

Suspend the Rules and Pass the Bill, H.R. 3352, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
1ST SESSION

H. R. 3352

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

IN THE HOUSE OF REPRESENTATIVES

Mr. ENGEL (for himself and Mr. MCCAUL) introduced the following bill; which was referred to the Committee on Foreign Affairs

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 2019”.

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. 101. Sense of Congress on importance of Department of State's work.
- Sec. 102. Bureau of Democracy, Human Rights, and Labor.
- Sec. 103. Assistant Secretary for International Narcotics and Law Enforcement Affairs.
- Sec. 104. Bureau of Consular Affairs; Bureau of Population, Refugees, and Migration.
- Sec. 105. Office of International Disability Rights.
- Sec. 106. Office of Global Women's Issues.
- Sec. 107. Special appointments.
- Sec. 108. Anti-piracy information sharing.
- Sec. 109. Importance of foreign affairs training to national security.
- Sec. 110. Classification and assignment of Foreign Service officers.
- Sec. 111. Energy diplomacy and security within the Department of State.
- Sec. 112. Passport fees.
- Sec. 113. United States diplomacy center.
- Sec. 114. 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. 115. Art in embassies.
- Sec. 116. Amendment or repeal of reporting requirements.
- Sec. 117. Reporting on implementation of GAO recommendations.
- Sec. 118. Office of Global Criminal Justice.

TITLE II—EMBASSY CONSTRUCTION

- Sec. 201. Embassy security, construction, and maintenance.
- Sec. 202. Standard design in capital construction.
- Sec. 203. Capital construction transparency.
- Sec. 204. Contractor performance information.
- Sec. 205. Growth projections for new embassies and consulates.
- Sec. 206. Long-range planning process.
- Sec. 207. Value engineering and risk assessment.
- Sec. 208. Business volume.
- Sec. 209. Embassy security requests and deficiencies.
- Sec. 210. Overseas security briefings.
- Sec. 211. Contracting methods in capital construction.
- Sec. 212. Competition in embassy construction.
- Sec. 213. Statement of policy.
- Sec. 214. Definitions.

TITLE III—PERSONNEL ISSUES

- Sec. 301. Defense Base Act insurance waivers.
- Sec. 302. Study on Foreign Service allowances.
- Sec. 303. Science and technology fellowships.
- Sec. 304. Travel for separated families.
- Sec. 305. Home leave travel for separated families.
- Sec. 306. Sense of Congress regarding certain fellowship programs.
- Sec. 307. Technical correction.
- Sec. 308. Foreign Service awards.
- Sec. 309. Diplomatic programs.
- Sec. 310. Sense of Congress regarding veterans employment at the Department of State.

- Sec. 311. Employee assignment restrictions and preclusions.
- Sec. 312. Recall and reemployment of career members.
- Sec. 313. Strategic staffing plan for the Department.
- Sec. 314. Consulting services.
- Sec. 315. Incentives for critical posts.
- Sec. 316. Extension of authority for certain accountability review boards.
- Sec. 317. Foreign service suspension without pay.
- Sec. 318. Foreign Affairs Manual and Foreign Affairs Handbook changes.
- Sec. 319. Waiver authority for individual occupational requirements of certain positions.
- Sec. 320. Standardizing Department parental leave policies.
- Sec. 321. Appointment of employees to the Global Engagement Center.
- Sec. 322. Rest and recuperation and overseas operations leave for Federal employees.

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

- Sec. 401. Definitions.
- Sec. 402. Collection, analysis, and dissemination of workforce data.
- Sec. 403. Exit interviews for workforce.
- Sec. 404. Recruitment and retention.
- Sec. 405. Leadership engagement and accountability.
- Sec. 406. Professional development opportunities and tools.
- Sec. 407. Examination and oral assessment for the Foreign Service.
- Sec. 408. Payne fellowship authorization.
- Sec. 409. Voluntary participation.

TITLE V—INFORMATION SECURITY

- Sec. 501. Definitions.
- Sec. 502. Information system security.
- Sec. 503. Prohibition on contracting with certain telecommunications providers.
- Sec. 504. Preserving records of electronic communications conducted related to official duties of positions in the public trust of the American people.
- Sec. 505. Foreign Relations of the United States (FRUS) series and declassification.
- Sec. 506. Vulnerability Disclosure Policy and Bug Bounty Pilot Program.

TITLE VI—PUBLIC DIPLOMACY

- Sec. 601. Short title.
- Sec. 602. Avoiding duplication of programs and efforts.
- Sec. 603. Improving research and evaluation of public diplomacy.
- Sec. 604. Permanent reauthorization of the United States Advisory Commission on Public Diplomacy.
- Sec. 605. Streamlining of support functions.
- Sec. 606. Guidance for closure of public diplomacy facilities.
- Sec. 607. Definitions.

TITLE VII—COMBATING PUBLIC CORRUPTION

- Sec. 701. Sense of Congress.
- Sec. 702. Annual assessment.
- Sec. 703. Transparency and accountability.
- Sec. 704. Designation of embassy anti-corruption points of contact.

- Sec. 705. Reporting requirements.
- Sec. 706. Foreign investments and national security.

TITLE VIII—MATTERS RELATING TO INTERNATIONAL SECURITY

- Sec. 801. Short title.
- Sec. 802. Security assistance defined.

Subtitle A—Reform Relating to Security Assistance

- Sec. 811. Organizational reform.
- Sec. 812. Workforce development.
- Sec. 813. Security assistance planning.
- Sec. 814. Interagency coordination of security assistance, transfers, and security cooperation.
- Sec. 815. Rule of construction.

Subtitle B—Foreign Military Assistance

- Sec. 821. Strategic allocation of excess defense articles.
- Sec. 822. Modification of purposes for which military sales by the United States are authorized.
- Sec. 823. Return of defense articles.
- Sec. 824. Requirements relating to exemptions for licensing of defense items.
- Sec. 825. Amendment to general provisions.
- Sec. 826. Technical amendments to Arms Export Control Act.
- Sec. 827. Sense of Congress on licensing under United States arms export control programs.
- Sec. 828. Extension of war reserve stockpile authority.
- Sec. 829. Peacekeeping operations and other national security programs.
- Sec. 830. Other amendments to military assistance authorities.
- Sec. 831. Repeal of reports.
- Sec. 832. Defense trade controls registration fees.
- Sec. 833. Withholding of assistance to units of foreign security forces that engaged in sexual exploitation or abuse in peacekeeping operations.
- Sec. 834. Modification to limitations on assistance relating to human rights.

Subtitle C—Studies on Authorities and Programs

- Sec. 841. Requirement for study by Bureau of International Narcotics and Law Enforcement Affairs.
- Sec. 842. Requirement for independent study of existing security assistance authorities.

TITLE IX—MISCELLANEOUS

- Sec. 901. Case-Zablocki Act reform.
- Sec. 902. Limitation on assistance to countries in default.
- Sec. 903. Prohibition on assistance to governments supporting international terrorism.
- Sec. 904. Establishing a coordinator for ISIS detainee issues.
- Sec. 905. Sean and David Goldman Child Abduction Prevention and Return Act of 2014 amendment.
- Sec. 906. Modification of authorities of Commission for the Preservation of America's Heritage Abroad.

TITLE X—BUDGETARY EFFECTS

Sec. 1001. Determination of budgetary effects.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
4 **TEES.**—Unless otherwise specified, the term “appro-

5 priate congressional committees” means—

6 (A) the Committee on Foreign Relations of
7 the Senate;

8 (B) the Committee on Appropriations of
9 the Senate;

10 (C) the Committee on Foreign Affairs of
11 the House of Representatives; and

12 (D) the Committee on Appropriations of
13 the House of Representatives.

14 (2) **DEPARTMENT.**—Unless otherwise specified,
15 the term “Department” means the Department of
16 State.

17 (3) **SECRETARY.**—Unless otherwise specified,
18 the term “Secretary” means the Secretary of State.

19 **TITLE I—ORGANIZATION AND**
20 **OPERATIONS OF THE DE-**
21 **PARTMENT OF STATE**

22 **SEC. 101. SENSE OF CONGRESS ON IMPORTANCE OF DE-**
23 **PARTMENT OF STATE’S WORK.**

24 It is the sense of Congress that—

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

3 (2) United States leadership is indispensable in
4 light of the many complex and interconnected
5 threats facing the United States and the world;

6 (3) diplomacy and development are critical tools
7 of national power, and full deployment of these tools
8 is vital to United States national security;

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

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

19 (6) United States security and prosperity de-
20 pend on having partners and allies that share our in-
21 terests and values, and these partnerships are nur-
22 tured and our shared interests and values are pro-
23 moted through United States diplomatic engage-
24 ment, security cooperation, economic statecraft, and
25 assistance that helps further economic development,

1 good governance, including the rule of law and
2 democratic institutions, and the development of
3 shared responses to natural and humanitarian disas-
4 ters;

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

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

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

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

14 **SEC. 102. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND**
15 **LABOR.**

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

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

24 (2) in subparagraph (B)(ii)—

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

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

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

9 “(C) AUTHORITIES.—In addition to the duties,
10 functions, and responsibilities specified in this para-
11 graph, the Assistant Secretary of State for Democ-
12 racy, Human Rights, and Labor is authorized to—

13 “(i) promote democracy and actively sup-
14 port human rights throughout the world;

15 “(ii) promote the rule of law and good gov-
16 ernance throughout the world;

17 “(iii) strengthen, empower, and protect
18 civil society representatives, programs, and or-
19 ganizations, and facilitate their ability to en-
20 gage in dialogue with governments and other
21 civil society entities;

22 “(iv) work with regional bureaus to ensure
23 adequate personnel at diplomatic posts are as-
24 signed responsibilities relating to advancing de-
25 mocracy, human rights, labor rights, women’s

1 equal participation in society, and the rule of
2 law, with particular attention paid to adequate
3 oversight and engagement on such issues by
4 senior officials at such posts;

5 “(v) review and, as appropriate, make rec-
6 ommendations to the Secretary of State regard-
7 ing the proposed transfer of—

8 “(I) defense articles and defense serv-
9 ices authorized under the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2151 et seq.)
11 or the Arms Export Control Act (22
12 U.S.C. 2751 et seq.); and

13 “(II) military items listed on the ‘600
14 series’ of the Commerce Control List con-
15 tained in Supplement No. 1 to part 774 of
16 subtitle B of title 15, Code of Federal Reg-
17 ulations;

18 “(vi) coordinate programs and activities
19 that protect and advance the exercise of human
20 rights and internet freedom in cyberspace; and

21 “(vii) implement other relevant policies and
22 provisions of law.

23 “(D) EFFICIENCY.—The Assistant Secretary
24 for Democracy, Human Rights, and Labor shall take
25 whatever actions may be necessary to minimize the

1 duplication of efforts within the Bureau of Democ-
2 racy, Human Rights, and Labor.

3 “(E) LOCAL OVERSIGHT.—United States mis-
4 sions, to the extent practicable, should assist in exer-
5 cising oversight authority and coordinate with the
6 Bureau of Democracy, Human Rights, and Labor to
7 ensure that funds are appropriately used and comply
8 with anti-corruption practices.”.

9 **SEC. 103. ASSISTANT SECRETARY FOR INTERNATIONAL**
10 **NARCOTICS AND LAW ENFORCEMENT AF-**
11 **FAIRS.**

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

15 (1) by redesignating paragraph (3) as para-
16 graph (4); and

17 (2) by inserting after paragraph (2) the fol-
18 lowing new paragraph:

19 “(3) ASSISTANT SECRETARY FOR INTER-
20 NATIONAL NARCOTICS AND LAW ENFORCEMENT AF-
21 FAIRS.—

22 “(A) IN GENERAL.—There is authorized to
23 be in the Department of State an Assistant
24 Secretary for International Narcotics and Law
25 Enforcement Affairs, who shall be responsible

1 to the Secretary of State for all matters, pro-
2 grams, and related activities pertaining to inter-
3 national narcotics, anti-crime, and law enforce-
4 ment affairs in the conduct of foreign policy by
5 the Department, including, as appropriate, lead-
6 ing the coordination of programs carried out by
7 United States Government agencies abroad, and
8 such other related duties as the Secretary may
9 from time to time designate.

10 “(B) AREAS OF RESPONSIBILITY.—The
11 Assistant Secretary for International Narcotics
12 and Law Enforcement Affairs shall maintain
13 continuous observation and coordination of all
14 matters pertaining to international narcotics,
15 anti-crime, and law enforcement affairs in the
16 conduct of foreign policy, including programs
17 carried out by other United States Government
18 agencies when such programs pertain to the fol-
19 lowing matters:

20 “(i) Combating international narcotics
21 production and trafficking.

22 “(ii) Strengthening foreign justice sys-
23 tems, including judicial and prosecutorial
24 capacity, appeals systems, law enforcement

1 agencies, prison systems, and the sharing
2 of recovered assets.

3 “(iii) Training and equipping foreign
4 police, border control, other government of-
5 ficials, and other civilian law enforcement
6 authorities for anti-crime purposes, includ-
7 ing ensuring that no foreign security unit
8 or member of such unit shall receive such
9 assistance from the United States Govern-
10 ment absent appropriate vetting.

11 “(iv) Ensuring the inclusion of human
12 rights and women’s participation issues in
13 law enforcement programs, in consultation
14 with the Assistant Secretary for Democ-
15 racy, Human Rights, and Labor, and other
16 senior officials in regional and thematic
17 bureaus and offices.

18 “(v) Combating, in conjunction with
19 other relevant bureaus of the Department,
20 all forms of transnational organized crime,
21 including illicit trafficking in human
22 beings, arms, wildlife, and cultural prop-
23 erty, migrant smuggling, corruption,
24 money laundering, the illicit smuggling of
25 bulk cash, the licit use of financial systems

1 for malign purposes, and other new and
2 emerging forms of crime.

3 “(vi) Identifying and responding to
4 global corruption, including strengthening
5 the capacity of foreign government institu-
6 tions responsible for addressing financial
7 crimes and engaging with multilateral or-
8 ganizations responsible for monitoring and
9 supporting foreign governments’ anti-cor-
10 ruption efforts.

11 “(C) ADDITIONAL DUTIES.—In addition to
12 the responsibilities specified in subparagraph
13 (B), the Assistant Secretary for International
14 Narcotics and Law Enforcement Affairs shall
15 also—

16 “(i) carry out timely and substantive
17 consultation with chiefs of mission and, as
18 appropriate, the heads of other United
19 States Government agencies to ensure ef-
20 fective coordination of all international
21 narcotics and law enforcement programs
22 carried out overseas by the Department
23 and such other agencies;

24 “(ii) coordinate with the Office of Na-
25 tional Drug Control Policy to ensure les-

1 sons learned from other United States
2 Government agencies are available to the
3 Bureau of International Narcotics and
4 Law Enforcement Affairs of the Depart-
5 ment;

6 “(iii) develop standard requirements
7 for monitoring and evaluation of Bureau
8 programs, including metrics for success
9 that do not rely solely on the amounts of
10 illegal drugs that are produced or seized;

11 “(iv) in coordination with the Sec-
12 retary of State, annually certify in writing
13 to the Committee on Foreign Affairs of the
14 House of Representatives and the Com-
15 mittee on Foreign Relations of the Senate
16 that United States law enforcement per-
17 sonnel posted abroad whose activities are
18 funded to any extent by the Bureau of
19 International Narcotics and Law Enforce-
20 ment Affairs are complying with section
21 207 of the Foreign Service Act of 1980
22 (22 U.S.C. 3927); and

23 “(v) carry out such other relevant du-
24 ties as the Secretary may assign.”.

1 (b) MODIFICATION OF ANNUAL INTERNATIONAL
2 NARCOTICS CONTROL STRATEGY REPORT.—Subsection
3 (a) of section 489 of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2291h) is amended by inserting after para-
5 graph (8) the following new paragraph:

6 “(9) A separate section that contains an identi-
7 fication of all United States Government-supported
8 units funded by the Bureau of International Nar-
9 cotics and Law Enforcement Affairs and any Bu-
10 reau-funded operations by such units in which
11 United States law enforcement personnel have been
12 physically present.”.

13 **SEC. 104. BUREAU OF CONSULAR AFFAIRS; BUREAU OF**
14 **POPULATION, REFUGEES, AND MIGRATION.**

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

17 (1) by redesignating subsection (g) as sub-
18 section (i); and

19 (2) by inserting after subsection (f) the fol-
20 lowing new subsections:

21 “(g) BUREAU OF CONSULAR AFFAIRS.—There is in
22 the Department of State the Bureau of Consular Affairs,
23 which shall be headed by the Assistant Secretary of State
24 for Consular Affairs

1 “(h) BUREAU OF POPULATION, REFUGEES, AND MI-
2 GRATION.—There is in the Department of State the Bu-
3 reau of Population, Refugees, and Migration, which shall
4 be headed by the Assistant Secretary of State for Popu-
5 lation, Refugees, and Migration.”.

6 **SEC. 105. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

7 (a) ESTABLISHMENT.—There should be established
8 in the Department an Office of International Disability
9 Rights (referred to in this section as the “Office”).

10 (b) DUTIES.—The Office should—

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

14 (2) promote the human rights and full partici-
15 pation in international development activities of all
16 persons with disabilities;

17 (3) promote disability inclusive practices and
18 the training of Department staff on soliciting quality
19 programs that are fully inclusive of people with dis-
20 abilities;

21 (4) represent the United States in diplomatic
22 and multilateral fora on matters relevant to the
23 rights of persons with disabilities, and work to raise
24 the profile of disability across a broader range of or-

1 organizations contributing to international develop-
2 ment efforts;

3 (5) conduct regular consultation with civil soci-
4 ety organizations working to advance international
5 disability rights and empower persons with disabil-
6 ities internationally;

7 (6) consult with other relevant offices at the
8 Department that are responsible for drafting annual
9 reports documenting progress on human rights, in-
10 cluding, wherever applicable, references to instances
11 of discrimination, prejudice, or abuses of persons
12 with disabilities; and

13 (7) advise the Bureau of Human Resources De-
14 velopment of the Department regarding the hiring
15 and recruitment and overseas practices of civil serv-
16 ice employees and Foreign Service officers with dis-
17 abilities and their family members with chronic med-
18 ical conditions or disabilities.

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

20 (1) a senior advisor to the appropriate Assist-
21 ant Secretary; or

22 (2) an officer exercising significant authority
23 who reports to the President or Secretary, appointed
24 by and with the advice and consent of the Senate.

1 (d) CONSULTATION.—The Secretary should direct
2 Ambassadors at Large, Representatives, Special Envoys,
3 and coordinators working on human rights to consult with
4 the Office to promote the human rights and full participa-
5 tion in international development activities of all persons
6 with disabilities.

7 **SEC. 106. OFFICE OF GLOBAL WOMEN'S ISSUES.**

8 (a) IN GENERAL.—There should be established an
9 Office of Global Women's Issues (referred to in this sec-
10 tion as the "Office"), which may be placed within the or-
11 ganizational structure of the Department at the discretion
12 of the Secretary.

13 (b) PURPOSE.—The Office should coordinate efforts
14 of the United States Government, as directed by the Sec-
15 retary, regarding gender equality and advancing the status
16 of women and girls in United States foreign policy.

17 (c) DUTIES.—The Office should—

18 (1) serve as the principal advisor to the Sec-
19 retary regarding gender equality, women's and girls'
20 empowerment, and violence against women and girls
21 as a priority of United States foreign policy;

22 (2) represent the United States in diplomatic
23 and multilateral fora on matters relevant to the sta-
24 tus of women and girls;

1 (3) advise the Secretary and provide input on
2 all activities, policies, programs, and funding relat-
3 ing to gender equality and the advancement of
4 women and girls internationally for all bureaus and
5 offices of the Department and in the international
6 programs of all other Federal agencies;

7 (4) work to ensure that efforts to advance gen-
8 der equality and women's and girls' empowerment
9 are fully integrated into the programs, structures,
10 processes, and capacities of all bureaus and offices
11 of the Department and in the international pro-
12 grams of other Federal agencies; and

13 (5) conduct regular consultation with civil soci-
14 ety organizations working to advance gender equality
15 and empower women and girls internationally.

16 (d) SUPERVISION.—The Office should be headed by
17 an Ambassador-at-large for Global Women's Issues.

18 (e) REPORT.—Not later than 180 days after the date
19 of the enactment of this Act, the Secretary shall provide
20 to the appropriate congressional committees a report or
21 briefing regarding this section.

22 **SEC. 107. SPECIAL APPOINTMENTS.**

23 (a) REPORT ON POSITIONS.—Not later than 30 days
24 after the date of the enactment of this Act, the Secretary

1 shall submit to the appropriate congressional committees
2 a report that includes the following:

3 (1) A description of the duties, responsibilities,
4 and number of staff of each existing Special Envoy,
5 Special Representative, Special Coordinator, Special
6 Negotiator, Envoy, Representative, Coordinator,
7 Special Advisor, and other similar position at the
8 Department.

9 (2) Recommendations regarding whether to
10 maintain in the Department each such position, in-
11 cluding those listed in the report submitted by the
12 Secretary to the Committee on Foreign Relations of
13 the Senate on April 14, 2017, pursuant to section
14 418 of the Department of State Authorities Act,
15 Fiscal Year 2017 (Public Law 114–323), that are
16 not expressly authorized by a provision of law en-
17 acted by Congress.

18 (3) Justifications supporting each of the Sec-
19 retary's recommendations under paragraph (2).

20 (b) ADVICE AND CONSENT.—Not later than 90 days
21 after the submission of the report required under sub-
22 section (a), the President shall submit the name of each
23 Special Envoy, Special Representative, Special Coordi-
24 nator, Special Negotiator, Envoy, Representative, Coordi-
25 nator, Special Advisor, or other person occupying a similar

1 position at the Department exercising significant author-
2 ity pursuant to the laws of the United States that is not
3 expressly authorized by a provision of law enacted by Con-
4 gress who is included in such report to the Committee on
5 Foreign Relations of the Senate to seek the advice and
6 consent of the Senate.

7 (c) RULE OF CONSTRUCTION REGARDING ESTAB-
8 LISHMENT OF POSITIONS.—Nothing in this section may
9 be construed as prohibiting the establishment or mainte-
10 nance of any Special Envoy, Special Representative, Spe-
11 cial Coordinator, Special Negotiator, Envoy, Representa-
12 tive, Coordinator, Special Advisor, or other similar posi-
13 tion at the Department exercising significant authority
14 pursuant to the laws of the United States if the name of
15 the appointee for each such position is submitted to the
16 Committee on Foreign Relations of the Senate, to seek
17 the advice and consent of the Senate, not later than 90
18 days after each such appointment.

19 (d) LIMITED EXCEPTION FOR TEMPORARY APPOINT-
20 MENTS.—The Secretary may maintain or establish a posi-
21 tion with the title of Special Envoy, Special Representa-
22 tive, Special Coordinator, Special Negotiator, Special Ad-
23 visor, or a similar position not exercising significant au-
24 thority pursuant to the laws of the United States for not
25 longer than 180 days if the Secretary, not later than 15

1 days before the appointment of a person to such a posi-
2 tion, submits to the appropriate congressional committees
3 a notification that includes the following:

4 (1) A certification that the position is not ex-
5 pected to demand the exercise of significant author-
6 ity pursuant to the laws of the United States.

7 (2) A description of the duties and purpose of
8 the position.

9 (3) The rationale for giving the specific title to
10 the position.

11 (e) RENEWAL OF TEMPORARY APPOINTMENT.—

12 Nothing in this section may be construed as prohibiting
13 the Secretary from renewing for a period not to exceed
14 180 days any position maintained or established under
15 subsection (d) if the Secretary complies with the notifica-
16 tion requirements contained in such subsection.

17 (f) FUNDING RESTRICTIONS.—

18 (1) POSITIONS NOT SUBMITTED FOR ADVICE
19 AND CONSENT.—No funds may be authorized to be
20 appropriated for—

21 (A) any Special Envoy, Special Represent-
22 ative, Special Coordinator, Special Negotiator,
23 Envoy, Representative, Coordinator, Special
24 Advisor, or other similar position at the Depart-
25 ment exercising significant authority pursuant

1 to the laws of the United States if the name of
2 the person appointed to such position has not
3 been submitted to the Committee on Foreign
4 Relations of the Senate for the advice and con-
5 sent of the Senate in accordance with sub-
6 section (b); or

7 (B) any staff or resources related to such
8 a position until the person appointed to such
9 position has been submitted to the Committee
10 on Foreign Relations of the Senate for the ad-
11 vice and consent of the Senate.

12 (2) TEMPORARY POSITIONS.—No funds may be
13 authorized to be appropriated for any position de-
14 scribed in subsection (d) or for any staff or re-
15 sources related to such position unless the Secretary
16 has complied with the notification requirements
17 under such subsection.

18 (3) FISCAL YEAR 2020.—The restrictions de-
19 scribed in this subsection shall not apply in fiscal
20 year 2020 to positions or associated staff and re-
21 sources for which funding is expressly appropriated
22 for such fiscal year in an Act of Congress.

23 (g) CONFIRMATION FOR AUTHORIZED POSITIONS.—

24 (1) IN GENERAL.—No Special Envoy, Special
25 Representative, Special Coordinator, Special Nego-

1 tiator, Envoy, Representative, Coordinator, Special
2 Advisor, or other similar position at the Department
3 exercising significant authority pursuant to the laws
4 of the United States that is authorized by an Act of
5 Congress (except the position authorized by section
6 621 of the Tibetan Policy Act of 2002 (subtitle B
7 of title VI of Public Law 107–228; 22 U.S.C. 6901
8 note)) may be appointed without the advice and con-
9 sent of the Senate.

10 (2) FISCAL YEAR 2020.—The restriction de-
11 scribed in paragraph (1) shall not apply in fiscal
12 year 2020 to positions or associated staff and re-
13 sources for which funding is expressly appropriated
14 for such fiscal year in an Act of Congress.

15 (h) ELIMINATION OF SPECIAL REPRESENTATIVE
16 AND POLICY COORDINATOR FOR BURMA.—

17 (1) FINDINGS.—Congress finds the following:

18 (A) Congress established the Special Rep-
19 resentative and Policy Coordinator for Burma
20 in July 2008 at a time when the United States
21 did not maintain full diplomatic relations with
22 Burma and had not appointed an Ambassador
23 to Burma in 18 years.

24 (B) In 2012, the United States re-estab-
25 lished full diplomatic relations with Burma and

1 appointed a United States Ambassador to
2 Burma who, along with the Secretary of State,
3 Assistant Secretary of State for East Asia and
4 the Pacific, and other United States Govern-
5 ment officials, represents the United States' in-
6 terests in Burma.

7 (2) REPEAL.—Section 7 of the Tom Lantos
8 Block Burmese Jade (Junta's Anti-Democratic Ef-
9 forts) Act of 2008 (Public Law 110–286; 50 U.S.C.
10 1701 note; relating to the establishment of a Special
11 Representative and Policy Coordinator for Burma) is
12 hereby repealed.

13 **SEC. 108. ANTI-PIRACY INFORMATION SHARING.**

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

19 **SEC. 109. IMPORTANCE OF FOREIGN AFFAIRS TRAINING TO**
20 **NATIONAL SECURITY.**

21 It is the sense of Congress that—

22 (1) the Department is a crucial national secu-
23 rity agency, whose employees, both Foreign and Civil
24 Service, require the best possible training at every
25 stage of their careers to prepare them to promote

1 and defend United States national interests and the
2 health and safety of United States citizens abroad;

3 (2) the Secretary should explore establishing a
4 “training float” requiring that a certain percentage
5 of the Foreign Service shall be in long-term training
6 at any given time;

7 (3) the Department’s Foreign Service Institute
8 should seek to substantially increase its educational
9 and training offerings to Department personnel, in-
10 cluding developing new and innovative educational
11 and training courses, methods, programs, and oppor-
12 tunities; and

13 (4) consistent with existing Department gift ac-
14 ceptance authority and other applicable laws, the
15 Department and Foreign Service Institute should
16 seek and accept funds and other resources from
17 foundations, not-for-profit corporations, and other
18 appropriate sources to help the Department and the
19 Institute accomplish the goals specified in paragraph
20 (3).

21 **SEC. 110. CLASSIFICATION AND ASSIGNMENT OF FOREIGN**
22 **SERVICE OFFICERS.**

23 The Foreign Service Act of 1980 is amended—

24 (1) in section 501 (22 U.S.C. 3981), by insert-
25 ing “If a position designated under this section is

1 unfilled for more than 365 calendar days, such posi-
2 tion may be filled, as appropriate, on a temporary
3 basis, in accordance with section 309.” after “Posi-
4 tions designated under this section are excepted
5 from the competitive service.”; and

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

11 **SEC. 111. ENERGY DIPLOMACY AND SECURITY WITHIN THE**
12 **DEPARTMENT OF STATE.**

13 (a) IN GENERAL.—Subsection (c) of section 1 of the
14 State Department Basic Authorities Act of 1956 (22
15 U.S.C. 2651a), as amended by section 103 of this Act,
16 is further amended—

17 (1) by redesignating paragraph (4) (as redesign-
18 nated pursuant to such section 103) as paragraph
19 (5); and

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

22 “(4) ENERGY RESOURCES.—

23 “(A) AUTHORIZATION FOR ASSISTANT SEC-
24 RETARY.—Subject to the numerical limitation
25 specified in paragraph (1), there is authorized

1 to be established in the Department of State an
2 Assistant Secretary of State for Energy Re-
3 sources.

4 “(B) PERSONNEL.—The Secretary of
5 State shall ensure that there are sufficient per-
6 sonnel dedicated to energy matters within the
7 Department of State whose responsibilities shall
8 include—

9 “(i) formulating and implementing
10 international policies aimed at protecting
11 and advancing United States energy secu-
12 rity interests by effectively managing
13 United States bilateral and multilateral re-
14 lations;

15 “(ii) ensuring that analyses of the na-
16 tional security implications of global en-
17 ergy and environmental developments are
18 reflected in the decision making process
19 within the Department;

20 “(iii) incorporating energy security
21 priorities into the activities of the Depart-
22 ment;

23 “(iv) coordinating energy activities of
24 the Department with relevant Federal de-
25 partments and agencies; and

1 “(v) working internationally to—

2 “(I) support the development of
3 energy resources and the distribution
4 of such resources for the benefit of
5 the United States and United States
6 allies and trading partners for their
7 energy security and economic develop-
8 ment needs;

9 “(II) promote availability of di-
10 versified energy supplies and a well-
11 functioning global market for energy
12 resources, technologies, and expertise
13 for the benefit of the United States
14 and United States allies and trading
15 partners;

16 “(III) resolve international dis-
17 putes regarding the exploration, devel-
18 opment, production, or distribution of
19 energy resources;

20 “(IV) support the economic and
21 commercial interests of United States
22 persons operating in the energy mar-
23 kets of foreign countries;

1 “(V) support and coordinate
2 international efforts to alleviate en-
3 ergy poverty;

4 “(VI) leading the United States
5 commitment to the Extractive Indus-
6 tries Transparency Initiative;

7 “(VII) coordinating within the
8 Department and with relevant Federal
9 departments and agencies on devel-
10 oping and implementing international
11 energy-related sanctions; and

12 “(VIII) coordinating energy secu-
13 rity and other relevant functions with-
14 in the Department currently under-
15 taken by—

16 “(aa) the Bureau of Eco-
17 nomic and Business Affairs;

18 “(bb) the Bureau of Oceans
19 and International Environmental
20 and Scientific Affairs; and

21 “(cc) other offices within the
22 Department of State.”.

23 (b) CONFORMING AMENDMENT.—Section 931 of the
24 Energy Independence and Security Act of 2007 (42
25 U.S.C. 17371) is amended—

1 (1) by striking subsections (a) and (b); and
2 (2) by redesignating subsections (c) and (d) as
3 subsections (a) and (b), respectively.

4 **SEC. 112. PASSPORT FEES.**

5 Paragraph (2) of section 1(b) of the Passport Act of
6 June 4, 1920 (22 U.S.C. 214(b)) is amended by striking
7 “not” and all that follows through the period at the end
8 and inserting the following: “be exercised beginning on the
9 date of the enactment of the Department of State Author-
10 ization Act of 2019.”.

11 **SEC. 113. UNITED STATES DIPLOMACY CENTER.**

12 Title I of the State Department Basic Authorities Act
13 of 1956 is amended by adding after section 63 (22 U.S.C.
14 2735) the following new section:

15 **“SEC. 64. UNITED STATES DIPLOMACY CENTER.**

16 “(a) ACTIVITIES.—

17 “(1) SUPPORT AUTHORIZED.—The Secretary of
18 State is authorized to provide, by contract, grant, or
19 otherwise, for the performance of appropriate mu-
20 seum visitor and educational outreach services and
21 related events, including organizing programs and
22 conference activities, museum shop services and food
23 services in the public exhibition and related space
24 utilized by the center for United States diplomacy.

1 “(2) RECOVERY OF COSTS.—The Secretary of
2 State is authorized to recover any revenues gen-
3 erated under the authority of paragraph (1) for vis-
4 itor and outreach services and related events re-
5 ferred to in such paragraph, including fees for use
6 of facilities at a center for United States diplomacy.
7 Any such revenues may be retained as a recovery of
8 the costs of operating the Center.

9 “(b) DISPOSITION OF UNITED STATES DIPLOMACY
10 CENTER DOCUMENTS, ARTIFACTS, AND OTHER ARTI-
11 CLES.—

12 “(1) PROPERTY.—All historic documents, arti-
13 facts, or other articles permanently acquired by the
14 Department of State and determined by the Sec-
15 retary of State to be suitable for display by the cen-
16 ter for United States diplomacy shall be considered
17 to be the property of the United States Government
18 and shall be subject to disposition solely in accord-
19 ance with this subsection.

20 “(2) SALE, TRADE, OR TRANSFER.—Whenever
21 the Secretary of State makes the determination de-
22 scribed in paragraph (3) with respect to a document,
23 artifact, or other article under paragraph (1), the
24 Secretary may sell at fair market value, trade, or
25 transfer such document, artifact, or other article

1 without regard to the requirements of subtitle I of
2 title 40, United States Code. The proceeds of any
3 such sale may be used solely for the advancement of
4 the mission of the center for United States diplo-
5 macy and may not be used for any purpose other
6 than the acquisition and direct care of the collections
7 of the center.

8 “(3) DETERMINATIONS PRIOR TO SALE, TRADE,
9 OR TRANSFER.—The determination described in this
10 paragraph with respect to a document, artifact, or
11 other article under paragraph (1), is a determination
12 that—

13 “(A) such document, artifact, or other arti-
14 cle no longer serves to further the purposes of
15 the center for United States diplomacy as set
16 forth in the collections management policy of
17 the center;

18 “(B) the sale, trade, or transfer of such
19 document, artifact, or other article would serve
20 to maintain the standards of the collection of
21 the center; or

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

1 “(4) LOANS.—In addition to the authorization
2 under paragraph (2) relating to the sale, trade, or
3 transfer of documents, artifacts, or other articles
4 under paragraph (1), the Secretary of State may
5 loan such documents, artifacts, or other articles,
6 when not needed for use or display by the center for
7 United States diplomacy to the Smithsonian Institu-
8 tion or a similar institution for repair, study, or ex-
9 hibition.”.

10 **SEC. 114. EXTENSION OF PERIOD FOR REIMBURSEMENT OF**
11 **FISHERMEN FOR COSTS INCURRED FROM**
12 **THE ILLEGAL SEIZURE AND DETENTION OF**
13 **U.S.-FLAG FISHING VESSELS BY FOREIGN**
14 **GOVERNMENTS.**

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

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

21 (b) RETROACTIVE APPLICABILITY.—

22 (1) EFFECTIVE DATE.—The amendment made
23 by subsection (a) shall take effect on the date of the
24 enactment of this Act and apply as if the date speci-
25 fied in subsection (e) of section 7 of the Fishermen’s

1 Protective Act of 1967, as in effect on the day be-
2 fore the date of the enactment of this Act, were the
3 day after such date of enactment.

4 (2) AGREEMENTS AND PAYMENTS.—The Sec-
5 retary shall—

6 (A) enter into agreements pursuant to sec-
7 tion 7 of the Fishermen’s Protective Act of
8 1967 for any claims to which such section
9 would otherwise apply but for the date specified
10 in subsection (e) of such section, as in effect on
11 the day before the date of the enactment of this
12 Act; and

13 (B) make payments in accordance with
14 agreements entered into pursuant to such sec-
15 tion if any such payments have not been made
16 as a result of the expiration of the date speci-
17 fied in such section, as in effect on the day be-
18 fore the date of the enactment of this Act.

19 **SEC. 115. ART IN EMBASSIES.**

20 (a) IN GENERAL.—No funds are authorized to be ap-
21 propriated for the purchase of any piece of art for the
22 purposes of installation or display in any embassy, con-
23 sulate, or other foreign mission of the United States if
24 the purchase price of such piece of art is in excess of
25 \$50,000, unless such purchase is subject to prior consulta-

1 tion with, and the regular notification procedures of, the
2 appropriate congressional committees.

3 (b) REPORT.—Not later than 90 days after the date
4 of the enactment of this Act, the Secretary shall submit
5 to the appropriate congressional committees a report on
6 the costs of the Art in Embassies Program for each of
7 fiscal years 2012, 2013, and 2014.

8 (c) SUNSET.—This section shall terminate on the
9 date that is two years after the date of the enactment of
10 this Act.

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

14 **SEC. 116. AMENDMENT OR REPEAL OF REPORTING RE-**
15 **QUIREMENTS.**

16 (a) BURMA.—

17 (1) IN GENERAL.—Section 570 of Public Law
18 104–208 is amended—

19 (A) by amending subsection (c) to read as
20 follows:

21 “(c) MULTILATERAL STRATEGY.—The President
22 shall develop, in coordination with members of ASEAN
23 and other likeminded countries, a comprehensive, multilat-
24 eral strategy to bring about further democratic consolida-
25 tion in Burma and improve human rights practices and

1 the quality of life in Burma, including the development
2 of a dialogue leading to genuine national reconciliation.”;
3 and

4 (B) in subsection (d)—

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

8 (ii) by redesignating paragraph (3) as
9 paragraph (7); and

10 (iii) by inserting after paragraph (2)
11 the following new paragraphs:

12 “(3) improvements in human rights practices;

13 “(4) progress toward broad-based and inclusive
14 economic growth;

15 “(5) progress toward genuine national reconcili-
16 ation;

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

22 (2) EFFECTIVE DATE.—The amendments made
23 by paragraph (1) shall take effect on the date of the
24 enactment of this Act and apply with respect to the
25 first report required under subsection (d) of section

1 570 of Public Law 104–208 that is required after
2 the date of the enactment of this Act.

3 (b) REPEALS.—The following provisions of law are
4 hereby repealed:

5 (1) Subsection (b) of section 804 of Public Law
6 101–246.

7 (2) Section 6 of Public Law 104–45.

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

10 (4) Subsection (c) of section 702 of Public Law
11 96–465 (22 U.S.C. 4022).

12 **SEC. 117. REPORTING ON IMPLEMENTATION OF GAO REC-**
13 **COMMENDATIONS.**

14 (a) INITIAL REPORT.—Not later than 120 days after
15 the date of the enactment of this Act, the Secretary shall
16 submit to the appropriate congressional committees a re-
17 port that lists all of the Government Accountability Of-
18 fice’s recommendations relating to the Department that
19 have not been fully implemented.

20 (b) COMPTROLLER GENERAL REPORT.—Not later
21 than 30 days after the Secretary submits the report under
22 subsection (a), the Comptroller General of the United
23 States shall submit to the appropriate congressional com-
24 mittees a report that identifies any discrepancies between
25 the list of recommendations included in such report and

1 the Government Accountability Office's list of outstanding
2 recommendations for the Department.

3 (c) IMPLEMENTATION REPORT.—

4 (1) IN GENERAL.—Not later than 120 days
5 after the date of the submission of the Comptroller
6 General's report under subsection (b), the Secretary
7 shall submit to the appropriate congressional com-
8 mittees a report that describes the implementation
9 status of each recommendation from the Govern-
10 ment Accountability Office included in the report
11 submitted under subsection (a).

12 (2) JUSTIFICATION.—The report under para-
13 graph (1) shall include—

14 (A) a detailed justification for each deci-
15 sion not to fully implement a recommendation
16 or to implement a recommendation in a dif-
17 ferent manner than specified by the Govern-
18 ment Accountability Office;

19 (B) a timeline for the full implementation
20 of any recommendation the Secretary has de-
21 cided to adopt, but has not yet fully imple-
22 mented; and

23 (C) an explanation for any discrepancies
24 included in the Comptroller General report sub-
25 mitted under subsection (b).

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

5 **SEC. 118. OFFICE OF GLOBAL CRIMINAL JUSTICE.**

6 (a) IN GENERAL.—There should be established with-
7 in the Department an Office of Global Criminal Justice
8 (referred to in this section as the “Office”), which may
9 be placed within the organizational structure of the De-
10 partment at the discretion of the Secretary.

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

13 (1) Advise the Secretary and other relevant sen-
14 ior officials on issues related to war crimes, crimes
15 against humanity, and genocide.

16 (2) Assist in formulating United States policy
17 on the prevention of, responses to, and account-
18 ability for mass atrocities.

19 (3) Coordinate United States Government posi-
20 tions relating to the international and hybrid courts
21 currently prosecuting persons responsible for geno-
22 cide, war crimes, and crimes against humanity any-
23 where in the world.

24 (4) Work with other governments, international
25 organizations, and nongovernmental organizations,

1 as appropriate, to establish and assist international
2 and domestic commissions of inquiry, fact-finding
3 missions, and tribunals to investigate, document,
4 and prosecute atrocities in every region of the globe.

5 (5) Coordinate the deployment of diplomatic,
6 legal, economic, military, and other tools to help ex-
7 pose the truth, judge those responsible, protect and
8 assist victims, enable reconciliation, deter atrocities,
9 and build the rule of law.

10 (6) Provide advice and expertise on transitional
11 justice to United States personnel operating in con-
12 flict and post-conflict environments.

13 (7) Act as a point of contact for international,
14 hybrid, and mixed tribunals exercising jurisdiction
15 over war crimes, crimes against humanity, and geno-
16 cide committed around the world.

17 (8) Represent the Department on any inter-
18 agency whole-of-government coordinating entities ad-
19 dressing genocide and other mass atrocities.

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

22 (c) SUPERVISION.—The Office should be led by an
23 Ambassador-at-Large for Global Criminal Justice.

1 **TITLE II—EMBASSY**
2 **CONSTRUCTION**
3 **SEC. 201. EMBASSY SECURITY, CONSTRUCTION, AND MAIN-**
4 **TENANCE.**

5 For “Embassy Security, Construction, and Mainte-
6 nance”, there is authorized to be appropriated
7 \$1,987,211,000 for fiscal year 2020.

8 **SEC. 202. STANDARD DESIGN IN CAPITAL CONSTRUCTION.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that the Department’s Bureau of Overseas Building
11 Operations (OBO) or successor office should give appro-
12 priate consideration to standardization in construction, in
13 which each new United States embassy and consulate
14 starts with a standard design and keeps customization to
15 a minimum.

16 (b) CONSULTATION.—The Secretary shall carry out
17 any new United States embassy compound or new con-
18 sulate compound project that utilizes a non-standard de-
19 sign, including those projects that are in the design or pre-
20 design phase as of the date of the enactment of this Act,
21 only in consultation with the appropriate congressional
22 committees. The Secretary shall provide the appropriate
23 congressional committees, for each such project, the fol-
24 lowing documentation:

1 (1) A comparison of the estimated full lifecycle
2 costs of the project to the estimated full lifecycle
3 costs of such project if it were to use a standard de-
4 sign.

5 (2) A comparison of the estimated completion
6 date of such project to the estimated completion
7 date of such project if it were to use a standard de-
8 sign.

9 (3) A comparison of the security of the com-
10 pleted project to the security of such completed
11 project if it were to use a standard design.

12 (4) A justification for the Secretary's selection
13 of a non-standard design over a standard design for
14 such project.

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

19 (c) SUNSET.—The consultation requirement under
20 subsection (b) shall expire on the date that is four years
21 after the date of the enactment of this Act.

22 **SEC. 203. CAPITAL CONSTRUCTION TRANSPARENCY.**

23 (a) IN GENERAL.—Section 118 of the Department of
24 State Authorities Act, Fiscal Year 2017 (22 U.S.C. 304)
25 is amended—

1 (1) in the section heading , by striking “**AN-**
2 **NUAL REPORT ON EMBASSY CONSTRUCTION**
3 **COSTS**” and inserting “**BIANNUAL REPORT ON**
4 **OVERSEAS CAPITAL CONSTRUCTION**
5 **PROJECTS**”; and

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

8 “(a) **IN GENERAL.**—Not later than 180 days after
9 the date of the enactment of this subsection and every 180
10 days thereafter until the date that is four years after such
11 date of enactment, the Secretary shall submit to the ap-
12 propriate congressional committees a comprehensive re-
13 port regarding all ongoing overseas capital construction
14 projects and major embassy security upgrade projects.

15 “(b) **CONTENTS.**—Each report required under sub-
16 section (a) shall include the following with respect to each
17 ongoing overseas capital construction project and major
18 embassy security upgrade project:

19 “(1) The initial cost estimate as specified in the
20 proposed allocation of capital construction and main-
21 tenance funds required by the Committees on Appro-
22 priations for Acts making appropriations for the De-
23 partment of State, foreign operations, and related
24 programs.

25 “(2) The current cost estimate.

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

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

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

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

11 “(7) An enumerated list of each request for eq-
12 uitable adjustment and certified claim that has been
13 fully adjudicated or that the Department has settled,
14 and the final dollar amount of each adjudication or
15 settlement.

16 “(8) The date of estimated completion specified
17 in the proposed allocation of capital construction
18 and maintenance funds required by the Committees
19 on Appropriations not later than 45 days after the
20 date of the enactment of an Act making appropria-
21 tions for the Department of State, foreign oper-
22 ations, and related programs.

23 “(9) The current date of estimated comple-
24 tion.”.

1 (b) INITIAL REPORT.—The first report required
2 under subsection (a) of section 118 of the Department of
3 State Authorities Act, Fiscal Year 2017 (as amended by
4 this section) shall include an annex regarding all overseas
5 capital construction projects and major embassy security
6 upgrade projects completed during the 10-year period end-
7 ing on December 31, 2018, including, for each such
8 project, the elements specified in subsection (b) of such
9 section 118.

10 **SEC. 204. CONTRACTOR PERFORMANCE INFORMATION.**

11 (a) DEADLINE FOR COMPLETION.—The Secretary
12 shall complete all contractor performance evaluations re-
13 quired by subpart 42.15 of the Federal Acquisition Regu-
14 lation for those contractors engaged in construction of new
15 embassy or new consulate compounds by October 1, 2021.

16 (b) PRIORITIZATION SYSTEM.—

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

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

1 (A) Project completion evaluations should
2 be prioritized over annual evaluations.

3 (B) Evaluations for relatively large con-
4 tracts should have priority.

5 (C) Evaluations that would be particularly
6 informative for the awarding of government
7 contracts should have priority.

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

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

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

19 (2) the Department should develop a forum
20 where contractors can comment on the Department’s
21 project management performance.

22 **SEC. 205. GROWTH PROJECTIONS FOR NEW EMBASSIES**
23 **AND CONSULATES.**

24 (a) IN GENERAL.—For each new United States em-
25 bassy compound (NEC) and new consulate compound

1 project (NCC) in or not yet in the design phase as of the
2 date of the enactment of this Act, the Department shall
3 project growth over the estimated life of the facility using
4 all available and relevant data, including the following:

5 (1) Relevant historical trends for Department
6 personnel and personnel from other agencies rep-
7 resented at the NEC or NCC that is to be con-
8 structed.

9 (2) An analysis of the tradeoffs between risk
10 and the needs of United States Government policy
11 conducted as part of the most recent Vital Presence
12 Validation Process, if applicable.

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

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

18 (b) OTHER FEDERAL AGENCIES.—The head of each
19 Federal agency represented at a United States embassy
20 or consulate shall provide to the Secretary, upon request,
21 growth projections for the personnel of each such agency
22 over the estimated life of each embassy or consulate, as
23 the case may be.

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

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

9 **SEC. 206. LONG-RANGE PLANNING PROCESS.**

10 (a) PLANS REQUIRED.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this Act and an-
13 nually thereafter for five years, the Secretary shall
14 develop—

15 (A) a comprehensive six-year plan docu-
16 menting the Department's overseas building
17 program for the replacement of overseas diplo-
18 matic posts taking into account security factors
19 under the Secure Embassy Construction and
20 Counterterrorism Act of 1999 and other rel-
21 evant statutes and regulations, as well as occu-
22 pational safety and health factors pursuant to
23 the Occupational Safety and Health Act of
24 1970 and other relevant statutes and regula-
25 tions, including environmental factors such as

1 indoor air quality that impact employee health
2 and safety; and

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

16 (2) INITIAL REPORT.—The first plan developed
17 pursuant to paragraph (1)(A) shall also include a
18 one-time status report on existing small diplomatic
19 posts and a strategy for establishing a physical dip-
20 lomatic presence in countries in which there is no
21 current physical diplomatic presence. Such report,
22 which may include a classified annex, shall include
23 the following:

1 (A) A description of the extent to which
2 each small diplomatic post furthers the national
3 interest of the United States.

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

9 (C) A description of whether each small
10 diplomatic post meets current security require-
11 ments.

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

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

17 (3) UPDATED INFORMATION.—The annual up-
18 dates of each of the plans developed pursuant to
19 paragraph (1) shall highlight any changes from the
20 previous year's plan to the ordering of construction
21 and maintenance projects.

22 (b) REPORTING REQUIREMENTS.—

23 (1) SUBMISSION OF PLANS TO CONGRESS.—Not
24 later than 60 days after the completion of each plan
25 required under subsection (a), the Secretary shall

1 submit the plans to the appropriate congressional
2 committees.

3 (2) REFERENCE IN BUDGET JUSTIFICATION
4 MATERIALS.—In the budget justification materials
5 submitted to the appropriate congressional commit-
6 tees in support of the Department’s budget for any
7 fiscal year (as submitted with the budget of the
8 President under section 1105(a) of title 31, United
9 States Code), the plans required under subsection
10 (a) shall be referenced to justify funding requested
11 for building and maintenance projects overseas.

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

15 (c) SMALL DIPLOMATIC POST DEFINED.—In this
16 section, the term “small diplomatic post” means any
17 United States embassy or consulate that has employed five
18 or fewer United States Government employees on average
19 over the 36 months prior to the date of the enactment
20 of this Act.

21 **SEC. 207. VALUE ENGINEERING AND RISK ASSESSMENT.**

22 (a) FINDINGS.—Congress makes the following find-
23 ings:

24 (1) Federal departments and agencies are re-
25 quired to use value engineering (VE) as a manage-

1 ment tool, where appropriate, to reduce program and
2 acquisition costs pursuant to OMB Circular A-131,
3 Value Engineering, dated December 31, 2013.

4 (2) OBO has a Policy Directive and Standard
5 Operation Procedure, dated May 24, 2017, on con-
6 ducting risk management studies on all international
7 construction projects.

8 (b) NOTIFICATION REQUIREMENTS.—

9 (1) SUBMISSION TO AUTHORIZING COMMIT-
10 TEES.—The proposed allocation of capital construc-
11 tion and maintenance funds that is required by the
12 Committees on Appropriations of the Senate and the
13 House of Representatives not later than 45 days
14 after the date of the enactment of an Act making
15 appropriations for the Department of State, foreign
16 operations, and related programs shall also be sub-
17 mitted to the Committee on Foreign Relations of the
18 Senate and the Committee on Foreign Affairs of the
19 House of Representatives.

20 (2) REQUIREMENT TO CONFIRM COMPLETION
21 OF VALUE ENGINEERING AND RISK ASSESSMENT
22 STUDIES.—The notifications required under para-
23 graph (1) shall include confirmation that the De-
24 partment has completed the requisite VE and risk
25 management studies described in subsection (a).

1 (c) REPORTING AND BRIEFING REQUIREMENTS.—
2 The Secretary shall provide to the appropriate congres-
3 sional committees upon request—

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

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

12 **SEC. 208. BUSINESS VOLUME.**

13 Section 402(c)(2)(E) of the Omnibus Diplomatic Se-
14 curity and Antiterrorism Act of 1986 (22 U.S.C.
15 4852(c)(2)(E)) is amended by striking “in 3 years” and
16 inserting “cumulatively over 3 years”.

17 **SEC. 209. EMBASSY SECURITY REQUESTS AND DEFICIENCIES.**
18

19 The Secretary shall provide to the appropriate con-
20 gressional committees upon request information on secu-
21 rity deficiencies at United States diplomatic posts, includ-
22 ing relating to the following:

23 (1) Requests made over the previous year by
24 United States diplomatic posts for security up-
25 grades.

1 with subsection (a), the Secretary shall notify the appro-
2 priate congressional committees in writing of the decision,
3 including the reasons therefor. The notification required
4 by this subsection may be included in any other report
5 regarding a new United States diplomatic post that is re-
6 quired to be submitted to the appropriate congressional
7 committees.

8 (c) PERFORMANCE EVALUATION.—Not later than
9 180 days after the date of the enactment of this Act, the
10 Secretary shall report to the appropriate congressional
11 committees regarding performance evaluation measures in
12 accordance with GAO’s “Standards for Internal Control
13 in the Federal Government” that will be applicable to de-
14 sign and construction, lifecycle cost, and building mainte-
15 nance programs of the Bureau of Overseas Building Oper-
16 ations of the Department.

17 **SEC. 212. COMPETITION IN EMBASSY CONSTRUCTION.**

18 Not later than 45 days after the date of the enact-
19 ment of this Act, the Secretary shall submit to the appro-
20 priate congressional committee a report detailing steps the
21 Department is taking to expand the embassy construction
22 contractor base in order to increase competition and maxi-
23 mize value.

1 **SEC. 213. STATEMENT OF POLICY.**

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

10 **SEC. 214. DEFINITIONS.**

11 In this title:

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

16 (2) **NON-STANDARD DESIGN.**—The term “non-
17 standard design” means a design for a new embassy
18 compound project or new consulate compound
19 project that does not utilize a standardized design
20 for the structural, spatial, or security requirements
21 of such embassy compound or consulate compound,
22 as the case may be.

23 **TITLE III—PERSONNEL ISSUES**

24 **SEC. 301. DEFENSE BASE ACT INSURANCE WAIVERS.**

25 (a) **APPLICATION FOR WAIVERS.**—Not later than 30
26 days after the date of the enactment of this Act, the Sec-

1 retary shall apply to the Department of Labor for a waiver
2 from insurance requirements under the Defense Base Act
3 (42 U.S.C. 1651 et seq.) for all countries with respect to
4 which the requirement was waived prior to January 2017,
5 and for which there is not currently a waiver.

6 (b) **CERTIFICATION REQUIREMENT.**—Not later than
7 45 days after the date of the enactment of this Act, the
8 Secretary shall certify to the appropriate congressional
9 committees that the requirement in subsection (a) has
10 been met.

11 **SEC. 302. STUDY ON FOREIGN SERVICE ALLOWANCES.**

12 (a) **REPORT REQUIRED.**—

13 (1) **IN GENERAL.**—Not later than 270 days
14 after date of the enactment of this Act, the Sec-
15 retary shall submit to the appropriate congressional
16 committees a report detailing an empirical analysis
17 on the effect of overseas allowances on the foreign
18 assignment of Foreign Service officers (FSOs), to be
19 conducted by a federally-funded research and devel-
20 opment center with appropriate expertise in labor ec-
21 onomics and military compensation.

22 (2) **CONTENTS.**—The analysis required under
23 paragraph (1) shall—

1 (A) identify all allowances paid to FSOs
2 assigned permanently or on temporary duty to
3 foreign areas;

4 (B) examine the efficiency of the Foreign
5 Service bidding system in determining foreign
6 assignments;

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

10 (D) examine the Department's strategy
11 and process for incentivizing FSOs to bid on
12 assignments that are historically in lower de-
13 mand, including with monetary compensation,
14 and whether monetary compensation is nec-
15 essary for assignments in higher demand;

16 (E) make any relevant comparisons to
17 military compensation and allowances, noting
18 which allowances are shared or based on the
19 same regulations;

20 (F) recommend options for restructuring
21 allowances to improve the efficiency of the as-
22 signments system and better align FSO incen-
23 tives with the needs of the Foreign Service, in-
24 cluding any cost savings associated with such
25 restructuring;

1 (G) recommend any statutory changes nec-
2 essary to implement subparagraph (F), such as
3 consolidating existing legal authorities for the
4 provision of hardship and danger pay; and

5 (H) detail any effects of recommendations
6 made pursuant to subparagraphs (F) and (G)
7 on other United States Government depart-
8 ments and agencies with civilian employees per-
9 manently assigned or on temporary duty in for-
10 eign areas, following consultation with such de-
11 partments and agencies.

12 (b) BRIEFING REQUIREMENT.—Before initiating the
13 analysis required under subsection (a)(1), and not later
14 than 60 days after the date of the enactment of this Act,
15 the Secretary shall provide to the Committee on Foreign
16 Relations of the Senate and the Committee on Foreign
17 Affairs in the House of Representatives a briefing on the
18 implementation of this section that includes the following:

19 (1) The name of the federally-funded research
20 and development center that will conduct such anal-
21 ysis.

22 (2) The scope of such analysis and terms of ref-
23 erence for such analysis as specified between the De-
24 partment and such federally-funded research and de-
25 velopment center.

1 (c) AVAILABILITY OF INFORMATION.—

2 (1) IN GENERAL.—The Secretary shall make
3 available to the federally-funded research and devel-
4 opment center carrying out the analysis required
5 under subsection (a)(1) all necessary and relevant
6 information to allow such center to conduct such
7 analysis in a quantitative and analytical manner, in-
8 cluding historical data on the number of bids for
9 each foreign assignment and any survey data col-
10 lected by the Department from eligible bidders on
11 their bid decision-making.

12 (2) COOPERATION.—The Secretary shall work
13 with the heads of other relevant United States Gov-
14 ernment departments and agencies to ensure such
15 departments and agencies provide all necessary and
16 relevant information to the federally-funded research
17 and development center carrying out the analysis re-
18 quired under subsection (a)(1).

19 (d) INTERIM REPORT TO CONGRESS.—The Secretary
20 shall require that the chief executive officer of the feder-
21 ally-funded research and development center that carries
22 out the analysis required under subsection (a)(1) submit
23 to the Committee on Foreign Relations of the Senate and
24 the Committee on Foreign Affairs of the House of Rep-

1 representatives an interim report on such analysis not later
2 than 120 days after the date of the enactment of this Act.

3 **SEC. 303. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

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

7 “(e) GRANTS AND COOPERATIVE AGREEMENTS RE-
8 LATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP
9 PROGRAMS.—

10 “(1) IN GENERAL.—The Secretary is authorized
11 to make grants or enter into cooperative agreements
12 related to Department of State science and tech-
13 nology fellowship programs, including for assistance
14 in recruiting fellows and the payment of stipends,
15 travel, and other appropriate expenses to fellows.

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

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

23 **SEC. 304. TRAVEL FOR SEPARATED FAMILIES.**

24 Section 901(15) of the Foreign Service Act of 1980
25 (22 U.S.C. 4081(15)) is amended—

1 (1) in the matter preceding subparagraph (A),
2 by striking “1 round-trip per year for each child
3 below age 21 of a member of the Service assigned
4 abroad” and inserting “in the case of one or more
5 children below age 21 of a member of the Service as-
6 signed abroad, 1 round-trip per year”;

7 (2) in subparagraph (A)—

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

10 (B) by striking “; or” and inserting a
11 comma;

12 (3) in subparagraph (B)—

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

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

16 (4) by inserting after subparagraph (B) the fol-
17 lowing new subparagraph:

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

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

5 **SEC. 305. HOME LEAVE TRAVEL FOR SEPARATED FAMILIES.**

6 Section 903(b) of the Foreign Service Act of 1980
7 (22 U.S.C. 4083(b)) is amended by adding at the end the
8 following new sentence: “In cases in which the family
9 members of a member of the Service reside apart from
10 the member at authorized locations outside the United
11 States because they are prevented by official order from
12 residing with the member at post, the member may take
13 the leave ordered under this section where that member’s
14 family members reside, notwithstanding section 6305 of
15 title 5, United States Code.”.

16 **SEC. 306. SENSE OF CONGRESS REGARDING CERTAIN FEL-**
17 **LOWSHIP PROGRAMS.**

18 It is the sense of Congress that—

19 (1) Department fellowships that promote the
20 employment of candidates belonging to under-rep-
21 resented groups, including the Charles B. Rangel
22 International Affairs Graduate Fellowship Program,
23 the Thomas R. Pickering Foreign Affairs Fellowship
24 Program, and the Donald M. Payne International
25 Development Fellowship Program, represent smart

1 investments vital for building a strong, capable, and
2 representative national security workforce; and

3 (2) the Secretary of State and the Adminis-
4 trator of the United States Agency for International
5 Development should fulfill the terms of their fellow-
6 ship agreements with each participant in the Fellow-
7 ship Programs referred to in paragraph (1), as spec-
8 ified in the original contractual agreements with
9 each such participant.

10 **SEC. 307. TECHNICAL CORRECTION.**

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

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

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

21 **SEC. 308. FOREIGN SERVICE AWARDS.**

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

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

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

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

“Sec. 614. Department awards.”.

6 **SEC. 309. DIPLOMATIC PROGRAMS.**

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

21 (b) LIMITATION.—The Secretary may not implement
22 any reduction-in-force action under section 3502 or 3595
23 of title 5, United States Code, or for any incentive pay-
24 ments for early separation or retirement under any other
25 provision of law unless—

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

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

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

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

14 (C) a comprehensive strategic staffing plan
15 for the Department, including five-year work-
16 force forecasting and a description of the antici-
17 pated impact of any proposed workforce reduc-
18 tion; and

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

22 (i) Foreign Service officer and For-
23 eign Service specialist rank;

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

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

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

9 **SEC. 310. SENSE OF CONGRESS REGARDING VETERANS EM-**
10 **PLOYMENT AT THE DEPARTMENT OF STATE.**

11 It is the sense of Congress that—

12 (1) the Department should continue to promote
13 the employment of veterans, in accordance with sec-
14 tion 301 of the Foreign Service Act of 1980 (22
15 U.S.C. 3941), as amended by section 405 of this
16 Act, including those veterans belonging to tradition-
17 ally underrepresented groups at the Department;

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

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

1 **SEC. 311. EMPLOYEE ASSIGNMENT RESTRICTIONS AND**
2 **PRECLUSIONS.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the Department should expand the appeal proc-
5 ess it makes available to employees related to assignment
6 preclusions and restrictions.

7 (b) APPEAL OF ASSIGNMENT RESTRICTION OR PRE-
8 CLUSION.—Section 502(a)(2) of the Foreign Service Act
9 of 1980 (22 U.S.C. 3982(a)(2)), as amended by section
10 111 of this Act, is further amended by adding at the end
11 the following new sentences: “Any employee subjected to
12 an assignment restriction or preclusion shall have the
13 same appeal rights as provided by the Department regard-
14 ing denial or revocation of a security clearance. Any such
15 appeal shall be resolved not later than 60 days after such
16 appeal is filed.”.

17 (c) NOTICE AND CERTIFICATION.—Not later than 90
18 days after the date of the enactment of this Act, the Sec-
19 retary shall revise, and certify to the appropriate congres-
20 sional committees regarding such revision, the Foreign Af-
21 fairs Manual guidance regarding denial or revocation of
22 a security clearance to expressly state that all review and
23 appeal rights relating thereto shall also apply to any rec-
24 ommendation or decision to impose an assignment restric-
25 tion or preclusion to an employee.

1 **SEC. 312. RECALL AND REEMPLOYMENT OF CAREER MEM-**
2 **BERS.**

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

5 (1) career Department employees provide in-
6 valuable service to the United States as nonpartisan
7 professionals who contribute subject matter expertise
8 and professional skills to the successful development
9 and execution of United States foreign policy; and

10 (2) re-employment of skilled former members of
11 the Foreign and civil service who have voluntarily
12 separated from the Foreign or civil service due to
13 family reasons or to obtain professional skills outside
14 government is of benefit to the Department.

15 (b) REEMPLOYMENT.—Subsection (b) of section 308
16 of the Foreign Service Act of 1980 (22 U.S.C. 3948) is
17 amended by adding at the end the following new sentence:
18 “Former career tenured members of the Service seeking
19 reappointment, if separated for other than cause for up
20 to three years prior to the date of the enactment of this
21 sentence, shall be eligible to participate in the regular as-
22 signment bidding process without restriction and shall not
23 be required to accept a directed first assignment upon re-
24 appointment.”.

25 (c) NOTICE OF EMPLOYMENT OPPORTUNITIES.—

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

4 **“CHAPTER 103—NOTICE OF EMPLOYMENT**
5 **OPPORTUNITIES FOR DEPARTMENT**
6 **OF STATE AND USAID POSITIONS**

7 **“§ 10301. Notice of Employment Opportunities for De-**
8 **partment of State and USAID positions**

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

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

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

1 **SEC. 313. STRATEGIC STAFFING PLAN FOR THE DEPART-**
2 **MENT.**

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

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

18 (A) Foreign Service officer and Foreign
19 Service specialist rank;

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

22 (C) contracted employees, including the
23 equivalent job skill code and bureau of assign-
24 ment; and

25 (D) employees hired under schedule C of
26 subpart C of part 213 of title 5, Code of Fed-

1 eral Regulations, including the equivalent grade
2 and job skill code and bureau of assignment of
3 such employee.

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

9 (3) Recommendations on the number of civil
10 service officers that should be employed by the De-
11 partment, with a detailed basis for such rec-
12 ommendations.

13 (b) MAINTENANCE.—The dataset required under
14 subsection (a)(1) shall be maintained and updated on a
15 regular basis.

16 (c) CONSULTATION.—The Secretary shall lead the
17 development of the plan required under subsection (a) but
18 may consult or partner with private sector entities with
19 expertise in labor economics, management, or human re-
20 sources, as well as organizations familiar with the de-
21 mands and needs of the Department's workforce.

22 (d) REPORT.—Not later than 120 days after the date
23 of the enactment of this Act, the Secretary of State shall
24 submit to the appropriate congressional committees a re-
25 port regarding root causes of Foreign Service and civil

1 service shortages, the effect of such shortages on national
2 security objectives, and the Department's plan to imple-
3 ment recommendations described in GAO-19-220.

4 **SEC. 314. CONSULTING SERVICES.**

5 (a) IN GENERAL.—Chapter 103 of title 5, United
6 States Code, as added by section 313 of this Act, is
7 amended by adding at the end the following:

8 **“§ 10302. Consulting services for the Department of**
9 **State**

10 “Any consulting service obtained by the Department
11 of State through procurement contract pursuant to section
12 3109 of title 5, United States Code, shall be limited to
13 those contracts with respect to which expenditures are a
14 matter of public record and available for public inspection,
15 except if otherwise provided under existing law, or under
16 existing executive order issued pursuant to existing law.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 for subpart I of title 5, United States Code, is amended
19 by adding after the item relating to section 10302 the fol-
20 lowing new item:

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

21 **SEC. 315. INCENTIVES FOR CRITICAL POSTS.**

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

1 **SEC. 316. EXTENSION OF AUTHORITY FOR CERTAIN AC-**
2 **COUNTABILITY REVIEW BOARDS.**

3 Section 301(a)(3) of the Omnibus Diplomatic Secu-
4 rity and Antiterrorism Act of 1986 (22 U.S.C.
5 4831(a)(3)) is amended—

6 (1) in the heading, by striking “AFGHANISTAN
7 AND” and inserting “AFGHANISTAN, YEMEN, SYRIA,
8 AND”; and

9 (2) in subparagraph (A)—

10 (A) in clause (i), by striking “Afghanistan
11 or” and inserting “Afghanistan, Yemen, Syria,
12 or”; and

13 (B) in clause (ii), by striking “beginning
14 on October 1, 2005, and ending on September
15 30, 2009” and inserting “beginning on October
16 1, 2019, and ending on September 30, 2022”.

17 **SEC. 317. FOREIGN SERVICE SUSPENSION WITHOUT PAY.**

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

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

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

25 (3) by inserting after paragraph (4) the fol-
26 lowing new paragraphs:

1 “(5) Any member of the Service suspended from du-
2 ties under this subsection may be suspended without pay
3 only after a final written decision is provided to such mem-
4 ber under paragraph (2).

5 “(6) If no final written decision under paragraph (2)
6 has been provided within one calendar year of the date
7 the suspension at issue was proposed, not later than 30
8 days thereafter the Secretary of State shall report to the
9 Committee on Foreign Affairs of the House of Representa-
10 tives and the Committee on Foreign Relations of the Sen-
11 ate in writing regarding the specific reasons for such
12 delay.”; and

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

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

15 (B) in subparagraph (A), by striking “(A)

16 The term” and inserting the following:

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

18 (C) by striking subparagraph (B) (relating
19 to the definition of “suspend” and “suspension”); and
20

21 (D) by redesignating clauses (i) and (ii) as
22 subparagraphs (A) and (B), respectively; and
23 moving such subparagraphs two ems to the left.

1 **SEC. 318. FOREIGN AFFAIRS MANUAL AND FOREIGN AF-**
2 **FAIRS HANDBOOK CHANGES.**

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

9 (b) COVERED PERIODS.—The first report required
10 under subsection (a) shall cover the five year period pre-
11 ceding the submission of such report. Each subsequent re-
12 port shall cover the 180 day period preceding submission.

13 (c) CONTENTS.—Each report required under sub-
14 section (a) shall contain the following:

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

18 (2) The statutory basis for each such change.

19 (3) A side-by-side comparison of the Foreign
20 Affairs Manual or Foreign Affairs Handbook before
21 and after such change.

22 (4) A summary of such changes displayed in
23 spreadsheet form.

1 **SEC. 319. 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. 320. STANDARDIZING DEPARTMENT PARENTAL LEAVE**
19 **POLICIES.**

20 (a) PURPOSE.—The purpose of this section is to—

21 (1) afford every employee at the Department
22 equal access to leave and workplace flexibilities for
23 childbirth, adoption, and foster care;

24 (2) encourage the Department to work towards
25 a parental leave policy that will help recruit and re-
26 tain a dynamic, multi-talented, and diverse work-

1 force capable of meeting the national security and
2 foreign policy goals of the United States; and

3 (3) determine the impacts of flexible leave poli-
4 cies on recruitment and retention rates.

5 (b) ESTABLISHING STANDARD PARENTAL LEAVE
6 POLICIES.—

7 (1) IN GENERAL.—Not later than 120 days
8 after the date of the enactment of this Act, the Sec-
9 retary shall establish and implement a standard pa-
10 rental leave policy applicable to Department employ-
11 ees across all bureaus and offices within the Depart-
12 ment and Missions abroad. Nothing in this section
13 shall be construed to provide any new category of
14 leave not otherwise provided by law.

15 (2) REPORTS.—Not later than 180 days after
16 the date of the enactment of this Act, the Secretary
17 shall submit to the appropriate congressional com-
18 mittees a report describing—

19 (A) the steps taken to implement the pol-
20 icy required under paragraph (1) across all bu-
21 reaus and offices within the Department and
22 Missions abroad; and

23 (B) any costs associated with such policy.

1 **SEC. 321. APPOINTMENT OF EMPLOYEES TO THE GLOBAL**
2 **ENGAGEMENT CENTER.**

3 The Secretary may appoint, for a three year period
4 that may be extended for up to an additional two years,
5 solely to carry out the functions of the Global Engagement
6 Center, employees of the Department without regard to
7 the provisions of title 5, United States Code, governing
8 appointment in the competitive service, and may fix the
9 basic compensation of such employees without regard to
10 chapter 51 and subchapter III of chapter 53 of such title.

11 **SEC. 322. REST AND RECUPERATION AND OVERSEAS OPER-**
12 **ATIONS LEAVE FOR FEDERAL EMPLOYEES.**

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

16 **“§ 6329d. Rest and recuperation leave**

17 “(a) DEFINITIONS.—In this section—

18 “(1) the term ‘agency’ means an Executive
19 agency (as that term is defined in section 105), but
20 does not include the Government Accountability Of-
21 fice;

22 “(2) the term ‘combat zone’ means a geo-
23 graphic area designated by an Executive Order of
24 the President as an area in which the Armed Forces
25 are engaging or have engaged in combat, an area
26 designated by law to be treated as a combat zone,

1 or a location the Department of Defense has cer-
2 tified for combat zone tax benefits due to its direct
3 support of military operations;

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

6 “(4) the term ‘high risk, high threat post’ has
7 the meaning given that term in section 104 of the
8 Omnibus Diplomatic Security and Antiterrorism Act
9 of 1986 (22 U.S.C. 4803); and

10 “(5) the term ‘leave year’ means the period be-
11 ginning on the first day of the first complete pay pe-
12 riod in a calendar year and ending on the day imme-
13 diately before the first day of the first complete pay
14 period in the following calendar year.

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

22 “(c) DISCRETIONARY AUTHORITY OF AGENCY
23 HEAD.—Use of the authority under subsection (b) is at
24 the sole and exclusive discretion of the head of the agency
25 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 “§ 6329e. Overseas operations leave

5 “(a) DEFINITIONS.—In this section—

6 “(1) the term ‘agency’ means an Executive
7 agency (as that term is defined in section 105), but
8 does not include the Government Accountability Of-
9 fice;

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

12 “(3) the term ‘leave year’ means the period be-
13 ginning with the first day of the first complete pay
14 period in a calendar year and ending with the day
15 immediately before the first day of the first complete
16 pay period in the following calendar year.

17 “(b) LEAVE FOR OVERSEAS OPERATIONS.—The head
18 of an agency may prescribe regulations to grant up to 10
19 days of paid leave, per leave year, to an employee of the
20 agency serving abroad where the conduct of business could
21 pose potential security or safety related risks or would be
22 inconsistent with host-country practice. Such regulations
23 may provide that additional leave days may be granted
24 during such leave year if the head of the agency deter-

1 mines that to do so is necessary to advance the national
2 security or foreign policy interests of the United States.

3 “(c) DISCRETIONARY AUTHORITY OF AGENCY
4 HEAD.—Use of the authority under subsection (b) is at
5 the sole and exclusive discretion of the head of the agency
6 concerned.

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

10 (b) CLERICAL AMENDMENTS.—The table of sections
11 at the beginning of such chapter is amended by inserting
12 after the item relating to section 6329c the following new
13 items:

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

14 **TITLE IV—A DIVERSE WORK-**
15 **FORCE: RECRUITMENT, RE-**
16 **TENTION, AND PROMOTION**

17 **SEC. 401. DEFINITIONS.**

18 In this title:

19 (1) APPLICANT FLOW DATA.—The term “appli-
20 cant flow data” means data that tracks the rate of
21 applications for job positions among demographic
22 categories.

23 (2) DEMOGRAPHIC DATA.—The term “demo-
24 graphic data” means facts or statistics relating to

1 the demographic categories specified in the Office of
2 Management and Budget statistical policy directive
3 entitled “Standards for Maintaining, Collecting, and
4 Presenting Federal Data on Race and Ethnicity”
5 (81 Fed. Reg. 67398).

6 (3) DIVERSITY.—The term “diversity” means
7 those classes of persons protected under the Civil
8 Rights Act of 1964 (42 U.S.C. 2000a et seq.) and
9 the Americans with Disabilities Act of 1990 (42
10 U.S.C. 12101 et seq.).

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

13 (A) individuals serving in a position in the
14 civil service (as defined in section 2101 of title
15 5, United States Code);

16 (B) individuals who are members of the
17 Foreign Service (as defined in section 103 of
18 the Foreign Service Act of 1980 (22 U.S.C.
19 3902));

20 (C) all individuals serving under a personal
21 services agreement or personal services con-
22 tract;

23 (D) all individuals serving under a Foreign
24 Service Limited appointment under section 309
25 of the Foreign Service Act of 1980; or

1 (E) individuals working in the Department
2 of State under any other authority.

3 **SEC. 402. COLLECTION, ANALYSIS, AND DISSEMINATION OF**
4 **WORKFORCE DATA.**

5 (a) INITIAL REPORT.—Not later than 180 days after
6 the date of the enactment of this Act, the Secretary shall,
7 in consultation with the Director of the Office of Per-
8 sonnel Management and the Director of the Office of Man-
9 agement and Budget, submit to the appropriate congress-
10 sional committees a report, which shall also be posted on
11 a publicly available website of the Department in a search-
12 able database format, that includes disaggregated demo-
13 graphic data and other information regarding the diversity
14 of the workforce of the Department.

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

17 (1) Demographic data on each element of the
18 workforce of the Department, disaggregated by rank
19 and grade or grade-equivalent, with respect to the
20 following groups:

21 (A) Applicants for positions in the Depart-
22 ment.

23 (B) Individuals hired to join the workforce.

24 (C) Individuals promoted during the 2-year
25 period ending on the date of the enactment of

1 this Act, including promotions to and within the
2 Senior Executive Service or the Senior Foreign
3 Service.

4 (D) Individuals serving on applicable selec-
5 tion boards.

6 (E) Members of any external advisory com-
7 mittee or board who are subject to appointment
8 by individuals at senior positions in the Depart-
9 ment.

10 (F) Individuals participating in profes-
11 sional development programs of the Depart-
12 ment, and the extent to which such participants
13 have been placed into senior positions within
14 the Department after such participation.

15 (G) Individuals participating in mentorship
16 or retention programs.

17 (H) Individuals who separated from the
18 agency during the 2-year period ending on the
19 date of the enactment of this Act, including in-
20 dividuals in the Senior Executive Service or the
21 Senior Foreign Service.

22 (2) An assessment of agency compliance with
23 the essential elements identified in Equal Employ-
24 ment Opportunity Commission Management Direc-
25 tive 715, effective October 1, 2003.

1 (3) Data on the overall number of individuals
2 who are part of the workforce, the percentages of
3 such workforce corresponding to each element listed
4 in section 401(4), and the percentages corresponding
5 to each rank, grade, or grade-equivalent.

6 (c) RECOMMENDATION.—The Secretary may include
7 in the report under subsection (a) a recommendation to
8 the Director of Office of Management and Budget and to
9 the appropriate congressional committees regarding
10 whether the Department should collect more detailed data
11 on demographic categories in addition to the race and eth-
12 nicity categories specified in the Office of Management
13 and Budget statistical policy directive entitled “Standards
14 for Maintaining, Collecting, and Presenting Federal Data
15 on Race and Ethnicity” (81 Fed. Reg. 67398).

16 (d) OTHER CONTENTS.—The report under sub-
17 section (a) shall also describe and assess the effectiveness
18 of the efforts of the Department—

19 (1) to propagate fairness, impartiality, and in-
20 clusion in the work environment, both domestically
21 and abroad;

22 (2) to enforce anti-harassment and anti-dis-
23 crimination policies, both domestically and at posts
24 overseas;

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

5 (4) to prevent illegal retaliation against employ-
6 ees for participating in a protected equal employ-
7 ment opportunity activity or for reporting sexual
8 harassment or sexual assault;

9 (5) to provide reasonable accommodation for
10 qualified employees and applicants with disabilities;
11 and

12 (6) to recruit a representative workforce by—

13 (A) recruiting women and minorities;

14 (B) recruiting at women's colleges, histori-
15 cally Black colleges and universities, minority-
16 serving institutions, and other institutions serv-
17 ing a significant percentage of minority stu-
18 dents;

19 (C) placing job advertisements in news-
20 papers, magazines, and job sites oriented to-
21 ward women and minorities;

22 (D) sponsoring and recruiting at job fairs
23 in urban and rural communities and land-grant
24 colleges or universities;

1 (E) providing opportunities through the
2 Foreign Service Internship Program under
3 chapter 12 of the Foreign Service Act of 1980
4 (22 U.S.C. 4141 et seq.) and other hiring ini-
5 tiatives;

6 (F) recruiting mid-level and senior-level
7 professionals through programs designed to in-
8 crease minority representation in international
9 affairs;

10 (G) offering the Foreign Service written
11 and oral assessment examinations in several lo-
12 cations throughout the United States to reduce
13 the burden of applicants having to travel at
14 their own expense to take either or both such
15 examinations; and

16 (H) support recruiting and hiring opportu-
17 nities through—

18 (i) the Charles B. Rangel Inter-
19 national Affairs Fellowship Program;

20 (ii) the Thomas R. Pickering Foreign
21 Affairs Fellowship Program;

22 (iii) the Donald M. Payne Inter-
23 national Development Fellowship Program;

24 and

1 (iv) other initiatives, including agency-
2 wide policy initiatives.

3 (e) ANNUAL UPDATES.—Not later than one year
4 after the publication of the report required under sub-
5 section (a) and annually thereafter for the following five
6 years, the Secretary shall work with the Director of the
7 Office of Personnel Management and the Director of the
8 Office of Management and Budget to provide a report to
9 the appropriate congressional committees, which shall be
10 posted on the Department’s website, which may be in-
11 cluded in another annual report required under another
12 provision of law, that includes—

13 (1) disaggregated demographic data relating to
14 the workforce and information on the status of di-
15 versity and inclusion efforts of the Department;

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

17 (3) disaggregated demographic data relating to
18 participants in professional development programs of
19 the Department and the rate of placement into sen-
20 ior positions for participants in such programs.

21 **SEC. 403. EXIT INTERVIEWS FOR WORKFORCE.**

22 (a) RETAINED MEMBERS.—The Director General of
23 the Foreign Service and the Director of Human Resources
24 of the Department should conduct periodic interviews with

1 a representative and diverse cross-section of the workforce
2 of the Department—

3 (1) to understand the reasons of individuals in
4 such workforce for remaining in a position in the
5 Department; and

6 (2) to receive feedback on workplace policies,
7 professional development opportunities, and other
8 issues affecting the decision of individuals in the
9 workforce to remain in the Department.

10 (b) DEPARTING MEMBERS.—The Director General of
11 the Foreign Service and the Director of Human Resources
12 shall provide an opportunity for an exit interview to each
13 individual in the workforce of the Department who sepa-
14 rates from service with the Department to better under-
15 stand the reasons of such individual for leaving such serv-
16 ice.

17 (c) USE OF ANALYSIS FROM INTERVIEWS.—The Di-
18 rector General of the Foreign Service and the Director of
19 Human Resources shall analyze demographic data and
20 other information obtained through interviews under sub-
21 sections (a) and (b) to determine—

22 (1) to what extent, if any, the diversity of those
23 participating in such interviews impacts the results;
24 and

1 (2) whether to implement any policy changes or
2 include any recommendations in a report required
3 under subsection (a) or (e) of section 402 relating
4 to the determination reached pursuant to paragraph
5 (1).

6 (d) TRACKING DATA.—The Department shall—

7 (1) track demographic data relating to partici-
8 pants in professional development programs and the
9 rate of placement into senior positions for partici-
10 pants in such programs;

11 (2) annually evaluate such data—

12 (A) to identify ways to improve outreach
13 and recruitment for such programs, consistent
14 with merit system principles; and

15 (B) to understand the extent to which par-
16 ticipation in any professional development pro-
17 gram offered or sponsored by the Department
18 differs among the demographic categories of the
19 workforce; and

20 (3) actively encourage participation from a
21 range of demographic categories, especially from cat-
22 egories with consistently low participation, in such
23 professional development programs.

24 **SEC. 404. RECRUITMENT AND RETENTION.**

25 (a) IN GENERAL.—The Secretary should—

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

3 (2) instruct the Director General of the Foreign
4 Service and the Director of the Bureau of Human
5 Resources of the Department to have a recruitment
6 plan of action for the recruitment of people belong-
7 ing to traditionally under-represented groups, which
8 should include outreach at appropriate colleges, uni-
9 versities, affinity groups, and professional associa-
10 tions.

11 (b) SCOPE.—The diversity recruitment initiatives de-
12 scribed in subsection (a) should include—

13 (1) recruiting at women’s colleges, historically
14 Black colleges and universities, minority-serving in-
15 stitutions, and other institutions serving a signifi-
16 cant percentage of minority students;

17 (2) placing job advertisements in newspapers,
18 magazines, and job sites oriented toward diverse
19 groups;

20 (3) sponsoring and recruiting at job fairs in
21 urban and rural communities and land-grant colleges
22 or universities;

23 (4) providing opportunities through highly re-
24 spected, international leadership programs, that
25 focus on diversity recruitment and retention; and

1 (5) cultivating partnerships with organizations
2 dedicated to the advancement of the profession of
3 international affairs and national security to advance
4 shared diversity goals.

5 (c) EXPAND TRAINING ON ANTI-HARASSMENT AND
6 ANTI-DISCRIMINATION.—

7 (1) IN GENERAL.—The Secretary shall, through
8 the Foreign Service Institute and other educational
9 and training opportunities—

10 (A) ensure the provision of training on
11 anti-harassment and anti-discrimination infor-
12 mation and policies to all individuals in the
13 workforce;

14 (B) expand the provision of training on
15 workplace rights and responsibilities to focus on
16 anti-harassment and anti-discrimination infor-
17 mation and policies, including policies relating
18 to sexual assault prevention and response; and

19 (C) make such expanded training manda-
20 tory for—

21 (i) individuals in senior and super-
22 visory positions;

23 (ii) individuals having responsibilities
24 related to recruitment, retention, or pro-
25 motion of employees; and

1 (iii) any other individual determined
2 by the Department who needs such train-
3 ing based on analysis by the Department
4 or OPM analysis.

5 (2) BEST PRACTICES.—The Department shall
6 give special attention to ensuring the continuous in-
7 corporation of research-based best practices in train-
8 ing provided under this subsection.

9 **SEC. 405. LEADERSHIP ENGAGEMENT AND ACCOUNT-**
10 **ABILITY.**

11 (a) REWARD AND RECOGNIZE EFFORTS TO PRO-
12 MOTE DIVERSITY AND INCLUSION.—

13 (1) IN GENERAL.—The Secretary shall imple-
14 ment performance and advancement requirements
15 that reward and recognize the efforts of individuals
16 in senior positions and supervisors in the Depart-
17 ment in fostering an inclusive environment and culti-
18 vating talent consistent with merit system principles,
19 such as through participation in mentoring pro-
20 grams or sponsorship initiatives, recruitment events,
21 and other similar opportunities.

22 (2) OUTREACH EVENTS.—The Secretary shall
23 create opportunities for individuals in senior posi-
24 tions and supervisors in the Department to partici-
25 pate in outreach events and to discuss issues relat-

1 ing to diversity and inclusion with the workforce on
2 a regular basis, including with employee resource
3 groups.

4 (b) EXTERNAL ADVISORY COMMITTEES AND
5 BOARDS.—For each external advisory committee or board
6 to which individuals in senior positions in the Department
7 appoint members, the Secretary is strongly encouraged by
8 Congress to ensure such external advisory committee or
9 board is developed, reviewed, and carried out by qualified
10 teams that represent the diversity of the organization.

11 **SEC. 406. PROFESSIONAL DEVELOPMENT OPPORTUNITIES**
12 **AND TOOLS.**

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

15 (1) IN GENERAL.—The Secretary is authorized
16 to expand professional development opportunities
17 that support the mission needs of the Department,
18 such as—

19 (A) academic programs;

20 (B) private-public exchanges; and

21 (C) detail assignments to relevant positions

22 in—

23 (i) private or international organiza-
24 tions;

- 1 (ii) State, local, and Tribal govern-
2 ments;
3 (iii) other branches of the Federal
4 Government; or
5 (iv) professional schools of inter-
6 national affairs.

7 (2) TRAINING FOR SENIOR POSITIONS.—

8 (A) IN GENERAL.—The Secretary shall
9 offer, or sponsor members of the workforce to
10 participate in, a Senior Executive Service can-
11 didate development program or other program
12 that trains members on the skills required for
13 appointment to senior positions in the Depart-
14 ment.

15 (B) REQUIREMENTS.—In determining
16 which members of the workforce are granted
17 professional development or career advancement
18 opportunities under subparagraph (A), the Sec-
19 retary shall—

- 20 (i) ensure any program offered or
21 sponsored by the Department under such
22 subparagraph comports with the require-
23 ments of subpart C of part 412 of title 5,
24 Code of Federal Regulations, or any suc-

1 cessor thereto, including merit staffing and
2 assessment requirements;

3 (ii) consider the number of expected
4 vacancies in senior positions as a factor in
5 determining the number of candidates to
6 select for such programs;

7 (iii) understand how participation in
8 any program offered or sponsored by the
9 Department under such subparagraph dif-
10 fers by gender, race, national origin, dis-
11 ability status, or other demographic cat-
12 egories; and

13 (iv) actively encourage participation
14 from a range of demographic categories,
15 especially from categories with consistently
16 low participation.

17 **SEC. 407. EXAMINATION AND ORAL ASSESSMENT FOR THE**
18 **FOREIGN SERVICE.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that the Department should offer both the Foreign
21 Service written examination and oral assessment in more
22 locations throughout the United States. Doing so would
23 ease the financial burden on potential candidates who do
24 not currently reside in and must travel at their own ex-

1 pense to one of the few locations where these assessments
2 are offered.

3 (b) FOREIGN SERVICE EXAMINATIONS.—Section
4 301(b) of the Foreign Service Act of 1980 (22 U.S.C.
5 3941) is amended—

6 (1) by striking “The Secretary” and inserting:
7 “(1) The Secretary”; and

8 (2) by adding at the end the following new
9 paragraph:

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

15 **SEC. 408. PAYNE FELLOWSHIP AUTHORIZATION.**

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

22 (b) REVIEW OF PAST PROGRAMS.—The Secretary
23 shall review past programs designed to increase minority
24 representation in international affairs positions.

1 **SEC. 409. VOLUNTARY PARTICIPATION.**

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

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

12 **TITLE V—INFORMATION**
13 **SECURITY**

14 **SEC. 501. DEFINITIONS.**

15 In this title:

16 (1) INFORMATION SYSTEM.—The term “infor-
17 mation system” has the meaning given such term in
18 section 3502 of title 44, United States Code.

19 (2) 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 (3) 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. 502. INFORMATION SYSTEM SECURITY.**

8 (a) DEFINITIONS.—In this section:

9 (1) INCIDENT.—The term “incident” has the
10 meaning given such term in section 3552(b) of title
11 44, United States Code.

12 (2) PENETRATION TEST.—The term “penetra-
13 tion test” means a test methodology in which asses-
14 sors attempt to circumvent or defeat the security
15 features of an information system.

16 (b) CONSULTATIONS PROCESS.—Not later than 60
17 days after the date of the enactment of this Act, the Sec-
18 retary shall establish a process for conducting semiannual
19 consultations with the Secretary of Defense, the Director
20 of National Intelligence, the Secretary of Homeland Secu-
21 rity, and any other department or agency representative
22 who the Secretary determines to be appropriate regarding
23 the security of United States Government and nongovern-
24 mental information systems used or operated by the De-
25 partment, a contractor of the Department, or another or-

1 ganization on behalf of the Department, including any
2 such systems or networks facilitating the use of sensitive
3 or classified information.

4 (c) INDEPENDENT PENETRATION TESTING OF IN-
5 FORMATION SYSTEMS.—In coordination with the consulta-
6 tions under subsection (b), the Secretary shall commission
7 independent, semiannual penetration tests, which shall be
8 carried out by an appropriate Federal department or agen-
9 cy other than the Department, such as the Department
10 of Homeland Security or the National Security Agency,
11 to ensure that adequate policies and protections are imple-
12 mented to detect and prevent penetrations or compromises
13 of such information systems, including malicious intru-
14 sions by any unauthorized individual, state actor, or other
15 entity.

16 (d) WAIVER.—The Secretary may waive the require-
17 ment under subsection (c) for up to one year if the Sec-
18 retary—

19 (1) determines that such requirement would
20 have adverse effects on national security or the dip-
21 lomatic mission of the Department; and

22 (2) not later than 30 days after the commence-
23 ment of such a determination, submits to the rel-
24 evant congressional committees a written justifica-
25 tion that describes how such penetration tests would

1 undermine national security or the diplomatic mis-
2 sion of the Department.

3 (e) INCIDENT REPORTING.—Not later than 180 days
4 after the date of the enactment of this Act and annually
5 thereafter for three years, the Secretary, in consultation
6 with the Secretary of Defense, the Director of the Na-
7 tional Intelligence, the Secretary of Homeland Security,
8 and any other department or agency representative who
9 the Secretary determines to be appropriate, shall securely
10 submit to the relevant congressional committees a classi-
11 fied report that describes in detail the following:

12 (1) For the first reporting period, all known
13 and suspected incidents affecting the information
14 systems specified in subsection (b) that occurred
15 during the 180-day period immediately preceding the
16 date of the enactment of this Act.

17 (2) For all subsequent reporting periods, all
18 known and suspected incidents affecting the infor-
19 mation systems specified in subsection (b) that oc-
20 curred since the submission of the most recent re-
21 port.

22 (f) CONTENTS.—Each report under subsection (e)
23 shall include, for the relevant reporting period, a summary
24 overview addressing the following:

1 (1) A description of the relevant information
2 system, as specified in subsection (b), that experi-
3 enced a known or suspected incident.

4 (2) An assessment of the date and time each
5 such incident occurred or was suspected to have oc-
6 curred.

7 (3) An assessment of the duration over which
8 each such incident took place or is suspected of hav-
9 ing taken place, including whether such incident is
10 ongoing.

11 (4) An assessment of the volume and sensitivity
12 of information accessed, compromised, or potentially
13 compromised by each incident, including any such
14 information contained on information systems
15 owned, operated, managed, or utilized by any other
16 Federal department or agency.

17 (5) An assessment of whether such information
18 system was compromised by such incident, including
19 an assessment of the following:

20 (A) The known or suspected perpetrators,
21 including state actors.

22 (B) The methods used to carry out the in-
23 cident.

24 (C) The known or suspected intent of the
25 actors in accessing the information system.

1 (6) A description of the actions the Department
2 has taken or plans to take, including timelines and
3 descriptions of any progress on plans described in
4 prior reports, to prevent future, similar incidents af-
5 fecting such information systems.

6 **SEC. 503. PROHIBITION ON CONTRACTING WITH CERTAIN**
7 **TELECOMMUNICATIONS PROVIDERS.**

8 (a) **LIST OF COVERED CONTRACTORS.**—Not later
9 than 30 days after the date of the enactment of this Act,
10 the Secretary, in consultation with the Director of Na-
11 tional Intelligence, shall develop or maintain, as the case
12 may be, and update as frequently as the Secretary deter-
13 mines appropriate, a list of covered contractors with re-
14 spect to which the prohibition specified in subsection (b)
15 shall apply. Not later than 30 days after the initial devel-
16 opment of the list under this subsection, any update there-
17 to, and annually thereafter for five years after such initial
18 30 day period, the Secretary shall submit to the appro-
19 priate congressional committees a copy of such list.

20 (b) **PROHIBITION ON CONTRACTS.**—The Secretary
21 may not enter into a contract with a covered contractor
22 on the list described in subsection (a).

23 (c) **REMOVAL FROM LIST.**—To be removed from the
24 list described in subsection (a), a covered contractor may
25 submit a request to the Secretary in such manner as the

1 Secretary determines appropriate. The Secretary, in con-
2 sultation with the Director of National Intelligence, shall
3 determine a process for removing covered contractors from
4 the list, as appropriate, and publicly disclose such process.

5 (d) WAIVERS.—

6 (1) IN GENERAL.—The President or the Sec-
7 retary may waive the prohibition specified in sub-
8 section (b) if the President or the Secretary deter-
9 mines that such waiver is justified for national secu-
10 rity reasons.

11 (2) WAIVER FOR OVERSEAS OPERATIONS.—The
12 Secretary may waive the prohibition specified in sub-
13 section (b) for United States diplomatic posts or dip-
14 lomatic personnel overseas if the Secretary, in con-
15 sultation with the Director of National Intelligence,
16 determines that no suitable alternatives are avail-
17 able.

18 (e) COVERED CONTRACTOR DEFINED.—In this sec-
19 tion, the term “covered contractor” means a provider of
20 telecommunications, telecommunications equipment, or in-
21 formation technology equipment, including hardware, soft-
22 ware, or services, that has knowingly assisted or facilitated
23 a cyber attack or conducted surveillance, including passive
24 or active monitoring, carried out against—

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

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

17 (f) EFFECTIVE DATE.—This section shall apply with
18 respect to contracts of a covered contractor entered into
19 on or after the date of the enactment of this Act.

20 **SEC. 504. PRESERVING RECORDS OF ELECTRONIC COMMU-**
21 **NICATIONS CONDUCTED RELATED TO OFFI-**
22 **CIAL 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 and the United States Agency for Inter-
3 national Development must preserve all records of commu-
4 nications conducted in their official capacities or related
5 to their official duties with entities outside of the United
6 States Government. It is further the sense of Congress
7 that such practice should include foreign government offi-
8 cials or other foreign entities which may seek to influence
9 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 shall pub-
12 lish in the Foreign Affairs Manual guidance implementing
13 chapter 31 of title 44, United States Code (commonly re-
14 ferred to as the “Federal Records Act”), to treat elec-
15 tronic messaging systems, software, and applications as
16 equivalent to electronic mail for the purpose of identifying
17 Federal records, and shall also publish in the Foreign Af-
18 fairs Manual the statutory penalties for failure to comply
19 with such guidance. No funds are authorized to be appro-
20 priated or made available to the Department of State
21 under any Act to support the use or establishment of ac-
22 counts on third-party messaging applications or other non-
23 Government online communication tools if the Secretary
24 does not certify to the relevant congressional committees
25 that the Secretary has carried out this section.

1 **SEC. 505. FOREIGN RELATIONS OF THE UNITED STATES**
2 **(FRUS) SERIES AND DECLASSIFICATION.**

3 The State Department Basic Authorities Act of 1956
4 is amended—

5 (1) in section 401(c) (22 U.S.C. 4351(c)), by
6 striking “30” and inserting “25”;

7 (2) in section 402(a)(2) (22 U.S.C.
8 4352(a)(2)), by striking “26” and inserting “20”;
9 and

10 (3) in section 404 (22 U.S.C. 4354)—

11 (A) in subsection (a)(1), by striking
12 “30” and inserting “25”; and

13 (B) in subsection (c)(1)(C), by striking
14 “30” and inserting “25”.

15 **SEC. 506. VULNERABILITY DISCLOSURE POLICY AND BUG**
16 **BOUNTY PILOT PROGRAM.**

17 (a) **DEFINITIONS.**—In this section:

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

25 (2) **DEPARTMENT.**—The term “Department”
26 means the Department of State.

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

5 (4) SECRETARY.—The term “Secretary” means
6 the Secretary of State.

7 (b) DEPARTMENT OF STATE VULNERABILITY DIS-
8 CLOSURE PROCESS.—

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

24 (2) REQUIREMENTS.—In establishing the VDP
25 pursuant to paragraph (1), the Secretary shall—

1 (A) identify which Department information
2 technology should be included in the process;

3 (B) determine whether the process should
4 differentiate among and specify the types of se-
5 curity vulnerabilities that may be targeted;

6 (C) provide a readily available means of re-
7 porting discovered security vulnerabilities and
8 the form in which such vulnerabilities should be
9 reported;

10 (D) identify which Department offices and
11 positions will be responsible for receiving,
12 prioritizing, and addressing security vulner-
13 ability disclosure reports;

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

22 (F) consult with the relevant offices at the
23 Department of Defense that were responsible
24 for launching the 2016 Vulnerability Disclosure
25 Program, “Hack the Pentagon”, and subse-

1 quent Department of Defense bug bounty pro-
2 grams;

3 (G) engage qualified interested persons, in-
4 cluding nongovernmental sector representatives,
5 about the structure of the process as construc-
6 tive and to the extent practicable; and

7 (H) award contracts to entities, as nec-
8 essary, to manage the process and implement
9 the remediation of discovered security
10 vulnerabilities.

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

19 (A) The number and severity, in accord-
20 ance with the National Vulnerabilities Database
21 of the National Institute of Standards and
22 Technology, of security vulnerabilities reported.

23 (B) The number of previously unidentified
24 security vulnerabilities remediated as a result.

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

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

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

11 (F) Any other information the Secretary
12 determines relevant.

13 (c) DEPARTMENT OF STATE BUG BOUNTY PILOT
14 PROGRAM.—

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

20 (2) REQUIREMENTS.—In establishing the pilot
21 program described in paragraph (1), the Secretary
22 shall—

23 (A) provide compensation for reports of
24 previously unidentified security vulnerabilities
25 within the websites, applications, and other

1 internet-facing information technology of the
2 Department that are accessible to the public;

3 (B) award contracts to entities, as nec-
4 essary, to manage such pilot program and for
5 executing the remediation of security vulnerabil-
6 ities identified pursuant to subparagraph (A);

7 (C) identify which Department information
8 technology should be included in such pilot pro-
9 gram;

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

18 (E) consult with the relevant offices at the
19 Department of Defense that were responsible
20 for launching the 2016 “Hack the Pentagon”
21 pilot program and subsequent Department of
22 Defense bug bounty programs;

23 (F) develop a process by which an ap-
24 proved individual, organization, or company can
25 register with the entity referred to in subpara-

1 graph (B), submit to a background check as de-
2 termined by the Department, and receive a de-
3 termination as to eligibility for participation in
4 such pilot program;

5 (G) engage qualified interested persons, in-
6 cluding nongovernmental sector representatives,
7 about the structure of such pilot program as
8 constructive and to the extent practicable; and

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

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

19 (4) REPORT.—Not later than 180 days after
20 the date on which the bug bounty pilot program
21 under subsection (a) is completed, the Secretary
22 shall submit to the Committee on Foreign Relations
23 of the Senate and the Committee on Foreign Affairs
24 of the House of Representatives a report on such
25 pilot program, including information relating to—

1 (A) the number of approved individuals,
2 organizations, or companies involved in such
3 pilot program, broken down by the number of
4 approved individuals, organizations, or compa-
5 nies that—

6 (i) registered;

7 (ii) were approved;

8 (iii) submitted security vulnerabilities;

9 and

10 (iv) received compensation;

11 (B) the number and severity, in accordance
12 with the National Vulnerabilities Database of
13 the National Institute of Standards and Tech-
14 nology, of security vulnerabilities reported as
15 part of such pilot program;

16 (C) the number of previously unidentified
17 security vulnerabilities remediated as a result of
18 such pilot program;

19 (D) the current number of outstanding
20 previously unidentified security vulnerabilities
21 and Department remediation plans;

22 (E) the average length of time between the
23 reporting of security vulnerabilities and remedi-
24 ation of such vulnerabilities;

1 (F) the types of compensation provided
2 under such pilot program; and

3 (G) the lessons learned from such pilot
4 program.

5 **TITLE VI—PUBLIC DIPLOMACY**

6 **SEC. 601. SHORT TITLE.**

7 This title may be cited as the “Public Diplomacy
8 Modernization Act of 2019”.

9 **SEC. 602. AVOIDING DUPLICATION OF PROGRAMS AND EF-** 10 **FORTS.**

11 The Secretary shall—

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

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

21 **SEC. 603. IMPROVING RESEARCH AND EVALUATION OF** 22 **PUBLIC DIPLOMACY.**

23 (a) **RESEARCH AND EVALUATION ACTIVITIES.**—The
24 Secretary, acting through the Director of Research and
25 Evaluation appointed pursuant to subsection (b), shall—

1 (1) conduct regular research and evaluation of
2 public diplomacy programs and activities of the De-
3 partment, including through the routine use of audi-
4 ence research, digital analytics, and impact evalua-
5 tions, to plan and execute such programs and activi-
6 ties; and

7 (2) make available to Congress the findings of
8 the research and evaluations conducted under para-
9 graph (1).

10 (b) DIRECTOR OF RESEARCH AND EVALUATION.—

11 (1) APPOINTMENT.—Not later than 90 days
12 after the date of the enactment of this Act, the Sec-
13 retary shall appoint a Director of Research and
14 Evaluation (referred to in this subsection as the
15 “Director”) in the Office of Policy, Planning, and
16 Resources for Public Diplomacy and Public Affairs
17 of the Department.

18 (2) LIMITATION ON APPOINTMENT.—The ap-
19 pointment of the Director pursuant to paragraph (1)
20 shall not result in an increase in the overall full-time
21 equivalent positions within the Department.

22 (3) RESPONSIBILITIES.—The Director shall—

23 (A) report to the Director of Policy Plan-
24 ning of the Office of Policy, Planning, and Re-

1 sources for Public Diplomacy and Public Af-
2 fairs of the Department;

3 (B) coordinate and oversee the research
4 and evaluation of public diplomacy programs
5 and activities of the Department to—

6 (i) improve public diplomacy strate-
7 gies and tactics; and

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

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

16 (D) support United States diplomatic
17 posts' public affairs sections;

18 (E) share appropriate public diplomacy re-
19 search and evaluation information within the
20 Department and with other appropriate Federal
21 departments and agencies;

22 (F) regularly design and coordinate stand-
23 dardized research questions, methodologies, and
24 procedures to ensure that public diplomacy pro-
25 grams and activities across all public diplomacy

1 bureaus and offices are designed to meet appro-
2 priate foreign policy objectives; and

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

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

20 (c) PRIORITIZING RESEARCH AND EVALUATION.—

21 (1) IN GENERAL.—The Director of Policy Plan-
22 ning of the Office of Policy, Planning, and Re-
23 sources for Public Diplomacy and Public Affairs of
24 the Department shall ensure that research and eval-
25 uation of public diplomacy and activities of the De-

1 department, as coordinated and overseen by the Direc-
2 tor pursuant to subsection (b), supports strategic
3 planning and resource allocation across all public di-
4 plomacy bureaus and offices of the Department.

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

13 (3) SENSE OF CONGRESS.—It is the sense of
14 Congress that the Department should gradually in-
15 crease its allocation of funds made available under
16 the headings “Educational and Cultural Exchange
17 Programs” and “Diplomatic Programs” for research
18 and evaluation of public diplomacy programs and ac-
19 tivities of the Department pursuant to subsection (b)
20 to a percentage of program funds that is commensu-
21 rate with Federal Government best practices.

22 (d) LIMITED EXEMPTION RELATING TO THE PAPER-
23 WORK REDUCTION ACT.—Chapter 35 of title 44, United
24 States Code (commonly known as the “Paperwork Reduc-
25 tion Act”) shall not apply to the collection of information

1 directed at any individuals conducted by, or on behalf of,
2 the Department for the purpose of audience research,
3 monitoring, and evaluations, and in connection with the
4 Department's activities conducted pursuant to any of the
5 following:

6 (1) The United States Information and Edu-
7 cational Exchange Act of 1948 (22 U.S.C. 1431 et
8 seq.).

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

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

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

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

18 (1) IN GENERAL.—The Department shall main-
19 tain, collect, use, and disseminate records (as such
20 term is defined in section 552a(a)(4) of title 5,
21 United States Code) for audience research, digital
22 analytics, and impact evaluation of communications
23 related to public diplomacy efforts intended for for-
24 eign 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
16 and the United States Agency for Global Media.

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

1 paragraph (1) and any findings made as a result of
2 such actions.

3 **SEC. 604. PERMANENT REAUTHORIZATION OF THE UNITED**
4 **STATES ADVISORY COMMISSION ON PUBLIC**
5 **DIPLOMACY.**

6 Section 1334 of the Foreign Affairs Reform and Re-
7 structuring Act of 1998 (22 U.S.C. 6553) is amended—
8 (1) in the section heading, by striking “**SUN-**
9 **SET**” and inserting “**CONTINUATION**”; and
10 (2) by striking “until October 1, 2020”.

11 **SEC. 605. STREAMLINING OF SUPPORT FUNCTIONS.**

12 (a) **WORKING GROUP ESTABLISHED.**—Not later than
13 90 days after the date of the enactment of this Act, the
14 Secretary shall establish a working group to explore the
15 possibilities and cost-benefit analysis of transitioning to a
16 shared services model as such pertains to human re-
17 sources, travel, purchasing, budgetary planning, and all
18 other executive support functions for all bureaus of the
19 Department that report to the Under Secretary for Public
20 Diplomacy of the Department.

21 (b) **REPORT.**—Not later than one year after the date
22 of the enactment of this Act, the Secretary shall submit
23 to the appropriate congressional committees a plan to im-
24 plement any such findings of the working group estab-
25 lished under subsection (a).

1 **SEC. 606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMACY**
2 **FACILITIES.**

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

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

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

20 (2) An assessment and recommendations from
21 each chief of mission of potential impacts to public
22 diplomacy programming at such diplomatic post if
23 any public diplomacy facility referred to in sub-
24 section (a) is closed or staff is co-located in accord-
25 ance with such Act.

1 (3) A process by which assessments and rec-
2 ommendations under paragraph (2) are considered
3 by the Secretary and the appropriate Under Secre-
4 taries and Assistant Secretaries of the Department.

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

11 (c) REPORT.—Not later than one year after the date
12 of the enactment of this Act, the Secretary shall submit
13 to the appropriate congressional committees a report con-
14 taining the guidelines required under subsection (a) and
15 any recommendations for any modifications to such guide-
16 lines.

17 **SEC. 607. DEFINITIONS.**

18 In this title:

19 (1) AUDIENCE RESEARCH.—The term “audi-
20 ence research” means research conducted at the out-
21 set of a public diplomacy program or the outset of
22 campaign planning and design regarding specific au-
23 dience segments to understand the attitudes, inter-
24 ests, knowledge, and behaviors of such audience seg-
25 ments.

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

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

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

15 (A) The Bureau of Educational and Cul-
16 tural Affairs.

17 (B) The Bureau of Global Public Affairs.

18 (C) The Office of Policy, Planning, and
19 Resources for Public Diplomacy and Public Af-
20 fairs.

21 (D) The Global Engagement Center.

22 (E) The public diplomacy functions within
23 the regional and functional bureaus.

1 **TITLE VII—COMBATING PUBLIC**
2 **CORRUPTION**

3 **SEC. 701. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

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

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

12 (3) the Department should promote coordina-
13 tion among the Federal departments and agencies
14 implementing programs to promote good governance
15 and combat public corruption in foreign countries in
16 order to improve effectiveness and efficiency; and

17 (4) the Department should identify areas in
18 which United States efforts to help other countries
19 promote good governance and combat public corrup-
20 tion could be enhanced.

21 **SEC. 702. ANNUAL ASSESSMENT.**

22 (a) IN GENERAL.—For each of fiscal years 2020
23 through 2026, the Secretary shall assess the capacity and
24 commitment of foreign countries to combat public corrup-
25 tion. Each such assessment shall—

1 (1) utilize independent, third party indicators
2 that measure transparency, accountability, and cor-
3 ruption in the public sector in such countries, includ-
4 ing the extent to which public power is exercised for
5 private gain, to identify those countries that are
6 most vulnerable to public corruption;

7 (2) consider, to the extent reliable information
8 is available, whether the government of a country
9 identified under paragraph (1)—

10 (A) has adopted measures to prevent pub-
11 lic corruption, such as measures to inform and
12 educate the public, including potential victims,
13 about the causes and consequences of public
14 corruption;

15 (B) has enacted laws and established gov-
16 ernment structures, policies, and practices that
17 prohibit public corruption;

18 (C) enforces such laws through a fair judi-
19 cial process;

20 (D) vigorously investigates, prosecutes,
21 convicts, and sentences public officials who par-
22 ticipate in or facilitate public corruption, includ-
23 ing nationals of such country who are deployed
24 in foreign military assignments, trade delega-

1 tions abroad, or other similar missions who en-
2 gage in or facilitate public corruption;

3 (E) prescribes appropriate punishment for
4 serious, significant corruption that is commensurate with the punishment prescribed for serious crimes;

7 (F) prescribes appropriate punishment for
8 significant corruption that provides a sufficiently stringent deterrent and adequately reflects the nature of the offense;

11 (G) convicts and sentences persons responsible for such acts that take place wholly or partly within the country of such government, including, as appropriate, requiring the incarceration of individuals convicted of such acts;

16 (H) holds private sector representatives accountable for their role in public corruption;
18 and

21 (I) addresses threats for civil society to monitor anti-corruption efforts; and

21 (3) further consider—

22 (A) verifiable measures taken by the government of a country identified under paragraph (1) to prohibit government officials from participating in, facilitating, or condoning pub-

1 lic corruption, including the investigation, pros-
2 ecution, and conviction of such officials;

3 (B) the extent to which such government
4 provides access, or, as appropriate, makes ade-
5 quate resources available, to civil society organi-
6 zations and other institutions to combat public
7 corruption, including reporting, investigating,
8 and monitoring;

9 (C) the extent to which an independent ju-
10 diciary or judicial body in such country is re-
11 sponsible for, and effectively capable of, decid-
12 ing public corruption cases impartially, on the
13 basis of facts and in accordance with law, with-
14 out any improper restrictions, influences, in-
15 ducements, pressures, threats, or interferences,
16 whether direct or indirect, from any source or
17 for any reason;

18 (D) the extent to which such government
19 cooperates meaningfully with the United States
20 to strengthen government and judicial institu-
21 tions and the rule of law to prevent, prohibit,
22 and punish public corruption;

23 (E) the extent to which such government—
24 (i) is assisting in international inves-
25 tigations of transnational public corruption

1 networks and in other cooperative efforts
2 to combat serious, significant corruption,
3 including cooperating with the govern-
4 ments of other countries to extradite cor-
5 rupt actors;

6 (ii) recognizes the rights of victims of
7 public corruption, ensures their access to
8 justice, and takes steps to prevent such
9 victims from being further victimized or
10 persecuted by corrupt actors, government
11 officials, or others; and

12 (iii) refrains from prosecuting legiti-
13 mate victims of public corruption or whis-
14 tleblowers due to such persons having as-
15 sisted in exposing public corruption, and
16 refrains from other discriminatory treat-
17 ment of such persons; and

18 (F) contain such other information relating
19 to public corruption as the Secretary considers
20 appropriate.

21 (b) IDENTIFICATION.—After conducting each assess-
22 ment under subsection (a), the Secretary shall identify the
23 countries described in paragraph (1) of such subsection
24 that are—

1 (1) meeting minimum standards to combat pub-
2 lic corruption;

3 (2) not meeting such minimum standards but
4 making significant efforts to do so; and

5 (3) neither meeting such minimum standards
6 nor making significant efforts to do so.

7 (c) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act and annually thereafter
9 through fiscal year 2026, the Secretary shall submit to
10 the appropriate congressional committees and make pub-
11 licly available a report that identifies the countries de-
12 scribed in subsection (a)(1) and paragraphs (2) and (3)
13 of subsection (b), including a description of the method-
14 ology and data utilized in the assessments under sub-
15 section (a) and the reasons for such identifications.

16 (d) BRIEFING IN LIEU OF REPORT.—The Secretary
17 may waive the requirement to submit and make publicly
18 available a written report under subsection (c) if the Sec-
19 retary—

20 (1) determines that publication of such report
21 would—

22 (A) undermine existing United States anti-
23 corruption efforts in one or more countries; or

24 (B) threaten the national interests of the
25 United States; and

1 (2) provides a briefing to the appropriate con-
2 gressional committees that identifies the countries
3 described in subsection (a)(1) and paragraphs (2)
4 and (3) of subsection (b), including a description of
5 the methodology and data utilized in the assessment
6 under subsection (a) and the reasons for such identi-
7 fications.

8 **SEC. 703. TRANSPARENCY AND ACCOUNTABILITY.**

9 For each country identified under paragraphs (2) and
10 (3) of section 702(b), the Secretary, in coordination with
11 the Administrator of the United States Agency for Inter-
12 national Development, as appropriate, shall—

13 (1) ensure that a corruption risk assessment
14 and mitigation strategy is included in the integrated
15 country strategy for such country; and

16 (2) utilize appropriate mechanisms to combat
17 corruption in such countries, including by ensur-
18 ing—

19 (A) the inclusion of anti-corruption clauses
20 in contracts, grants, and cooperative agree-
21 ments entered into by the Department or the
22 Agency for or in such countries, which allow for
23 the termination of such contracts, grants, or co-
24 operative agreements, as the case may be, with-

1 out penalty if credible indicators of public cor-
2 ruption are discovered;

3 (B) the inclusion of appropriate clawback
4 or flowdown clauses within the procurement in-
5 struments of the Department and the Agency
6 that provide for the recovery of funds misappro-
7 priated through corruption;

8 (C) the appropriate disclosure to the
9 United States Government, in confidential
10 form, if necessary, of the beneficial ownership
11 of contractors, subcontractors, grantees, cooper-
12 ative agreement participants, and other organi-
13 zations implementing programs on behalf of the
14 Department or Agency; and

15 (D) the establishment of mechanisms for
16 investigating allegations of misappropriated re-
17 sources and equipment.

18 **SEC. 704. DESIGNATION OF EMBASSY ANTI-CORRUPTION**

19 **POINTS OF CONTACT.**

20 (a) IN GENERAL.—The Secretary shall annually des-
21 ignate an anti-corruption point of contact at the United
22 States diplomatic post to each country identified under
23 paragraphs (2) and (3) of section 702(b), or which the
24 Secretary otherwise determines is in need of such a point
25 of contact.

1 (b) RESPONSIBILITIES.—Each designated anti-cor-
2 ruption point of contact under subsection (a) shall be re-
3 sponsible for coordinating and overseeing implementation
4 of a whole-of-government approach among the relevant
5 Federal departments and agencies that operate programs
6 that promote good governance in foreign countries and en-
7 hance such countries’ ability to combat public corruption
8 in order to accomplish such objectives in the country to
9 which such point of contact is posted, including through
10 the development and implementation of corruption risk as-
11 sessment tools and mitigation strategies.

12 (c) TRAINING.—The Secretary shall implement ap-
13 propriate training for designated anti-corruption points of
14 contact under subsection (a).

15 **SEC. 705. REPORTING REQUIREMENTS.**

16 (a) ANNUAL REPORT.—

17 (1) IN GENERAL.—The Secretary shall, for each
18 of fiscal years 2020 through 2026, submit to the ap-
19 propriate congressional committees a report on im-
20 plementation of this title, including a description of
21 the following:

22 (A) The offices within the Department and
23 the United States Agency for International De-
24 velopment that are engaging in significant anti-
25 corruption activities.

1 (B) The findings and actions of designated
2 anti-corruption points of contact to develop and
3 implement risk mitigation strategies and ensure
4 compliance with section 703.

5 (C) The training implemented under sec-
6 tion 704(e).

7 (D) Management of the whole-of-govern-
8 ment effort referred to in section 704(b) to
9 combat corruption within the countries identi-
10 fied in section 702 and efforts to improve co-
11 ordination across Federal departments and
12 agencies.

13 (E) The risk assessment tools and mitiga-
14 tion strategies utilized by the Department and
15 the Agency.

16 (F) Other information determined by the
17 Secretary to be necessary and appropriate.

18 (2) FORM OF REPORT.—Each report under this
19 subsection shall be submitted in an unclassified for-
20 mat but may include a classified annex.

21 (b) ONLINE PLATFORM.—The Secretary shall con-
22 solidate existing reports with anti-corruption components
23 into one online, public platform, which should—

24 (1) include—

1 (A) the annual Country Reports on
2 Human Rights Practices;

3 (B) the annual Fiscal Transparency Re-
4 port;

5 (C) the annual Investment Climate State-
6 ments;

7 (D) the annual International Narcotics
8 Control Strategy Report;

9 (E) the Country Scorecards of the Millen-
10 nium Challenge Corporation; and

11 (F) any other relevant public reports; and

12 (2) link to third-party indicators and compli-
13 ance mechanisms used by the United States Govern-
14 ment to inform policy and programming, such as—

15 (A) the International Finance Corpora-
16 tion's Doing Business surveys;

17 (B) the International Budget Partnership's
18 Open Budget Index; and

19 (C) multilateral peer review anti-corruption
20 compliance mechanisms, such as the Organiza-
21 tion for Economic Co-operation and Develop-
22 ment's Working Group on Bribery in Inter-
23 national Business Transactions and the United
24 Nations Convention Against Corruption, done
25 at New York October 31, 2003, to further high-

1 light expert international views on country chal-
2 lenges and country efforts.

3 (c) TRAINING.—The Secretary and the Administrator
4 of the United States Agency for International Develop-
5 ment shall incorporate anti-corruption components into
6 existing Foreign Service and Civil Service training courses
7 to—

8 (1) increase the ability of Department and
9 Agency personnel to support anti-corruption as a
10 foreign policy priority; and

11 (2) strengthen the ability of such personnel to
12 design, implement, and evaluate more effective anti-
13 corruption programming around the world, including
14 enhancing skills to better evaluate and mitigate pub-
15 lic corruption risks in assistance programs.

16 **SEC. 706. FOREIGN INVESTMENTS AND NATIONAL SECU-**
17 **RITY.**

18 (a) IN GENERAL.—Not later than one year after the
19 date of the enactment of this Act and biennially thereafter
20 for the following six years, the Secretary, in consultation
21 with the Secretary of the Treasury, the Director of Na-
22 tional Intelligence, and the heads of other agencies, as ap-
23 propriate, shall submit to Congress an interagency strat-
24 egy to work with foreign governments and multilateral in-

stitutions to guard against the risks of certain transactions involving foreign investments.

(b) CONTENTS.—Each interagency strategy under paragraph (1) shall include plans relating to the following:

(1) Information sharing with foreign governments and multilateral institutions regarding risks associated with potential foreign investments.

(2) Promoting American and other alternatives to foreign investments identified as presenting substantial risk to the national security or sovereignty of a country.

(3) Providing technical assistance to foreign governments or multilateral institutions regarding screening foreign investments.

(4) Designating points of contact at each United States mission to foreign governments and multilateral institutions, and in associated regional bureaus, to coordinate efforts described in this paragraph.

(c) COORDINATION.—If the Secretary determines such is appropriate, the designated points of contact referred to in subsection (b)(4) may be the same individual designated under section 704(a).

1 **TITLE VIII—MATTERS RELATING**
2 **TO INTERNATIONAL SECURITY**

3 **SEC. 801. SHORT TITLE.**

4 This title may be cited as the “International Security
5 Assistance Act of 2019”.

6 **SEC. 802. SECURITY ASSISTANCE DEFINED.**

7 In this title, the term “security assistance” means—

8 (1) assistance under chapter 8 (relating to
9 international narcotics control) of part I of the For-
10 eign Assistance Act of 1961;

11 (2) assistance under chapter 2 (military assist-
12 ance), chapter 5 (international military education
13 and training), chapter 6 (peacekeeping operations),
14 chapter 8 (antiterrorism assistance), and chapter 9
15 (nonproliferation and export control assistance) of
16 part II of the Foreign Assistance Act of 1961;

17 (3) assistance under section 23 of the Arms Ex-
18 port Control Act (relating to the Foreign Military
19 Financing program); and

20 (4) sales of defense articles or defense services,
21 extensions of credits (including participations in
22 credits), and guaranties of loans under the Arms
23 Export Control Act.

1 **Subtitle A—Reform Relating to**
2 **Security Assistance**

3 **SEC. 811. ORGANIZATIONAL REFORM.**

4 (a) WORKING GROUP.—

5 (1) ESTABLISHMENT.—The Secretary shall es-
6 tablish a Working Group on matters relating to se-
7 curity assistance (in this subtitle referred to as the
8 “Working Group”).

9 (2) MEMBERSHIP.—

10 (A) IN GENERAL.—The Working Group
11 shall be composed of—

- 12 (i) the Deputy Secretary of State; and
13 (ii) each Under Secretary of State re-
14 sponsible for matters relating to security
15 assistance.

16 (B) CHAIR.—The Deputy Secretary shall
17 serve as the chair of the Working Group.

18 (3) MEETINGS.—The Working Group shall
19 meet not later than 90 days after the date of the en-
20 actment of this Act and on a quarterly basis there-
21 after.

22 (4) DUTIES.—The duties of the Working Group
23 shall include—

24 (A) within the Department and across
25 United States diplomatic posts—

1 (i) providing strategic policy guidance
2 on objectives and priorities for security as-
3 sistance;

4 (ii) ensuring strategic integration of
5 budgets and planning for security assist-
6 ance; and

7 (iii) advising the Secretary on all
8 budgets, programs, and activities for secu-
9 rity assistance; and

10 (B) overseeing Department of State coordi-
11 nation with the Secretary of Defense, the Ad-
12 ministrator of the United States Agency for
13 International Development (USAID), and the
14 heads of other relevant Federal departments
15 and agencies on all matters relating to security
16 assistance.

17 (b) OFFICE OF SECURITY ASSISTANCE.—

18 (1) IN GENERAL.—Not later than one year
19 after the date of the enactment of this Act, the Sec-
20 retary shall designate an existing office or establish
21 a new office to be the Office of Security Assistance
22 (in this subtitle referred to as the “Office”), which
23 shall report to an Under Secretary who is a member
24 of the Working Group.

1 (2) COORDINATOR.—The head of the Office
2 shall be the Coordinator for Security Assistance (in
3 this subtitle referred to as the “Coordinator”), who
4 shall be an individual of demonstrated competency in
5 the fields of security assistance and international di-
6 plomacy.

7 (3) DUTIES.—The duties of the Coordinator
8 shall include—

9 (A) within the Department and across
10 United States diplomatic posts—

11 (i) guiding and supporting security as-
12 sistance;

13 (ii) advising the Working Group on all
14 matters relating to security assistance;

15 (iii) establishing the framework de-
16 scribed in section 813(a);

17 (iv) coordinating the assessment, mon-
18 itoring, and evaluation program established
19 under section 813(c); and

20 (v) maintaining the common database
21 described in section 814(a); and

22 (B) acting as a Department of State point
23 of contact with the Department of Defense, the
24 United States Agency for International Devel-
25 opment (USAID), and other relevant Federal

1 departments and agencies on all matters relat-
2 ing to security assistance.

3 (c) COORDINATION WITHIN DEPARTMENT.—

4 (1) DESIGNATION.—Not later than one year
5 after the date of the enactment of this Act, and sub-
6 ject to paragraph (2), the head of each bureau of the
7 Department that is involved in directing or imple-
8 menting security assistance shall designate an officer
9 of such bureau to be responsible for coordinating the
10 responsibilities of such bureau with respect to secu-
11 rity assistance.

12 (2) NON-ELIGIBILITY.—An officer of a bureau
13 of the Department shall not be eligible to be des-
14 ignated pursuant to paragraph (1) if the officer is
15 responsible for conducting human rights vetting pur-
16 suant to 620M of the Foreign Assistance Act of
17 1961 (22 U.S.C. 2378d).

18 (3) TRAINING.—Each individual designated
19 pursuant to paragraph (1) shall successfully com-
20 plete the training described in section 812.

21 (d) COORDINATION WITHIN UNITED STATES DIPLO-
22 MATIC POSTS.—

23 (1) DESIGNATION.—Not later than one year
24 after the date of the enactment of this Act, the chief
25 of mission of the United States in a foreign country

1 that receives security assistance shall designate a
2 senior diplomatic officer at the embassy or highest
3 ranking diplomatic post if no embassy exists in the
4 foreign country to be responsible for coordinating se-
5 curity assistance for the foreign country.

6 (2) DUTIES.—The senior diplomatic officer des-
7 ignated pursuant to paragraph (1) shall be respon-
8 sible for—

9 (A) overseeing personnel and activities of
10 Federal departments and agencies at the rel-
11 evant embassy or diplomatic post with respect
12 to the provision of security assistance for the
13 country; and

14 (B) ensuring implementation of section
15 620M of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2378d) and section 362 of title 10,
17 United States Code, with respect to the coun-
18 try.

19 (3) TRAINING.—Each individual designated
20 pursuant to paragraph (1) shall successfully com-
21 plete the training described in section 812

22 (e) PLAN FOR ORGANIZATIONAL STRUCTURE.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this Act, the Sec-
25 retary shall submit to the Committee on Foreign Af-

1 fairs of the House of Representatives and the Com-
2 mittee on Foreign Relations of the Senate a plan for
3 the organizational structure of the Department re-
4 lating to security assistance programs.

5 (2) MATTERS TO BE INCLUDED.—The plan re-
6 quired under paragraph (1) shall include the fol-
7 lowing:

8 (A) An identification of each bureau and
9 office of the Department that carries out func-
10 tions relating to planning, coordination, integra-
11 tion, implementation, or evaluation of security
12 assistance, a description of the organizational
13 hierarchy and decision-making processes used
14 to coordinate across such bureaus and offices
15 and with United States diplomatic posts and
16 other Federal departments and agencies, and a
17 description of how the Working Group and the
18 Coordinator will facilitate coordination among
19 each such bureau and office.

20 (B) A description of—

21 (i) the reasons for—

22 (I) designating an existing office
23 or establishing a new office to serve as
24 the Office; and

1 (II) selecting the Under Sec-
2 retary to which the Office will report;

3 (ii) the organizational structure of the
4 Office;

5 (iii) the specific mechanisms through
6 which the Working Group and Coordinator
7 could improve coordination among bureaus
8 and offices of the Department involved in
9 the planning or implementation of security
10 assistance programs and activities; and

11 (iv) the process by which the require-
12 ment for training described in section 812
13 will be fulfilled.

14 (C) The benefits, feasibility, and steps nec-
15 essary to detail personnel—

16 (i) on a reimbursable basis from the
17 relevant bureaus and offices of the Depart-
18 ment to provide staff to the Office; and

19 (ii) from USAID, the Department of
20 Defense, and other relevant Federal de-
21 partments and agencies to provide staff to
22 the Office.

23 (D) An identification of lessons learned
24 from the Security Governance Initiative (SGI),
25 an assessment of the utility of expanding the

1 SGI or a similar initiative globally, and a de-
2 scription of where best to locate the SGI or
3 similar initiative within the Department.

4 (E) An identification of an appropriate bu-
5 reau or office of the Department, whose head
6 does not report to the Under Secretary de-
7 scribed in subsection (b)(1), to select and retain
8 the independent research entity described in
9 section 813(c)(4).

10 (F) A list of recommendations for any ad-
11 ditional legislative measures necessary to im-
12 prove the capacity and capabilities of the De-
13 partment to plan and implement security assist-
14 ance programs and activities.

15 (3) FORM.—The plan required under paragraph
16 (1) shall be submitted in unclassified form, but may
17 include a classified annex if necessary.

18 (4) CONSULTATION.—Not later than 90 days
19 after the date of the enactment of this Act, the Sec-
20 retary shall consult with the Committee on Foreign
21 Affairs of the House of Representatives and the
22 Committee on Foreign Relations of the Senate re-
23 garding the development and implementation of the
24 plan required under paragraph (1).

1 **SEC. 812. WORKFORCE DEVELOPMENT.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Secretary shall carry out the fol-
4 lowing: —

5 (1) Establish curriculum at the Department's
6 Foreign Service Institute to provide employees of the
7 Department of State with specialized training with
8 respect to security assistance. The training should
9 be aligned with the Security Cooperation Workforce
10 Development Program and developed in coordination
11 with the Defense Security Cooperation Agency, in-
12 cluding through an agreement under section 1535(a)
13 of title 31, United States Code (commonly referred
14 to as the "Economy Act") or any other appropriate
15 agency-specific authority. The training shall include
16 the following:

17 (A) Awareness of the full range of agen-
18 cies, offices, personnel, statutory authorities,
19 funds, and programs involved in security assist-
20 ance and transfers and the respective decision-
21 making timelines.

22 (B) Familiarity with relevant military and
23 police security force systems and structures and
24 institutions at the time such training is occur-
25 ring.

1 (C) Familiarity with security assistance re-
2 form, research regarding options for improve-
3 ment, and United States interagency and exter-
4 nal resources and experts.

5 (D) Familiarity with planning, implemen-
6 tation, and monitoring and evaluation for pro-
7 grammatic activities.

8 (E) Familiarity with implementation of—

9 (i) section 620M of the Foreign As-
10 sistance Act of 1961 (22 U.S.C. 2378d)
11 and section 362 of title 10, United States
12 Code;

13 (ii) arms transfer requirements under
14 the Arms Export Control Act (22 U.S.C.
15 2751 et seq.); and

16 (iii) best practices related to human
17 rights and civilian protection.

18 (F) Awareness of common risks to effec-
19 tiveness of security assistance, including corrup-
20 tion, political instability, and challenges relating
21 to absorptive capacity, partner commitment,
22 and transparency.

23 (2) Coordinate with the Secretary of Defense,
24 to the extent feasible, to ensure that, in addition to
25 the training described paragraph (1), individuals

1 who serve in priority recipient countries or countries
2 that do not meet baseline norms of governance, as
3 determined by the Under Secretary for purposes of
4 subsections (d)(1) and (d)(4) of section 813, obtain
5 higher-level certification through the Defense Security
6 Cooperation Agency's Defense Institute of Security
7 Cooperation Studies or through a commensurate
8 program developed at the Department's Foreign
9 Service Institute prior to serving at the United
10 States diplomatic post in such country.

11 **SEC. 813. SECURITY ASSISTANCE PLANNING.**

12 (a) FRAMEWORK AND STANDARDS FOR SECURITY
13 ASSISTANCE.—Not later than 18 months after the date
14 of the enactment of this Act, the Coordinator shall create
15 and submit to the Committee on Foreign Affairs of the
16 House of Representatives and the Committee on Foreign
17 Relations of the Senate a framework to be used by relevant
18 bureaus and diplomatic posts to guide regional and
19 country-specific planning, such as joint regional strategies
20 or integrated country strategies, with respect to security
21 assistance. Such framework shall include the following:

22 (1) Identification and prioritization of overall
23 goals and objectives for security assistance, in accordance
24 with the relevant National Security Strategy.
25

1 (2) Criteria for—

2 (A) determining the commitment and polit-
3 ical will of countries receiving assistance to use
4 such assistance in a manner that achieves
5 United States objectives;

6 (B) identifying opportunities and risks cre-
7 ated by the provision of security assistance; and

8 (C) tailoring and sequencing such assist-
9 ance accordingly.

10 (3) Guidance for—

11 (A) incorporating the assessment, moni-
12 toring, and evaluation program described in
13 subsection (c) into the strategic planning cycle;

14 (B) increasing coordination, as appro-
15 priate, with other major international donors to
16 maximize resources and unity of efforts;

17 (C) aligning the security assistance pro-
18 grams, projects, and activities of the Depart-
19 ment with other United States goals of engage-
20 ment with foreign countries, such as the pro-
21 motion of democracy, human rights, govern-
22 ance, and economic growth, as well as with
23 other United States assistance authorities, re-
24 sources, programmatic capabilities, and activi-
25 ties; and

1 (D) assessing the impact on Department
2 security assistance objectives, programs, and
3 activities of United States military activities in
4 the country or region covered by country or re-
5 gional strategy, including the number of United
6 States forces deployed, the duration of deploy-
7 ment, the purpose for which they were de-
8 ployed, and the authority under which they are
9 operating.

10 (4) Metrics for assessing the effectiveness of se-
11 curity assistance in—

12 (A) increasing the operational access and
13 influence of the United States;

14 (B) improving partner capacity and com-
15 mitment to countering shared threats and in-
16 creased burden sharing, including in ways that
17 enable reallocation of United States military de-
18 ployments to other high priority missions;

19 (C) reducing the underlying drivers of
20 state fragility; and

21 (D) contributing to the maintenance of ex-
22 isting peace treaties between recipients of as-
23 sistance.

24 (5) A process to ensure that transfers regulated
25 by the Department that are outside the scope of se-

1 security assistance, such as certain direct commercial
2 sales, are factored into—

3 (A) the implementation of the assessment,
4 monitoring, and evaluation program described
5 in subsection (c); and

6 (B) the planning process described in sub-
7 section (d).

8 (b) DEFINITIONS PROMULGATED BY THE WORKING
9 GROUP.—Not later than 18 months after the date of the
10 enactment of this Act, the Working Group shall—

11 (1) in consultation with the Coordinator and
12 bureaus and offices of the Department that are in-
13 volved in the planning, coordination, integration, im-
14 plementation, or evaluation of security assistance,
15 develop and promulgate a definition of the level of
16 security assistance programs, projects, or activities
17 that mark a country as a recipient of “significant”
18 security assistance to merit inclusion in the assess-
19 ment, monitoring, and evaluation process described
20 in subsection (c); and

21 (2) in consultation with the Coordinator, the
22 Bureau of Democracy , Human Rights, and Labor,
23 and the heads of other relevant bureaus of the De-
24 partment, develop and promulgate a definition of
25 baseline norms for governance and the rule of law,

1 including a rubric to assess whether a recipient of
2 security assistance is abiding by such baseline.

3 (c) ASSESSMENT, MONITORING, AND EVALUATION.—

4 (1) IN GENERAL.—Not later than 18 months
5 after the date of the enactment of this Act, the Co-
6 ordinator shall develop an assessment, monitoring,
7 and evaluation program to be conducted for any
8 country receiving significant security assistance, as
9 defined in accordance with subsection (b)(1).

10 (2) ELEMENTS.—The program described in
11 paragraph (1) shall include each of the following ele-
12 ments:

13 (A) Baseline assessments that consider
14 factors, including—

15 (i) recipient country threat percep-
16 tions and the manner in which such per-
17 ceptions may inform the use of security as-
18 sistance;

19 (ii) the recipient's approach to govern-
20 ance and commitment to rule of law, in-
21 cluding the transparency and account-
22 ability of security forces, and the manner
23 in which such approach is likely to be in-
24 fluenced by security assistance;

1 (iii) the recipient's capacity to absorb
2 the security assistance given and to achieve
3 the objectives of such assistance;

4 (iv) the human rights record of the re-
5 cipient, including for purposes of section
6 620M of the Foreign Assistance Act of
7 1961 (22 U.S.C. 2378d) and section 362
8 of title 10, United States Code, and any
9 relevant attempts by such recipient to rem-
10 edy such record;

11 (v) country- or region-specific oppor-
12 tunities and risks that could enhance or
13 impair the outcomes associated with pro-
14 viding security assistance; and

15 (vi) indicators of efficacy for security
16 assistance programs, projects, and activi-
17 ties, for purposes of planning, monitoring,
18 and evaluation.

19 (B) Monitoring implementation of security
20 assistance programs, projects, and activities to
21 measure progress toward achieving specific tar-
22 gets, metrics, or indicators, as well as desired
23 outcomes.

1 (C) Evaluation of the efficiency and effec-
2 tiveness of security assistance in achieving de-
3 sired outcomes.

4 (D) Identification of lessons learned in car-
5 rying out security assistance and recommenda-
6 tions for improving future assistance.

7 (3) OVERSIGHT AND FRAMEWORK.—The Coor-
8 dinator shall guide and support, in coordination with
9 relevant regional and functional bureaus, the assess-
10 ment and monitoring described in paragraph (1) and
11 shall create a common evaluation framework.

12 (4) INDEPENDENT RESEARCH ENTITY.—Not
13 later than 18 months after the date of the enact-
14 ment of this Act, the Secretary shall enter into a
15 contract with an independent research entity, such
16 as a federally funded research and development cen-
17 ter or other non-profit entity, that demonstrates ap-
18 propriate expertise and analytical capability to evalu-
19 ate the capacity of security assistance to achieve de-
20 sired outcomes in accordance with the framework
21 created pursuant to paragraph (3).

22 (5) SENSE OF CONGRESS.—It is the sense of
23 Congress that the ability of the Department to
24 measure and assess the effects of United States se-
25 curity assistance programs and activities on govern-

1 ance, rule of law, professionalism of recipient secu-
2 rity forces, and institutional capacity weaknesses of
3 recipient security forces would benefit from the in-
4 creased availability of independent research and
5 data.

6 (d) SECURITY ASSISTANCE PLANNING.—

7 (1) PRIORITIZATION.—Not later than two years
8 after the date of the enactment of this Act, and an-
9 nually thereafter, the Working Group shall develop
10 a list of priority recipient countries to receive secu-
11 rity assistance, on the basis of policy objectives de-
12 termined by the Department, and submit such infor-
13 mation in accordance with subsection (f).

14 (2) INCLUSION IN REGIONAL AND COUNTRY
15 STRATEGIES.—Any comprehensive regional strategy,
16 such as a joint regional strategy or its equivalent,
17 and any country strategy, such as an integrated
18 country strategy or its equivalent, that is produced
19 on or after the date that is 2 years after the date
20 of the enactment of this Act, and each successor
21 strategy to such strategy, shall integrate security as-
22 sistance planning in a manner that incorporates the
23 elements of the framework created pursuant to sub-
24 section (a) and include an annex relating to security
25 assistance, which shall include—

1 (A) the assessment, monitoring, and eval-
2 uation metrics described in subsection (c);

3 (B) requests to allocate security assistance
4 with respect to the area covered by the strategy;
5 and

6 (C) a description of the manner in which
7 such resources will be used.

8 (3) COORDINATION OF RESOURCES.—In devel-
9 oping annexes relating to security assistance for in-
10 clusion in comprehensive regional strategies or coun-
11 try strategies in accordance with paragraph (2), the
12 relevant bureau, office, or diplomatic post shall co-
13 ordinate with—

14 (A) the Office;

15 (B) the Office of Foreign Assistance Re-
16 sources, or an equivalent entity in the Depart-
17 ment, regarding the allocation of resources in
18 line with priorities of the Department of State
19 for security assistance; and

20 (C) the Department of Defense and other
21 Federal departments and agencies that provide
22 security assistance, security cooperation, or
23 other forms of foreign assistance.

24 (4) SECURITY ASSISTANCE, GOVERNANCE, AND
25 RULE OF LAW.—Not later than two years after the

1 date of the enactment of this Act, any annex relat-
2 ing to security assistance described in paragraph (2)
3 that is included in a country strategy shall include
4 an assessment by the Under Secretary responsible
5 for civilian security, democracy, and human rights
6 whether such country abides by baseline norms for
7 governance and the rule of law using the rubric pro-
8 mulgated in accordance with subsection (b)(2). A se-
9 curity assistance annex developed in accordance with
10 paragraph (2) for a country receiving a negative de-
11 termination shall also include the following:

12 (A) Reforms the recipient could undertake,
13 where practicable, to improve governance and
14 rule of law in order to create more effective se-
15 curity.

16 (B) Conditions, which may also be included
17 in the compacts described in subsection (e),
18 under which the United States might—

19 (i) expand or increase security assist-
20 ance upon verifiable progress made toward
21 such reforms; and

22 (ii) restrict or end security assistance
23 as a result of lack of progress toward such
24 reforms or further deterioration of norms
25 for governance or the rule of law.

1 (C) An assessment of the benefits and like-
2 lihood of reaching agreement with the recipient
3 country to devote 1 percent of the total value
4 of all security assistance to such country for
5 training in-country civilian professionals on
6 methods to evaluate the fiscal and functional ef-
7 fectiveness of the security institutions in such
8 country.

9 (D) The manner in which security assist-
10 ance will be used to improve governance, rule of
11 law, and human rights reforms in such country.

12 (E) Steps to ensure consultation with the
13 national legislature and with civil society groups
14 that operate in such country on the provision of
15 security assistance, including for the formula-
16 tion of a compact in accordance with subsection
17 (e)(2).

18 (e) SECURITY ASSISTANCE COMPACTS.—

19 (1) IN GENERAL.—Not later than two years
20 after the date of the enactment of this Act, the Sec-
21 retary shall seek to enter into multi-year compacts
22 where appropriate with the governments of countries
23 that receive security assistance. Such compacts
24 should include the following elements:

1 (A) A joint diagnosis of the strengths and
2 challenges of the recipient country's security in-
3 stitutions, including priority capacity and capa-
4 bility requirements.

5 (B) A plan for bilateral security assistance
6 and cooperation that includes—

7 (i) a commitment by the recipient
8 specifying the manner in which security as-
9 sistance will be used, within a defined
10 timeframe;

11 (ii) plans for sustainment by the re-
12 cipient of any capacity or capabilities built
13 as a result of such assistance; and

14 (iii) mutually agreed oversight mecha-
15 nisms for security assistance and metrics,
16 to determine whether such assistance is ac-
17 complishing the agreed-upon objectives.

18 (2) SPECIAL PROVISIONS.—If the Under Sec-
19 retary described in subsection (d)(3) assesses that a
20 country is not abiding by baseline norms for govern-
21 ance or the rule of law, a compact under this sub-
22 section with such country should, where practicable,
23 be formulated in consultation with the national legis-
24 lature and domestic civil society groups and include
25 mutually agreed upon reforms and conditions based

1 on those established as a result of such determina-
2 tion in accordance with subsection (d)(4).

3 (f) REPORTING REQUIREMENTS.—Beginning three
4 years after the date of the enactment of this Act and an-
5 nually thereafter, the Secretary shall include with any ma-
6 terials submitted in support of the budget for that fiscal
7 year that is submitted to Congress by the President under
8 section 1105(a) of title 31 an unclassified report, that may
9 include a classified annex, with the following:

10 (1) A list of priority security assistance recipi-
11 ents, along with descriptions of the policy objectives
12 that the Secretary seeks to achieve by providing
13 such assistance to such recipients, developed pursu-
14 ant to subsection (d)(1).

15 (2) A description of the results of the evalua-
16 tions conducted pursuant to subsection (c)(4).

17 (3) A description of the manner in which the
18 Department will allocate, monitor, and evaluate all
19 security assistance pursuant to the program de-
20 scribed in subsection (c) and the planning process
21 described in subsection (d).

22 (4) A description of any updates made during
23 the previous year to the framework described in sub-
24 section (d)(1) and annex relating to security assist-
25 ance required under subsection (d)(2).

1 (5) The status and impact on United States ob-
2 jectives of any compacts entered into in accordance
3 with subsection (e) and of any ongoing efforts to
4 enter into new compacts in accordance with such
5 subsection.

6 **SEC. 814. INTERAGENCY COORDINATION OF SECURITY AS-**
7 **SISTANCE, TRANSFERS, AND SECURITY CO-**
8 **OPERATION.**

9 (a) CREATION OF A COMMON DATABASE.—Not later
10 than two years after the date of the enactment of this Act,
11 the Secretary, in coordination with the Secretary of De-
12 fense and other appropriate Federal departments and
13 agencies, shall maintain a common database of informa-
14 tion to permit the identification of security assistance pro-
15 grams, funding, and transfers by recipient country.

16 (b) COORDINATION WITH THE DEPARTMENT OF DE-
17 FENSE.—

18 (1) IN GENERAL.—Not later than one year
19 after the date of the enactment of this Act, the Sec-
20 retary, in coordination with the Secretary of De-
21 fense, shall submit a report to the appropriate con-
22 gressional committees that assesses existing mecha-
23 nisms, including provisions under title 10, United
24 States Code, that require the concurrence of the
25 Secretary of State, and other applicable provisions of

1 law that provide for coordination between security
2 assistance programs, projects, and activities of the
3 Department of State and security cooperation pro-
4 grams, projects, and activities of the Department of
5 Defense that includes the following:

6 (A) An identification of existing coordina-
7 tion mechanisms for planning, executing, and
8 overseeing security assistance and security co-
9 operation programs, projects, and activities, the
10 purpose of such mechanisms, and their efficacy
11 in practice.

12 (B) An identification of additional meas-
13 ures that would improve the speed, simplicity,
14 or agility of each identified mechanism, with a
15 focus on mechanisms requiring the concurrence
16 of the Secretary.

17 (C) An identification of any programs, au-
18 thorities, or resources that do not require co-
19 ordination under existing law.

20 (D) An identification of the specific mecha-
21 nisms to improve coordination between Depart-
22 ment of State bureaus and offices involved in
23 planning, executing, or overseeing security as-
24 sistance programs and activities and the United

1 States combatant command or commands rel-
2 evant to such bureaus and offices.

3 (E) An assessment of the advisability and
4 feasibility of expanding existing mechanisms or
5 establishing new mechanisms to detail employ-
6 ees from Department of State bureaus and of-
7 fices involved in planning, executing, or over-
8 seeing security assistance programs and activi-
9 ties to United States combatant commands and
10 from the Department of Defense to such De-
11 partment of State bureaus and offices for the
12 purpose of improving coordination on security
13 assistance planning and implementation.

14 (2) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES DEFINED.—In this subsection, the term “ap-
16 propriate congressional committees” means—

17 (A) the Committee on Foreign Affairs and
18 the Committee on Armed Services of the House
19 of Representatives; and

20 (B) the Committee on Foreign Relations
21 and the Committee on Armed Services of the
22 Senate.

23 (c) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the Secretary of State and the Secretary of De-
25 fense should jointly establish a pilot program to evaluate

1 the advisability and feasibility of a joint entity to conduct
2 collaborative planning of security assistance and security
3 cooperation. The pilot program should—

4 (1) establish one or more joint planning cells to
5 conduct collaborative planning between the Depart-
6 ment of State and the Department of Defense for
7 security assistance and security cooperation pro-
8 grams, projects, and activities in a specific region or
9 regions;

10 (2) assign personnel from relevant offices and
11 agencies within each Department to staff the joint
12 planning cell or cells; and

13 (3) assess the advantages and disadvantages of
14 collaborative interagency planning of security assist-
15 ance, and determine whether there are organiza-
16 tional, legal, policy, or resource barriers to broader
17 adoption of such a model.

18 **SEC. 815. RULE OF CONSTRUCTION.**

19 Nothing in this subtitle shall affect the implementa-
20 tion of subsection (h) of section 36 of the Arms Export
21 Control Act (22 U.S.C. 2776).

1 **Subtitle B—Foreign Military**
2 **Assistance**

3 **SEC. 821. STRATEGIC ALLOCATION OF EXCESS DEFENSE**

4 **ARTICLES.**

5 (a) IN GENERAL.—Section 516 of the Foreign Assist-
6 ance Act of 1961 (22 U.S.C. 2321j), is amended—

7 (1) in subsection (b)—

8 (A) by striking “(1) The President” and
9 inserting “The President”;

10 (B) by redesignating subparagraphs (A)
11 through (F) as paragraphs (1) through (6), re-
12 spectively, and moving the margins of each such
13 paragraph two ems to the left; and

14 (C) by striking “(2) Accordingly,” and all
15 that follows through “1990.” ;

16 (2) in subsection (c)—

17 (A) by striking paragraph (2) and insert-
18 ing the following:

19 “(2) PRIORITY.—Notwithstanding any other
20 provision of law, excess defense articles under this
21 section shall be transferred in accordance with
22 United States foreign policy, including national secu-
23 rity priorities as jointly determined by the Secretary
24 of State, in consultation with the Secretary of De-
25 fense, to the maximum extent feasible.”; and

1 (B) by adding at the end the following:

2 “(3) SUPPORTING COSTS.—The Department of
3 State is authorized to expend funds available for se-
4 curity assistance for the refurbishment or upgrade of
5 excess defense articles transferred under the author-
6 ity of this section and for training of foreign security
7 forces directly in relation to excess defense articles
8 transferred under the authority of this section, if—

9 “(A) such assistance is necessary to ad-
10 vance the national security objectives of the
11 United States in relation to the recipient coun-
12 try or countries; and

13 “(B) such costs do not exceed \$10 million
14 in relation to a single transfer of excess defense
15 articles under this section.”;

16 (3) in subsection (f)(1), by striking
17 “\$7,000,000” and inserting “\$25,000,000”; and

18 (4) in subsection (g)(1), by striking
19 “\$500,000,000” and inserting “\$600,000,000”.

20 **SEC. 822. MODIFICATION OF PURPOSES FOR WHICH MILI-**
21 **TARY SALES BY THE UNITED STATES ARE AU-**
22 **THORIZED.**

23 Section 4 of the Arms Export Control Act (22 U.S.C.
24 2754) is amended in the first sentence by striking “inter-

1 nal security” and inserting “legitimate internal security
2 (including for anti-terrorism purposes)”.

3 **SEC. 823. RETURN OF DEFENSE ARTICLES.**

4 Section 21(m)(1)(B) of the Arms Export Control Act
5 (22 U.S.C. 2761(m)(1)(B)) is amended—

6 (1) by striking “(B) is not” and inserting
7 “(B)(i) is not”;

8 (2) by striking “; and” and inserting “; or”;
9 and

10 (3) by adding at the end the following:

11 “(ii) is significant military equipment (as
12 defined in section 47(9) of this Act) and the
13 Secretary of State has provided prior approval
14 of the return of such defense article from the
15 foreign country or international organization;
16 and”.

17 **SEC. 824. REQUIREMENTS RELATING TO EXEMPTIONS FOR**
18 **LICENSING OF DEFENSE ITEMS.**

19 Section 38(j) of the Arms Export Control Act (22
20 U.S.C. 2778(j)) is amended—

21 (1) in the subsection heading—

22 (A) by striking “COUNTRY”; and

23 (B) by striking “TO FOREIGN COUN-
24 TRIES”;

25 (2) in paragraph (1)(A)—

1 (A) in the matter preceding clause (i)—

2 (i) by striking “a foreign country”
3 and inserting “the North Atlantic Treaty
4 Organization, any member country of that
5 Organization, the Republic of Korea, Aus-
6 tralia, New Zealand, Japan, or Israel”;

7 (ii) by inserting “(except that the
8 President may not so exempt such Organi-
9 zation, member country, or other country
10 that is not eligible to acquire defense items
11 under any other provision of law)” after
12 “with respect to exports of defense items”;
13 and

14 (iii) by striking “the foreign country”
15 and inserting “such Organization, member
16 country, or other country”; and

17 (B) in clause (ii)—

18 (i) by striking “the foreign country”
19 and inserting “such Organization, member
20 country, or other country”; and

21 (ii) by striking “under their domestic
22 laws”;

23 (3) in paragraph (2)—

24 (A) in subparagraph (A)—

1 (i) in the matter preceding clause

2 (i)—

3 (I) by striking “, at a min-
4 imum,”;

5 (II) by striking “the foreign
6 country” and inserting “the Organiza-
7 tion, member country, or other coun-
8 try referred to in paragraph (1)”;

9 (III) by striking “to revise its
10 policies and practices, and promulgate
11 or enact necessary modifications to its
12 laws and regulations to establish” and
13 inserting “to establish and maintain”;

14 (ii) in clause (i), by striking “the for-
15 eign country” and inserting “such Organi-
16 zation, member country, or other country”;
17 and

18 (iii) in clause (ii), by striking “re-
19 transfer control commitments, including
20 securing” and inserting “retransfer con-
21 trols that secure”;

22 (B) in subparagraph (B)—

23 (i) in the matter preceding clause

24 (i)—

1 (I) by striking “, at a min-
2 imum,”;

3 (II) by striking “the foreign
4 country” and inserting “the Organiza-
5 tion, member country, or other coun-
6 try referred to in paragraph (1)”; and

7 (III) by striking “to revise its
8 policies and practices, and promulgate
9 or enact necessary modifications to its
10 laws and regulations”; and

11 (ii) in clause (iv), by striking “the for-
12 eign country” and inserting “the member
13 country or other country”; and

14 (4) in paragraph (3)—

15 (A) in the matter preceding subparagraph
16 (A), by striking “a foreign country” and insert-
17 ing “the Organization, member country, or
18 other country referred to in paragraph (1)”;;

19 (B) in subparagraph (A), by striking “that
20 foreign country” and inserting “such Organiza-
21 tion, member country, or other country”;

22 (C) in subparagraph (B)—

23 (i) by striking “the foreign country”
24 and inserting “such Organization, member
25 country, or other country”; and

1 (ii) by striking “has promulgated or
2 enacted all necessary modifications to its
3 laws and regulations to comply” and in-
4 serting “has taken such actions to com-
5 ply”; and

6 (D) in subparagraph (C)—

7 (i) by striking “a foreign country”
8 and inserting “such Organization, member
9 country, or other country”; and

10 (ii) by striking “that country” and in-
11 serting “such Organization, member coun-
12 try, or other country”.

13 **SEC. 825. AMENDMENT TO GENERAL PROVISIONS.**

14 Section 42(a) of the Arms Export Control Act (22
15 U.S.C. 2791(a)) is amended in the first sentence by insert-
16 ing “on a competitive basis” after “procurement in the
17 United States”.

18 **SEC. 826. TECHNICAL AMENDMENTS TO ARMS EXPORT
19 CONTROL ACT.**

20 Section 36(b)(6) of the Arms Export Control Act (22
21 U.S.C. 2776(b)(6)) is amended by inserting “the North
22 Atlantic Treaty Organization or” before “a member coun-
23 try”.

1 **SEC. 827. SENSE OF CONGRESS ON LICENSING UNDER**
2 **UNITED STATES ARMS EXPORT CONTROL**
3 **PROGRAMS.**

4 It is the sense of Congress that, in implementing re-
5 forms of United States arms export licensing regimes, the
6 President should prioritize the development of a new
7 framework to improve and streamline licensing, including
8 by seeking to revise the Special Comprehensive Export Au-
9 thorizations for exports to the North Atlantic Treaty Or-
10 ganization, any member country of that Organization,
11 Sweden, or any other country described in section
12 36(c)(2)(A) of the Arms Export Control Act (22 U.S.C.
13 2776(c)(2)(A)) under section 126.14 of title 15, Code of
14 Federal Regulations (relating to the International Traffic
15 in Arms Regulations).

16 **SEC. 828. EXTENSION OF WAR RESERVE STOCKPILE AU-**
17 **THORITY.**

18 (a) DEPARTMENT OF DEFENSE APPROPRIATIONS
19 ACT, 2005.—Section 12001(d) of the Department of De-
20 fense Appropriations Act, 2005 (Public Law 108–287;
21 118 Stat. 1011) is amended by striking “2020” and in-
22 serting “2021”.

23 (b) STOCKPILING OF DEFENSE ARTICLES FOR FOR-
24 EIGN COUNTRIES.—Section 514(b)(2)(A) of the Foreign
25 Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is

1 amended by striking “and 2020” and inserting “2020,
2 and 2021”.

3 **SEC. 829. PEACEKEEPING OPERATIONS AND OTHER NA-**
4 **TIONAL SECURITY PROGRAMS.**

5 (a) AUTHORITY.—

6 (1) IN GENERAL.—Section 551 of the Foreign
7 Assistance Act of 1961 (22 U.S.C. 2348) is amend-
8 ed—

9 (A) in the first sentence, by striking “The
10 President” and inserting “(a) The President”;
11 and

12 (B) by adding at the end the following:

13 “(b) Funds authorized to be appropriated under this
14 chapter may also be used to provide assistance to enhance
15 the capacity of foreign civilian security forces (as such
16 term is defined in section 841(c) of the International Se-
17 curity Assistance Act of 2019) to participate in peace-
18 keeping and counterterrorism operations, and to promote
19 greater participation of women in such peacekeeping oper-
20 ations.

21 “(c) Funds authorized to be appropriated under this
22 chapter to provide assistance to friendly foreign countries
23 for purposes other than support for multilateral peace-
24 keeping operations shall be subject to the certification re-

1 requirements of section 36 of the Arms Export Control Act
2 (22 U.S.C. 2776).”.

3 (2) DISARMAMENT AND REINTEGRATION.—

4 (A) IN GENERAL.—Notwithstanding any
5 other provision of law, funds authorized to be
6 appropriated under any provision of law for
7 peacekeeping operations may be made available
8 to support programs to disarm, demobilize, and
9 reintegrate into civilian society former members
10 of foreign terrorist organizations, and to pro-
11 mote greater participation of women in such
12 programs.

13 (B) CONSULTATION.—The Secretary shall
14 consult with the Committee on Foreign Affairs
15 and the Committee on Appropriations of the
16 House of Representatives and the Committee
17 on Foreign Relations of and the Committee on
18 Appropriations the Senate prior to obligating
19 funds described in subparagraph (A).

20 (C) DEFINITION.—In this paragraph, the
21 term “foreign terrorist organization” means an
22 organization designated as a terrorist organiza-
23 tion under section 219(a) of the Immigration
24 and Nationality Act (8 U.S.C. 1189(a)).

1 (b) NOTIFICATION.—The Secretary shall notify the
2 Committee on Foreign Affairs and the Committee on Ap-
3 propriations of the House of Representatives and the
4 Committee on Foreign Relations and the Committee on
5 Appropriations of the Senate at least 15 days prior to obli-
6 gating funds under any provision of law for peacekeeping
7 operations.

8 (c) CONFORMING AMENDMENT.—The heading for
9 chapter 6 of part II of the Foreign Assistance Act of 1961
10 (22 U.S.C. 2348 et seq.) is amended by adding at the end
11 the following: “AND OTHER NATIONAL SECURITY PRO-
12 GRAMS”.

13 **SEC. 830. OTHER AMENDMENTS TO MILITARY ASSISTANCE**
14 **AUTHORITIES.**

15 The Foreign Assistance Act of 1961 is amended as
16 follows:

17 (1) In section 516 (22 U.S.C. 2321j)—

18 (A) in subsection (a), by striking “coun-
19 tries” and inserting “countries, regional organi-
20 zations, and international organizations”;

21 (B) in subsection (b)(5), as redesignated
22 by section 821(a)(1)(B), by striking “countries”
23 and inserting “countries, regional organizations,
24 and international organizations”;

1 (C) in subsection (c)(1), by striking “re-
2 recipient country” and inserting “recipient coun-
3 try or organization”;

4 (D) in subsection (f)(2)—

5 (i) in subparagraph (A), by striking
6 “country” each place it appears and insert-
7 ing “country or organization”; and

8 (ii) in subparagraph (C), by striking
9 “countries” and inserting “countries or or-
10 ganizations”; and

11 (E) in subsection (h), by striking “coun-
12 try” and inserting “country and organization”.

13 (2) In section 620M (22 U.S.C. 2378d)—

14 (A) in subsection (d)(7), by striking “to
15 the maximum extent practicable” and inserting
16 “unless such disclosure would endanger the
17 safety of human sources or reveal sensitive in-
18 telligence sources and methods”; and

19 (B) by adding at the end the following:

20 “(e) REPORT.—

21 “(1) IN GENERAL.—Not later than January 31
22 of each year, the Secretary of State shall submit to
23 the Committee on Foreign Affairs and the Com-
24 mittee on Appropriations of the House of Represent-
25 atives and the Committee on Foreign Relations and

1 the Committee on Appropriations of the Senate, a
2 report on the vetting process of units of security
3 forces of foreign countries established to comply with
4 this section.

5 “(2) MATTERS TO BE INCLUDED.—The report
6 required under paragraph (1) shall include the fol-
7 lowing:

8 “(A) The total number of units submitted
9 for vetting during the prior calendar year, and
10 the number of such units that were approved,
11 suspended, or rejected for human rights rea-
12 sons.

13 “(B) The name of such units rejected dur-
14 ing the prior calendar year and a description of
15 the steps taken to assist the government of the
16 foreign country in bringing the responsible
17 members of such units to justice, in accordance
18 with subsection (c).

19 “(C) An updated list of the units with re-
20 spect to which no assistance is to be furnished
21 pursuant to subsection (a).”.

22 (3) In section 622(c) (22 U.S.C. 2382(c)), by
23 inserting “law enforcement and justice sector assist-
24 ance,” before “military assistance,”.

1 (4) In section 656(a)(1) (22 U.S.C.
2 2416(a)(1)), by striking “January 31” and inserting
3 “March 1”.

4 **SEC. 831. REPEAL OF REPORTS.**

5 (a) REPEAL OF ANNUAL REPORT ON WORLD MILI-
6 TARY EXPENDITURES AND ARMS TRANSFERS.—Section
7 404 of the Arms Control and Disarmament Act (22
8 U.S.C. 2593b) is hereby repealed.

9 (b) REPEAL OF ANNUAL REPORT RELATING TO THE
10 COMMISSION ON SECURITY AND COOPERATION IN EU-
11 ROPE.—Section 5 of Public Law 94–304 (22 U.S.C. 3005)
12 is hereby repealed.

13 (c) REPEAL OF REPORT ON ASSISTANCE RELATING
14 TO INTERNATIONAL TERRORISM.—Section 502 of the
15 International Security and Development Cooperation Act
16 of 1985 (22 U.S.C. 2349aa-7) is amended—

17 (1) by striking subsection (b); and

18 (2) by redesignating subsection (c) as sub-
19 section (b).

20 **SEC. 832. DEFENSE TRADE CONTROLS REGISTRATION**
21 **FEEES.**

22 Section 45 of the State Department Basic Authorities
23 Act of 1956 (22 U.S.C. 2717) is amended—

24 (1) in the first sentence—

1 (A) by inserting “defense trade controls”
2 after “100 percent of the”; and

3 (B) by striking “the Office of Defense
4 Trade Controls of”; and
5 (2) in the second sentence—

6 (A) in the matter preceding paragraph (1),
7 by inserting “management, licensing, compli-
8 ance, and policy activities in the defense trade
9 controls function, including” after “incurred
10 for”;

11 (B) in paragraph (1), by striking “contract
12 personnel to assist in”;

13 (C) in paragraph (2), by striking “and” at
14 the end;

15 (D) in paragraph (3), by striking the pe-
16 riod at the end and inserting a semicolon; and

17 (E) by adding at the end the following:

18 “(4) the facilitation of defense trade policy de-
19 velopment and implementation, review of commodity
20 jurisdiction determinations, public outreach to indus-
21 try and foreign parties, and analysis of scientific and
22 technological developments as they relate to the ex-
23 ercise of defense trade control authorities; and

24 “(5) contract personnel to assist in such activi-
25 ties.”.

1 **SEC. 833. WITHHOLDING OF ASSISTANCE TO UNITS OF FOR-**
2 **EIGN SECURITY FORCES THAT ENGAGED IN**
3 **SEXUAL EXPLOITATION OR ABUSE IN PEACE-**
4 **KEEPING OPERATIONS.**

5 The Foreign Assistance Act of 1961 is amended by
6 inserting after section 554 the following:

7 **“SEC. 555. WITHHOLDING OF ASSISTANCE TO UNITS OF**
8 **FOREIGN SECURITY FORCES THAT ENGAGED**
9 **IN SEXUAL EXPLOITATION OR ABUSE IN**
10 **PEACEKEEPING OPERATIONS.**

11 “(a) IN GENERAL.—The Secretary of State should
12 withhold assistance to any unit of the security forces of
13 a foreign country if the Secretary has credible information
14 that such unit has engaged in sexual exploitation or abuse,
15 including while serving in a United Nations peacekeeping
16 operation, until the Secretary determines that the govern-
17 ment of such country is taking effective steps to hold the
18 responsible members of such unit accountable and to pre-
19 vent future incidents.

20 “(b) NOTICE.—The Secretary of State—

21 “(1) shall promptly notify the government of
22 each country subject to any withholding of assist-
23 ance pursuant to this section; and

24 “(2) shall notify the appropriate congressional
25 committees of such withholding not later than 10

1 days after a determination to withhold such assist-
2 ance is made.

3 “(c) ASSISTANCE.—The Secretary of State shall, to
4 the maximum extent practicable, assist the government of
5 each country subject to any withholding of assistance pur-
6 suant to this section in bringing the responsible members
7 of such unit of the security forces of the country to justice.

8 “(d) APPROPRIATE CONGRESSIONAL COMMITTEES
9 DEFINED.—In this section, the term ‘appropriate congres-
10 sional committees’ means—

11 “(1) the Committee on Foreign Affairs and the
12 Committee on Appropriations of the House of Rep-
13 resentatives; and

14 “(2) the Committee on Foreign Relations and
15 the Committee on Appropriations of the Senate.”.

16 **SEC. 834. MODIFICATION TO LIMITATIONS ON ASSISTANCE**
17 **RELATING TO HUMAN RIGHTS.**

18 (a) MODIFICATION TO THE LIMITATION ON ASSIST-
19 ANCE TO SECURITY FORCES.—Subsection (a) of section
20 620M of the Foreign Assistance Act of 1961 (22 U.S.C.
21 2378d) is amended—

22 (1) by inserting “, including any combined se-
23 curity activities or operations with any such unit,”
24 after “of a foreign country”; and

1 (2) by inserting “, including any act that con-
2 stitutes a war crime, as such term is defined in sec-
3 tion 2441 of title 18, United States Code” after
4 “gross violation of human rights”.

5 (b) MODIFICATION TO LIMITATION ON SECURITY AS-
6 SISTANCE.—Subsection (d)(1) of section 502B of the For-
7 eign Assistance Act of 1961 (22 U.S.C. 2304) is amended
8 by inserting “any act that constitutes a war crime, as such
9 term is defined in section 2441 of title 18, United States
10 Code,” after “the abduction and clandestine detention of
11 those persons,”.

12 **Subtitle C—Studies on Authorities** 13 **and Programs**

14 **SEC. 841. REQUIREMENT FOR STUDY BY BUREAU OF INTER-** 15 **NATIONAL NARCOTICS AND LAW ENFORCE-** 16 **MENT AFFAIRS.**

17 (a) IN GENERAL.—Not later than one year after the
18 date of enactment of this Act, the Assistant Secretary for
19 the Bureau of International Narcotics and Law Enforce-
20 ment, in consultation with the heads of other relevant bu-
21 reaus of the Department, shall submit to the Committee
22 on Foreign Affairs of the House of Representatives and
23 the Committee on Foreign Relations of the Senate a re-
24 port detailing all existing programs, and their statutory
25 authorities, that provide training, advice, equipment, and

1 other support to eligible foreign civilian security forces and
2 institutions.

3 (b) MATTERS TO BE INCLUDED.—Such a report
4 shall assess the following:

5 (1) The benefits and costs of consolidating the
6 number of such programs and expanding the scope
7 of such programs, as appropriate.

8 (2) The prospects for improving coordination
9 among such programs.

10 (3) The impact of repealing section 660 of the
11 Foreign Assistance Act of 1961 (22 U.S.C. 2420),
12 including—

13 (A) the potential opportunities such repeal
14 would create for expanding existing programs
15 or establishing new programs to improve the ca-
16 pacity, capabilities, and professionalism of such
17 civilian security forces and institutions, includ-
18 ing with respect to pay and promotions, bene-
19 fits, leadership, and administration; and

20 (B) the required elements necessary to en-
21 sure that any such program would enhance rule
22 of law and safeguard human rights.

23 (c) CIVILIAN SECURITY FORCES.—In this section,
24 the term “civilian security forces” includes non-military
25 security forces at the national, state, district, or local level

1 that are responsible for internal security, do not report
2 to a defense ministry or similar or related defense or mili-
3 tary entity of a foreign government, and are assigned re-
4 sponsibility for one or more of the following:

- 5 (1) Law enforcement.
- 6 (2) Border security.
- 7 (3) Maritime and port security.
- 8 (4) Customs law enforcement.
- 9 (5) Sanctions monitoring and enforcement.
- 10 (6) Counterterrorism.
- 11 (7) Counter-narcotics.
- 12 (8) Counterproliferation.
- 13 (9) Counter-transnational organized crime.
- 14 (10) Improving the administration of justice.
- 15 (11) Promoting respect for human rights.
- 16 (12) Promoting the rule of law.

17 **SEC. 842. REQUIREMENT FOR INDEPENDENT STUDY OF EX-**
18 **ISTING SECURITY ASSISTANCE AUTHORITIES.**

19 (a) IN GENERAL.—Not later than 60 days after the
20 date of the enactment of this Act, the Secretary shall enter
21 into a contract with a federally funded research and devel-
22 opment center with appropriate expertise and analytical
23 capability to carry out the study described in subsection
24 (b).

1 (b) STUDY.—The study required by subsection (a)
2 shall provide for a comprehensive examination of—

3 (1) the history and evolution of existing security
4 assistance authorities and the original intent of such
5 authorities;

6 (2) areas in which—

7 (A) such authorities have deviated from
8 such original intent and explanations why; and

9 (B) such authorities overlap or compete
10 with one another; and

11 (3) recommendations for consolidating, replac-
12 ing, or otherwise adapting such authorities, as well
13 as for establishing new ones, to include recommenda-
14 tions for differentiating authorities based on the ca-
15 pacity and capabilities they build as opposed to by
16 issue or purpose.

17 (c) REPORT.—

18 (1) TO THE SECRETARY.—Not later than one
19 year after the date on which , the Secretary enters
20 into a contract pursuant to subsection (a), the inde-
21 pendent research entity that has entered into a con-
22 tract with the Secretary shall submit to the Sec-
23 retary a report containing—

24 (A) the results of the study required by
25 subsection (a); and

1 (B) such recommendations to improve the
2 effectiveness of existing security assistance au-
3 thorities as the entity considers to be appro-
4 priate.

5 (2) TO CONGRESS.—Not later than 30 days
6 after receipt of the report under paragraph (1), the
7 Secretary shall submit such report, together with
8 any additional views or recommendations of the Sec-
9 retary, to the Committee on Foreign Affairs of the
10 House of Representatives and the Committee on
11 Foreign Relations of the Senate.

12 **TITLE IX—MISCELLANEOUS**

13 **SEC. 901. CASE-ZABLOCKI ACT REFORM.**

14 Section 112b of title 1, United States Code, is
15 amended—

16 (1) in subsection (a), by striking “Committee
17 on International Relations” and inserting “Com-
18 mittee on Foreign Affairs”; and

19 (2) by amending subsection (b) to read as fol-
20 lows:

21 “(b) Each department or agency of the United States
22 Government that enters into any international agreement
23 described in subsection (a) on behalf of the United States,
24 shall designate a Chief International Agreements Officer,
25 who—

1 “(1) shall be a current employee of such depart-
2 ment or agency;

3 “(2) shall serve concurrently as Chief Inter-
4 national Agreements Officer; and

5 “(3) subject to the authority of the head of
6 such department or agency, shall have department
7 or agency-wide responsibility for efficient and appro-
8 priate compliance with subsection (a) to transmit the
9 text of any international agreement to the Depart-
10 ment of State not later than 20 days after such
11 agreement has been signed.”.

12 **SEC. 902. LIMITATION ON ASSISTANCE TO COUNTRIES IN**
13 **DEFAULT.**

14 Section 620(q) of the Foreign Assistance Act of 1961
15 (22 U.S.C. 2370(q)) is amended—

16 (1) by striking “No assistance” and inserting
17 the following:

18 “(1) No assistance”;

19 (2) by inserting “the government of” before
20 “any country”;

21 (3) by inserting “the government of” before
22 “such country” each place it appears;

23 (4) by striking “determines” and all that fol-
24 lows and inserting “determines, after consultation
25 with the Committee on Foreign Affairs and the

1 Committee on Appropriations of the House of Rep-
2 resentatives and the Committee on Foreign Rela-
3 tions and the Committee on Appropriations of the
4 Senate, that assistance for such country is in the na-
5 tional interest of the United States.”; and

6 (5) by adding at the end the following:

7 “(2) No assistance shall be furnished under this
8 Act, the Peace Corps Act, the Millennium Challenge
9 Act of 2003, the African Development Foundation
10 Act, the BUILD Act of 2018, section 504 of the
11 FREEDOM Support Act, or section 23 of the Arms
12 Export Control Act to the government of any coun-
13 try which is in default during a period in excess of
14 1 calendar year in payment to the United States of
15 principal or interest or any loan made to the govern-
16 ment of such country by the United States unless
17 the President determines, following consultation with
18 the congressional committees specified in paragraph
19 (1), that assistance for such country is in the na-
20 tional interest of the United States.”.

21 **SEC. 903. PROHIBITION ON ASSISTANCE TO GOVERNMENTS**

22 **SUPPORTING INTERNATIONAL TERRORISM.**

23 (a) PROHIBITION.—Subsection (a) of section 620A of
24 the Foreign Assistance Act of 1961 (22 U.S.C. 2371) is
25 amended by striking “that the government of that coun-

1 try” and all that follows and inserting “that the govern-
2 ment of that country—

3 “(1) has repeatedly provided support for acts of
4 international terrorism;

5 “(2) grants sanctuary from prosecution to any
6 individual or group which has committed an act of
7 international terrorism;

8 “(3) otherwise supports international terrorism;
9 or

10 “(4) is controlled by an organization designated
11 as a foreign terrorist organization under section 219
12 of the Immigration and Nationality Act (8 U.S.C.
13 1189).”.

14 (b) RESCISSION.—Subsection (c) of such section is
15 amended by striking “and the Chairman of the Committee
16 on Foreign Relations of the Senate” and inserting “, the
17 Committee on Foreign Affairs of the House of Representa-
18 tives, the Committee on Foreign Relations of the Senate,
19 and the Committees on Appropriations of the House of
20 Representatives and the Senate”.

21 (c) WAIVER.—Subsection (d)(2) of such section is
22 amended by striking “and the chairman of the Committee
23 on Foreign Relations of the Senate” and inserting “, the
24 Committee on Foreign Affairs of the House of Representa-
25 tives, the Committee on Foreign Relations of the Senate,

1 and the Committees on Appropriations of the House of
2 Representatives and the Senate”.

3 (d) PROHIBITION ON LETHAL MILITARY EQUIPMENT
4 EXPORTS.—Such section, as so amended, is further
5 amended by adding at the end the following:

6 “(e) PROHIBITION ON LETHAL MILITARY EQUIP-
7 MENT EXPORTS.—

8 “(1) PROHIBITION.—

9 “(A) IN GENERAL.—The United States
10 shall not provide any assistance under this Act
11 or section 23 of the Arms Export Control Act
12 to any foreign government that provides lethal
13 military equipment to a country the government
14 of which the Secretary of State has determined
15 supports international terrorism for purposes of
16 section 1754(c) of the Export Control Reform
17 Act of 2018.

18 “(B) TERMINATION.—The prohibition on
19 assistance under subparagraph (A) with respect
20 to a foreign government shall terminate 12
21 months after such government ceases to provide
22 the lethal military equipment described in such
23 subparagraph.

24 “(C) APPLICABILITY.—This subsection ap-
25 plies with respect to lethal military equipment

1 provided under a contract entered into after Oc-
2 tober 1, 1997.

3 “(2) WAIVER.—The President may waive the
4 prohibition on assistance under paragraph (1) with
5 respect to a foreign government if the President de-
6 termines that to do so is important to the national
7 interest of the United States.

8 “(3) REPORT.—Upon the exercise of the waiver
9 authority pursuant to paragraph (2), the President
10 shall submit to the appropriate congressional com-
11 mittees a report with respect to the furnishing of as-
12 sistance under the waiver authority, including—

13 “(A) a detailed explanation of the assist-
14 ance to be provided;

15 “(B) the estimated dollar amount of such
16 assistance; and

17 “(C) an explanation of how the assistance
18 furthers the national interest of the United
19 States.

20 “(4) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES DEFINED.—In this subsection, the term ‘ap-
22 propriate congressional committees’ means—

23 “(A) the Committee on Foreign Affairs
24 and the Committee on Appropriations of the
25 House of Representatives; and

1 “(B) the Committee on Foreign Relations
2 and the Committee on Appropriations of the
3 Senate.”.

4 **SEC. 904. ESTABLISHING A COORDINATOR FOR ISIS DE-**
5 **TAINEE ISSUES.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, the President, acting
8 through the Secretary, may designate an existing official
9 within the Department to serve as senior-level coordinator
10 to coordinate, in conjunction with other relevant Federal
11 departments and agencies, all matters for the United
12 States Government relating to the long-term disposition
13 of ISIS detainees, including all matters in connection
14 with—

15 (1) repatriation, transfer, prosecution, and in-
16 telligence-gathering;

17 (2) coordinating a whole-of-government ap-
18 proach with other countries and international orga-
19 nizations, including INTERPOL, to ensure secure
20 chains of custody and locations of ISIS detainees;

21 (3) coordinating the provision of technical and
22 evidentiary assistance to foreign countries to aid in
23 the successful prosecution of ISIS detainees; and

24 (4) all multilateral and international engage-
25 ments led by the Department and other relevant

1 Federal departments and agencies that are related
2 to the current and future handling, detention, or
3 prosecution of ISIS detainees.

4 (b) RETENTION OF EXISTING AUTHORITY.—The ap-
5 pointment of a senior-level coordinator pursuant to sub-
6 section (a) shall not deprive any Federal department or
7 agency of any existing authority to independently perform
8 the functions of that agency relating to ISIS detainees.

9 (c) ISIS DETAINEE DEFINED.—In this section, the
10 term “ISIS detainee” means a captured individual—

11 (1) who allegedly fought for or supported the
12 Islamic State of Iraq and Syria; and

13 (2) who is a national of a country other than
14 Iraq or Syria.

15 **SEC. 905. SEAN AND DAVID GOLDMAN CHILD ABDUCTION**
16 **PREVENTION AND RETURN ACT OF 2014**
17 **AMENDMENT.**

18 Subsection (b) of section 101 of the Sean and David
19 Goldman International Child Abduction Prevention and
20 Return Act of 2014 (22 U.S.C. 9111; Public Law 113–
21 150) is amended—

22 (1) in paragraph (2)—

23 (A) in subparagraph (A)—

24 (i) by inserting “, respectively,” after
25 “access cases”; and

1 (ii) by inserting “and the number of
2 children involved” before the semicolon at
3 the end;

4 (B) in subparagraph (D), by inserting “re-
5 spectively, the number of children involved,”
6 after “access cases,”;

7 (2) in paragraph (7), by inserting “, and num-
8 ber of children involved in such cases” before the
9 semicolon at the end;

10 (3) in paragraph (8), by striking “and” after
11 the semicolon at the end;

12 (4) in paragraph (9), by striking the period at
13 the end and inserting “; and”; and

14 (5) by adding at the end the following new
15 paragraph:

16 “(10) the total number of pending cases the
17 Department of State has assigned to case officers
18 and number of children involved for each country
19 and as a total for all countries.”.

20 **SEC. 906. MODIFICATION OF AUTHORITIES OF COMMISSION**
21 **FOR THE PRESERVATION OF AMERICA’S HER-**
22 **ITAGE ABROAD.**

23 (a) IN GENERAL.—Chapter 3123 of title 54, United
24 States Code, is amended as follows:

1 (1) In section 312302, by inserting “, and
2 unimpeded access to those sites,” after “and historic
3 buildings”.

4 (2) In section 312304(a)—

5 (A) in paragraph (2)—

6 (i) by striking “and historic build-
7 ings” and inserting “and historic buildings,
8 and unimpeded access to those sites”; and

9 (ii) by striking “and protected” and
10 inserting “, protected, and made acces-
11 sible”; and

12 (B) in paragraph (3), by striking “and
13 protecting” and inserting “, protecting, and
14 making accessible”.

15 (3) In section 312305, by inserting “and to the
16 Committee on Foreign Affairs of the House of Rep-
17 resentatives and the Committee on Foreign Rela-
18 tions of the Senate” after “President”.

19 (b) REPORT.—Not later than 90 days after the date
20 of the enactment of this Act, the Commission for the Pres-
21 ervation of America’s Heritage Abroad shall submit to the
22 President and to the Committee on Foreign Affairs of the
23 House of Representatives and the Committee on Foreign
24 Relations of the Senate a report that contains an evalua-
25 tion of the extent to which the Commission is prepared

1 to continue its activities and accomplishments with respect
2 to the foreign heritage of United States citizens from east-
3 ern and central Europe, were the Commission's duties and
4 powers extended to include other regions, including the
5 Middle East and North Africa, and any additional re-
6 sources or personnel the Commission would require.

7 **TITLE X—BUDGETARY EFFECTS**

8 **SEC. 1001. DETERMINATION OF BUDGETARY EFFECTS.**

9 The budgetary effects of this Act, for the purpose of
10 complying with the Statutory Pay-As-You-Go Act of 2010,
11 shall be determined by reference to the latest statement
12 titled “Budgetary Effects of PAYGO Legislation” for this
13 Act, submitted for printing in the Congressional Record
14 by the Chairman of the House Budget Committee, pro-
15 vided that such statement has been submitted prior to the
16 vote on passage.