

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 9087  
OFFERED BY MR. BERA OF CALIFORNIA**

At the appropriate place, insert the following:

1       (a) PROMOTIONS.—Section 601(c) (22 U.S.C.  
2 4001(c)) is amended by adding at the end the following:

3               “(7) PROMOTIONS.—

4                       “(A) IN GENERAL.—The opening of a pro-  
5 motion window, on or after the date that is 5  
6 years after the date of enactment of this para-  
7 graph, of any Service officer, appointed under  
8 section 302(a)(1), who has general responsi-  
9 bility for carrying out the functions of the Serv-  
10 ice to the Senior Foreign Service should be con-  
11 tingent upon such individual completing at least  
12 one joint duty assignment.

13                       “(B) EXCEPTIONS.—The Secretary may—

14                               “(i) identify circumstances under  
15 which the requirements under subpara-  
16 graph (A) shall not apply, which may in-  
17 clude that the individual proposed for pro-  
18 motion to the Senior Foreign Service—

1                   “(I) has met all other require-  
2                   ments applicable to such promotion;  
3                   and

4                   “(II) was unable to complete a  
5                   joint duty assignment because there  
6                   was not a reasonable opportunity for  
7                   such individual to be assigned to such  
8                   a position; and

9                   “(ii) exempt Foreign Service Medical  
10                  Specialists who entered as a FS-01 rank  
11                  and serve as a Regional Medical Officer  
12                  from the requirements under subparagraph  
13                  (A).

14                 “(C) WAIVER.—Notwithstanding the 5-  
15                 year period described in subparagraph (A), the  
16                 Secretary may waive the implementation of the  
17                 requirements under that subparagraph for a re-  
18                 newable period of up to 2 years in length if,  
19                 prior to the entry into effect of such waiver or  
20                 a renewal of such waiver, the Secretary submits  
21                 to the appropriate congressional committees—

22                         “(i) a certification that there are in-  
23                         sufficient joint duty opportunities to meet  
24                         the needs of the Foreign Service; and

1                   “(ii) a report describing existing joint  
2                   duty assignments and actions the Sec-  
3                   retary is taking to secure additional such  
4                   assignments.

5                   “(D) COLLABORATION FOR ADDITIONAL  
6                   JOINT DUTY ASSIGNMENTS.—The Secretary  
7                   shall work with other entities and other Federal  
8                   agencies, as appropriate, to establish additional  
9                   joint duty assignments for members of the For-  
10                  eign Service.

11                  “(E) AVAILABILITY OF JOINT DUTY AS-  
12                  SIGNMENTS.—The Secretary shall establish,  
13                  maintain, and facilitate access to joint duty as-  
14                  signments with other Federal departments and  
15                  agencies, Congress, international organizations,  
16                  and State and local governments, including  
17                  through the development of Memorandums of  
18                  Understanding and other documents relevant to  
19                  such facilitation, as appropriate, in sufficient  
20                  number and variety to provide members of the  
21                  Foreign Service a reasonable opportunity to  
22                  satisfy the requirements of this paragraph.

23                  “(F) JOINT DUTY ASSIGNMENT DE-  
24                  FINED.—In this paragraph, the term ‘joint duty

1 assignment' means a tour of duty of not less  
2 than 12 months in—

3 “(i) a Federal department or agency  
4 other than the Department;

5 “(ii) the Congress, pursuant to a fel-  
6 lowship or detail program approved by the  
7 Secretary;

8 “(iii) an international organization of  
9 which the United States is a member, pur-  
10 suant to a fellowship or detail program ap-  
11 proved by the Secretary;

12 “(iv) a State or local government; or

13 “(v) an accredited academic institu-  
14 tion.”.

15 (b) REPORT.—Not later than 180 days after the date  
16 of the enactment of this Act, the Secretary shall submit  
17 to the appropriate congressional committees a report de-  
18 scribing—

19 (1) how the Department plans to implement the  
20 requirements added by the amendment made by sub-  
21 section (a);

22 (2) the availability of joint duty assignment op-  
23 portunities for eligible Service officers; and

1           (3) any additional statutory authorities or re-  
2           sources needed to carry out the requirements added  
3           by the amendment made by subsection (a).

