

AMENDMENT TO H.R. 5300

OFFERED BY MS. JACOBS OF CALIFORNIA

At the end of title I, add the following:

SEC. 103. DISSENT IN THE DEPARTMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) constructive dissent at the Department can be defined as the act of putting forward a policy position that differs from current Department policy on an issue, country, or region;

(2) constructive dissent is not just offering a different opinion but rather the intentional presentation of an alternative or opposing approach to current or proposed policy that the dissenter determines will result in a better outcome for our foreign policy and national interests;

(3) constructive dissent in the Department is beneficial to United States national security interests and effective foreign policy decision making because it encourages innovative thinking amongst Department employees, a willingness to challenge entrenched Department policy positions, and is essential to avoiding negligence in the execution of United States foreign policy; and

(4) practicing constructive dissent does not absolve Department employees from following legal obligations or faithfully executing Department of State policy decisions despite any reservations.

(b) ENCOURAGE DISSENT.—The Secretary of State should, and direct senior leadership of the Department to, encourage Department employees to utilize the dissent channel to offer constructive dissent on Department policy positions, when appropriate.

(c) BRIEFING ON DISSENT AT THE DEPARTMENT.—

(1) IN GENERAL.—The Secretary shall provide to the appropriate congressional committees a briefing on efforts to encourage constructive dissent within the Department.

(2) MATTERS TO BE INCLUDED.—The briefing required by paragraph (1) shall include the following:

(A) A description of how Department leadership, including the Senior Foreign Service and Senior Executive Service, defines dissent and utilizes the dissent channel.

(B) A description of efforts to encourage constructive dissent, including through the dissent channel, to foster and reward a culture that enables the consideration of constructive dissenting views.