

AMENDMENT TO RULES COMM. PRINT 117-13

OFFERED BY MR. MEEKS OF NEW YORK

Add at the end the following:

1 **DIVISION F—DEPARTMENT OF**
2 **STATE AUTHORITIES**
3 **TITLE LXX—DEPARTMENT OF**
4 **STATE AUTHORITIES**

5 **SEC. 7001. SHORT TITLE.**

6 This Act may be cited as the “Department of State
7 Authorization Act of 2021”.

8 **SEC. 7002. DEFINITIONS.**

9 In this division:

10 (1) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate congressional com-
12 mittees” means the Committee on Foreign Affairs of
13 the House of Representatives and the Committee on
14 Foreign Relations of the Senate.

15 (2) DEPARTMENT.—If not otherwise specified,
16 the term “Department” means the Department of
17 State.

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

1 **Subtitle A—Organization and Oper-**
2 **ations of the Department of**
3 **State**

4 **SEC. 7101. DIPLOMATIC PROGRAMS.**

5 For “Diplomatic Programs”, there is authorized to
6 be appropriated \$9,476,977,000 for fiscal year 2022.

7 **SEC. 7102. SENSE OF CONGRESS ON IMPORTANCE OF DE-**
8 **PARTMENT OF STATE’S WORK.**

9 It is the sense of Congress that—

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

12 (2) United States leadership is indispensable in
13 light of the many complex and interconnected
14 threats facing the United States and the world;

15 (3) diplomacy and development are critical tools
16 of national power, and full deployment of these tools
17 is vital to United States national security;

18 (4) challenges such as the global refugee and
19 migration crises, terrorism, historic famine and food
20 insecurity, and fragile or repressive societies cannot
21 be addressed without sustained and robust United
22 States diplomatic and development leadership;

23 (5) the United States Government must use all
24 of the instruments of national security and foreign
25 policy at its disposal to protect United States citi-

1 zens, promote United States interests and values,
2 and support global stability and prosperity;

3 (6) United States security and prosperity de-
4 pend on having partners and allies that share our in-
5 terests and values, and these partnerships are nur-
6 tured and our shared interests and values are pro-
7 moted through United States diplomatic engage-
8 ment, security cooperation, economic statecraft, and
9 assistance that helps further economic development,
10 good governance, including the rule of law and
11 democratic institutions, and the development of
12 shared responses to natural and humanitarian disas-
13 ters;

14 (7) as the United States Government agencies
15 primarily charged with conducting diplomacy and
16 development, the Department and the United States
17 Agency for International Development (USAID) re-
18 quire sustained and robust funding to carry out this
19 important work, which is essential to our ability to
20 project United States leadership and values and to
21 advance United States interests around the world;

22 (8) the work of the Department and USAID
23 makes the United States and the world safer and
24 more prosperous by alleviating global poverty and
25 hunger, fighting HIV/AIDS and other infectious dis-

1 eases, strengthening alliances, expanding educational
2 opportunities for women and girls, promoting good
3 governance and democracy, supporting anti-corrup-
4 tion efforts, driving economic development and
5 trade, preventing armed conflicts and humanitarian
6 crises, and creating American jobs and export oppor-
7 tunities;

8 (9) the Department and USAID are vital na-
9 tional security agencies, whose work is critical to the
10 projection of United States power and leadership
11 worldwide, and without which Americans would be
12 less safe, United States economic power would be di-
13 minished, and global stability and prosperity would
14 suffer;

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

18 (11) the contributions of personnel working at
19 the Department and USAID are extraordinarily val-
20 uable and allow the United States to maintain its
21 leadership around the world.

1 **SEC. 7103. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND**
2 **LABOR.**

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

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

12 (2) in subparagraph (B)(ii)—

13 (A) by striking “section” and inserting
14 “sections 116 and”; and

15 (B) by inserting before the period at the
16 end the following: “(commonly referred to as
17 the annual ‘Country Reports on Human Rights
18 Practices’)”; and

19 (3) by adding at the end the following new sub-
20 paragraphs:

21 “(C) **AUTHORITIES.**—In addition to the
22 duties, functions, and responsibilities specified
23 in this paragraph, the Assistant Secretary of
24 State for Democracy, Human Rights, and
25 Labor is authorized to—

1 “(i) promote democracy and actively
2 support human rights throughout the
3 world;

4 “(ii) promote the rule of law and good
5 governance throughout the world;

6 “(iii) strengthen, empower, and pro-
7 tect civil society representatives, programs,
8 and organizations, and facilitate their abil-
9 ity to engage in dialogue with governments
10 and other civil society entities;

11 “(iv) work with regional bureaus to
12 ensure adequate personnel at diplomatic
13 posts are assigned responsibilities relating
14 to advancing democracy, human rights,
15 labor rights, women’s equal participation
16 in society, and the rule of law, with par-
17 ticular attention paid to adequate oversight
18 and engagement on such issues by senior
19 officials at such posts;

20 “(v) review and, as appropriate, make
21 recommendations to the Secretary of State
22 regarding the proposed transfer of—

23 “(I) defense articles and defense
24 services authorized under the Foreign
25 Assistance Act of 1961 (22 U.S.C.

1 2151 et seq.) or the Arms Export
2 Control Act (22 U.S.C. 2751 et seq.);
3 and

4 “(II) military items listed on the
5 ‘600 series’ of the Commerce Control
6 List contained in Supplement No. 1 to
7 part 774 of subtitle B of title 15,
8 Code of Federal Regulations;

9 “(vi) coordinate programs and activi-
10 ties that protect and advance the exercise
11 of human rights and internet freedom in
12 cyberspace; and

13 “(vii) implement other relevant poli-
14 cies and provisions of law.

15 “(D) LOCAL OVERSIGHT.—United States
16 missions, when executing DRL programming,
17 to the extent practicable, should assist in exer-
18 cising oversight authority and coordinate with
19 the Bureau of Democracy, Human Rights, and
20 Labor to ensure that funds are appropriately
21 used and comply with anti-corruption prac-
22 tices.”.

1 **SEC. 7104. ASSISTANT SECRETARY FOR INTERNATIONAL**
2 **NARCOTICS AND LAW ENFORCEMENT AF-**
3 **FAIRS.**

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

7 (1) by redesignating paragraphs (3) and (4) as
8 paragraphs (4) and (5), respectively; and

9 (2) by inserting after paragraph (2) the fol-
10 lowing new paragraph:

11 “(3) ASSISTANT SECRETARY FOR INTER-
12 NATIONAL NARCOTICS AND LAW ENFORCEMENT AF-
13 FAIRS.—

14 “(A) IN GENERAL.—There is authorized to
15 be in the Department of State an Assistant
16 Secretary for International Narcotics and Law
17 Enforcement Affairs, who shall be responsible
18 to the Secretary of State for all matters, pro-
19 grams, and related activities pertaining to inter-
20 national narcotics, anti-crime, and law enforce-
21 ment affairs in the conduct of foreign policy by
22 the Department, including, as appropriate, lead-
23 ing the coordination of programs carried out by
24 United States Government agencies abroad, and
25 such other related duties as the Secretary may
26 from time to time designate.

1 “(B) AREAS OF RESPONSIBILITY.—The
2 Assistant Secretary for International Narcotics
3 and Law Enforcement Affairs shall maintain
4 continuous observation and coordination of all
5 matters pertaining to international narcotics,
6 anti-crime, and law enforcement affairs in the
7 conduct of foreign policy, including programs
8 carried out by other United States Government
9 agencies when such programs pertain to the fol-
10 lowing matters:

11 “(i) Combating international narcotics
12 production and trafficking.

13 “(ii) Strengthening foreign justice sys-
14 tems, including judicial and prosecutorial
15 capacity, appeals systems, law enforcement
16 agencies, prison systems, and the sharing
17 of recovered assets.

18 “(iii) Training and equipping foreign
19 police, border control, other government of-
20 ficials, and other civilian law enforcement
21 authorities for anti-crime purposes, includ-
22 ing ensuring that no foreign security unit
23 or member of such unit shall receive such
24 assistance from the United States Govern-
25 ment absent appropriate vetting.

1 “(iv) Ensuring the inclusion of human
2 rights and women’s participation issues in
3 law enforcement programs, in consultation
4 with the Assistant Secretary for Democ-
5 racy, Human Rights, and Labor, and other
6 senior officials in regional and thematic
7 bureaus and offices.

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

19 “(vi) Identifying and responding to
20 global corruption, including strengthening
21 the capacity of foreign government institu-
22 tions responsible for addressing financial
23 crimes and engaging with multilateral or-
24 ganizations responsible for monitoring and

1 supporting foreign governments’ anti-cor-
2 ruption efforts.

3 “(C) ADDITIONAL DUTIES.—In addition to
4 the responsibilities specified in subparagraph
5 (B), the Assistant Secretary for International
6 Narcotics and Law Enforcement Affairs shall
7 also—

8 “(i) carry out timely and substantive
9 consultation with chiefs of mission and, as
10 appropriate, the heads of other United
11 States Government agencies to ensure ef-
12 fective coordination of all international
13 narcotics and law enforcement programs
14 carried out overseas by the Department
15 and such other agencies;

16 “(ii) coordinate with the Office of Na-
17 tional Drug Control Policy to ensure les-
18 sons learned from other United States
19 Government agencies are available to the
20 Bureau of International Narcotics and
21 Law Enforcement Affairs of the Depart-
22 ment;

23 “(iii) develop standard requirements
24 for monitoring and evaluation of Bureau
25 programs, including metrics for success

1 that do not rely solely on the amounts of
2 illegal drugs that are produced or seized;

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

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

17 “(D) RULE OF CONSTRUCTION.—Nothing
18 in this paragraph may be construed to limit or
19 impair the authority or responsibility of any
20 other Federal agency with respect to law en-
21 forcement, domestic security operations, or in-
22 telligence activities as defined in Executive
23 Order 12333.”.

24 (b) MODIFICATION OF ANNUAL INTERNATIONAL
25 NARCOTICS CONTROL STRATEGY REPORT.—Subsection

1 (a) of section 489 of the Foreign Assistance Act of 1961
2 (22 U.S.C. 2291h) is amended by inserting after para-
3 graph (9) the following new paragraph:

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

11 **SEC. 7105. BUREAU OF CONSULAR AFFAIRS; BUREAU OF**
12 **POPULATION, REFUGEES, AND MIGRATION.**

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

15 (1) by redesignating subsection (g) and (h) as
16 subsections (i) and (j), respectively; and

17 (2) by inserting after subsection (f) the fol-
18 lowing new subsections:

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

23 “(h) BUREAU OF POPULATION, REFUGEES, AND MI-
24 GRATION.—There is in the Department of State the Bu-
25 reau of Population, Refugees, and Migration, which shall

1 be headed by the Assistant Secretary of State for Popu-
2 lation, Refugees, and Migration.”.

3 **SEC. 7106. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

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

7 (b) DUTIES.—The Office should—

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

11 (2) promote the human rights and full partici-
12 pation in international development activities of all
13 persons with disabilities;

14 (3) promote disability inclusive practices and
15 the training of Department of State staff on solici-
16 ting quality programs that are fully inclusive of peo-
17 ple with disabilities;

18 (4) represent the United States in diplomatic
19 and multilateral fora on matters relevant to the
20 rights of persons with disabilities, and work to raise
21 the profile of disability across a broader range of or-
22 ganizations contributing to international develop-
23 ment efforts;

24 (5) conduct regular consultation with civil soci-
25 ety organizations working to advance international

1 disability rights and empower persons with disabil-
2 ities internationally;

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

9 (7) advise the Bureau of Human Resources or
10 its equivalent within the Department regarding the
11 hiring and recruitment and overseas practices of civil
12 service employees and Foreign Service officers with
13 disabilities and their family members with chronic
14 medical conditions or disabilities; and

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

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

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

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

24 (d) CONSULTATION.—The Secretary of State should
25 direct Ambassadors at Large, Representatives, Special

1 Envoys, and coordinators working on human rights to con-
2 sult with the Office to promote the human rights and full
3 participation in international development activities of all
4 persons with disabilities.

5 **SEC. 7107. ANTI-PIRACY INFORMATION SHARING.**

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

11 **SEC. 7108. IMPORTANCE OF FOREIGN AFFAIRS TRAINING**
12 **TO NATIONAL SECURITY.**

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

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

21 (2) the Department of State's investment of
22 time and resources with respect to the training and
23 education of its personnel is considerably below the
24 level of other Federal departments and agencies in
25 the national security field, and falls well below the

1 investments many allied and adversarial countries
2 make in the development of their diplomats;

3 (3) the Department faces increasingly complex
4 and rapidly evolving challenges, many of which are
5 science and technology-driven, and which demand
6 the continual, high-quality training and education of
7 its personnel;

8 (4) the Department must move beyond reliance
9 on “on-the-job training” and other informal
10 mentorship practices, which lead to an inequality in
11 skillset development and career advancement oppor-
12 tunities, often particularly for minority personnel,
13 and towards a robust professional tradecraft train-
14 ing continuum that will provide for greater equality
15 in career advancement and increase minority partici-
16 pation in the senior ranks;

17 (5) the Department’s Foreign Service Institute
18 and other training facilities should seek to substan-
19 tially increase its educational and training offerings
20 to Department personnel, including developing new
21 and innovative educational and training courses,
22 methods, programs, and opportunities; and

23 (6) consistent with existing Department gift ac-
24 ceptance authority and other applicable laws, the
25 Department and Foreign Service Institute may ac-

1 cept funds and other resources from foundations,
2 not-for-profit corporations, and other appropriate
3 sources to help the Department and the Institute en-
4 hance the quantity and quality of training offerings,
5 especially in the introduction of new, innovative, and
6 pilot model courses.

7 (b) TRAINING FLOAT.—Not later than 90 days after
8 the date of the enactment of this Act, the Secretary of
9 State shall develop and submit to the appropriate congres-
10 sional committees a strategy to establish a “training float”
11 to allow for up to 15 percent of the Civil and Foreign
12 Service to participate in long-term training at any given
13 time. The strategy should identify steps necessary to en-
14 sure implementation of the training priorities identified in
15 subsection (c), sufficient training capacity and opportuni-
16 ties are available to Civil and Foreign Service officers, eq-
17 uitable distribution of long-term training opportunities to
18 Civil and Foreign Service officers, and any additional re-
19 sources or authorities necessary to facilitate such a train-
20 ing float, including programs at the George P. Schultz Na-
21 tional Foreign Affairs Training Center, the Foreign Serv-
22 ice Institute, the Foreign Affairs Security Training Cen-
23 ter, and other facilities or programs operated by the De-
24 partment of State. The strategy shall identify which types
25 of training would be prioritized, the extent (if any) to

1 which such training is already being provided to Civil and
2 Foreign Service officers by the Department of State, any
3 factors incentivizing or disincentivizing such training, and
4 why such training cannot be achieved without Civil and
5 Foreign Service officers leaving the workforce. In addition
6 to training opportunities provided by the Department, the
7 strategy shall consider training that could be provided by
8 the other United States Government training institutions,
9 as well as non-governmental educational institutions. The
10 strategy shall consider approaches to overcome disincen-
11 tives to pursuing long-term training.

12 (c) PRIORITIZATION.—In order to provide the Civil
13 and Foreign Service with the level of education and train-
14 ing needed to effectively advance United States interests
15 across the globe, the Department of State should—

16 (1) increase its offerings—

17 (A) of virtual instruction to make training
18 more accessible to personnel deployed through-
19 out the world; or

20 (B) at partner organizations to provide
21 useful outside perspectives to Department per-
22 sonnel;

23 (2) offer courses utilizing computer-based or as-
24 sisted simulations, allowing civilian officers to lead
25 decision-making in a crisis environment; and

1 (2) in paragraph (2) of section 502(a) (22
2 U.S.C. 3982(a)), by inserting “, or domestically, in
3 a position working on issues relating to a particular
4 country or geographic area,” after “geographic
5 area”.

6 **SEC. 7110. ENERGY DIPLOMACY AND SECURITY WITHIN**
7 **THE DEPARTMENT OF STATE.**

8 Section 1(c) of the State Department Basic Authori-
9 ties Act of 1956 (22 U.S.C. 2651a), as amended by sec-
10 tion 7104 of this division, is further amended—

11 (1) by redesignating paragraphs (4) and (5) (as
12 redesignated pursuant to such section 1004) as
13 paragraphs (5) and (6); and

14 (2) by inserting after paragraph (3) (as added
15 pursuant to such section 1004) the following new
16 paragraph:

17 “(4) ENERGY RESOURCES.—

18 “(A) AUTHORIZATION FOR ASSISTANT SEC-
19 RETARY.—Subject to the numerical limitation
20 specified in paragraph (1), there is authorized
21 to be established in the Department of State an
22 Assistant Secretary of State for Energy Re-
23 sources.

24 “(B) PERSONNEL.—If the Department es-
25 tablishes an Assistant Secretary of State for

1 Energy Resources in accordance with the au-
2 thorization provided in subparagraph (A), the
3 Secretary of State shall ensure there are suffi-
4 cient personnel dedicated to energy matters
5 within the Department of State whose respon-
6 sibilities shall include—

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

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

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

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

24 “(v) coordinating with the Office of
25 Sanctions Coordination on economic sanc-

1 tions pertaining to the international energy
2 sector; and
3 “(vi) working internationally to—
4 “(I) support the development of
5 energy resources and the distribution
6 of such resources for the benefit of
7 the United States and United States
8 allies and trading partners for their
9 energy security and economic develop-
10 ment needs;
11 “(II) promote availability of di-
12 versified energy supplies and a well-
13 functioning global market for energy
14 resources, technologies, and expertise
15 for the benefit of the United States
16 and United States allies and trading
17 partners;
18 “(III) resolve international dis-
19 putes regarding the exploration, devel-
20 opment, production, or distribution of
21 energy resources;
22 “(IV) support the economic and
23 commercial interests of United States
24 persons operating in the energy mar-
25 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; and

7 “(VII) coordinating energy secu-
8 rity and other relevant functions with-
9 in the Department currently under-
10 taken by—

11 “(aa) the Bureau of Eco-
12 nomic and Business Affairs;

13 “(bb) the Bureau of Oceans
14 and International Environmental
15 and Scientific Affairs; and

16 “(cc) other offices within the
17 Department of State.”.

18 **SEC. 7111. NATIONAL MUSEUM OF AMERICAN DIPLOMACY.**

19 Title I of the State Department Basic Authorities Act
20 of 1956 is amended by adding after section 63 (22 U.S.C.
21 2735) the following new section:

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

23 “(a) ACTIVITIES.—

24 “(1) SUPPORT AUTHORIZED.—The Secretary of
25 State is authorized to provide, by contract, grant, or

1 otherwise, for the performance of appropriate mu-
2 seum visitor and educational outreach services and
3 related events, including organizing programs and
4 conference activities, museum shop services and food
5 services in the public exhibition and related space
6 utilized by the National Museum of American Diplo-
7 macy.

8 “(2) RECOVERY OF COSTS.—The Secretary of
9 State is authorized to recover any revenues gen-
10 erated under the authority of paragraph (1) for vis-
11 itor and outreach services and related events re-
12 ferred to in such paragraph, including fees for use
13 of facilities at the National Museum for American
14 Diplomacy. Any such revenues may be retained as a
15 recovery of the costs of operating the museum.

16 “(b) DISPOSITION OF NATIONAL MUSEUM OF AMER-
17 ICAN DIPLOMACY DOCUMENTS, ARTIFACTS, AND OTHER
18 ARTICLES.—

19 “(1) PROPERTY.—All historic documents, arti-
20 facts, or other articles permanently acquired by the
21 Department of State and determined by the Sec-
22 retary of State to be suitable for display by the Na-
23 tional Museum of American Diplomacy shall be con-
24 sidered to be the property of the United States Gov-

1 ernment and shall be subject to disposition solely in
2 accordance with this subsection.

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

16 “(3) DETERMINATIONS PRIOR TO SALE, TRADE,
17 OR TRANSFER.—The determination described in this
18 paragraph with respect to a document, artifact, or
19 other article under paragraph (1), is a determination
20 that—

21 “(A) such document, artifact, or other arti-
22 cle no longer serves to further the purposes of
23 the National Museum of American Diplomacy
24 as set forth in the collections management pol-
25 icy of the museum;

1 “(B) the sale, trade, or transfer of such
2 document, artifact, or other article would serve
3 to maintain the standards of the collection of
4 the museum; or

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

8 “(4) LOANS.—In addition to the authorization
9 under paragraph (2) relating to the sale, trade, or
10 transfer of documents, artifacts, or other articles
11 under paragraph (1), the Secretary of State may
12 loan such documents, artifacts, or other articles,
13 when not needed for use or display by the National
14 Museum of American Diplomacy to the Smithsonian
15 Institution or a similar institution for repair, study,
16 or exhibition.”.

17 **SEC. 7112. EXTENSION OF PERIOD FOR REIMBURSEMENT**
18 **OF FISHERMEN FOR COSTS INCURRED FROM**
19 **THE ILLEGAL SEIZURE AND DETENTION OF**
20 **U.S.-FLAG FISHING VESSELS BY FOREIGN**
21 **GOVERNMENTS.**

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

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

4 (b) RETROACTIVE APPLICABILITY.—

5 (1) EFFECTIVE DATE.—The amendment made
6 by subsection (a) shall take effect on the date of the
7 enactment of this Act and apply as if the date speci-
8 fied in subsection (e) of section 7 of the Fishermen’s
9 Protective Act of 1967, as in effect on the day be-
10 fore the date of the enactment of this Act, were the
11 day after such date of enactment.

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

14 (A) enter into agreements pursuant to sec-
15 tion 7 of the Fishermen’s Protective Act of
16 1967 for any claims to which such section
17 would otherwise apply but for the date specified
18 in subsection (e) of such section, as in effect on
19 the day before the date of the enactment of this
20 Act; and

21 (B) make payments in accordance with
22 agreements entered into pursuant to such sec-
23 tion if any such payments have not been made
24 as a result of the expiration of the date speci-

1 fied in such section, as in effect on the day be-
2 fore the date of the enactment of this Act.

3 **SEC. 7113. ART IN EMBASSIES.**

4 (a) IN GENERAL.—No funds are authorized to be ap-
5 propriated for the purchase of any piece of art for the
6 purposes of installation or display in any embassy, con-
7 sulate, or other foreign mission of the United States if
8 the purchase price of such piece of art is in excess of
9 \$25,000, unless such purchase is subject to prior consulta-
10 tion with, and the regular notification procedures of, the
11 appropriate congressional committees.

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

17 (c) SUNSET.—This section shall terminate on the
18 date that is two years after the date of the enactment of
19 this Act.

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

23 **SEC. 7114. AMENDMENT OR REPEAL OF REPORTING RE-**
24 **QUIREMENTS.**

25 (a) BURMA.—

1 (1) IN GENERAL.—Section 570 of Public Law
2 104–208 is amended—

3 (A) by amending subsection (c) to read as
4 follows:

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

8 “(1) assist Burma in addressing corrosive ma-
9 align influence of the People’s Republic of China; and

10 “(2) support democratic, constitutional, eco-
11 nomic, and security sector reforms in Burma de-
12 signed to—

13 “(A) advance democratic development and
14 improve human rights practices and the quality
15 of life; and

16 “(B) promote genuine national reconcili-
17 ation.”; and

18 (B) in subsection (d)—

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

22 (ii) by redesignating paragraph (3) as
23 paragraph (7); and

24 (iii) by inserting after paragraph (2)
25 the following new paragraphs:

1 “(3) improvements in human rights practices;

2 “(4) progress toward broad-based and inclusive
3 economic growth;

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

6 “(6) progress on improving the quality of life of
7 the Burmese people, including progress relating to
8 market reforms, living standards, labor standards,
9 use of forced labor in the tourism industry, and en-
10 vironmental quality; and”.

11 (2) EFFECTIVE DATE.—The amendments made
12 by paragraph (1) shall take effect on the date of the
13 enactment of this Act and apply with respect to the
14 first report required under subsection (d) of section
15 570 of Public Law 104–208 that is required after
16 the date of the enactment of this Act.

17 (b) REPEALS.—The following provisions of law are
18 hereby repealed:

19 (1) Subsection (b) of section 804 of Public Law
20 101–246.

21 (2) Section 6 of Public Law 104–45.

22 (3) Subsection (c) of section 702 of Public Law
23 96–465 (22 U.S.C. 4022).

24 (4) Section 404 of the Arms Control and Disar-
25 mament Act (22 U.S.C. 2593b).

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

3 (A) a detailed justification for each deci-
4 sion not to fully implement a recommendation
5 or to implement a recommendation in a dif-
6 ferent manner than specified by the Govern-
7 ment Accountability Office;

8 (B) a timeline for the full implementation
9 of any recommendation the Secretary has de-
10 cided to adopt, but has not yet fully imple-
11 mented; and

12 (C) an explanation for any discrepancies
13 included in the Comptroller General report sub-
14 mitted under subsection (b).

15 (c) FORM.—The information required in each report
16 under this section shall be submitted in unclassified form,
17 to the maximum extent practicable, but may be included
18 in a classified annex to the extent necessary.

19 **SEC. 7116. OFFICE OF GLOBAL CRIMINAL JUSTICE.**

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

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

3 (1) Advise the Secretary of State and other rel-
4 evant senior officials on issues related to atrocities,
5 including war crimes, crimes against humanity, and
6 genocide.

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

10 (3) Coordinate, as appropriate and with other
11 relevant Federal departments and agencies, United
12 States Government positions relating to the inter-
13 national and hybrid courts currently prosecuting
14 persons suspected of atrocities around the world.

15 (4) Work with other governments, international
16 organizations, and nongovernmental organizations,
17 as appropriate, to establish and assist international
18 and domestic commissions of inquiry, fact-finding
19 missions, and tribunals to investigate, document,
20 and prosecute atrocities around the world.

21 (5) Coordinate, as appropriate and with other
22 relevant Federal departments and agencies, the de-
23 ployment of diplomatic, legal, economic, military,
24 and other tools to help collect evidence of atrocities,
25 judge those responsible, protect and assist victims,

1 enable reconciliation, prevent and deter atrocities,
2 and promote the rule of law.

3 (6) Provide advice and expertise on transitional
4 justice mechanisms to United States personnel oper-
5 ating in conflict and post-conflict environments.

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

9 (8) Represent the Department on any inter-
10 agency whole-of-government coordinating entities ad-
11 dressing genocide and other atrocities.

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

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

18 **Subtitle B—Embassy Construction**

19 **SEC. 7201. EMBASSY SECURITY, CONSTRUCTION, AND MAIN-** 20 **TENANCE.**

21 For “Embassy Security, Construction, and Mainte-
22 nance”, there is authorized to be appropriated
23 \$1,995,449,000 for fiscal year 2022.

1 **SEC. 7202. STANDARD DESIGN IN CAPITAL CONSTRUCTION.**

2 (a) SENSE OF CONGRESS.—It is the sense of Con-
3 gress that the Department’s Bureau of Overseas Building
4 Operations (OBO) or successor office should give appro-
5 priate consideration to standardization in construction, in
6 which each new United States embassy and consulate
7 starts with a standard design and keeps customization to
8 a minimum.

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

18 (1) A comparison of the estimated full lifecycle
19 costs of the project to the estimated full lifecycle
20 costs of such project if it were to use a standard de-
21 sign.

22 (2) A comparison of the estimated completion
23 date of such project to the estimated completion
24 date of such project if it were to use a standard de-
25 sign.

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

4 (4) A justification for the Secretary’s selection
5 of a non-standard design over a standard design for
6 such project.

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

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

14 **SEC. 7203. CAPITAL CONSTRUCTION TRANSPARENCY.**

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

18 (1) in the section heading, by striking “**AN-**
19 **NUAL REPORT ON EMBASSY CONSTRUCTION**
20 **COSTS**” and inserting “**BIANNUAL REPORT ON**
21 **OVERSEAS CAPITAL CONSTRUCTION**
22 **PROJECTS**”; and

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

1 “(a) IN GENERAL.—Not later than 180 days after
2 the date of the enactment of this subsection and every 180
3 days thereafter until the date that is four years after such
4 date of enactment, the Secretary of State shall submit to
5 the appropriate congressional committees a comprehensive
6 report regarding all ongoing overseas capital construction
7 projects and major embassy security upgrade projects.

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

12 “(1) The initial cost estimate as specified in the
13 proposed allocation of capital construction and main-
14 tenance funds required by the Committees on Appro-
15 priations for Acts making appropriations for the De-
16 partment of State, foreign operations, and related
17 programs.

18 “(2) The current cost estimate.

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

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

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

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

4 “(7) An enumerated list of each request for eq-
5 uitable adjustment and certified claim that has been
6 fully adjudicated or that the Department has settled,
7 and the final dollar amount of each adjudication or
8 settlement.

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

16 “(9) The current date of estimated comple-
17 tion.”.

18 (b) CLERICAL AMENDMENT.—The table of contents
19 in section 1(b) of the Department of State Authorities
20 Act, Fiscal Year 2017 is amended by amending the item
21 relating to section 118 to read as follows:

 “Sec. 118. Biannual report on overseas capital construction projects.”.

22 **SEC. 7204. CONTRACTOR PERFORMANCE INFORMATION.**

23 (a) DEADLINE FOR COMPLETION.—The Secretary of
24 State shall complete all contractor performance evalua-
25 tions outstanding as of the date of the enactment of this

1 Act required by subpart 42.15 of the Federal Acquisition
2 Regulation for those contractors engaged in construction
3 of new embassy or new consulate compounds by April 1,
4 2022.

5 (b) PRIORITIZATION SYSTEM.—

6 (1) IN GENERAL.—Not later than 90 days after
7 the date of the enactment of this Act, the Secretary
8 of State shall develop a prioritization system for
9 clearing the current backlog of required evaluations
10 referred to in subsection (a).

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

14 (A) Project completion evaluations should
15 be prioritized over annual evaluations.

16 (B) Evaluations for relatively large con-
17 tracts should have priority.

18 (C) Evaluations that would be particularly
19 informative for the awarding of government
20 contracts should have priority.

21 (c) BRIEFING.—Not later than 90 days after the date
22 of the enactment of this Act, the Secretary of State shall
23 brief the appropriate congressional committees on the De-
24 partment's plan for completing all evaluations by April 1,

1 2022, in accordance with subsection (a) and the
2 prioritization system developed pursuant to subsection (b).

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

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

8 (2) the Department should develop a forum
9 where contractors can comment on the Department’s
10 project management performance.

11 **SEC. 7205. GROWTH PROJECTIONS FOR NEW EMBASSIES**
12 **AND CONSULATES.**

13 (a) IN GENERAL.—For each new United States em-
14 bassy compound (NEC) and new consulate compound
15 project (NCC) in or not yet in the design phase as of the
16 date of the enactment of this Act, the Department of State
17 shall project growth over the estimated life of the facility
18 using all available and relevant data, including the fol-
19 lowing:

20 (1) Relevant historical trends for Department
21 personnel and personnel from other agencies rep-
22 resented at the NEC or NCC that is to be con-
23 structed.

24 (2) An analysis of the tradeoffs between risk
25 and the needs of United States Government policy

1 conducted as part of the most recent Vital Presence
2 Validation Process, if applicable.

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

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

8 (b) OTHER FEDERAL AGENCIES.—The head of each
9 Federal agency represented at a United States embassy
10 or consulate shall provide to the Secretary, upon request,
11 growth projections for the personnel of each such agency
12 over the estimated life of each embassy or consulate, as
13 the case may be.

14 (c) BASIS FOR ESTIMATES.—The Department of
15 State shall base its growth assumption for all NECs and
16 NCCs on the estimates required under subsections (a) and
17 (b).

18 (d) CONGRESSIONAL NOTIFICATION.—Any congres-
19 sional notification of site selection for a NEC or NCC sub-
20 mitted after the date of the enactment of this Act shall
21 include the growth assumption used pursuant to sub-
22 section (c).

23 **SEC. 7206. LONG-RANGE PLANNING PROCESS.**

24 (a) PLANS REQUIRED.—

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

6 (A) a comprehensive 6-year plan docu-
7 menting the Department’s overseas building
8 program for the replacement of overseas diplo-
9 matic posts taking into account security factors
10 under the Secure Embassy Construction and
11 Counterterrorism Act of 1999 and other rel-
12 evant statutes and regulations, as well as occu-
13 pational safety and health factors pursuant to
14 the Occupational Safety and Health Act of
15 1970 and other relevant statutes and regula-
16 tions, including environmental factors such as
17 indoor air quality that impact employee health
18 and safety; and

19 (B) a comprehensive 6-year plan detailing
20 the Department’s long-term planning for the
21 maintenance and sustainment of completed dip-
22 lomatic posts, which takes into account security
23 factors under the Secure Embassy Construction
24 and Counterterrorism Act of 1999 and other
25 relevant statutes and regulations, as well as oc-

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

7 (2) INITIAL REPORT.—The first plan developed
8 pursuant to paragraph (1)(A) shall also include a
9 one-time status report on existing small diplomatic
10 posts and a strategy for establishing a physical dip-
11 lomatic presence in countries in which there is no
12 current physical diplomatic presence and with which
13 the United States maintains diplomatic relations.
14 Such report, which may include a classified annex,
15 shall include the following:

16 (A) A description of the extent to which
17 each small diplomatic post furthers the national
18 interest of the United States.

19 (B) A description of how each small diplo-
20 matic post provides American Citizen Services,
21 including data on specific services provided and
22 the number of Americans receiving services over
23 the previous year.

1 (C) A description of whether each small
2 diplomatic post meets current security require-
3 ments.

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

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

9 (F) A recommendation of whether any
10 small diplomatic posts should be closed.

11 (3) UPDATED INFORMATION.—The annual up-
12 dates of each of the plans developed pursuant to
13 paragraph (1) shall highlight any changes from the
14 previous year’s plan to the ordering of construction
15 and maintenance projects.

16 (b) REPORTING REQUIREMENTS.—

17 (1) SUBMISSION OF PLANS TO CONGRESS.—Not
18 later than 60 days after the completion of each plan
19 required under subsection (a), the Secretary of State
20 shall submit the plans to the appropriate congres-
21 sional committees.

22 (2) REFERENCE IN BUDGET JUSTIFICATION
23 MATERIALS.—In the budget justification materials
24 submitted to the appropriate congressional commit-
25 tees in support of the Department of State’s budget

1 for any fiscal year (as submitted with the budget of
2 the President under section 1105(a) of title 31,
3 United States Code), the plans required under sub-
4 section (a) shall be referenced to justify funding re-
5 quested for building and maintenance projects over-
6 seas.

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

10 (c) SMALL DIPLOMATIC POST DEFINED.—In this
11 section, the term “small diplomatic post” means any
12 United States embassy or consulate that has employed five
13 or fewer United States Government employees or contrac-
14 tors on average over the 36 months prior to the date of
15 the enactment of this Act.

16 **SEC. 7207. VALUE ENGINEERING AND RISK ASSESSMENT.**

17 (a) FINDINGS.—Congress makes the following find-
18 ings:

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

24 (2) OBO has a Policy Directive and Standard
25 Operation Procedure, dated May 24, 2017, on con-

1 ducting risk management studies on all international
2 construction projects.

3 (b) NOTIFICATION REQUIREMENTS.—

4 (1) SUBMISSION TO AUTHORIZING COMMIT-
5 TEES.—Any notification that includes the allocation
6 of capital construction and maintenance funds shall
7 be submitted to the Committee on Foreign Relations
8 of the Senate and the Committee on Foreign Affairs
9 of the House of Representatives.

10 (2) REQUIREMENT TO CONFIRM COMPLETION
11 OF VALUE ENGINEERING AND RISK ASSESSMENT
12 STUDIES.—The notifications required under para-
13 graph (1) shall include confirmation that the De-
14 partment has completed the requisite VE and risk
15 management process described in subsection (a), or
16 applicable successor process.

17 (c) REPORTING AND BRIEFING REQUIREMENTS.—
18 The Secretary of State shall provide to the appropriate
19 congressional committees upon request—

20 (1) a description of each risk management
21 study referred to in subsection (a)(2) and a table de-
22 tailing which recommendations related to each such
23 study were accepted and which were rejected; and

24 (2) a report or briefing detailing the rationale
25 for not implementing any such recommendations

1 that may otherwise yield significant cost savings to
2 the Department if implemented.

3 **SEC. 7208. BUSINESS VOLUME.**

4 Section 402(c)(2)(E) of the Omnibus Diplomatic Se-
5 curity and Antiterrorism Act of 1986 (22 U.S.C.
6 4852(c)(2)(E)) is amended by striking “in 3 years” and
7 inserting “cumulatively over 3 years”.

8 **SEC. 7209. EMBASSY SECURITY REQUESTS AND DEFICIENCIES.**

9
10 The Secretary of State shall provide to the appro-
11 priate congressional committees, the Committee on Armed
12 Services of the House of Representatives, and the Com-
13 mittee on Armed Services of the Senate upon request in-
14 formation on physical security deficiencies at United
15 States diplomatic posts, including relating to the fol-
16 lowing:

17 (1) Requests made over the previous year by
18 United States diplomatic posts for security up-
19 grades.

20 (2) Significant security deficiencies at United
21 States diplomatic posts that are not operating out of
22 a new embassy compound or new consulate com-
23 pound.

1 **SEC. 7210. OVERSEAS SECURITY BRIEFINGS.**

2 Not later than one year after the date of the enact-
3 ment of this Act, the Secretary of State shall revise the
4 Foreign Affairs Manual to stipulate that information on
5 the current threat environment shall be provided to all
6 United States Government employees under chief of mis-
7 sion authority traveling to a foreign country on official
8 business. To the extent practicable, such material shall be
9 provided to such employees prior to their arrival at a
10 United States diplomatic post or as soon as possible there-
11 after.

12 **SEC. 7211. CONTRACTING METHODS IN CAPITAL CON-**
13 **STRUCTION.**

14 (a) DELIVERY.—Unless the Secretary of State noti-
15 fies the appropriate congressional committees that the use
16 of the design-build project delivery method would not be
17 appropriate, the Secretary shall make use of such method
18 at United States diplomatic posts that have not yet re-
19 ceived design or capital construction contracts as of the
20 date of the enactment of this Act.

21 (b) NOTIFICATION.—Before executing a contract for
22 a delivery method other than design-build in accordance
23 with subsection (a), the Secretary of State shall notify the
24 appropriate congressional committees in writing of the de-
25 cision, including the reasons therefor. The notification re-
26 quired by this subsection may be included in any other

1 report regarding a new United States diplomatic post that
2 is required to be submitted to the appropriate congres-
3 sional committees.

4 (c) PERFORMANCE EVALUATION.—Not later than
5 180 days after the date of the enactment of this Act, the
6 Secretary of State shall report to the appropriate congres-
7 sional committees regarding performance evaluation meas-
8 ures in accordance with GAO’s “Standards for Internal
9 Control in the Federal Government” that will be applica-
10 ble to design and construction, lifecycle cost, and building
11 maintenance programs of the Bureau of Overseas Build-
12 ing Operations of the Department.

13 **SEC. 7212. COMPETITION IN EMBASSY CONSTRUCTION.**

14 Not later than 45 days after the date of the enact-
15 ment of this Act, the Secretary of State shall submit to
16 the appropriate congressional committee a report detailing
17 steps the Department of State is taking to expand the em-
18 bassy construction contractor base in order to increase
19 competition and maximize value.

20 **SEC. 7213. STATEMENT OF POLICY.**

21 It is the policy of the United States that the Bureau
22 of Overseas Building Operations of the Department or its
23 successor office shall continue to balance functionality and
24 security with accessibility, as defined by guidelines estab-
25 lished by the United States Access Board in constructing

1 embassies and consulates, and shall ensure compliance
2 with the Architectural Barriers Act of 1968 (42 U.S.C.
3 4151 et seq.) to the fullest extent possible.

4 **SEC. 7214. DEFINITIONS.**

5 In this subtitle:

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

10 (2) NON-STANDARD DESIGN.—The term “non-
11 standard design” means a design for a new embassy
12 compound project or new consulate compound
13 project that does not utilize a standardized design
14 for the structural, spatial, or security requirements
15 of such embassy compound or consulate compound,
16 as the case may be.

17 **Subtitle C—Personnel Issues**

18 **SEC. 7301. DEFENSE BASE ACT INSURANCE WAIVERS.**

19 (a) APPLICATION FOR WAIVERS.—Not later than 30
20 days after the date of the enactment of this Act, the Sec-
21 retary of State shall apply to the Department of Labor
22 for a waiver from insurance requirements under the De-
23 fense Base Act (42 U.S.C. 1651 et seq.) for all countries
24 with respect to which the requirement was waived prior

1 to January 2017, and for which there is not currently a
2 waiver.

3 (b) CERTIFICATION REQUIREMENT.—Not later than
4 45 days after the date of the enactment of this Act, the
5 Secretary of State shall certify to the appropriate congres-
6 sional committees that the requirement in subsection (a)
7 has been met.

8 **SEC. 7302. STUDY ON FOREIGN SERVICE ALLOWANCES.**

9 (a) REPORT REQUIRED.—

10 (1) IN GENERAL.—Not later than one year
11 after date of the enactment of this Act, the Sec-
12 retary of State shall submit to the appropriate con-
13 gressional committees a report detailing an empirical
14 analysis on the effect of overseas allowances on the
15 foreign assignment of Foreign Service officers
16 (FSOs), to be conducted by a federally-funded re-
17 search and development center with appropriate ex-
18 pertise in labor economics and military compensa-
19 tion.

20 (2) CONTENTS.—The analysis required under
21 paragraph (1) shall—

22 (A) identify all allowances paid to FSOs
23 assigned permanently or on temporary duty to
24 foreign areas;

1 (B) examine the efficiency of the Foreign
2 Service bidding system in determining foreign
3 assignments;

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

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

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

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

23 (G) recommend any statutory changes nec-
24 essary to implement subparagraph (F), such as

1 consolidating existing legal authorities for the
2 provision of hardship and danger pay; and

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

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

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

21 (2) The scope of such analysis and terms of ref-
22 erence for such analysis as specified between the De-
23 partment of State and such federally funded re-
24 search and development center.

25 (c) AVAILABILITY OF INFORMATION.—

1 (1) IN GENERAL.—The Secretary of State shall
2 make available to the federally-funded research and
3 development center carrying out the analysis re-
4 quired under subsection (a)(1) all necessary and rel-
5 evant information to allow such center to conduct
6 such analysis in a quantitative and analytical man-
7 ner, including historical data on the number of bids
8 for each foreign assignment and any survey data col-
9 lected by the Department of State from eligible bid-
10 ders on their bid decision-making.

11 (2) COOPERATION.—The Secretary of State
12 shall work with the heads of other relevant United
13 States Government departments and agencies to en-
14 sure such departments and agencies provide all nec-
15 essary and relevant information to the federally-
16 funded research and development center carrying
17 out the analysis required under subsection (a)(1).

18 (d) INTERIM REPORT TO CONGRESS.—The Secretary
19 of State shall require that the chief executive officer of
20 the federally-funded research and development center that
21 carries out the analysis required under subsection (a)(1)
22 submit to the Committee on Foreign Relations of the Sen-
23 ate and the Committee on Foreign Affairs of the House
24 of Representatives an interim report on such analysis not

1 later than 180 days after the date of the enactment of
2 this Act.

3 **SEC. 7303. 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 of State is
11 authorized to make grants or enter into cooperative
12 agreements related to Department of State science
13 and technology fellowship programs, including for
14 assistance in recruiting fellows and the payment of
15 stipends, travel, and other appropriate expenses to
16 fellows.

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

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

1 **SEC. 7304. TRAVEL FOR SEPARATED FAMILIES.**

2 Section 901(15) of the Foreign Service Act of 1980
3 (22 U.S.C. 4081(15)) is amended—

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

10 (2) in subparagraph (A)—

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

13 (B) by striking “; or” and inserting a
14 comma;

15 (3) in subparagraph (B)—

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

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

19 (4) by inserting after subparagraph (B) the fol-
20 lowing new subparagraph:

21 “(C) for one of the child’s parents to visit
22 the child or children abroad if the child or chil-
23 dren do not regularly reside with that parent
24 and that parent is not receiving an education
25 allowance or educational travel allowance for

1 the child or children under section 5924(4) of
2 title 5, United States Code,”; and

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

7 **SEC. 7305. HOME LEAVE TRAVEL FOR SEPARATED FAMI-**
8 **LIES.**

9 Section 903(b) of the Foreign Service Act of 1980
10 (22 U.S.C. 4083(b)) is amended by adding at the end the
11 following new sentence: “In cases in which a member of
12 the Service has official orders to an unaccompanied post
13 and in which the family members of the member reside
14 apart from the member at authorized locations outside the
15 United States, the member may take the leave ordered
16 under this section where that member’s family members
17 reside, notwithstanding section 6305 of title 5, United
18 States Code.”.

19 **SEC. 7306. SENSE OF CONGRESS REGARDING CERTAIN FEL-**
20 **LOWSHIP PROGRAMS.**

21 It is the sense of Congress that Department fellow-
22 ships that promote the employment of candidates belong-
23 ing to under-represented groups, including the Charles B.
24 Rangel International Affairs Graduate Fellowship Pro-
25 gram, the Thomas R. Pickering Foreign Affairs Fellow-

1 ship Program, and the Donald M. Payne International De-
2 velopment Fellowship Program, represent smart invest-
3 ments vital for building a strong, capable, and representa-
4 tive national security workforce.

5 **SEC. 7307. TECHNICAL CORRECTION.**

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

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

11 (2) striking “individual joining the Service on
12 or after January 1, 2017,” and inserting “Foreign
13 Service officer, appointed under section 302(a)(1),
14 who has general responsibility for carrying out the
15 functions of the Service”.

16 **SEC. 7308. FOREIGN SERVICE AWARDS.**

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

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

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

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

“Sec. 614. Department awards.”.

1 **SEC. 7309. WORKFORCE ACTIONS.**

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

16 (b) LIMITATION.—The Secretary of State should not
17 implement any reduction-in-force action under section
18 3502 or 3595 of title 5, United States Code, or for any
19 incentive payments for early separation or retirement
20 under any other provision of law unless—

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

24 (2) the Secretary has provided to the appro-
25 priate congressional committees a detailed report

1 that describes the Department of State’s strategic
2 staffing goals, including—

3 (A) a justification that describes how any
4 proposed workforce reduction enhances the ef-
5 fectiveness of the Department;

6 (B) a certification that such workforce re-
7 duction is in the national interest of the United
8 States;

9 (C) a comprehensive strategic staffing plan
10 for the Department, including 5-year workforce
11 forecasting and a description of the anticipated
12 impact of any proposed workforce reduction;
13 and

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

17 (i) Foreign Service officer and For-
18 eign Service specialist rank;

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

21 (iii) contracted employees, including
22 the equivalent job skill code and bureau of
23 assignment; and

24 (iv) employees hired under schedule C
25 of subpart C of part 213 of title 5, Code

1 of Federal Regulations, including their
2 equivalent grade and job skill code and bu-
3 reau of assignment.

4 **SEC. 7310. SENSE OF CONGRESS REGARDING VETERANS**
5 **EMPLOYMENT AT THE DEPARTMENT OF**
6 **STATE.**

7 It is the sense of Congress that—

8 (1) the Department of State should continue to
9 promote the employment of veterans, in accordance
10 with section 301 of the Foreign Service Act of 1980
11 (22 U.S.C. 3941), including those veterans belong-
12 ing to traditionally under-represented groups at the
13 Department;

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

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

21 **SEC. 7311. EMPLOYEE ASSIGNMENT RESTRICTIONS AND**
22 **PRECLUSIONS.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the Department of State should expand the ap-

1 appeal process it makes available to employees related to as-
2 signment preclusions and restrictions.

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

13 (c) NOTICE AND CERTIFICATION.—Not later than 90
14 days after the date of the enactment of this Act, the Sec-
15 retary of State shall revise, and certify to the Committee
16 on Foreign Affairs of the House of Representatives and
17 the Committee on Foreign Relations of the Senate regard-
18 ing such revision, the Foreign Affairs Manual guidance
19 regarding denial or revocation of a security clearance to
20 expressly state that all review and appeal rights relating
21 thereto shall also apply to any recommendation or decision
22 to impose an assignment restriction or preclusion to an
23 employee.

24 (d) ANNUAL REPORT.—Not later than 90 days after
25 the date of the enactment of this Act and annually there-

1 after, the Secretary of State shall submit to the Com-
2 mittee on Foreign Affairs and the Committee on Appro-
3 priations of the House of Representatives and the Com-
4 mittee on Foreign Relations and the Committee on Appro-
5 priations of the Senate a report that contains the fol-
6 lowing:

7 (1) A rationale for the use of assignment re-
8 strictions by the Department of State, including spe-
9 cific case studies related to cleared American For-
10 eign Service and civil service employees of the De-
11 partment that demonstrate country-specific restric-
12 tions serve a counterintelligence role beyond that
13 which is already covered by the security clearance
14 process.

15 (2) The number of such Department employees
16 subject to assignment restrictions over the previous
17 year, with data disaggregated by:

18 (A) Identification as a Foreign Service of-
19 ficer, civil service employee, eligible family
20 member, or other employment status.

21 (B) The ethnicity, national origin, and race
22 of the precluded employee.

23 (C) Gender.

24 (D) Identification of the country of restric-
25 tion.

1 (3) A description of the considerations and cri-
2 teria used by the Bureau of Diplomatic Security to
3 determine whether an assignment restriction is war-
4 ranted.

5 (4) The number of restrictions that were ap-
6 pealed and the success rate of such appeals.

7 (5) The impact of assignment restrictions in
8 terms of unused language skills as measured by For-
9 eign Service Institute language scores of such pre-
10 cluded employees.

11 (6) Measures taken to ensure the diversity of
12 adjudicators and contracted investigators, with ac-
13 companying data on results.

14 **SEC. 7312. RECALL AND REEMPLOYMENT OF CAREER MEM-**
15 **BERS.**

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

18 (1) career Department of State employees pro-
19 vide invaluable service to the United States as non-
20 partisan professionals who contribute subject matter
21 expertise and professional skills to the successful de-
22 velopment and execution of United States foreign
23 policy; and

24 (2) reemployment of skilled former members of
25 the Foreign and civil service who have voluntarily

1 separated from the Foreign or civil service due to
2 family reasons or to obtain professional skills outside
3 government is of benefit to the Department.

4 (b) NOTICE OF EMPLOYMENT OPPORTUNITIES FOR
5 DEPARTMENT OF STATE AND USAID POSITIONS.—

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

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

“Sec.

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

12 **“§ 10301. Notice of employment opportunities for De-**
13 **partment of State and USAID positions**

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

1 notice shall expressly state that former employees eligible
2 for reinstatement may apply.”.

3 (2) CLERICAL AMENDMENT.—The table of
4 chapters at the beginning of part III of title 5,
5 United States Code, is amended by adding at the
6 end of subpart I the following:

**“103. Notice of employment opportunities for Depart-
ment of State and USAID positions10301”.**

7 **SEC. 7313. STRATEGIC STAFFING PLAN FOR THE DEPART-**
8 **MENT OF STATE.**

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

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

1 (A) Foreign Service officer and Foreign
2 Service specialist rank;

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

5 (C) contracted employees, including the
6 equivalent job skill code and bureau of assign-
7 ment;

8 (D) employees hired under schedule C of
9 subpart C of part 213 of title 5, Code of Fed-
10 eral Regulations, including the equivalent grade
11 and job skill code and bureau of assignment of
12 such employee; and

13 (E) overseas region.

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

19 (3) Recommendations on the number of civil
20 service officers that should be employed by the De-
21 partment, with a detailed basis for such rec-
22 ommendations.

23 (b) MAINTENANCE.—The dataset required under
24 subsection (a)(1) shall be maintained and updated on a
25 regular basis.

1 (c) CONSULTATION.—The Secretary of State shall
2 lead the development of the plan required under sub-
3 section (a) but may consult or partner with private sector
4 entities with expertise in labor economics, management,
5 or human resources, as well as organizations familiar with
6 the demands and needs of the Department of State’s
7 workforce.

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

15 **SEC. 7314. CONSULTING SERVICES.**

16 (a) IN GENERAL.—Chapter 103 of title 5, United
17 States Code, as added by section 7312(b) of this Act, is
18 amended by adding at the end the following:

19 **“§ 10302. Consulting services for the Department of**
20 **State**

21 “Any consulting service obtained by the Department
22 of State through procurement contract pursuant to section
23 3109 of title 5, United States Code, shall be limited to
24 those contracts with respect to which expenditures are a
25 matter of public record and available for public inspection,

1 except if otherwise provided under existing law, or under
2 existing Executive order issued pursuant to existing law.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 for chapter 103 of title 5, United States Code, as added
5 by section 7312(b) of this Act, is amended by adding after
6 the item relating to section 10301 the following new item:

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

7 **SEC. 7315. INCENTIVES FOR CRITICAL POSTS.**

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

11 **SEC. 7316. EXTENSION OF AUTHORITY FOR CERTAIN AC-**
12 **COUNTABILITY REVIEW BOARDS.**

13 Section 301(a)(3) of the Omnibus Diplomatic Secu-
14 rity and Antiterrorism Act of 1986 (22 U.S.C.
15 4831(a)(3)) is amended—

16 (1) in the heading, by striking “AFGHANISTAN
17 AND” and inserting “AFGHANISTAN, YEMEN, SYRIA,
18 AND”; and

19 (2) in subparagraph (A)—

20 (A) in clause (i), by striking “Afghanistan
21 or” and inserting “Afghanistan, Yemen, Syria,
22 or”; and

23 (B) in clause (ii), by striking “beginning
24 on October 1, 2005, and ending on September

1 30, 2009” and inserting “beginning on October
2 1, 2020, and ending on September 30, 2022”.

3 **SEC. 7317. FOREIGN SERVICE SUSPENSION WITHOUT PAY.**

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

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

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

11 (3) by inserting after paragraph (4) the fol-
12 lowing new paragraphs:

13 “(5) For each member of the Service suspended
14 under paragraph (1)(A) whose security clearance remains
15 suspended for more than one calendar year, not later than
16 30 days after the end of such calendar year the Secretary
17 of State shall report to the Committee on Foreign Affairs
18 of the House of Representatives and the Committee on
19 Foreign Relations of the Senate in writing regarding the
20 specific reasons relating to the duration of each such sus-
21 pension.

22 “(6) Any member of the Service suspended under
23 paragraph (1)(B) may be suspended without pay only
24 after a final written decision is provided to such member
25 pursuant to paragraph (2).”; and

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

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

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

4 The term” and inserting the following:

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

6 (C) by redesignating clauses (i) and (ii) as

7 subparagraphs (A) and (B), respectively, and

8 moving such subparagraphs 2 ems to the left;

9 and

10 (D) by striking subparagraph (B) (relating

11 to the definition of “suspend” and “suspension”).

12

13 **SEC. 7318. FOREIGN AFFAIRS MANUAL AND FOREIGN AF-**

14 **FAIRS HANDBOOK CHANGES.**

15 (a) **APPLICABILITY.**—The Foreign Affairs Manual

16 and the Foreign Affairs Handbook apply with equal force

17 and effect and without exception to all Department of

18 State personnel, including the Secretary of State, Depart-

19 ment employees, and political appointees, regardless of an

20 individual’s status as a Foreign Service officer, Civil Serv-

21 ice employee, or political appointee hired under any legal

22 authority.

23 (b) **CERTIFICATION.**—Not later than 30 days after

24 the date of the enactment of this Act, the Secretary of

25 State shall submit to the appropriate congressional com-

1 mitted a certification in unclassified form that the appli-
2 cability described in subsection (a) has been commu-
3 nicated to all Department personnel, including the per-
4 sonnel referred to in such subsection.

5 (c) REPORT.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act and every
8 180 days thereafter for five years, the Secretary of
9 State shall submit to the appropriate congressional
10 committees a report detailing all significant changes
11 made to the Foreign Affairs Manual or the Foreign
12 Affairs Handbook.

13 (2) COVERED PERIODS.—The first report re-
14 quired under paragraph (1) shall cover the 5-year
15 period preceding the submission of such report.
16 Each subsequent report shall cover the 180-day pe-
17 riod preceding submission.

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

20 (A) The location within the Foreign Af-
21 fairs Manual or the Foreign Affairs Handbook
22 where a change has been made.

23 (B) The statutory basis for each such
24 change, as applicable.

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

4 (D) A summary of such changes displayed
5 in spreadsheet form.

6 **SEC. 7319. WAIVER AUTHORITY FOR INDIVIDUAL OCCUPA-**
7 **TIONAL REQUIREMENTS OF CERTAIN POSI-**
8 **TIONS.**

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

1 **SEC. 7320. APPOINTMENT OF EMPLOYEES TO THE GLOBAL**
2 **ENGAGEMENT CENTER.**

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

12 **SEC. 7321. REST AND RECUPERATION AND OVERSEAS OP-**
13 **ERATIONS LEAVE FOR FEDERAL EMPLOYEES.**

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

17 **“§ 6329d. Rest and recuperation leave**

18 “(a) DEFINITIONS.—In this section—

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

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

1 ignated by law to be treated as a combat zone, or
2 a location the Department of Defense has certified
3 for combat zone tax benefits due to its direct sup-
4 port of military operations;

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

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

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

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

23 “(c) DISCRETIONARY AUTHORITY OF AGENCY
24 HEAD.—Use of the authority under subsection (b) is at

1 the sole and exclusive discretion of the head of the agency
2 concerned.

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

6 **“§ 6329e. Overseas operations leave**

7 “(a) DEFINITIONS.—In this section—

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

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

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

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

1 during such leave year if the head of the agency deter-
2 mines that to do so is necessary to advance the national
3 security or foreign policy interests of the United States.

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

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

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

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

15 **SEC. 7322. EMERGENCY MEDICAL SERVICES AUTHORITY.**

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

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

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

22 (3) by adding at the end the following new sub-
23 section:

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

4 (B) an institution of higher education
5 based outside the United States, as determined
6 by the Secretary of State;

7 (2) be able to receive and hold an appropriate
8 security clearance; and

9 (3) satisfy such other criteria as established by
10 the Secretary.

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

14 (1) Demonstrable interest in a career in foreign
15 affairs.

16 (2) Academic performance.

17 (3) Such other criteria as determined by the
18 Secretary.

19 (d) OUTREACH.—The Secretary of State shall adver-
20 tise the Program widely, including on the internet,
21 through the Department of State’s Diplomats in Resi-
22 dence program, and through other outreach and recruiting
23 initiatives targeting undergraduate and graduate students.
24 The Secretary shall actively encourage people belonging to
25 traditionally under-represented groups in terms of racial,

1 ethnic, geographic, and gender diversity, and disability
2 status to apply to the Program, including by conducting
3 targeted outreach at minority serving institutions (as such
4 term is described in section 371(a) of the Higher Edu-
5 cation Act of 1965 (20 U.S.C. 1067q(a)).

6 (e) COMPENSATION.—

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

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

12 (B) the minimum wage of the jurisdiction
13 in which the internship is located,
14 whichever is greater.

15 (2) HOUSING ASSISTANCE.—

16 (A) ABROAD.—The Secretary of State
17 shall provide housing assistance to a student
18 participating in the Program whose permanent
19 address is within the United States if the loca-
20 tion of the internship in which such student is
21 participating is outside the United States.

22 (B) DOMESTIC.—The Secretary of State is
23 authorized to provide housing assistance to a
24 student participating in the Program whose
25 permanent address is within the United States

1 if the location of the internship in which such
2 student is participating is more than 50 miles
3 away from such student's permanent address.

4 (3) TRAVEL ASSISTANCE.—The Secretary of
5 State shall provide a student participating in the
6 Program whose permanent address is within the
7 United States financial assistance to cover the costs
8 of travel once to and once from the location of the
9 internship in which such student is participating, in-
10 cluding travel by air, train, bus, or other transit as
11 appropriate, if the location of such internship is—

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

14 (B) outside the United States.

15 (f) WORKING WITH INSTITUTIONS OF HIGHER EDU-
16 CATION.—The Secretary of State is authorized to enter
17 into agreements with institutions of higher education to
18 structure internships to ensure such internships satisfy
19 criteria for academic programs in which participants in
20 such internships are enrolled.

21 (g) TRANSITION PERIOD.—

22 (1) IN GENERAL.—Not later than two years
23 after the date of the enactment of this Act, the Sec-
24 retary of State shall transition all unpaid internship
25 programs of the Department, including the Foreign

1 Service Internship Program, to internship programs
2 that offer compensation. Upon selection as a can-
3 didate for entry into an internship program of the
4 Department after such date, a participant in such
5 internship program shall be afforded the opportunity
6 to forgo compensation, including if doing so allows
7 such participant to receive college or university cur-
8 ricular credit.

9 (2) EXCEPTION.—The transition required
10 under paragraph (1) shall not apply in the case of
11 unpaid internship programs of the Department of
12 State that are part of the Virtual Student Federal
13 Service internship program.

14 (3) WAIVER.—

15 (A) IN GENERAL.—The Secretary may
16 waive the requirement under this subsection to
17 transition an unpaid internship program of the
18 Department to an internship program that of-
19 fers compensation if the Secretary determines
20 and not later than 30 days after any such de-
21 termination submits to the appropriate congres-
22 sional committees a report that to do so would
23 not be consistent with effective management
24 goals.

1 (B) REPORT.—The report required under
2 subparagraph (A) shall describe the reason why
3 transitioning an unpaid internship program of
4 the Department to an internship program that
5 offers compensation would not be consistent
6 with effective management goals, including any
7 justification for maintaining such unpaid status
8 indefinitely, or any additional authorities or re-
9 sources necessary to transition such unpaid pro-
10 gram to offer compensation in the future.

11 (h) REPORTS.—Not later than 18 months after the
12 date of the enactment of this Act, the Secretary of State
13 shall submit to the Committee on Foreign Affairs of the
14 House of Representatives and the Committee on Foreign
15 Relations of a Senate a report that includes the following:

16 (1) Data, to the extent collection of such infor-
17 mation is permissible by law, regarding the number
18 of students, disaggregated by race, ethnicity, gender,
19 institution of higher learning, home State, State
20 where each student graduated from high school, and
21 disability status, who applied to the Program, were
22 offered a position, and participated.

23 (2) Data on the number of security clearance
24 investigations started for such students and the
25 timeline for such investigations, including whether

1 such investigations were completed or if, and when,
2 an interim security clearance was granted.

3 (3) Information on expenditures on the Pro-
4 gram.

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

7 (i) VOLUNTARY PARTICIPATION.—

8 (1) IN GENERAL.—Nothing in this section may
9 be construed to compel any student who is a partici-
10 pant in an internship program of the Department of
11 State to participate in the collection of the data or
12 divulge any personal information. Such students
13 shall be informed that their participation in the data
14 collection contemplated by this section is voluntary.

15 (2) PRIVACY PROTECTION.—Any data collected
16 under this section shall be subject to the relevant
17 privacy protection statutes and regulations applica-
18 ble to Federal employees.

19 (j) SPECIAL HIRING AUTHORITY.—The Department
20 of State may offer compensated internships for not more
21 than 52 weeks, and select, appoint, employ, and remove
22 individuals in such compensated internships without re-
23 gard to the provisions of law governing appointments in
24 the competitive service.

1 (k) USE OF FUNDS.—Internships offered and com-
2 pensated by the Department subject to this section shall
3 be funded by funds authorized to be appropriated by sec-
4 tion 7101.

5 **SEC. 7324. COMPETITIVE STATUS FOR CERTAIN EMPLOY-**
6 **EES HIRED BY INSPECTORS GENERAL TO**
7 **SUPPORT THE LEAD IG MISSION.**

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

13 **SEC. 7325. COOPERATION WITH OFFICE OF THE INSPECTOR**
14 **GENERAL.**

15 (a) ADMINISTRATIVE DISCIPLINE.—Not later than
16 30 days after the date of the enactment of this Act, the
17 Secretary of State shall make explicit in writing to all De-
18 partment of State personnel, including the Secretary of
19 State, Department employees, contractors, and political
20 appointees, and shall consider updating the Foreign Af-
21 fairs Manual and the Foreign Affairs Handbook to explic-
22 itly specify, that if any of such personnel does not comply
23 within 60 days with a request for an interview or access
24 to documents from the Office of the Inspector General of
25 the Department such personnel may be subject to appro-

1 p r i a t e a d m i n i s t r a t i v e d i s c i p l i n e i n c l u d i n g , w h e n c i r -
2 c u m s t a n c e s w a r r a n t , s u s p e n s i o n w i t h o u t p a y o r r e m o v a l .

3 (b) R E P O R T . —

4 (1) I N G E N E R A L . — N o t l a t e r t h a n 1 8 0 d a y s
5 a f t e r t h e d a t e o f t h e e n a c t m e n t o f t h i s A c t a n d o n
6 a q u a r t e r l y b a s i s t h e r e a f t e r , t h e O f f i c e o f t h e I n s p e c -
7 t o r G e n e r a l o f t h e D e p a r t m e n t o f S t a t e a n d t h e
8 U n i t e d S t a t e s A g e n c y f o r G l o b a l M e d i a s h a l l s u b m i t
9 t o t h e a p p r o p r i a t e c o n g r e s s i o n a l c o m m i t t e e s a n d t h e
10 S e c r e t a r y o f S t a t e a r e p o r t i n u n c l a s s i f i e d f o r m d e -
11 t a i l i n g t h e f o l l o w i n g :

12 (A) T h e n u m b e r o f i n d i v i d u a l s w h o h a v e
13 f a i l e d t o c o m p l y w i t h i n 6 0 d a y s w i t h a r e q u e s t
14 f o r a n i n t e r v i e w o r a c c e s s t o d o c u m e n t s f r o m
15 t h e O f f i c e o f t h e I n s p e c t o r G e n e r a l p e r t a i n i n g
16 t o a n o n - c r i m i n a l m a t t e r .

17 (B) T h e d a t e o n w h i c h s u c h r e q u e s t s w e r e
18 i n i t i a l l y m a d e .

19 (C) A n y e x t e n s i o n o f t i m e t h a t w a s v o l u n -
20 t a r i l y g r a n t e d t o s u c h i n d i v i d u a l b y t h e O f f i c e
21 o f t h e I n s p e c t o r G e n e r a l .

22 (D) T h e g e n e r a l s u b j e c t m a t t e r s r e g a r d i n g
23 w h i c h t h e O f f i c e o f t h e I n s p e c t o r G e n e r a l h a s
24 r e q u e s t e d o f s u c h i n d i v i d u a l s .

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

7 **SEC. 7326. INFORMATION ON EDUCATIONAL OPPORTUNI-**
8 **TIES FOR CHILDREN WITH SPECIAL EDU-**
9 **CATIONAL NEEDS CONSISTENT WITH THE IN-**
10 **DIVIDUALS WITH DISABILITIES EDUCATION**
11 **ACT.**

12 Not later than March 31, 2022, and annually there-
13 after, the Director of the Office of Overseas Schools of
14 the Department of State shall maintain and update a list
15 of overseas schools receiving assistance from the Office
16 and detailing the extent to which each such school provides
17 special education and related services to children with dis-
18 abilities in accordance with part B of the Individuals with
19 Disabilities Education Act (20 U.S.C. 1411 et seq.). Each
20 list required under this section shall be posted on the pub-
21 lic website of the Office for access by members of the For-
22 eign Service, Senior Foreign Service, and their eligible
23 family members.

1 **SEC. 7327. IMPLEMENTATION OF GAP MEMORANDUM IN SE-**
2 **LECTION BOARD PROCESS.**

3 (a) IN GENERAL.—Section 603 of the Foreign Serv-
4 ice Act of 1980 (22 U.S.C. 4003) is amended by adding
5 at the end the following new subsection:

6 “(c)(1) A member of the Service or member of the
7 Senior Foreign Service whose performance will be evalu-
8 ated by a selection board may submit to such selection
9 board a gap memo in advance of such evaluation.

10 “(2) Members of a selection board may not consider
11 as negative the submission of a gap memo by a member
12 described in paragraph (1) when evaluating the perform-
13 ance of such member.

14 “(3) In this subsection, the term ‘gap memo’ means
15 a written record, submitted to a selection board in a stand-
16 ard format established by the Director General of the For-
17 eign Service, which indicates and explains a gap in the
18 record of a member of the Service or member of the Senior
19 Foreign Service whose performance will be evaluated by
20 such selection board, which gap is due to personal cir-
21 cumstances, including for health, family, or other reason
22 as determined by the Director General in consultation with
23 the Committee on Foreign Affairs of the House of Rep-
24 resentatives and the Committee on Foreign Relations of
25 the Senate.”.

26 (b) CONSULTATION AND GUIDANCE.—

1 (1) CONSULTATION.—Not later than 30 days
2 after the date of the enactment of this Act, the Di-
3 rector General of the Foreign Service shall consult
4 with the Committee on Foreign Affairs of the House
5 of Representatives and the Committee on Foreign
6 Relations of the Senate regarding the development
7 of the gap memo under subsection (c) of section 603
8 of the Foreign Service Act of 1980, as added by sub-
9 section (a).

10 (2) DEFINITION.—In this subsection, the term
11 “gap memo” has the meaning given such term in
12 subsection (c) of section 603 of the Foreign Service
13 Act of 1980.

14 **Subtitle D—A Diverse Workforce:**
15 **Recruitment, Retention, and**
16 **Promotion**

17 **SEC. 7401. DEFINITIONS.**

18 In this subtitle:

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
25 the demographic categories specified in the Office of

1 Management and Budget statistical policy directive
2 entitled “Standards for Maintaining, Collecting, and
3 Presenting Federal Data on Race and Ethnicity”
4 (81 Fed. Reg. 67398).

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

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

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

15 (B) individuals who are members of the
16 Foreign Service (as such term defined in sec-
17 tion 103 of the Foreign Service Act of 1980 (22
18 U.S.C. 3902));

19 (C) all individuals serving under a personal
20 services contract;

21 (D) all individuals serving under a Foreign
22 Service limited appointment under section 309
23 of the Foreign Service Act of 1980 (22 U.S.C.
24 3949); or

1 (E) individuals other than Locally Em-
2 ployed Staff working in the Department of
3 State under any other authority.

4 **SEC. 7402. COLLECTION, ANALYSIS, AND DISSEMINATION**
5 **OF WORKFORCE DATA.**

6 (a) INITIAL REPORT.—Not later than 180 days after
7 the date of the enactment of this Act, the Secretary of
8 State shall, in consultation with the Director of the Office
9 of Personnel Management and the Director of the Office
10 of Management and Budget, submit to the appropriate
11 congressional committees a report, which shall also be
12 published on a publicly available website of the Depart-
13 ment in a searchable database format, that includes
14 disaggregated demographic data and other information re-
15 garding the diversity of the workforce of the Department
16 of State.

17 (b) DATA.—The report under subsection (a) shall in-
18 clude the following data to the maximum extent collection
19 of such data is permissible by law:

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

24 (A) Applicants for positions in the Depart-
25 ment.

1 (B) Individuals hired to join the workforce.

2 (C) Individuals promoted during the 5-year
3 period ending on the date of the enactment of
4 this Act, including promotions to and within the
5 Senior Executive Service or the Senior Foreign
6 Service.

7 (D) Individuals serving during the 5-year
8 period ending on the date of the enactment of
9 this Act as special assistants in any of the of-
10 fices of the Secretary of State, the Deputy Sec-
11 retary of State, the Counselor of the Depart-
12 ment of State, the Secretary's Policy Planning
13 Staff, the Under Secretary for Arms Control
14 and International Security, the Under Secretary
15 for Civilian Security, Democracy, and Human
16 Rights, the Under Secretary for Economic
17 Growth, Energy, and the Environment, the Un-
18 dersecretary for Management, the Undersecre-
19 tary of State for Political Affairs, and the Un-
20 dersecretary for Public Diplomacy and Public
21 Affairs.

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

1 (F) Individuals serving in the 5-year pe-
2 riod ending on the date of the enactment of this
3 Act as detailees to the National Security Coun-
4 cil.

5 (G) Individuals serving on applicable selec-
6 tion boards.

7 (H) Members of any external advisory
8 committee or board who are subject to appoint-
9 ment by individuals at senior positions in the
10 Department.

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

16 (J) Individuals participating in mentorship
17 or retention programs.

18 (K) Individuals who separated from the
19 agency during the 5-year period ending on the
20 date of the enactment of this Act, including in-
21 dividuals in the Senior Executive Service or the
22 Senior Foreign Service.

23 (2) An assessment of agency compliance with
24 the essential elements identified in Equal Employ-

1 ment Opportunity Commission Management Direc-
2 tive 715, effective October 1, 2003.

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

8 (c) RECOMMENDATION.—The Secretary of State may
9 include in the report under subsection (a) a recommenda-
10 tion to the Director of Office of Management and Budget
11 and to the appropriate congressional committees regarding
12 whether the Department of State should be permitted to
13 collect more detailed data on demographic categories in
14 addition to the race and ethnicity categories specified in
15 the Office of Management and Budget statistical policy
16 directive entitled “Standards for Maintaining, Collecting,
17 and Presenting Federal Data on Race and Ethnicity” (81
18 Fed. Reg. 67398), in order to comply with the intent and
19 requirements of this Act.

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

23 (1) to propagate fairness, impartiality, and in-
24 clusion in the work environment, both domestically
25 and abroad;

1 (2) to enforce anti-harassment and anti-dis-
2 crimination policies, both domestically and at posts
3 overseas;

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

8 (4) to prevent retaliation against employees for
9 participating in a protected equal employment op-
10 portunity activity or for reporting sexual harassment
11 or sexual assault;

12 (5) to provide reasonable accommodation for
13 qualified employees and applicants with disabilities;
14 and

15 (6) to recruit a representative workforce by—

16 (A) recruiting women, persons with disabili-
17 ties, and minorities;

18 (B) recruiting at women’s colleges, histori-
19 cally Black colleges and universities, minority-
20 serving institutions, and other institutions serv-
21 ing a significant percentage of minority stu-
22 dents;

23 (C) placing job advertisements in news-
24 papers, magazines, and job sites oriented to-
25 ward women and minorities;

1 (D) sponsoring and recruiting at job fairs
2 in urban and rural communities and land-grant
3 colleges or universities;

4 (E) providing opportunities through the
5 Foreign Service Internship Program under
6 chapter 12 of the Foreign Service Act of 1980
7 (22 U.S.C. 4141 et seq.) and other hiring ini-
8 tiatives;

9 (F) recruiting mid-level and senior-level
10 professionals through programs designed to in-
11 crease representation in international affairs of
12 people belonging to traditionally under-rep-
13 resented groups;

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

20 (H) expanding the use of paid internships;
21 and

22 (I) supporting recruiting and hiring oppor-
23 tunities through—

24 (i) the Charles B. Rangel Inter-
25 national Affairs Fellowship Program;

1 (ii) the Thomas R. Pickering Foreign
2 Affairs Fellowship Program; and

3 (iii) other initiatives, including agen-
4 cy-wide policy initiatives.

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

15 (1) disaggregated demographic data, to the
16 maximum extent collection of such data is permis-
17 sible by law, relating to the workforce and informa-
18 tion on the status of diversity and inclusion efforts
19 of the Department;

20 (2) an analysis of applicant flow data, to the
21 maximum extent collection of such data is permis-
22 sible by law,; and

23 (3) disaggregated demographic data relating to
24 participants in professional development programs of

1 the Department and the rate of placement into sen-
2 ior positions for participants in such programs.

3 **SEC. 7403. EXIT INTERVIEWS FOR WORKFORCE.**

4 (a) **RETAINED MEMBERS.**—The Director General of
5 the Foreign Service and the Director of the Bureau of
6 Human Resources or its equivalent shall conduct periodic
7 interviews with a representative and diverse cross-section
8 of the workforce of the Department of State—

9 (1) to understand the reasons of individuals in
10 such workforce for remaining in a position in the
11 Department; and

12 (2) to receive feedback on workplace policies,
13 professional development opportunities, and other
14 issues affecting the decision of individuals in the
15 workforce to remain in the Department.

16 (b) **DEPARTING MEMBERS.**—The Director General of
17 the Foreign Service and the Director of the Bureau of
18 Human Resources or its equivalent shall provide an oppor-
19 tunity for an exit interview to each individual in the work-
20 force of the Department of State who separates from serv-
21 ice with the Department to better understand the reasons
22 of such individual for leaving such service.

23 (c) **USE OF ANALYSIS FROM INTERVIEWS.**—The Di-
24 rector General of the Foreign Service and the Director of
25 the Bureau of Human Resources or its equivalent shall

1 analyze demographic data and other information obtained
2 through interviews under subsections (a) and (b) to deter-
3 mine—

4 (1) to what extent, if any, the diversity of those
5 participating in such interviews impacts the results;
6 and

7 (2) whether to implement any policy changes or
8 include any recommendations in a report required
9 under subsection (a) or (e) of section 1402 relating
10 to the determination reached pursuant to paragraph
11 (1).

12 (d) TRACKING DATA.—The Department of State
13 shall—

14 (1) track demographic data relating to partici-
15 pants in professional development programs and the
16 rate of placement into senior positions for partici-
17 pants in such programs;

18 (2) annually evaluate such data—

19 (A) to identify ways to improve outreach
20 and recruitment for such programs, consistent
21 with merit system principles; and

22 (B) to understand the extent to which par-
23 ticipation in any professional development pro-
24 gram offered or sponsored by the Department

1 differs among the demographic categories of the
2 workforce; and

3 (3) actively encourage participation from a
4 range of demographic categories, especially from cat-
5 egories with consistently low participation, in such
6 professional development programs.

7 **SEC. 7404. RECRUITMENT AND RETENTION.**

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

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

11 (2) instruct the Director General of the Foreign
12 Service and the Director of the Bureau of Human
13 Resources of the Department of State to have a re-
14 cruitment plan of action for the recruitment of peo-
15 ple belonging to traditionally under-represented
16 groups, which should include outreach at appro-
17 priate colleges, universities, affinity groups, and pro-
18 fessional associations.

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

21 (1) recruiting at women’s colleges, historically
22 Black colleges and universities, minority-serving in-
23 stitutions, and other institutions serving a signifi-
24 cant percentage of minority students;

1 (2) placing job advertisements in newspapers,
2 magazines, and job sites oriented toward diverse
3 groups;

4 (3) sponsoring and recruiting at job fairs in
5 urban and rural communities and land-grant colleges
6 or universities;

7 (4) providing opportunities through highly re-
8 spected, international leadership programs, that
9 focus on diversity recruitment and retention;

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

11 (6) cultivating partnerships with organizations
12 dedicated to the advancement of the profession of
13 international affairs and national security to advance
14 shared diversity goals.

15 (c) EXPAND TRAINING ON ANTI-HARASSMENT AND
16 ANTI-DISCRIMINATION.—

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

20 (A) ensure the provision to all individuals
21 in the workforce of training on anti-harassment
22 and anti-discrimination information and poli-
23 cies, including in existing Foreign Service Insti-
24 tute courses or modules prioritized in the De-
25 partment of State’s Diversity and Inclusion

1 Strategic Plan for 2016–2020 to promote diver-
2 sity in Bureau awards or mitigate unconscious
3 bias;

4 (B) expand the provision of training on
5 workplace rights and responsibilities to focus on
6 anti-harassment and anti-discrimination infor-
7 mation and policies, including policies relating
8 to sexual assault prevention and response; and

9 (C) make such expanded training manda-
10 tory for—

11 (i) individuals in senior and super-
12 visory positions;

13 (ii) individuals having responsibilities
14 related to recruitment, retention, or pro-
15 motion of employees; and

16 (iii) any other individual determined
17 by the Department who needs such train-
18 ing based on analysis by the Department
19 or OPM analysis.

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

1 **SEC. 7405. PROMOTING DIVERSITY AND INCLUSION IN THE**
2 **NATIONAL SECURITY WORKFORCE.**

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

9 (b) CONSIDERATION.—In making any recommenda-
10 tions on nominations, conducting interviews, identifying or
11 selecting candidates, or appointing acting individuals for
12 positions equivalent to an Assistant Secretary or above,
13 the Secretary of State shall use best efforts to consider
14 at least one individual reflective of diversity.

15 (c) ESTABLISHMENT.—

16 (1) IN GENERAL.—The Secretary of State shall
17 establish a mechanism to ensure that appointments
18 or details of Department of State employees to staff
19 positions in the Offices of the Secretary, the Deputy
20 Secretary, the Counselor of the Department, the
21 Secretary’s Policy Planning Staff, or any of the
22 Undersecretaries of State, and details to the Na-
23 tional Security Council, are transparent, competitive,
24 equitable, and inclusive, and made without regard to
25 an individual’s race, color, religion, sex (including
26 pregnancy, transgender status, or sexual orienta-

1 tion), national origin, age (if 40 or older), disability,
2 or genetic information.

3 (2) REPORT.—Not later than 90 days after the
4 date of the enactment of this Act, the Secretary of
5 State shall submit to the appropriate congressional
6 committees a report regarding the mechanism re-
7 quired under paragraph (1).

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

13 **SEC. 7406. LEADERSHIP ENGAGEMENT AND ACCOUNT-**
14 **ABILITY.**

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

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

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

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

16 **SEC. 7407. PROFESSIONAL DEVELOPMENT OPPORTUNITIES**
17 **AND TOOLS.**

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

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

24 (A) academic programs;

25 (B) private-public exchanges; and

1 (C) detail assignments to relevant positions

2 in—

3 (i) private or international organiza-
4 tions;

5 (ii) State, local, and Tribal govern-
6 ments;

7 (iii) other branches of the Federal
8 Government; or

9 (iv) professional schools of inter-
10 national affairs.

11 (2) TRAINING FOR SENIOR POSITIONS.—

12 (A) IN GENERAL.—The Secretary of State
13 shall offer, or sponsor members of the work-
14 force to participate in, a Senior Executive Serv-
15 ice candidate development program or other
16 program that trains members on the skills re-
17 quired for appointment to senior positions in
18 the Department of State.

19 (B) REQUIREMENTS.—In determining
20 which members of the workforce are granted
21 professional development or career advancement
22 opportunities under subparagraph (A), the Sec-
23 retary of State shall—

24 (i) ensure any program offered or
25 sponsored by the Department of State

1 under such subparagraph comports with
2 the requirements of subpart C of part 412
3 of title 5, Code of Federal Regulations, or
4 any successor thereto, including merit
5 staffing and assessment requirements;

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

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

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

20 **SEC. 7408. EXAMINATION AND ORAL ASSESSMENT FOR THE**
21 **FOREIGN SERVICE.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that the Department of State should offer both the
24 Foreign Service written examination and oral assessment
25 in more locations throughout the United States. Doing so

1 would ease the financial burden on potential candidates
2 who do not currently reside in and must travel at their
3 own expense to one of the few locations where these as-
4 sessments are offered.

5 (b) FOREIGN SERVICE EXAMINATIONS.—Section
6 301(b) of the Foreign Service Act of 1980 (22 U.S.C.
7 3941) is amended—

8 (1) by striking “The Secretary” and inserting:
9 “(1) The Secretary”; and

10 (2) by adding at the end the following new
11 paragraph:

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

17 **SEC. 7409. PAYNE FELLOWSHIP AUTHORIZATION.**

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

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

4 **SEC. 7410. VOLUNTARY PARTICIPATION.**

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

11 (b) PRIVACY PROTECTION.—Any data collected
12 under this subtitle shall be subject to the relevant privacy
13 protection statutes and regulations applicable to Federal
14 employees.

15 **Subtitle E—Information Security**

16 **SEC. 7501. DEFINITIONS.**

17 In this subtitle:

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

22 (2) RELEVANT CONGRESSIONAL COMMIT-
23 TEES.—The term “relevant congressional commit-
24 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. 7502. LIST OF CERTAIN TELECOMMUNICATIONS PRO-**
8 **VIDERS.**

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

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

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

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

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

20 **SEC. 7503. PRESERVING RECORDS OF ELECTRONIC COM-**
21 **MUNICATIONS CONDUCTED RELATED TO OF-**
22 **FICIAL DUTIES OF POSITIONS IN THE PUBLIC**
23 **TRUST OF THE AMERICAN PEOPLE.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that all officers and employees of the Department

1 and the United States Agency for International Develop-
2 ment are obligated under chapter 31 of title 44, United
3 States Code (popularly referred to as the Federal Records
4 Act of 1950), to create and preserve records containing
5 adequate and proper documentation of the organization,
6 functions, policies, decisions, procedures, and essential
7 transactions or operations of the Department and United
8 States embassies, consulates, and missions abroad, includ-
9 ing records of official communications with foreign govern-
10 ment officials or other foreign entities.

11 (b) CERTIFICATION.—Not later than 180 days after
12 the date of the enactment of this Act, the Secretary shall
13 submit to the appropriate congressional committees a cer-
14 tification in unclassified form that Secretary has commu-
15 nicated to all Department personnel, including the Sec-
16 retary of State and all political appointees, that such per-
17 sonnel are obligated under chapter 31 of title 44, United
18 States Code, to treat electronic messaging systems, soft-
19 ware, and applications as equivalent to electronic mail for
20 the purpose of identifying Federal records.

21 **SEC. 7504. FOREIGN RELATIONS OF THE UNITED STATES**

22 **(FRUS) SERIES AND DECLASSIFICATION.**

23 The State Department Basic Authorities Act of 1956
24 is amended—

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

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

5 (A) in subsection (a)(1), by striking
6 “30” and inserting “25”; and

7 (B) in subsection (c)(1)(C), by striking
8 “30” and inserting “25”.

9 **SEC. 7505. VULNERABILITY DISCLOSURE POLICY AND BUG**
10 **BOUNTY PILOT PROGRAM.**

11 (a) DEFINITIONS.—In this section:

12 (1) BUG BOUNTY PROGRAM.—The term “bug
13 bounty program” means a program under which an
14 approved individual, organization, or company is
15 temporarily authorized to identify and report
16 vulnerabilities of internet-facing information tech-
17 nology of the Department of State in exchange for
18 compensation.

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

23 (b) VULNERABILITY DISCLOSURE PROCESS.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this Act, the Sec-

1 retary of State shall design, establish, and make
2 publicly known a Vulnerability Disclosure Process
3 (VDP) to improve Department of State cybersecurity by—
4 rity by—

5 (A) providing security researchers with
6 clear guidelines for—

7 (i) conducting vulnerability discovery
8 activities directed at Department informa-
9 tion technology; and

10 (ii) submitting discovered security
11 vulnerabilities to the Department; and

12 (B) creating Department procedures and
13 infrastructure to receive and fix discovered
14 vulnerabilities.

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

18 (A) identify which Department of State in-
19 formation technology should be included in the
20 process;

21 (B) determine whether the process should
22 differentiate among and specify the types of se-
23 curity vulnerabilities that may be targeted;

24 (C) provide a readily available means of re-
25 porting discovered security vulnerabilities and

1 the form in which such vulnerabilities should be
2 reported;

3 (D) identify which Department offices and
4 positions will be responsible for receiving,
5 prioritizing, and addressing security vulner-
6 ability disclosure reports;

7 (E) consult with the Attorney General re-
8 garding how to ensure that individuals, organi-
9 zations, and companies that comply with the re-
10 quirements of the process are protected from
11 prosecution under section 1030 of title 18,
12 United States Code, and similar provisions of
13 law for specific activities authorized under the
14 process;

15 (F) consult with the relevant offices at the
16 Department of Defense that were responsible
17 for launching the 2016 Vulnerability Disclosure
18 Program, “Hack the Pentagon”, and subse-
19 quent Department of Defense bug bounty pro-
20 grams;

21 (G) engage qualified interested persons, in-
22 cluding nongovernmental sector representatives,
23 about the structure of the process as construc-
24 tive and to the extent practicable; and

1 (H) award contracts to entities, as nec-
2 essary, to manage the process and implement
3 the remediation of discovered security
4 vulnerabilities.

5 (3) ANNUAL REPORTS.—Not later than 180
6 days after the establishment of the VDP under para-
7 graph (1) and annually thereafter for the next five
8 years, the Secretary of State shall submit to the
9 Committee on Foreign Affairs of the House of Rep-
10 resentatives and the Committee on Foreign Rela-
11 tions of the Senate a report on the VDP, including
12 information relating to the following:

13 (A) The number and severity of all secu-
14 rity vulnerabilities reported.

15 (B) The number of previously unidentified
16 security vulnerabilities remediated as a result.

17 (C) The current number of outstanding
18 previously unidentified security vulnerabilities
19 and Department of State remediation plans.

20 (D) The average length of time between
21 the reporting of security vulnerabilities and re-
22 mediation of such vulnerabilities.

23 (E) The resources, surge staffing, roles,
24 and responsibilities within the Department used

1 to implement the VDP and complete security
2 vulnerability remediation.

3 (F) Any other information the Secretary
4 determines relevant.

5 (c) BUG BOUNTY PILOT PROGRAM.—

6 (1) IN GENERAL.—Not later than one year
7 after the date of the enactment of this Act, the Sec-
8 retary of State shall establish a bug bounty pilot
9 program to minimize security vulnerabilities of inter-
10 net-facing information technology of the Department
11 of State.

12 (2) REQUIREMENTS.—In establishing the pilot
13 program described in paragraph (1), the Secretary
14 of State shall—

15 (A) provide compensation for reports of
16 previously unidentified security vulnerabilities
17 within the websites, applications, and other
18 internet-facing information technology of the
19 Department of State that are accessible to the
20 public;

21 (B) award contracts to entities, as nec-
22 essary, to manage such pilot program and for
23 executing the remediation of security
24 vulnerabilities identified pursuant to subpara-
25 graph (A);

1 (C) identify which Department of State in-
2 formation technology should be included in such
3 pilot program;

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

12 (E) consult with the relevant offices at the
13 Department of Defense that were responsible
14 for launching the 2016 “Hack the Pentagon”
15 pilot program and subsequent Department of
16 Defense bug bounty programs;

17 (F) develop a process by which an ap-
18 proved individual, organization, or company can
19 register with the entity referred to in subpara-
20 graph (B), submit to a background check as de-
21 termined by the Department of State, and re-
22 ceive a determination as to eligibility for par-
23 ticipation in such pilot program;

24 (G) engage qualified interested persons, in-
25 cluding nongovernmental sector representatives,

1 about the structure of such pilot program as
2 constructive and to the extent practicable; and

3 (H) consult with relevant United States
4 Government officials to ensure that such pilot
5 program complements persistent network and
6 vulnerability scans of the Department of State's
7 internet-accessible systems, such as the scans
8 conducted pursuant to Binding Operational Di-
9 rective BOD-19-02 or successor directive.

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

13 (4) REPORT.—Not later than 180 days after
14 the date on which the bug bounty pilot program
15 under subsection (a) is completed, the Secretary of
16 State shall submit to the Committee on Foreign Re-
17 lations of the Senate and the Committee on Foreign
18 Affairs of the House of Representatives a report on
19 such pilot program, including information relating
20 to—

21 (A) the number of approved individuals,
22 organizations, or companies involved in such
23 pilot program, broken down by the number of
24 approved individuals, organizations, or compa-
25 nies that—

- 1 (i) registered;
- 2 (ii) were approved;
- 3 (iii) submitted security vulnerabilities;
- 4 and
- 5 (iv) received compensation;
- 6 (B) the number and severity of all security
- 7 vulnerabilities reported as part of such pilot
- 8 program;
- 9 (C) the number of previously unidentified
- 10 security vulnerabilities remediated as a result of
- 11 such pilot program;
- 12 (D) the current number of outstanding
- 13 previously unidentified security vulnerabilities
- 14 and Department remediation plans;
- 15 (E) the average length of time between the
- 16 reporting of security vulnerabilities and remedi-
- 17 ation of such vulnerabilities;
- 18 (F) the types of compensation provided
- 19 under such pilot program; and
- 20 (G) the lessons learned from such pilot
- 21 program.
- 22 (d) USE OF FUNDS.—Compensation offered by the
- 23 Department subject to this section shall be funded by
- 24 funds authorized to be appropriated by section 7101.

1 **Subtitle F—Public Diplomacy**

2 **SEC. 7601. SHORT TITLE.**

3 This subtitle may be cited as the “Public Diplomacy
4 Modernization Act of 2021”.

5 **SEC. 7602. AVOIDING DUPLICATION OF PROGRAMS AND EF-**
6 **FORTS.**

7 The Secretary of State shall—

8 (1) identify opportunities for greater efficiency
9 of operations, including through improved coordina-
10 tion of efforts across public diplomacy bureaus and
11 offices of the Department of State; and

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

17 **SEC. 7603. IMPROVING RESEARCH AND EVALUATION OF**
18 **PUBLIC DIPLOMACY.**

19 (a) **RESEARCH AND EVALUATION ACTIVITIES.**—The
20 Secretary of State, acting through the Director of Re-
21 search and Evaluation appointed pursuant to subsection
22 (b), shall—

23 (1) conduct regular research and evaluation of
24 public diplomacy programs and activities of the De-
25 partment, including through the routine use of audi-

1 ence research, digital analytics, and impact evalua-
2 tions, to plan and execute such programs and activi-
3 ties; and

4 (2) make available to Congress the findings of
5 the research and evaluations conducted under para-
6 graph (1).

7 (b) DIRECTOR OF RESEARCH AND EVALUATION.—

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

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

19 (3) RESPONSIBILITIES.—The Director shall—

20 (A) coordinate and oversee the research
21 and evaluation of public diplomacy programs
22 and activities of the Department of State in
23 order to—

24 (i) improve public diplomacy strate-
25 gies and tactics; and

1 (ii) ensure that such programs and
2 activities are increasing the knowledge, un-
3 derstanding, and trust of the United
4 States by relevant target audiences;

5 (B) routinely organize and oversee audi-
6 ence research, digital analytics, and impact
7 evaluations across all public diplomacy bureaus
8 and offices of the Department;

9 (C) support United States diplomatic
10 posts' public affairs sections;

11 (D) share appropriate public diplomacy re-
12 search and evaluation information within the
13 Department and with other appropriate Federal
14 departments and agencies;

15 (E) regularly design and coordinate stand-
16 ardized research questions, methodologies, and
17 procedures to ensure that public diplomacy pro-
18 grams and activities across all public diplomacy
19 bureaus and offices are designed to meet appro-
20 priate foreign policy objectives; and

21 (F) report biannually to the United States
22 Advisory Commission on Public Diplomacy,
23 through the Subcommittee on Research and
24 Evaluation established pursuant to subsection

1 (f), regarding the research and evaluation of all
2 public diplomacy bureaus and offices.

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

14 (c) PRIORITIZING RESEARCH AND EVALUATION.—

15 (1) IN GENERAL.—The head of the Office of
16 Policy, Planning, and Resources for Public Diplo-
17 macy and Public Affairs of the Department of State
18 shall ensure that research and evaluation of public
19 diplomacy and activities of the Department, as co-
20 ordinated and overseen by the Director pursuant to
21 subsection (b), supports strategic planning and re-
22 source allocation across all public diplomacy bureaus
23 and offices of the Department.

24 (2) ALLOCATION OF RESOURCES.—Amounts al-
25 located for the purpose of research and evaluation of

1 public diplomacy programs and activities of the De-
2 partment of State pursuant to subsection (b) shall
3 be made available to be disbursed at the direction of
4 the Director of Research and Evaluation among the
5 research and evaluation staff across all public diplo-
6 macy bureaus and offices of the Department.

7 (3) SENSE OF CONGRESS.—It is the sense of
8 Congress that the Department of State should
9 gradually increase its allocation of funds made avail-
10 able under the headings “Educational and Cultural
11 Exchange Programs” and “Diplomatic Programs”
12 for research and evaluation of public diplomacy pro-
13 grams and activities of the Department pursuant to
14 subsection (b) to a percentage of program funds that
15 is commensurate with Federal Government best
16 practices.

17 (d) LIMITED EXEMPTION RELATING TO THE PAPER-
18 WORK REDUCTION ACT.—Chapter 35 of title 44, United
19 States Code (commonly known as the “Paperwork Reduc-
20 tion Act”) shall not apply to the collection of information
21 directed at any individuals conducted by, or on behalf of,
22 the Department of State for the purpose of audience re-
23 search, monitoring, and evaluations, and in connection
24 with the Department’s activities conducted pursuant to
25 any of the following:

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

3 (2) Section 1287 of the National Defense Au-
4 thorization Act for Fiscal Year 2017 (Public Law
5 114–328; 22 U.S.C. 2656 note).

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

8 (e) LIMITED EXEMPTION RELATING TO THE PRI-
9 VACY ACT.—

10 (1) IN GENERAL.—The Department of State
11 shall maintain, collect, use, and disseminate records
12 (as such term is defined in section 552a(a)(4) of
13 title 5, United States Code) for audience research,
14 digital analytics, and impact evaluation of commu-
15 nications related to public diplomacy efforts intended
16 for foreign audiences.

17 (2) CONDITIONS.—Audience research, digital
18 analytics, and impact evaluations under paragraph

19 (1) shall be—

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

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

24 (f) UNITED STATES ADVISORY COMMISSION ON PUB-
25 LIC DIPLOMACY.—

1 (1) SUBCOMMITTEE FOR RESEARCH AND EVAL-
2 UATION.—The United States Advisory Commission
3 on Public Diplomacy shall establish a Subcommittee
4 on Research and Evaluation to monitor and advise
5 regarding audience research, digital analytics, and
6 impact evaluations carried out by the Department of
7 State and the United States Agency for Global
8 Media.

9 (2) ANNUAL REPORT.—The Subcommittee on
10 Research and Evaluation established pursuant to
11 paragraph (1) shall submit to the appropriate con-
12 gressional committees an annual report, in conjunc-
13 tion with the United States Advisory Commission on
14 Public Diplomacy’s Comprehensive Annual Report
15 on the performance of the Department and the
16 United States Agency for Global Media, describing
17 all actions taken by the Subcommittee pursuant to
18 paragraph (1) and any findings made as a result of
19 such actions.

20 **SEC. 7604. PERMANENT REAUTHORIZATION OF THE**
21 **UNITED STATES ADVISORY COMMISSION ON**
22 **PUBLIC DIPLOMACY.**

23 (a) IN GENERAL.—Section 1334 of the Foreign Af-
24 fairs Reform and Restructuring Act of 1998 (22 U.S.C.
25 6553) is amended—

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

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

4 (b) CLERICAL AMENDMENT.—The table of contents
5 in section 1002(b) of the Foreign Affairs Reform and Re-
6 structuring Act of 1998 is amended by amending the item
7 relating to section 1334 to read as follows:

“Sec. 1334. Continuation of United States Advisory Commission on Public Di-
plomacy.”.

8 **SEC. 7605. STREAMLINING OF SUPPORT FUNCTIONS.**

9 (a) WORKING GROUP ESTABLISHED.—Not later than
10 60 days after the date of the enactment of this Act, the
11 Secretary of State shall establish a working group to ex-
12 plore the possibilities and cost-benefit analysis of
13 transitioning to a shared services model as such pertains
14 to human resources, travel, purchasing, budgetary plan-
15 ning, and all other executive support functions for all bu-
16 reaus of the Department that report to the Under Sec-
17 retary for Public Diplomacy of the Department.

18 (b) REPORT.—Not later than 180 days after the date
19 of the enactment of this Act, the Secretary of State shall
20 submit to the appropriate congressional committees a plan
21 to implement any such findings of the working group es-
22 tablished under subsection (a).

1 **SEC. 7606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLO-**
2 **MACY 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 of State and the appropriate Under
4 Secretaries and Assistant Secretaries of the Depart-
5 ment.

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

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

18 **SEC. 7607. DEFINITIONS.**

19 In this subtitle:

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

1 ests, knowledge, and behaviors of such audience seg-
2 ments.

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

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

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

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

19 (B) The Bureau of Global Public Affairs.

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

23 (D) The Global Engagement Center.

24 (E) The public diplomacy functions within
25 the regional and functional bureaus.

1 **Subtitle G—Combating Public**
2 **Corruption**

3 **SEC. 7701. 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; and

12 (3) the Department of State should—

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

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

23 **SEC. 7702. ANNUAL ASSESSMENT.**

24 (a) **IN GENERAL.**—For each of fiscal years 2022
25 through 2027, the Secretary of State shall assess the ca-

1 capacity and commitment of foreign governments to which
2 the United States provides foreign assistance under the
3 Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.)
4 or the Arms Export Control Act (22 U.S.C. 2751 et seq.)
5 to combat public corruption. Each such assessment
6 shall—

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

13 (2) consider, to the extent reliable information
14 is available, whether the government of a country
15 identified under paragraph (1)—

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

21 (B) has enacted laws and established gov-
22 ernment structures, policies, and practices that
23 prohibit public corruption;

24 (C) enforces such laws through a fair judi-
25 cial process;

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

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

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

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

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

24 (I) addresses threats for civil society to
25 monitor anti-corruption efforts;

1 (3) further consider—

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

8 (B) the extent to which such government
9 provides access, or, as appropriate, makes ade-
10 quate resources available, to civil society organi-
11 zations and other institutions to combat public
12 corruption, including reporting, investigating,
13 and monitoring;

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

23 (D) the extent to which such government
24 cooperates meaningfully with the United States
25 to strengthen government and judicial institu-

1 tions and the rule of law to prevent, prohibit,
2 and punish public corruption; and

3 (E) the extent to which such government—

4 (i) is assisting in international inves-
5 tigations of transnational public corruption
6 networks and in other cooperative efforts
7 to combat serious, significant corruption,
8 including cooperating with the govern-
9 ments of other countries to extradite cor-
10 rupt actors;

11 (ii) recognizes the rights of victims of
12 public corruption, ensures their access to
13 justice, and takes steps to prevent such
14 victims from being further victimized or
15 persecuted by corrupt actors, government
16 officials, or others; and

17 (iii) refrains from prosecuting legiti-
18 mate victims of public corruption or whis-
19 tleblowers due to such persons having as-
20 sisted in exposing public corruption, and
21 refrains from other discriminatory treat-
22 ment of such persons; and

23 (4) contain such other information relating to
24 public corruption as the Secretary of State considers
25 appropriate.

1 (b) IDENTIFICATION.—After conducting each assess-
2 ment under subsection (a), the Secretary of State shall
3 identify, of the countries described in subsection (a)(1)—

4 (1) which countries are meeting minimum
5 standards to combat public corruption;

6 (2) which countries are not meeting such min-
7 imum standards but are making significant efforts
8 to do so; and

9 (3) which countries are not meeting such min-
10 imum standards and are not making significant ef-
11 forts to do so.

12 (c) REPORT.—Except as provided in subsection (d),
13 not later than 180 days after the date of the enactment
14 of this Act and annually thereafter through fiscal year
15 2027, the Secretary of State shall submit to the appro-
16 priate congressional committees, the Committee on Appro-
17 priations of the House of Representatives, and the Com-
18 mittee on Appropriations of the Senate a report, and make
19 such report publicly available, that—

20 (1) identifies the countries described in sub-
21 section (a)(1) and paragraphs (2) and (3) of sub-
22 section (b);

23 (2) describes the methodology and data utilized
24 in the assessments under subsection (a); and

1 (3) identifies the reasons for the identifications
2 referred to in paragraph (1).

3 (d) BRIEFING IN LIEU OF REPORT.—The Secretary
4 of State may waive the requirement to submit and make
5 publicly available a written report under subsection (c) if
6 the Secretary—

7 (1) determines that publication of such report
8 would—

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

11 (B) threaten the national interests of the
12 United States; and

13 (2) provides to the appropriate congressional
14 committees a briefing that—

15 (A) identifies the countries described in
16 subsection (a)(1) and paragraphs (2) and (3) of
17 subsection (b);

18 (B) describes the methodology and data
19 utilized in the assessment under subsection (a);
20 and

21 (C) identifies the reasons for the identifica-
22 tions referred to in subparagraph (A).

23 **SEC. 7703. TRANSPARENCY AND ACCOUNTABILITY.**

24 For each country identified under paragraphs (2) and
25 (3) of section 1702(b), the Secretary of State, in coordina-

1 tion with the Administrator of the United States Agency
2 for International Development, as appropriate, shall—

3 (1) ensure that a corruption risk assessment
4 and mitigation strategy is included in the integrated
5 country strategy for such country; and

6 (2) utilize appropriate mechanisms to combat
7 corruption in such countries, including by ensur-
8 ing—

9 (A) the inclusion of anti-corruption clauses
10 in contracts, grants, and cooperative agree-
11 ments entered into by the Department of State
12 or the United States Agency for International
13 Development for or in such countries, which
14 allow for the termination of such contracts,
15 grants, or cooperative agreements, as the case
16 may be, without penalty if credible indicators of
17 public corruption are discovered;

18 (B) the inclusion of appropriate clawback
19 or flowdown clauses within the procurement in-
20 struments of the Department of State and the
21 United States Agency for International Devel-
22 opment that provide for the recovery of funds
23 misappropriated through corruption;

24 (C) the appropriate disclosure to the
25 United States Government, in confidential

1 form, if necessary, of the beneficial ownership
2 of contractors, subcontractors, grantees, cooper-
3 ative agreement participants, and other organi-
4 zations implementing programs on behalf of the
5 Department of State or the United States
6 Agency for International Development; and

7 (D) the establishment of mechanisms for
8 investigating allegations of misappropriated re-
9 sources and equipment.

10 **SEC. 7704. DESIGNATION OF EMBASSY ANTI-CORRUPTION**

11 **POINTS OF CONTACT.**

12 (a) IN GENERAL.—The Secretary of State shall an-
13 nually designate an anti-corruption point of contact at the
14 United States diplomatic post to each country identified
15 under paragraphs (2) and (3) of section 1702(b), or which
16 the Secretary otherwise determines is in need of such a
17 point of contact. The point of contact shall be the chief
18 of mission or the chief of mission’s designee.

19 (b) RESPONSIBILITIES.—Each anti-corruption point
20 of contact designated under subsection (a) shall be respon-
21 sible for coordinating and overseeing the implementation
22 of a whole-of-government approach among the relevant
23 Federal departments and agencies operating programs
24 that—

1 (1) promote good governance in foreign coun-
2 tries; and

3 (2) enhance the ability of such countries to—

4 (A) combat public corruption; and

5 (B) develop and implement corruption risk
6 assessment tools and mitigation strategies.

7 (c) TRAINING.—The Secretary of State shall imple-
8 ment appropriate training for anti-corruption points of
9 contact designated under subsection (a).

10 **Subtitle H—Other Matters**

11 **SEC. 7801. CASE-ZABLOCKI ACT REFORM.**

12 Section 112b of title 1, United States Code, is
13 amended—

14 (1) in subsection (a)—

15 (A) in the first sentence, by striking
16 “sixty” and inserting “30”; and

17 (B) in the second sentence, by striking
18 “Committee on International Relations” and in-
19 serting “Committee on Foreign Affairs”; and

20 (2) by amending subsection (b) to read as fol-
21 lows:

22 “(b) Each department or agency of the United States
23 Government that enters into any international agreement
24 described in subsection (a) on behalf of the United States,

1 shall designate a Chief International Agreements Officer,
2 who—

3 “(1) shall be a current employee of such depart-
4 ment or agency;

5 “(2) shall serve concurrently as Chief Inter-
6 national Agreements Officer; and

7 “(3) subject to the authority of the head of
8 such department or agency, shall have department
9 or agency-wide responsibility for efficient and appro-
10 priate compliance with subsection (a) to transmit the
11 text of any international agreement to the Depart-
12 ment of State expeditiously after such agreement
13 has been signed.”.

14 **SEC. 7802. LIMITATION ON ASSISTANCE TO COUNTRIES IN**
15 **DEFAULT.**

16 Section 620(q) of the Foreign Assistance Act of 1961
17 (22 U.S.C. 2370(q)) is amended—

18 (1) by striking “No assistance” and inserting
19 the following “(1) No assistance”;

20 (2) by inserting “the government of” before
21 “any country”;

22 (3) by inserting “the government of” before
23 “such country” each place it appears;

24 (4) by striking “determines” and all that fol-
25 lows and inserting “determines, after consultation

1 with the Committee on Foreign Affairs and the
2 Committee on Appropriations of the House of Rep-
3 resentatives and the Committee on Foreign Rela-
4 tions and the Committee on Appropriations of the
5 Senate, that assistance for such country is in the na-
6 tional interest of the United States.”; and

7 (5) by adding at the end the following:

8 “(2) No assistance shall be furnished under this Act,
9 the Peace Corps Act, the Millennium Challenge Act of
10 2003, the African Development Foundation Act, the
11 BUILD Act of 2018, section 504 of the FREEDOM Sup-
12 port Act, or section 23 of the Arms Export Control Act
13 to the government of any country which is in default dur-
14 ing a period in excess of 1 calendar year in payment to
15 the United States of principal or interest or any loan made
16 to the government of such country by the United States
17 unless the President determines, following consultation
18 with the congressional committees specified in paragraph
19 (1), that assistance for such country is in the national in-
20 terest of the United States.”.

21 **SEC. 7803. SEAN AND DAVID GOLDMAN CHILD ABDUCTION**
22 **PREVENTION AND RETURN ACT OF 2014**
23 **AMENDMENT.**

24 Subsection (b) of section 101 of the Sean and David
25 Goldman International Child Abduction Prevention and

1 Return Act of 2014 (22 U.S.C. 9111; Public Law 113–
2 150) is amended—

3 (1) in paragraph (2)—

4 (A) in subparagraph (A)—

5 (i) by inserting “, respectively,” after
6 “access cases”; and

7 (ii) by inserting “and the number of
8 children involved” before the semicolon at
9 the end;

10 (B) in subparagraph (D), by inserting “re-
11 spectively, the number of children involved,”
12 after “access cases,”;

13 (2) in paragraph (7), by inserting “, and num-
14 ber of children involved in such cases” before the
15 semicolon at the end;

16 (3) in paragraph (8), by striking “and” after
17 the semicolon at the end;

18 (4) in paragraph (9), by striking the period at
19 the end and inserting “; and”; and

20 (5) by adding at the end the following new
21 paragraph:

22 “(10) the total number of pending cases the
23 Department of State has assigned to case officers
24 and number of children involved for each country
25 and as a total for all countries.”.

1 **SEC. 7804. MODIFICATION OF AUTHORITIES OF COMMIS-**
2 **SION FOR THE PRESERVATION OF AMERICA’S**
3 **HERITAGE ABROAD.**

4 (a) IN GENERAL.—Chapter 3123 of title 54, United
5 States Code, is amended as follows:

6 (1) In section 312302, by inserting “, and
7 unimpeded access to those sites,” after “and historic
8 buildings”.

9 (2) In section 312304(a)—

10 (A) in paragraph (2)—

11 (i) by striking “and historic build-
12 ings” and inserting “and historic buildings,
13 and unimpeded access to those sites”; and

14 (ii) by striking “and protected” and
15 inserting “, protected, and made acces-
16 sible”; and

17 (B) in paragraph (3), by striking “and
18 protecting” and inserting “, protecting, and
19 making accessible”.

20 (3) In section 312305, by inserting “and to the
21 Committee on Foreign Affairs of the House of Rep-
22 resentatives and the Committee on Foreign Rela-
23 tions of the Senate” after “President”.

24 (b) REPORT.—Not later than 90 days after the date
25 of the enactment of this Act, the Commission for the Pres-
26 ervation of America’s Heritage Abroad shall submit to the

1 President and to the Committee on Foreign Affairs of the
2 House of Representatives and the Committee on Foreign
3 Relations of the Senate a report that contains an evalua-
4 tion of the extent to which the Commission is prepared
5 to continue its activities and accomplishments with respect
6 to the foreign heritage of United States citizens from east-
7 ern and central Europe, were the Commission's duties and
8 powers extended to include other regions, including the
9 Middle East and North Africa, and any additional re-
10 sources or personnel the Commission would require.

11 **SEC. 7805. CHIEF OF MISSION CONCURRENCE.**

12 In the course of providing concurrence to the exercise
13 of the authority pursuant to section 127e of title 10,
14 United State Code, or section 1202 of the National De-
15 fense Authorization Act for Fiscal Year 2018—

16 (1) each relevant chief of mission shall inform
17 and consult in a timely manner with relevant indi-
18 viduals at relevant missions or bureaus of the De-
19 partment of State; and

20 (2) the Secretary of State shall take such steps
21 as may be necessary to ensure that such relevant in-
22 dividuals have the security clearances necessary and
23 access to relevant compartmented and special pro-
24 grams to so consult in a timely manner with respect
25 to such concurrence.

1 **SEC. 7806. REPORT ON EFFORTS OF THE CORONAVIRUS RE-**
2 **PATRIATION TASK FORCE.**

3 Not later than 90 days after the date of the enact-
4 ment of this Act, the Secretary of State shall submit to
5 the appropriate congressional committees, the Committee
6 on Armed Services of the House of Representatives, and
7 the Committee on Armed Services of the Senate a report
8 evaluating the efforts of the Coronavirus Repatriation
9 Task Force of the Department of State to repatriate
10 United States citizens and legal permanent residents in
11 response to the 2020 coronavirus outbreak. The report
12 shall identify—

13 (1) the most significant impediments to repa-
14 triating such persons;

15 (2) the lessons learned from such repatriations;
16 and

17 (3) any changes planned to future repatriation
18 efforts of the Department of State to incorporate
19 such lessons learned.

