) and ensure such positions are equitably available  
13 to employees of the civil service and Foreign Service.

14 **SEC. 1406. LEADERSHIP ENGAGEMENT AND ACCOUNT-**  
15 **ABILITY.**

16 (a) REWARD AND RECOGNIZE EFFORTS TO PRO-  
17 MOTE DIVERSITY AND INCLUSION.—

18 (1) IN GENERAL.—The Secretary of State shall  
19 implement performance and advancement require-  
20 ments that reward and recognize the efforts of indi-  
21 viduals in senior positions and supervisors in the De-  
22 partment of State in fostering an inclusive environ-  
23 ment and cultivating talent consistent with merit  
24 system principles, such as through participation in

1 mentoring programs or sponsorship initiatives, re-  
2 cruitment events, and other similar opportunities.

3 (2) OUTREACH EVENTS.—The Secretary of  
4 State shall create opportunities for individuals in  
5 senior positions and supervisors in the Department  
6 of State to participate in outreach events and to dis-  
7 cuss issues relating to diversity and inclusion with  
8 the workforce on a regular basis, including with em-  
9 ployee resource groups.

10 (b) EXTERNAL ADVISORY COMMITTEES AND  
11 BOARDS.—For each external advisory committee or board  
12 to which individuals in senior positions in the Department  
13 of State appoint members, the Secretary of State is  
14 strongly encouraged by Congress to ensure such external  
15 advisory committee or board is developed, reviewed, and  
16 carried out by qualified teams that represent the diversity  
17 of the organization.

18 **SEC. 1407. PROFESSIONAL DEVELOPMENT OPPORTUNITIES**

19 **AND TOOLS.**

20 (a) EXPAND PROVISION OF PROFESSIONAL DEVEL-  
21 OPMENT AND CAREER ADVANCEMENT OPPORTUNITIES.—

22 (1) IN GENERAL.—The Secretary of State is  
23 authorized to expand professional development op-  
24 portunities that support the mission needs of the  
25 Department of State, such as—

- 1 (A) academic programs;
- 2 (B) private-public exchanges; and
- 3 (C) detail assignments to relevant positions
- 4 in—
- 5 (i) private or international organiza-
- 6 tions;
- 7 (ii) State, local, and Tribal govern-
- 8 ments;
- 9 (iii) other branches of the Federal
- 10 Government; or
- 11 (iv) professional schools of inter-
- 12 national affairs.

13 (2) TRAINING FOR SENIOR POSITIONS.—

14 (A) IN GENERAL.—The Secretary of State

15 shall offer, or sponsor members of the work-

16 force to participate in, a Senior Executive Serv-

17 ice candidate development program or other

18 program that trains members on the skills re-

19 quired for appointment to senior positions in

20 the Department of State.

21 (B) REQUIREMENTS.—In determining

22 which members of the workforce are granted

23 professional development or career advancement

24 opportunities under subparagraph (A), the Sec-

25 retary of State shall—

1 (i) ensure any program offered or  
2 sponsored by the Department of State  
3 under such subparagraph comports with  
4 the requirements of subpart C of part 412  
5 of title 5, Code of Federal Regulations, or  
6 any successor thereto, including merit  
7 staffing and assessment requirements;

8 (ii) consider the number of expected  
9 vacancies in senior positions as a factor in  
10 determining the number of candidates to  
11 select for such programs;

12 (iii) understand how participation in  
13 any program offered or sponsored by the  
14 Department under such subparagraph dif-  
15 fers by gender, race, national origin, dis-  
16 ability status, or other demographic cat-  
17 egories; and

18 (iv) actively encourage participation  
19 from a range of demographic categories,  
20 especially from categories with consistently  
21 low participation.

22 **SEC. 1408. EXAMINATION AND ORAL ASSESSMENT FOR THE**  
23 **FOREIGN SERVICE.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that the Department of State should offer both the

1 Foreign Service written examination and oral assessment  
2 in more locations throughout the United States. Doing so  
3 would ease the financial burden on potential candidates  
4 who do not currently reside in and must travel at their  
5 own expense to one of the few locations where these as-  
6 sessments are offered.

7 (b) FOREIGN SERVICE EXAMINATIONS.—Section  
8 301(b) of the Foreign Service Act of 1980 (22 U.S.C.  
9 3941) is amended—

10 (1) by striking “The Secretary” and inserting:

11 “(1) The Secretary”; and

12 (2) by adding at the end the following new  
13 paragraph:

14 “(2) The Secretary shall ensure that the Board of  
15 Examiners for the Foreign Service annually offers the oral  
16 assessment examinations described in paragraph (1) in  
17 cities, chosen on a rotating basis, located in at least three  
18 different time zones across the United States.”.

19 **SEC. 1409. PAYNE FELLOWSHIP AUTHORIZATION.**

20 (a) IN GENERAL.—Undergraduate and graduate  
21 components of the Donald M. Payne International Devel-  
22 opment Fellowship Program may conduct outreach to at-  
23 tract outstanding students with an interest in pursuing  
24 a Foreign Service career who represent diverse ethnic and  
25 socioeconomic backgrounds.

1 (b) REVIEW OF PAST PROGRAMS.—The Secretary of  
2 State shall review past programs designed to increase mi-  
3 nority representation in international affairs positions.

4 **SEC. 1410. VOLUNTARY PARTICIPATION.**

5 (a) IN GENERAL.—Nothing in this title should be  
6 construed so as to compel any employee to participate in  
7 the collection of the data or divulge any personal informa-  
8 tion. Department of State employees shall be informed  
9 that their participation in the data collection contemplated  
10 by this title is voluntary.

11 (b) PRIVACY PROTECTION.—Any data collected  
12 under this title shall be subject to the relevant privacy pro-  
13 tection statutes and regulations applicable to Federal em-  
14 ployees.

15 **TITLE V—INFORMATION**  
16 **SECURITY**

17 **SEC. 1501. DEFINITIONS.**

18 In this title:

19 (1) INTELLIGENCE COMMUNITY.—The term  
20 “intelligence community” has the meaning given  
21 such term in section 3(4) of the National Security  
22 Act of 1947 (50 U.S.C. 3003(4)).

23 (2) RELEVANT CONGRESSIONAL COMMIT-  
24 TEES.—The term “relevant congressional commit-  
25 tees” means—



1 (A) the appropriate congressional commit-  
2 tees;

3 (B) the Select Committee on Intelligence  
4 of the Senate; and

5 (C) the Permanent Select Committee on  
6 Intelligence of the House of Representatives.

7 **SEC. 1502. LIST OF CERTAIN TELECOMMUNICATIONS PRO-**  
8 **VIDERS.**

9 (a) LIST OF COVERED CONTRACTORS.—Not later  
10 than 30 days after the date of the enactment of this Act,  
11 the Secretary of State, in consultation with the Director  
12 of National Intelligence, shall develop or maintain, as the  
13 case may be, and update as frequently as the Secretary  
14 determines appropriate, a list of covered contractors with  
15 respect to which the Department should seek to avoid en-  
16 tering into contracts. Not later than 30 days after the ini-  
17 tial development of the list under this subsection, any up-  
18 date thereto, and annually thereafter for five years after  
19 such initial 30 day period, the Secretary shall submit to  
20 the appropriate congressional committees a copy of such  
21 list.

22 (b) COVERED CONTRACTOR DEFINED.—In this sec-  
23 tion, the term “covered contractor” means a provider of  
24 telecommunications, telecommunications equipment, or in-  
25 formation technology equipment, including hardware, soft-

1 ware, or services, that has knowingly assisted or facilitated  
2 a cyber attack or conducted surveillance, including passive  
3 or active monitoring, carried out against—

4 (1) the United States by, or on behalf of, any  
5 government, or persons associated with such govern-  
6 ment, listed as a cyber threat actor in the intel-  
7 ligence community's 2017 assessment of worldwide  
8 threats to United States national security or any  
9 subsequent worldwide threat assessment of the intel-  
10 ligence community; or

11 (2) individuals, including activists, journalists,  
12 opposition politicians, or other individuals for the  
13 purposes of suppressing dissent or intimidating crit-  
14 ics, on behalf of a country included in the annual  
15 country reports on human rights practices of the  
16 Department for systematic acts of political repres-  
17 sion, including arbitrary arrest or detention, torture,  
18 extrajudicial or politically motivated killing, or other  
19 gross violations of human rights.

20 **SEC. 1503. PRESERVING RECORDS OF ELECTRONIC COM-**  
21 **MUNICATIONS CONDUCTED RELATED TO OF-**  
22 **FICIAL DUTIES OF POSITIONS IN THE PUBLIC**  
23 **TRUST OF THE AMERICAN PEOPLE.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that, as a matter of rule of law and transparency

1 in a democratic government, all officers and employees of  
2 the Department of State and the United States Agency  
3 for International Development must preserve all records  
4 of communications conducted in their official capacities or  
5 related to their official duties with entities outside of the  
6 United States Government. It is further the sense of Con-  
7 gress that such practice should include foreign government  
8 officials or other foreign entities which may seek to influ-  
9 ence United States Government policies and actions.

10 (b) PUBLICATION.—Not later than 180 days after the  
11 date of the enactment of this Act, the Secretary of State  
12 shall publish in the Foreign Affairs Manual guidance im-  
13 plementing chapter 31 of title 44, United States Code  
14 (commonly referred to as the “Federal Records Act”), to  
15 treat electronic messaging systems, software, and applica-  
16 tions as equivalent to electronic mail for the purpose of  
17 identifying Federal records, and shall also publish in the  
18 Foreign Affairs Manual the statutory penalties for failure  
19 to comply with such guidance. Beginning on the date that  
20 is 180 days after the date of the enactment of this Act,  
21 no funds are authorized to be appropriated or made avail-  
22 able to the Department of State under any Act to support  
23 the use or establishment of accounts on third-party mes-  
24 saging applications or other non-Government online com-  
25 munication tools if the Secretary does not certify to the

1 relevant congressional committees that the Secretary has  
2 carried out this section. The prohibition described in this  
3 subsection shall not apply to warden or embassy security  
4 messages.

5 **SEC. 1504. FOREIGN RELATIONS OF THE UNITED STATES**  
6 **(FRUS) SERIES AND DECLASSIFICATION.**

7 The State Department Basic Authorities Act of 1956  
8 is amended—

9 (1) in section 402(a)(2) (22 U.S.C.  
10 4352(a)(2)), by striking “26” and inserting “20”;  
11 and

12 (2) in section 404 (22 U.S.C. 4354)—

13 (A) in subsection (a)(1), by striking  
14 “30” and inserting “25”; and

15 (B) in subsection (c)(1)(C), by striking  
16 “30” and inserting “25”.

17 **SEC. 1505. VULNERABILITY DISCLOSURE POLICY AND BUG**  
18 **BOUNTY PILOT PROGRAM.**

19 (a) DEFINITIONS.—In this section:

20 (1) BUG BOUNTY PROGRAM.—The term “bug  
21 bounty program” means a program under which an  
22 approved individual, organization, or company is  
23 temporarily authorized to identify and report  
24 vulnerabilities of internet-facing information tech-

1 nology of the Department of State in exchange for  
2 compensation.

3 (2) INFORMATION TECHNOLOGY.—The term  
4 “information technology” has the meaning given  
5 such term in section 11101 of title 40, United  
6 States Code.

7 (b) VULNERABILITY DISCLOSURE PROCESS.—

8 (1) IN GENERAL.—Not later than 180 days  
9 after the date of the enactment of this Act, the Sec-  
10 retary of State shall design, establish, and make  
11 publicly known a Vulnerability Disclosure Process  
12 (VDP) to improve Department of State cybersecu-  
13 rity by—

14 (A) providing security researchers with  
15 clear guidelines for—

16 (i) conducting vulnerability discovery  
17 activities directed at Department informa-  
18 tion technology; and

19 (ii) submitting discovered security  
20 vulnerabilities to the Department; and

21 (B) creating Department procedures and  
22 infrastructure to receive and fix discovered  
23 vulnerabilities.

1           (2) REQUIREMENTS.—In establishing the VDP  
2           pursuant to paragraph (1), the Secretary of State  
3           shall—

4                   (A) identify which Department of State in-  
5                   formation technology should be included in the  
6                   process;

7                   (B) determine whether the process should  
8                   differentiate among and specify the types of se-  
9                   curity vulnerabilities that may be targeted;

10                   (C) provide a readily available means of re-  
11                   porting discovered security vulnerabilities and  
12                   the form in which such vulnerabilities should be  
13                   reported;

14                   (D) identify which Department offices and  
15                   positions will be responsible for receiving,  
16                   prioritizing, and addressing security vulner-  
17                   ability disclosure reports;

18                   (E) consult with the Attorney General re-  
19                   garding how to ensure that individuals, organi-  
20                   zations, and companies that comply with the re-  
21                   quirements of the process are protected from  
22                   prosecution under section 1030 of title 18,  
23                   United States Code, and similar provisions of  
24                   law for specific activities authorized under the  
25                   process;

1 (F) consult with the relevant offices at the  
2 Department of Defense that were responsible  
3 for launching the 2016 Vulnerability Disclosure  
4 Program, “Hack the Pentagon”, and subse-  
5 quent Department of Defense bug bounty pro-  
6 grams;

7 (G) engage qualified interested persons, in-  
8 cluding nongovernmental sector representatives,  
9 about the structure of the process as construc-  
10 tive and to the extent practicable; and

11 (H) award contracts to entities, as nec-  
12 essary, to manage the process and implement  
13 the remediation of discovered security  
14 vulnerabilities.

15 (3) ANNUAL REPORTS.—Not later than 180  
16 days after the establishment of the VDP under para-  
17 graph (1) and annually thereafter for the next five  
18 years, the Secretary of State shall submit to the  
19 Committee on Foreign Affairs of the House of Rep-  
20 resentatives and the Committee on Foreign Rela-  
21 tions of the Senate a report on the VDP, including  
22 information relating to the following:

23 (A) The number and severity of all secu-  
24 rity vulnerabilities reported.

1 (B) The number of previously unidentified  
2 security vulnerabilities remediated as a result.

3 (C) The current number of outstanding  
4 previously unidentified security vulnerabilities  
5 and Department of State remediation plans.

6 (D) The average length of time between  
7 the reporting of security vulnerabilities and re-  
8 mediation of such vulnerabilities.

9 (E) The resources, surge staffing, roles,  
10 and responsibilities within the Department used  
11 to implement the VDP and complete security  
12 vulnerability remediation.

13 (F) Any other information the Secretary  
14 determines relevant.

15 (c) BUG BOUNTY PILOT PROGRAM.—

16 (1) IN GENERAL.—Not later than one year  
17 after the date of the enactment of this Act, the Sec-  
18 retary of State shall establish a bug bounty pilot  
19 program to minimize security vulnerabilities of inter-  
20 net-facing information technology of the Department  
21 of State.

22 (2) REQUIREMENTS.—In establishing the pilot  
23 program described in paragraph (1), the Secretary  
24 of State shall—



1 (A) provide compensation for reports of  
2 previously unidentified security vulnerabilities  
3 within the websites, applications, and other  
4 internet-facing information technology of the  
5 Department of State that are accessible to the  
6 public;

7 (B) award contracts to entities, as nec-  
8 essary, to manage such pilot program and for  
9 executing the remediation of security  
10 vulnerabilities identified pursuant to subpara-  
11 graph (A);

12 (C) identify which Department of State in-  
13 formation technology should be included in such  
14 pilot program;

15 (D) consult with the Attorney General on  
16 how to ensure that individuals, organizations,  
17 or companies that comply with the requirements  
18 of such pilot program are protected from pros-  
19 ecution under section 1030 of title 18, United  
20 States Code, and similar provisions of law for  
21 specific activities authorized under such pilot  
22 program;

23 (E) consult with the relevant offices at the  
24 Department of Defense that were responsible  
25 for launching the 2016 “Hack the Pentagon”

1 pilot program and subsequent Department of  
2 Defense bug bounty programs;

3 (F) develop a process by which an ap-  
4 proved individual, organization, or company can  
5 register with the entity referred to in subpara-  
6 graph (B), submit to a background check as de-  
7 termined by the Department of State, and re-  
8 ceive a determination as to eligibility for par-  
9 ticipation in such pilot program;

10 (G) engage qualified interested persons, in-  
11 cluding nongovernmental sector representatives,  
12 about the structure of such pilot program as  
13 constructive and to the extent practicable; and

14 (H) consult with relevant United States  
15 Government officials to ensure that such pilot  
16 program complements persistent network and  
17 vulnerability scans of the Department of State's  
18 internet-accessible systems, such as the scans  
19 conducted pursuant to Binding Operational Di-  
20 rective BOD-15-01.

21 (3) DURATION.—The pilot program established  
22 under paragraph (1) should be short-term in dura-  
23 tion and not last longer than one year.

24 (4) REPORT.—Not later than 180 days after  
25 the date on which the bug bounty pilot program

1 under subsection (a) is completed, the Secretary of  
2 State shall submit to the Committee on Foreign Re-  
3 lations of the Senate and the Committee on Foreign  
4 Affairs of the House of Representatives a report on  
5 such pilot program, including information relating  
6 to—

7 (A) the number of approved individuals,  
8 organizations, or companies involved in such  
9 pilot program, broken down by the number of  
10 approved individuals, organizations, or compa-  
11 nies that—

12 (i) registered;

13 (ii) were approved;

14 (iii) submitted security vulnerabilities;

15 and

16 (iv) received compensation;

17 (B) the number and severity of all security  
18 vulnerabilities reported as part of such pilot  
19 program;

20 (C) the number of previously unidentified  
21 security vulnerabilities remediated as a result of  
22 such pilot program;

23 (D) the current number of outstanding  
24 previously unidentified security vulnerabilities  
25 and Department remediation plans;

1 (E) the average length of time between the  
2 reporting of security vulnerabilities and remedi-  
3 ation of such vulnerabilities;

4 (F) the types of compensation provided  
5 under such pilot program; and

6 (G) the lessons learned from such pilot  
7 program.

## 8 **TITLE VI—PUBLIC DIPLOMACY**

### 9 **SEC. 1601. SHORT TITLE.**

10 This title may be cited as the “Public Diplomacy  
11 Modernization Act of 2021”.

### 12 **SEC. 1602. AVOIDING DUPLICATION OF PROGRAMS AND EF-** 13 **FORTS.**

14 The Secretary of State shall—

15 (1) identify opportunities for greater efficiency  
16 of operations, including through improved coordina-  
17 tion of efforts across public diplomacy bureaus and  
18 offices of the Department of State; and

19 (2) maximize shared use of resources between,  
20 and within, such public diplomacy bureaus and of-  
21 fices in cases in which programs, facilities, or admin-  
22 istrative functions are duplicative or substantially  
23 overlapping.

1 **SEC. 1603. IMPROVING RESEARCH AND EVALUATION OF**  
2 **PUBLIC DIPLOMACY.**

3 (a) RESEARCH AND EVALUATION ACTIVITIES.—The  
4 Secretary of State, acting through the Director of Re-  
5 search and Evaluation appointed pursuant to subsection  
6 (b), shall—

7 (1) conduct regular research and evaluation of  
8 public diplomacy programs and activities of the De-  
9 partment, including through the routine use of audi-  
10 ence research, digital analytics, and impact evalua-  
11 tions, to plan and execute such programs and activi-  
12 ties; and

13 (2) make available to Congress the findings of  
14 the research and evaluations conducted under para-  
15 graph (1).

16 (b) DIRECTOR OF RESEARCH AND EVALUATION.—

17 (1) APPOINTMENT.—Not later than 90 days  
18 after the date of the enactment of this Act, the Sec-  
19 retary of State shall appoint a Director of Research  
20 and Evaluation (referred to in this subsection as the  
21 “Director”) in the Office of Policy, Planning, and  
22 Resources for Public Diplomacy and Public Affairs  
23 of the Department.

24 (2) LIMITATION ON APPOINTMENT.—The ap-  
25 pointment of the Director pursuant to paragraph (1)

1 shall not result in an increase in the overall full-time  
2 equivalent positions within the Department of State.

3 (3) RESPONSIBILITIES.—The Director shall—

4 (A) coordinate and oversee the research  
5 and evaluation of public diplomacy programs  
6 and activities of the Department of State in  
7 order to—

8 (i) improve public diplomacy strate-  
9 gies and tactics; and

10 (ii) ensure that such programs and  
11 activities are increasing the knowledge, un-  
12 derstanding, and trust of the United  
13 States by relevant target audiences;

14 (B) routinely organize and oversee audi-  
15 ence research, digital analytics, and impact  
16 evaluations across all public diplomacy bureaus  
17 and offices of the Department;

18 (C) support United States diplomatic  
19 posts' public affairs sections;

20 (D) share appropriate public diplomacy re-  
21 search and evaluation information within the  
22 Department and with other appropriate Federal  
23 departments and agencies;

24 (E) regularly design and coordinate stand-  
25 ardized research questions, methodologies, and

1 procedures to ensure that public diplomacy pro-  
2 grams and activities across all public diplomacy  
3 bureaus and offices are designed to meet appro-  
4 priate foreign policy objectives; and

5 (F) report biannually to the United States  
6 Advisory Commission on Public Diplomacy,  
7 through the Subcommittee on Research and  
8 Evaluation established pursuant to subsection  
9 (f), regarding the research and evaluation of all  
10 public diplomacy bureaus and offices.

11 (4) GUIDANCE AND TRAINING.—Not later than  
12 one year after the appointment of the Director pur-  
13 suant to paragraph (1), the Director shall develop  
14 guidance and training, including curriculum for use  
15 by the Foreign Service Institute, for all public diplo-  
16 macy officers of the Department regarding the read-  
17 ing and interpretation of public diplomacy program  
18 and activity evaluation findings to ensure that such  
19 findings and related lessons learned are implemented  
20 in the planning and evaluation of all public diplo-  
21 macy programs and activities of the Department.

22 (c) PRIORITIZING RESEARCH AND EVALUATION.—

23 (1) IN GENERAL.—The head of the Office of  
24 Policy, Planning, and Resources for Public Diplo-  
25 macy and Public Affairs of the Department of State

1 shall ensure that research and evaluation of public  
2 diplomacy and activities of the Department, as co-  
3 ordinated and overseen by the Director pursuant to  
4 subsection (b), supports strategic planning and re-  
5 source allocation across all public diplomacy bureaus  
6 and offices of the Department.

7 (2) ALLOCATION OF RESOURCES.—Amounts al-  
8 located for the purpose of research and evaluation of  
9 public diplomacy programs and activities of the De-  
10 partment of State pursuant to subsection (b) shall  
11 be made available to be disbursed at the direction of  
12 the Director of Research and Evaluation among the  
13 research and evaluation staff across all public diplo-  
14 macy bureaus and offices of the Department.

15 (3) SENSE OF CONGRESS.—It is the sense of  
16 Congress that the Department of State should  
17 gradually increase its allocation of funds made avail-  
18 able under the headings “Educational and Cultural  
19 Exchange Programs” and “Diplomatic Programs”  
20 for research and evaluation of public diplomacy pro-  
21 grams and activities of the Department pursuant to  
22 subsection (b) to a percentage of program funds that  
23 is commensurate with Federal Government best  
24 practices.



1 (d) LIMITED EXEMPTION RELATING TO THE PAPER-  
2 WORK REDUCTION ACT.—Chapter 35 of title 44, United  
3 States Code (commonly known as the “Paperwork Reduc-  
4 tion Act”) shall not apply to the collection of information  
5 directed at any individuals conducted by, or on behalf of,  
6 the Department of State for the purpose of audience re-  
7 search, monitoring, and evaluations, and in connection  
8 with the Department’s activities conducted pursuant to  
9 any of the following:

10 (1) The Mutual Educational and Cultural Ex-  
11 change Act of 1961 (22 U.S.C. 2451 et seq.).

12 (2) Section 1287 of the National Defense Au-  
13 thorization Act for Fiscal Year 2017 (Public Law  
14 114–328; 22 U.S.C. 2656 note).

15 (3) The Foreign Assistance Act of 1961 (22  
16 U.S.C. 2151 et seq.).

17 (e) LIMITED EXEMPTION RELATING TO THE PRI-  
18 VACY ACT.—

19 (1) IN GENERAL.—The Department of State  
20 shall maintain, collect, use, and disseminate records  
21 (as such term is defined in section 552a(a)(4) of  
22 title 5, United States Code) for audience research,  
23 digital analytics, and impact evaluation of commu-  
24 nications related to public diplomacy efforts intended  
25 for foreign audiences.

1           (2) CONDITIONS.—Audience research, digital  
2 analytics, and impact evaluations under paragraph  
3 (1) shall be—

4                   (A) reasonably tailored to meet the pur-  
5 poses of this subsection; and

6                   (B) carried out with due regard for privacy  
7 and civil liberties guidance and oversight.

8           (f) UNITED STATES ADVISORY COMMISSION ON PUB-  
9 LIC DIPLOMACY.—

10           (1) SUBCOMMITTEE FOR RESEARCH AND EVAL-  
11 UATION.—The United States Advisory Commission  
12 on Public Diplomacy shall establish a Subcommittee  
13 on Research and Evaluation to monitor and advise  
14 regarding audience research, digital analytics, and  
15 impact evaluations carried out by the Department of  
16 State and the United States Agency for Global  
17 Media.

18           (2) ANNUAL REPORT.—The Subcommittee on  
19 Research and Evaluation established pursuant to  
20 paragraph (1) shall submit to the appropriate con-  
21 gressional committees an annual report, in conjunc-  
22 tion with the United States Advisory Commission on  
23 Public Diplomacy’s Comprehensive Annual Report  
24 on the performance of the Department and the  
25 United States Agency for Global Media, describing

1 all actions taken by the Subcommittee pursuant to  
2 paragraph (1) and any findings made as a result of  
3 such actions.

4 **SEC. 1604. PERMANENT REAUTHORIZATION OF THE**  
5 **UNITED STATES ADVISORY COMMISSION ON**  
6 **PUBLIC DIPLOMACY.**

7 Section 1334 of the Foreign Affairs Reform and Re-  
8 structuring Act of 1998 (22 U.S.C. 6553) is amended—

9 (1) in the section heading, by striking “**SUN-**  
10 **SET**” and inserting “**CONTINUATION**”; and

11 (2) by striking “until October 1, 2021”.

12 **SEC. 1605. STREAMLINING OF SUPPORT FUNCTIONS.**

13 (a) **WORKING GROUP ESTABLISHED.**—Not later than  
14 60 days after the date of the enactment of this Act, the  
15 Secretary of State shall establish a working group to ex-  
16 plore the possibilities and cost-benefit analysis of  
17 transitioning to a shared services model as such pertains  
18 to human resources, travel, purchasing, budgetary plan-  
19 ning, and all other executive support functions for all bu-  
20 reaus of the Department that report to the Under Sec-  
21 retary for Public Diplomacy of the Department.

22 (b) **REPORT.**—Not later than 180 days after the date  
23 of the enactment of this Act, the Secretary of State shall  
24 submit to the appropriate congressional committees a plan

1 to implement any such findings of the working group es-  
2 tablished under subsection (a).

3 **SEC. 1606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLO-**  
4 **MACY FACILITIES.**

5 (a) IN GENERAL.—Not later than 180 days after the  
6 date of the enactment of this Act, the Secretary of State  
7 shall adopt, and include in the Foreign Affairs Manual,  
8 guidelines to collect and utilize information from each dip-  
9 lomatic post at which the construction of a new embassy  
10 compound or new consulate compound would result in the  
11 closure or co-location of an American Space, American  
12 Center, American Corner, or any other public diplomacy  
13 facility under the Secure Embassy Construction and  
14 Counterterrorism Act of 1999 (22 U.S.C. 4865 et seq.).

15 (b) REQUIREMENTS.—The guidelines required by  
16 subsection (a) shall include the following:

17 (1) Standardized notification to each chief of  
18 mission at a diplomatic post describing the require-  
19 ments of the Secure Embassy Construction and  
20 Counterterrorism Act of 1999 and the impact on the  
21 mission footprint of such requirements.

22 (2) An assessment and recommendations from  
23 each chief of mission of potential impacts to public  
24 diplomacy programming at such diplomatic post if  
25 any public diplomacy facility referred to in sub-

1 section (a) is closed or staff is co-located in accord-  
2 ance with such Act.

3 (3) A process by which assessments and rec-  
4 ommendations under paragraph (2) are considered  
5 by the Secretary of State and the appropriate Under  
6 Secretaries and Assistant Secretaries of the Depart-  
7 ment.

8 (4) Notification to the appropriate congres-  
9 sional committees, prior to the initiation of a new  
10 embassy compound or new consulate compound de-  
11 sign, of the intent to close any such public diplomacy  
12 facility or co-locate public diplomacy staff in accord-  
13 ance with such Act.

14 (c) REPORT.—Not later than one year after the date  
15 of the enactment of this Act, the Secretary of State shall  
16 submit to the appropriate congressional committees a re-  
17 port containing the guidelines required under subsection  
18 (a) and any recommendations for any modifications to  
19 such guidelines.

20 **SEC. 1607. DEFINITIONS.**

21 In this title:

22 (1) AUDIENCE RESEARCH.—The term “audi-  
23 ence research” means research conducted at the out-  
24 set of a public diplomacy program or the outset of  
25 campaign planning and design regarding specific au-

1 audience segments to understand the attitudes, inter-  
2 ests, knowledge, and behaviors of such audience seg-  
3 ments.

4 (2) **DIGITAL ANALYTICS.**—The term “digital  
5 analytics” means the analysis of qualitative and  
6 quantitative data, accumulated in digital format, to  
7 indicate the outputs and outcomes of a public diplo-  
8 macy program or campaign.

9 (3) **IMPACT EVALUATION.**—The term “impact  
10 evaluation” means an assessment of the changes in  
11 the audience targeted by a public diplomacy program  
12 or campaign that can be attributed to such program  
13 or campaign.

14 (4) **PUBLIC DIPLOMACY BUREAUS AND OF-**  
15 **FICES.**—The term “public diplomacy bureaus and  
16 offices” means, with respect to the Department, the  
17 following:

18 (A) The Bureau of Educational and Cul-  
19 tural Affairs.

20 (B) The Bureau of Global Public Affairs.

21 (C) The Office of Policy, Planning, and  
22 Resources for Public Diplomacy and Public Af-  
23 fairs.

24 (D) The Global Engagement Center.

1 (E) The public diplomacy functions within  
2 the regional and functional bureaus.

3 **TITLE VII—COMBATING PUBLIC**  
4 **CORRUPTION**

5 **SEC. 1701. SENSE OF CONGRESS.**

6 It is the sense of Congress that—

7 (1) it is in the foreign policy interest of the  
8 United States to help foreign countries promote  
9 good governance and combat public corruption;

10 (2) multiple Federal departments and agencies  
11 operate programs that promote good governance in  
12 foreign countries and enhance such countries' ability  
13 to combat public corruption; and

14 (3) the Department of State should—

15 (A) promote coordination among the Fed-  
16 eral departments and agencies implementing  
17 programs to promote good governance and com-  
18 bat public corruption in foreign countries in  
19 order to improve effectiveness and efficiency;  
20 and

21 (B) identify areas in which United States  
22 efforts to help other countries promote good  
23 governance and combat public corruption could  
24 be enhanced.

1 **SEC. 1702. ANNUAL ASSESSMENT.**

2 (a) IN GENERAL.—For each of fiscal years 2021  
3 through 2026, the Secretary of State shall assess the ca-  
4 pacity and commitment of foreign governments to which  
5 the United States provides foreign assistance under the  
6 Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.)  
7 or the Arms Export Control Act (22 U.S.C. 2751 et seq.)  
8 to combat public corruption. Each such assessment  
9 shall—

10 (1) utilize independent, third party indicators  
11 that measure transparency, accountability, and cor-  
12 ruption in the public sector in such countries, includ-  
13 ing the extent to which public power is exercised for  
14 private gain, to identify those countries that are  
15 most vulnerable to public corruption;

16 (2) consider, to the extent reliable information  
17 is available, whether the government of a country  
18 identified under paragraph (1)—

19 (A) has adopted measures to prevent pub-  
20 lic corruption, such as measures to inform and  
21 educate the public, including potential victims,  
22 about the causes and consequences of public  
23 corruption;

24 (B) has enacted laws and established gov-  
25 ernment structures, policies, and practices that  
26 prohibit public corruption;



1 (C) enforces such laws through a fair judi-  
2 cial process;

3 (D) vigorously investigates, prosecutes,  
4 convicts, and sentences public officials who par-  
5 ticipate in or facilitate public corruption, includ-  
6 ing nationals of such country who are deployed  
7 in foreign military assignments, trade delega-  
8 tions abroad, or other similar missions who en-  
9 gage in or facilitate public corruption;

10 (E) prescribes appropriate punishment for  
11 serious and significant corruption that is com-  
12 mensurate with the punishment prescribed for  
13 serious crimes;

14 (F) prescribes appropriate punishment for  
15 significant corruption that provides a suffi-  
16 ciently stringent deterrent and adequately re-  
17 flects the nature of the offense;

18 (G) convicts and sentences persons respon-  
19 sible for such acts that take place wholly or  
20 partly within the country of such government,  
21 including, as appropriate, requiring the incar-  
22 ceration of individuals convicted of such acts;

23 (H) holds private sector representatives ac-  
24 countable for their role in public corruption;  
25 and

1 (I) addresses threats for civil society to  
2 monitor anti-corruption efforts;

3 (3) further consider—

4 (A) verifiable measures taken by the gov-  
5 ernment of a country identified under para-  
6 graph (1) to prohibit government officials from  
7 participating in, facilitating, or condoning pub-  
8 lic corruption, including the investigation, pros-  
9 ecution, and conviction of such officials;

10 (B) the extent to which such government  
11 provides access, or, as appropriate, makes ade-  
12 quate resources available, to civil society organi-  
13 zations and other institutions to combat public  
14 corruption, including reporting, investigating,  
15 and monitoring;

16 (C) the extent to which an independent ju-  
17 diciary or judicial body in such country is re-  
18 sponsible for, and effectively capable of, decid-  
19 ing public corruption cases impartially, on the  
20 basis of facts and in accordance with law, with-  
21 out any improper restrictions, influences, in-  
22 ducements, pressures, threats, or interferences,  
23 whether direct or indirect, from any source or  
24 for any reason;

1 (D) the extent to which such government  
2 cooperates meaningfully with the United States  
3 to strengthen government and judicial institu-  
4 tions and the rule of law to prevent, prohibit,  
5 and punish public corruption; and

6 (E) the extent to which such government—

7 (i) is assisting in international inves-  
8 tigations of transnational public corruption  
9 networks and in other cooperative efforts  
10 to combat serious, significant corruption,  
11 including cooperating with the govern-  
12 ments of other countries to extradite cor-  
13 rupt actors;

14 (ii) recognizes the rights of victims of  
15 public corruption, ensures their access to  
16 justice, and takes steps to prevent such  
17 victims from being further victimized or  
18 persecuted by corrupt actors, government  
19 officials, or others; and

20 (iii) refrains from prosecuting legiti-  
21 mate victims of public corruption or whis-  
22 tleblowers due to such persons having as-  
23 sisted in exposing public corruption, and  
24 refrains from other discriminatory treat-  
25 ment of such persons; and

1           (4) contain such other information relating to  
2           public corruption as the Secretary of State considers  
3           appropriate.

4           (b) IDENTIFICATION.—After conducting each assess-  
5           ment under subsection (a), the Secretary of State shall  
6           identify, of the countries described in subsection (a)(1)—

7           (1) which countries are meeting minimum  
8           standards to combat public corruption;

9           (2) which countries are not meeting such min-  
10          imum standards but are making significant efforts  
11          to do so; and

12          (3) which countries are not meeting such min-  
13          imum standards and are not making significant ef-  
14          forts to do so.

15          (c) REPORT.—Except as provided in subsection (d),  
16          not later than 180 days after the date of the enactment  
17          of this Act and annually thereafter through fiscal year  
18          2027, the Secretary of State shall submit to the appro-  
19          priate congressional committees, the Committee on Appro-  
20          priations of the House of Representatives, and the Com-  
21          mittee on Appropriations of the Senate a report, and  
22          make such report publicly available, that—

23                 (1) identifies the countries described in sub-  
24                 section (a)(1) and paragraphs (2) and (3) of sub-  
25                 section (b);

1           (2) describes the methodology and data utilized  
2           in the assessments under subsection (a); and

3           (3) identifies the reasons for the identifications  
4           referred to in paragraph (1).

5           (d) BRIEFING IN LIEU OF REPORT.—The Secretary  
6 of State may waive the requirement to submit and make  
7 publicly available a written report under subsection (c) if  
8 the Secretary—

9           (1) determines that publication of such report  
10          would—

11                 (A) undermine existing United States anti-  
12                 corruption efforts in one or more countries; or

13                 (B) threaten the national interests of the  
14                 United States; and

15           (2) provides to the appropriate congressional  
16          committees a briefing that—

17                 (A) identifies the countries described in  
18                 subsection (a)(1) and paragraphs (2) and (3) of  
19                 subsection (b);

20                 (B) describes the methodology and data  
21                 utilized in the assessment under subsection (a);  
22                 and

23                 (C) identifies the reasons for the identifica-  
24                 tions referred to in subparagraph (A).

1 **SEC. 1703. TRANSPARENCY AND ACCOUNTABILITY.**

2 For each country identified under paragraphs (2) and  
3 (3) of section 1702(b), the Secretary of State, in coordina-  
4 tion with the Administrator of the United States Agency  
5 for International Development, as appropriate, shall—

6 (1) ensure that a corruption risk assessment  
7 and mitigation strategy is included in the integrated  
8 country strategy for such country; and

9 (2) utilize appropriate mechanisms to combat  
10 corruption in such countries, including by ensur-  
11 ing—

12 (A) the inclusion of anti-corruption clauses  
13 in contracts, grants, and cooperative agree-  
14 ments entered into by the Department of State  
15 or the United States Agency for International  
16 Development for or in such countries, which  
17 allow for the termination of such contracts,  
18 grants, or cooperative agreements, as the case  
19 may be, without penalty if credible indicators of  
20 public corruption are discovered;

21 (B) the inclusion of appropriate clawback  
22 or flowdown clauses within the procurement in-  
23 struments of the Department of State and the  
24 United States Agency for International Devel-  
25 opment that provide for the recovery of funds  
26 misappropriated through corruption;

1 (C) the appropriate disclosure to the  
2 United States Government, in confidential  
3 form, if necessary, of the beneficial ownership  
4 of contractors, subcontractors, grantees, cooper-  
5 ative agreement participants, and other organi-  
6 zations implementing programs on behalf of the  
7 Department of State or the United States  
8 Agency for International Development; and

9 (D) the establishment of mechanisms for  
10 investigating allegations of misappropriated re-  
11 sources and equipment.

12 **SEC. 1704. DESIGNATION OF EMBASSY ANTI-CORRUPTION**  
13 **POINTS OF CONTACT.**

14 (a) IN GENERAL.—The Secretary of State shall an-  
15 nually designate an anti-corruption point of contact at the  
16 United States diplomatic post to each country identified  
17 under paragraphs (2) and (3) of section 1702(b), or which  
18 the Secretary otherwise determines is in need of such a  
19 point of contact. The point of contact shall be the chief  
20 of mission or the chief of mission’s designee.

21 (b) RESPONSIBILITIES.—Each anti-corruption point  
22 of contact designated under subsection (a) shall be respon-  
23 sible for coordinating and overseeing the implementation  
24 of a whole-of-government approach among the relevant

1 Federal departments and agencies operating programs

2 that—

3 (1) promote good governance in foreign coun-

4 tries; and

5 (2) enhance the ability of such countries to—

6 (A) combat public corruption; and

7 (B) develop and implement corruption risk

8 assessment tools and mitigation strategies.

9 (c) TRAINING.—The Secretary of State shall imple-  
10 ment appropriate training for anti-corruption points of  
11 contact designated under subsection (a).

## 12 **TITLE VIII—OTHER MATTERS**

### 13 **SEC. 1801. CASE-ZABLOCKI ACT REFORM.**

14 Section 112b of title 1, United States Code, is  
15 amended—

16 (1) in subsection (a)—

17 (A) in the first sentence, by striking

18 “sixty” and inserting “30”; and

19 (B) in the second sentence, by striking

20 “Committee on International Relations” and in-

21 sserting “Committee on Foreign Affairs”; and

22 (2) by amending subsection (b) to read as fol-

23 lows:

24 “(b) Each department or agency of the United States

25 Government that enters into any international agreement



1 described in subsection (a) on behalf of the United States,  
2 shall designate a Chief International Agreements Officer,  
3 who—

4 “(1) shall be a current employee of such depart-  
5 ment or agency;

6 “(2) shall serve concurrently as Chief Inter-  
7 national Agreements Officer; and

8 “(3) subject to the authority of the head of  
9 such department or agency, shall have department  
10 or agency-wide responsibility for efficient and appro-  
11 priate compliance with subsection (a) to transmit the  
12 text of any international agreement to the Depart-  
13 ment of State expeditiously after such agreement  
14 has been signed.”.

15 **SEC. 1802. LIMITATION ON ASSISTANCE TO COUNTRIES IN**  
16 **DEFAULT.**

17 Section 620(q) of the Foreign Assistance Act of 1961  
18 (22 U.S.C. 2370(q)) is amended—

19 (1) by striking “No assistance” and inserting  
20 the following:

21 “(1) No assistance”;

22 (2) by inserting “the government of” before  
23 “any country”;

24 (3) by inserting “the government of” before  
25 “such country” each place it appears;

1           (4) by striking “determines” and all that fol-  
2           lows and inserting “determines, after consultation  
3           with the Committee on Foreign Affairs and the  
4           Committee on Appropriations of the House of Rep-  
5           resentatives and the Committee on Foreign Rela-  
6           tions and the Committee on Appropriations of the  
7           Senate, that assistance for such country is in the na-  
8           tional interest of the United States.”; and

9           (5) by adding at the end the following:

10           “(2) No assistance shall be furnished under this  
11           Act, the Peace Corps Act, the Millennium Challenge  
12           Act of 2003, the African Development Foundation  
13           Act, the BUILD Act of 2018, section 504 of the  
14           FREEDOM Support Act, or section 23 of the Arms  
15           Export Control Act to the government of any coun-  
16           try which is in default during a period in excess of  
17           1 calendar year in payment to the United States of  
18           principal or interest or any loan made to the govern-  
19           ment of such country by the United States unless  
20           the President determines, following consultation with  
21           the congressional committees specified in paragraph  
22           (1), that assistance for such country is in the na-  
23           tional interest of the United States.”.

1 **SEC. 1803. SEAN AND DAVID GOLDMAN CHILD ABDUCTION**  
2 **PREVENTION AND RETURN ACT OF 2014**  
3 **AMENDMENT.**

4 Subsection (b) of section 101 of the Sean and David  
5 Goldman International Child Abduction Prevention and  
6 Return Act of 2014 (22 U.S.C. 9111; Public Law 113–  
7 150) is amended—

8 (1) in paragraph (2)—

9 (A) in subparagraph (A)—

10 (i) by inserting “, respectively,” after  
11 “access cases”; and

12 (ii) by inserting “and the number of  
13 children involved” before the semicolon at  
14 the end;

15 (B) in subparagraph (D), by inserting “re-  
16 spectively, the number of children involved,”  
17 after “access cases,”;

18 (2) in paragraph (7), by inserting “, and num-  
19 ber of children involved in such cases” before the  
20 semicolon at the end;

21 (3) in paragraph (8), by striking “and” after  
22 the semicolon at the end;

23 (4) in paragraph (9), by striking the period at  
24 the end and inserting “; and”; and

25 (5) by adding at the end the following new  
26 paragraph:

1           “(10) the total number of pending cases the  
2           Department of State has assigned to case officers  
3           and number of children involved for each country  
4           and as a total for all countries.”.

5 **SEC. 1804. MODIFICATION OF AUTHORITIES OF COMMIS-**  
6 **SION FOR THE PRESERVATION OF AMERICA’S**  
7 **HERITAGE ABROAD.**

8           (a) IN GENERAL.—Chapter 3123 of title 54, United  
9 States Code, is amended as follows:

10           (1) In section 312302, by inserting “, and  
11           unimpeded access to those sites,” after “and historic  
12           buildings”.

13           (2) In section 312304(a)—

14           (A) in paragraph (2)—

15           (i) by striking “and historic build-  
16           ings” and inserting “and historic buildings,  
17           and unimpeded access to those sites”; and

18           (ii) by striking “and protected” and  
19           inserting “, protected, and made acces-  
20           sible”; and

21           (B) in paragraph (3), by striking “and  
22           protecting” and inserting “, protecting, and  
23           making accessible”.

24           (3) In section 312305, by inserting “and to the  
25           Committee on Foreign Affairs of the House of Rep-

1        representatives and the Committee on Foreign Rela-  
2        tions of the Senate” after “President”.

3        (b) REPORT.—Not later than 90 days after the date  
4        of the enactment of this Act, the Commission for the Pres-  
5        ervation of America’s Heritage Abroad shall submit to the  
6        President and to the Committee on Foreign Affairs of the  
7        House of Representatives and the Committee on Foreign  
8        Relations of the Senate a report that contains an evalua-  
9        tion of the extent to which the Commission is prepared  
10       to continue its activities and accomplishments with respect  
11       to the foreign heritage of United States citizens from east-  
12       ern and central Europe, were the Commission’s duties and  
13       powers extended to include other regions, including the  
14       Middle East and North Africa, and any additional re-  
15       sources or personnel the Commission would require.

16       **SEC. 1805. CHIEF OF MISSION CONCURRENCE.**

17       In the course of providing concurrence to the exercise  
18       of the authority pursuant to section 127e of title 10,  
19       United State Code, or section 1202 of the National De-  
20       fense Authorization Act for Fiscal Year 2018—

21                (1) each relevant chief of mission shall inform  
22                and consult in a timely manner with relevant indi-  
23                viduals at relevant missions or bureaus of the De-  
24                partment of State; and

1           (2) the Secretary of State shall take such steps  
2           as may be necessary to ensure that such relevant in-  
3           dividuals have the security clearances necessary and  
4           access to relevant compartmented and special pro-  
5           grams to so consult in a timely manner with respect  
6           to such concurrence.

7   **SEC. 1806. REPORT ON EFFORTS OF THE CORONAVIRUS RE-**  
8                           **PATRIATION TASK FORCE.**

9           Not later than 90 days after the date of the enact-  
10          ment of this Act, the Secretary of State shall submit to  
11          the appropriate congressional committees, the Committee  
12          on Armed Services of the House of Representatives, and  
13          the Committee on Armed Services of the Senate a report  
14          evaluating the efforts of the Coronavirus Repatriation  
15          Task Force of the Department of State to repatriate  
16          United States citizens and legal permanent residents in  
17          response to the 2020 coronavirus outbreak. The report  
18          shall identify—

19               (1) the most significant impediments to repa-  
20               triating such persons;

21               (2) the lessons learned from such repatriations;  
22               and

23               (3) any changes planned to future repatriation  
24               efforts of the Department of State to incorporate  
25               such lessons learned.