

Suspend the Rules and Pass the Bill, H.R. 3571, With an Amendment

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

116TH CONGRESS
1ST SESSION

H. R. 3571

To establish an Office of Subnational Diplomacy within the Department of State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2019

Mr. TED LIEU of California (for himself and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To establish an Office of Subnational Diplomacy within 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.**

4 This Act may be cited as the “City and State Diplo-
5 macy Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The supremacy clause of the United States
2 Constitution (article VI, clause 2) establishes that
3 the Federal Government has the primary role in con-
4 ducting diplomacy on behalf of the United States; in
5 turn, the Department of State, which was created
6 pursuant to statute by Congress in 1789, has the
7 lead role in formulating and implementing United
8 States foreign policy.

9 (2) The growth of subnational cooperation has
10 enabled States and municipalities to play an increas-
11 ingly significant role in foreign policy and com-
12 plement the efforts of the Department of State by—

13 (A) supporting exchanges and cooperation
14 agreements between elected leaders and officials
15 of State and municipal governments and those
16 of international cities, regions, and countries;

17 (B) promoting United States exports to
18 foreign markets and foreign direct investment
19 into the United States; and

20 (C) sharing best practices and striking
21 agreements with foreign counterparts on a wide
22 range of topics, including facilitating trade and
23 investment, protecting the health and safety of
24 their respective citizens, cooperating on energy

1 and the environment, and promoting people-to-
2 people exchanges.

3 (3) Global networks made up exclusively of local
4 government officials are at the forefront of har-
5 nessing the power of cities to advance international
6 cooperation, including C40 Cities Climate Leader-
7 ship Group, ICLEI, United Cities and Local Govern-
8 ments, Global Parliament of Mayors, Urban20,
9 Strong Cities Network, and Global Compact of May-
10 ors.

11 (4) In 2010, the Department of State appointed
12 the first-ever special representative for Global Inter-
13 governmental Affairs, who led efforts to build stra-
14 tegic peer-to-peer relationships between the Depart-
15 ment of State, State and local officials, and their
16 foreign counterparts.

17 **SEC. 3. SENSE OF CONGRESS.**

18 It is the sense of Congress that—

19 (1) it is in the interest of the United States to
20 promote subnational engagements, align such en-
21 gagements with national foreign policy objectives,
22 and leverage Federal resources to enhance the im-
23 pact of such engagements; and

24 (2) the creation in the Department of State of
25 an Office of Subnational Diplomacy, headed by a

1 senior Department official of appropriate rank to
2 represent the United States at international fora
3 would bolster United States interests through inter-
4 national agreements and Federal support to State
5 and local entities.

6 **SEC. 4. ESTABLISHMENT OF THE OFFICE OF SUBNATIONAL**
7 **DIPLOMACY.**

8 Section 1 of the State Department Basic Authorities
9 Act of 1956 (22 U.S.C. 2651a) is amended by adding at
10 the end the following new subsection:

11 “(h) OFFICE OF SUBNATIONAL DIPLOMACY.—

12 “(1) IN GENERAL.—There shall be established
13 within the Department of State an Office of Sub-
14 national Diplomacy (in this subsection referred to as
15 the ‘Office’).

16 “(2) HEAD OF OFFICE.—The head of the Office
17 shall be a full-time position filled by a senior De-
18 partment official. The head of the Office shall report
19 directly to the Under Secretary for Political Affairs.

20 “(3) DUTIES.—

21 “(A) PRINCIPAL DUTY.—The principal
22 duty of the head of the Office shall be the over-
23 all supervision (including policy oversight of re-
24 sources) of Federal support for subnational en-
25 gagements by State and municipal governments

1 with foreign governments. The head of the Of-
2 fice shall be the principal adviser to the Sec-
3 retary of State on subnational engagements and
4 the principal official on such matters within the
5 senior management of the Department of State.

6 “(B) ADDITIONAL DUTIES.—The addi-
7 tional duties of the head of the Office shall in-
8 clude the following:

9 “(i) Coordinating overall United
10 States policy and programs in support of
11 subnational engagements by State and mu-
12 nicipal governments with foreign govern-
13 ments, including with respect to the fol-
14 lowing:

15 “(I) Coordinating resources
16 across the Department of State and
17 throughout the Federal Government
18 in support of such engagements.

19 “(II) Identifying policy, program,
20 and funding disputes among relevant
21 Federal agencies regarding such co-
22 ordination.

23 “(III) Identifying gaps in Fed-
24 eral support for such engagements
25 and developing corresponding policy

1 or programmatic changes to address
2 such gaps.

3 “(ii) Promoting United States foreign
4 policy goals through support for sub-
5 national engagements and aligning sub-
6 national priorities with national foreign
7 policy goals, as appropriate.

8 “(iii) Maintaining a public database of
9 subnational engagements.

10 “(iv) Providing advisory support to
11 subnational engagements, including by as-
12 sisting State and municipal governments
13 to—

14 “(I) develop, implement, and, as
15 necessary, adjust global engagement
16 and public diplomacy strategies; and

17 “(II) implement programs to co-
18 operate with foreign governments on
19 policy priorities or managing shared
20 resources.

21 “(v) Facilitating linkages and net-
22 works between State and municipal govern-
23 ments and their foreign counterparts.

24 “(vi) Overseeing the work of Depart-
25 ment of State detailees assigned to State

1 and municipal governments pursuant to
2 this subsection.

3 “(vii) Negotiating agreements and
4 memoranda of understanding with foreign
5 governments to support subnational en-
6 gagements and priorities.

7 “(viii) Promoting United States trade
8 and foreign exports on behalf of United
9 States businesses through exchanges be-
10 tween the United States and foreign state,
11 municipal, and provincial governments, and
12 by establishing a more enduring relation-
13 ship overall between subnational govern-
14 ments.

15 “(ix) Coordinating subnational en-
16 gagements with the associations of sub-
17 national elected leaders, including the U.S.
18 Conference of Mayors, National Governors
19 Association, National League of Cities, Na-
20 tional Association of Counties, Council of
21 State Governments, National Conference of
22 State Legislators, and State International
23 Development Offices.

24 “(4) DETAILEES.—

1 “(A) IN GENERAL.—The Secretary of
2 State, with respect to employees of the Depart-
3 ment of State, is authorized to detail a member
4 of the civil service or Foreign Service to State
5 and municipal governments on a reimbursable
6 or nonreimbursable basis. Such details shall be
7 for a period not to exceed two years, and shall
8 be without interruption or loss of status or
9 privilege.

10 “(B) RESPONSIBILITIES.—Detailees under
11 subparagraph (A) shall carry out the following:

12 “(i) Supporting the mission and objec-
13 tives of the Office.

14 “(ii) Coordinating activities relating to
15 State and municipal government sub-
16 national engagements with the Department
17 of State, including the Office, Department
18 leadership, and regional and functional bu-
19 reaus of the Department, as appropriate.

20 “(iii) Engaging the Department of
21 State and other Federal agencies regarding
22 security, public health, trade promotion,
23 and other programs executed at the State
24 or municipal government level.

1 “(iv) Advising State and municipal
2 government officials regarding questions of
3 global affairs, foreign policy, cooperative
4 agreements, and public diplomacy.

5 “(v) Any other duties requested by
6 State and municipal governments and ap-
7 proved by the Office.

8 “(5) REPORT AND BRIEFING.—

9 “(A) REPORT.—Not later than one year
10 after the date of the enactment of this sub-
11 section, the head of the Office shall submit to
12 the Committee on Foreign Affairs and the
13 Committee on Appropriations of the House of
14 Representatives and the Committee on Foreign
15 Relations and the Committee on Appropriations
16 of the Senate a report that includes information
17 relating to the following:

18 “(i) The staffing plan (including per-
19 manent and temporary staff) for the Of-
20 fice.

21 “(ii) The funding level provided to the
22 Office for the Office, together with a jus-
23 tification relating to such level.

24 “(iii) The status of filling the position
25 of head of the Office.

1 “(iv) The rank and title granted to
2 the head of the Office, together with a jus-
3 tification relating to such decision and an
4 analysis of whether the rank and title of
5 Ambassador-at-Large is required to fulfill
6 the duties of the Office.

7 “(v) A strategic plan for the Office.

8 “(vi) Any other matters as determined
9 relevant by the head of the Office.

10 “(B) BRIEFINGS.—Not later than 30 days
11 after the submission of the report required
12 under subparagraph (A) and annually there-
13 after, the head of the Office shall brief the
14 Committee on Foreign Affairs and the Com-
15 mittee on Appropriations of the House of Rep-
16 resentatives and the Committee on Foreign Re-
17 lations and the Committee on Appropriations of
18 the Senate on the work of the Office and any
19 changes made to the organizational structure or
20 funding of the Office.

21 “(6) RULE OF CONSTRUCTION.—Nothing in
22 this subsection may be construed as precluding—

23 “(A) the Office from being elevated to a
24 bureau within the Department of State; or

1 “(B) the head of the Office from being ele-
2 vated to an Assistant Secretary, if such an As-
3 sistant Secretary position does not increase the
4 number of Assistant Secretary positions at the
5 Department above the number authorized under
6 subsection (c)(1).

7 “(7) DEFINITIONS.—In this subsection:

8 “(A) MUNICIPAL.—The term ‘municipal’
9 means, with respect to the government of a mu-
10 nicipality in the United States, a municipality
11 with a population of not fewer than 100,000
12 people.

13 “(B) STATE.—The term ‘State’ means the
14 50 States, the District of Columbia, and any
15 territory or possession of the United States.

16 “(C) SUBNATIONAL ENGAGEMENT.—The
17 term ‘subnational engagement’ means formal
18 meetings or events between elected officials of
19 State or municipal governments and their for-
20 eign counterparts.”.