

AMENDMENT TO RULES COMM. PRINT 116-57

OFFERED BY MR. ENGEL OF NEW YORK

Add at the end of the bill the following:

1 **DIVISION E—DEPARTMENT OF**
2 **STATE AUTHORITIES AND AC-**
3 **TIVITIES**

4 **SEC. 5001. SHORT TITLE.**

5 This division may be cited as the “Department of
6 State Authorization Act of 2020”.

7 **TITLE I—ORGANIZATION AND**
8 **OPERATIONS OF THE DE-**
9 **PARTMENT OF STATE**

10 **SEC. 5101. SENSE OF CONGRESS ON IMPORTANCE OF DE-**
11 **PARTMENT OF STATE’S WORK.**

12 It is the sense of Congress that—

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

15 (2) United States leadership is indispensable in
16 light of the many complex and interconnected
17 threats facing the United States and the world;

18 (3) diplomacy and development are critical tools
19 of national power, and full deployment of these tools
20 is vital to United States national security;

1 (4) challenges such as the global refugee and
2 migration crises, terrorism, historic famine and food
3 insecurity, and fragile or repressive societies cannot
4 be addressed without sustained and robust United
5 States diplomatic and development leadership;

6 (5) the United States Government must use all
7 of the instruments of national security and foreign
8 policy at its disposal to protect United States citi-
9 zens, promote United States interests and values,
10 and support global stability and prosperity;

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

22 (7) as the United States Government agencies
23 primarily charged with conducting diplomacy and
24 development, the Department and the United States
25 Agency for International Development (USAID) re-

1 quire sustained and robust funding to carry out this
2 important work, which is essential to our ability to
3 project United States leadership and values and to
4 advance the United States interests around the
5 world;

6 (8) the work of the Department and USAID
7 makes the United States and the world safer and
8 more prosperous by alleviating global poverty and
9 hunger, fighting HIV/AIDS and other infectious dis-
10 eases, strengthening alliances, expanding educational
11 opportunities for women and girls, promoting good
12 governance and democracy, supporting anti-corrup-
13 tion efforts, driving economic development and
14 trade, preventing armed conflicts and humanitarian
15 crises, and creating American jobs and export oppor-
16 tunities;

17 (9) the Department and USAID are vital na-
18 tional security agencies, whose work is critical to the
19 projection of United States power and leadership
20 worldwide, and without which Americans would be
21 less safe, our economic power would be diminished,
22 and global stability and prosperity would suffer;

23 (10) investing in diplomacy and development
24 before conflicts break out saves American lives while
25 also being cost-effective; and

1 (11) the contributions of personnel working at
2 the Department and USAID are extraordinarily val-
3 uable and allow the United States to maintain its
4 leadership around the world.

5 **SEC. 5102. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND**
6 **LABOR.**

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

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

15 (2) in subparagraph (B)(ii)—

16 (A) by striking “section” and inserting
17 “sections 116 and”; and

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

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

24 “(C) **AUTHORITIES.**—In addition to the
25 duties, functions, and responsibilities specified

1 in this paragraph, the Assistant Secretary of
2 State for Democracy, Human Rights, and
3 Labor is authorized to—

4 “(i) promote democracy and actively
5 support human rights throughout the
6 world;

7 “(ii) promote the rule of law and good
8 governance throughout the world;

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

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

23 “(v) review and, as appropriate, make
24 recommendations to the Secretary of State
25 regarding the proposed transfer of—

1 “(I) defense articles and defense
2 services authorized under the Foreign
3 Assistance Act of 1961 (22 U.S.C.
4 2151 et seq.) or the Arms Export
5 Control Act (22 U.S.C. 2751 et seq.);
6 and

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

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

16 “(vii) implement other relevant poli-
17 cies and provisions of law.

18 “(D) EFFICIENCY.—The Assistant Sec-
19 retary for Democracy, Human Rights, and
20 Labor shall take whatever actions may be nec-
21 essary to minimize the duplication of efforts
22 within the Bureau of Democracy, Human
23 Rights, and Labor.

24 “(E) LOCAL OVERSIGHT.—United States
25 missions, to the extent practicable, should assist

1 in exercising oversight authority and coordinate
2 with the Bureau of Democracy, Human Rights,
3 and Labor to ensure that funds are appro-
4 priately used and comply with anti-corruption
5 practices.”.

6 **SEC. 5103. ASSISTANT SECRETARY FOR INTERNATIONAL**
7 **NARCOTICS AND LAW ENFORCEMENT AF-**
8 **FAIRS.**

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

12 (1) by redesignating paragraph (3) as para-
13 graph (4); and

14 (2) by inserting after paragraph (2) the fol-
15 lowing new paragraph:

16 “(3) ASSISTANT SECRETARY FOR INTER-
17 NATIONAL NARCOTICS AND LAW ENFORCEMENT AF-
18 FAIRS.—

19 “(A) IN GENERAL.—There is authorized to
20 be in the Department of State an Assistant
21 Secretary for International Narcotics and Law
22 Enforcement Affairs, who shall be responsible
23 to the Secretary of State for all matters, pro-
24 grams, and related activities pertaining to inter-
25 national narcotics, anti-crime, and law enforce-

1 ment affairs in the conduct of foreign policy by
2 the Department, including, as appropriate, lead-
3 ing the coordination of programs carried out by
4 United States Government agencies abroad, and
5 such other related duties as the Secretary may
6 from time to time designate.

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

17 “(i) Combating international narcotics
18 production and trafficking.

19 “(ii) Strengthening foreign justice sys-
20 tems, including judicial and prosecutorial
21 capacity, appeals systems, law enforcement
22 agencies, prison systems, and the sharing
23 of recovered assets.

24 “(iii) Training and equipping foreign
25 police, border control, other government of-

1 officials, and other civilian law enforcement
2 authorities for anti-crime purposes, includ-
3 ing ensuring that no foreign security unit
4 or member of such unit shall receive such
5 assistance from the United States Govern-
6 ment absent appropriate vetting.

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

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

24 “(vi) Identifying and responding to
25 global corruption, including strengthening

1 the capacity of foreign government institu-
2 tions responsible for addressing financial
3 crimes and engaging with multilateral or-
4 ganizations responsible for monitoring and
5 supporting foreign governments' anti-cor-
6 ruption efforts.

7 “(C) ADDITIONAL DUTIES.—In addition to
8 the responsibilities specified in subparagraph
9 (B), the Assistant Secretary for International
10 Narcotics and Law Enforcement Affairs shall
11 also—

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

20 “(ii) coordinate with the Office of Na-
21 tional Drug Control Policy to ensure les-
22 sons learned from other United States
23 Government agencies are available to the
24 Bureau of International Narcotics and

1 Law Enforcement Affairs of the Depart-
2 ment;

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

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

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

22 (b) MODIFICATION OF ANNUAL INTERNATIONAL
23 NARCOTICS CONTROL STRATEGY REPORT.—Subsection
24 (a) of section 489 of the Foreign Assistance Act of 1961

1 (22 U.S.C. 2291h) is amended by inserting after para-
2 graph (8) the following new paragraph:

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

10 **SEC. 5104. BUREAU OF CONSULAR AFFAIRS; BUREAU OF**
11 **POPULATION, REFUGEES, AND MIGRATION.**

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

14 (1) by redesignating subsection (g) as sub-
15 section (i); and

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

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

22 “(h) BUREAU OF POPULATION, REFUGEES, AND MI-
23 GRATION.—There is in the Department of State the Bu-
24 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. 5105. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

4 (a) ESTABLISHMENT.—There should be established
5 in the Department an Office of International Disability
6 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 staff on soliciting quality
16 programs that are fully inclusive of people with dis-
17 abilities;

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 disabili-
2 ties 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; and

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

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

16 (1) a senior advisor to the appropriate Assist-
17 ant Secretary; or

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

21 (d) CONSULTATION.—The Secretary should direct
22 Ambassadors at Large, Representatives, Special Envoys,
23 and coordinators working on human rights to consult with
24 the Office to promote the human rights and full participa-

1 tion in international development activities of all persons
2 with disabilities.

3 **SEC. 5106. OFFICE OF GLOBAL WOMEN'S ISSUES.**

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

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

13 (c) DUTIES.—The Office should—

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

18 (2) represent the United States in diplomatic
19 and multilateral fora on matters relevant to the sta-
20 tus of women and girls;

21 (3) advise the Secretary and provide input on
22 all activities, policies, programs, and funding relat-
23 ing to gender equality and the advancement of
24 women and girls internationally for all bureaus and

1 offices of the Department and in the international
2 programs of all other Federal agencies;

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

9 (5) conduct regular consultation with civil soci-
10 ety organizations working to advance gender equality
11 and empower women and girls internationally.

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

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

18 **SEC. 5107. SPECIAL APPOINTMENTS.**

19 (a) REPORT ON POSITIONS.—Not later than 30 days
20 after the date of the enactment of this Act, the Secretary
21 shall submit to the appropriate congressional committees
22 a report that includes the following:

23 (1) A description of the duties, responsibilities,
24 and number of staff of each existing Special Envoy,
25 Special Representative, Special Coordinator, Special

1 Negotiator, Envoy, Representative, Coordinator,
2 Special Advisor, and other similar position at the
3 Department.

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

13 (3) Justifications supporting each of the Sec-
14 retary’s recommendations under paragraph (2).

15 (b) ADVICE AND CONSENT.—Not later than 90 days
16 after the submission of the report required under sub-
17 section (a), the President shall submit the name of each
18 Special Envoy, Special Representative, Special Coordi-
19 nator, Special Negotiator, Envoy, Representative, Coordi-
20 nator, Special Advisor, or other person occupying a similar
21 position at the Department exercising significant author-
22 ity pursuant to the laws of the United States that is not
23 expressly authorized by a provision of law enacted by Con-
24 gress who is included in such report to the Committee on

1 Foreign Relations of the Senate to seek the advice and
2 consent of the Senate.

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

15 (d) LIMITED EXCEPTION FOR TEMPORARY APPOINT-
16 MENTS.—The Secretary may maintain or establish a posi-
17 tion with the title of Special Envoy, Special Representa-
18 tive, Special Coordinator, Special Negotiator, Special Ad-
19 visor, or a similar position not exercising significant au-
20 thority pursuant to the laws of the United States for not
21 longer than 180 days if the Secretary, not later than 15
22 days before the appointment of a person to such a posi-
23 tion, submits to the appropriate congressional committees
24 a notification that includes the following:

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

4 (2) A description of the duties and purpose of
5 the position.

6 (3) The rationale for giving the specific title to
7 the position.

8 (e) RENEWAL OF TEMPORARY APPOINTMENT.—
9 Nothing in this section may be construed as prohibiting
10 the Secretary from renewing for a period not to exceed
11 180 days any position maintained or established under
12 subsection (d) if the Secretary complies with the notifica-
13 tion requirements contained in such subsection.

14 (f) FUNDING RESTRICTIONS.—

15 (1) POSITIONS NOT SUBMITTED FOR ADVICE
16 AND CONSENT.—No funds may be authorized to be
17 appropriated for—

18 (A) any Special Envoy, Special Represent-
19 ative, Special Coordinator, Special Negotiator,
20 Envoy, Representative, Coordinator, Special
21 Advisor, or other similar position at the Depart-
22 ment exercising significant authority pursuant
23 to the laws of the United States if the name of
24 the person appointed to such position has not
25 been submitted to the Committee on Foreign

1 Relations of the Senate for the advice and con-
2 sent of the Senate in accordance with sub-
3 section (b); or

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

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

15 (3) FISCAL YEAR 2021.—The restrictions de-
16 scribed in this subsection shall not apply in fiscal
17 year 2021 to positions or associated staff and re-
18 sources for which funding is expressly appropriated
19 for such fiscal year in an Act of Congress.

20 (g) CONFIRMATION FOR AUTHORIZED POSITIONS.—

21 (1) IN GENERAL.—No Special Envoy, Special
22 Representative, Special Coordinator, Special Nego-
23 tiator, Envoy, Representative, Coordinator, Special
24 Advisor, or other similar position at the Department
25 exercising significant authority pursuant to the laws

1 of the United States that is authorized by an Act of
2 Congress (except the position authorized by section
3 621 of the Tibetan Policy Act of 2002 (subtitle B
4 of title VI of Public Law 107–228; 22 U.S.C. 6901
5 note)) may be appointed without the advice and con-
6 sent of the Senate.

7 (2) FISCAL YEAR 2021.—The restriction de-
8 scribed in paragraph (1) shall not apply in fiscal
9 year 2021 to positions or associated staff and re-
10 sources for which funding is expressly appropriated
11 for such fiscal year in an Act of Congress.

12 (h) ELIMINATION OF SPECIAL REPRESENTATIVE
13 AND POLICY COORDINATOR FOR BURMA.—

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

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

21 (B) In 2012, the United States re-estab-
22 lished full diplomatic relations with Burma and
23 appointed a United States Ambassador to
24 Burma who, along with the Secretary of State,
25 Assistant Secretary of State for East Asia and

1 the Pacific, and other United States Govern-
2 ment officials, represents the United States' in-
3 terests in Burma.

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

10 **SEC. 5108. ANTI-PIRACY INFORMATION SHARING.**

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

16 **SEC. 5109. IMPORTANCE OF FOREIGN AFFAIRS TRAINING**
17 **TO NATIONAL SECURITY.**

18 It is the sense of Congress that—

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

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

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

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

19 **SEC. 5110. CLASSIFICATION AND ASSIGNMENT OF FOREIGN**
20 **SERVICE OFFICERS.**

21 The Foreign Service Act of 1980 is amended—

22 (1) in section 501 (22 U.S.C. 3981), by insert-
23 ing “If a position designated under this section is
24 unfilled for more than 365 calendar days, such posi-
25 tion may be filled, as appropriate, on a temporary

1 basis, in accordance with section 309.” after “Posi-
2 tions designated under this section are excepted
3 from the competitive service.”; and

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

9 **SEC. 5111. ENERGY DIPLOMACY AND SECURITY WITHIN**
10 **THE DEPARTMENT OF STATE.**

11 (a) IN GENERAL.—Subsection (c) of section 1 of the
12 State Department Basic Authorities Act of 1956 (22
13 U.S.C. 2651a), as amended by section 5103 of this Act,
14 is further amended—

15 (1) by redesignating paragraph (4) (as redesign-
16 nated pursuant to such section 5103) as paragraph
17 (5); and

18 (2) by inserting after paragraph (3) the fol-
19 lowing new paragraph:

20 “(4) ENERGY RESOURCES.—

21 “(A) AUTHORIZATION FOR ASSISTANT SEC-
22 RETARY.—Subject to the numerical limitation
23 specified in paragraph (1), there is authorized
24 to be established in the Department of State an

1 Assistant Secretary of State for Energy Re-
2 sources.

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

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

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

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

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

25 “(v) working internationally to—

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

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

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

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

23 “(V) support and coordinate
24 international efforts to alleviate en-
25 ergy poverty;

1 “(VI) leading the United States
2 commitment to the Extractive Indus-
3 tries Transparency Initiative;

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

9 “(VIII) coordinating energy secu-
10 rity and other relevant functions with-
11 in the Department currently under-
12 taken by—

13 “(aa) the Bureau of Eco-
14 nomic and Business Affairs;

15 “(bb) the Bureau of Oceans
16 and International Environmental
17 and Scientific Affairs; and

18 “(cc) other offices within the
19 Department of State.”.

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

23 (1) by striking subsections (a) and (b); and

24 (2) by redesignating subsections (c) and (d) as
25 subsections (a) and (b), respectively.

1 **SEC. 5112. THE NATIONAL MUSEUM OF AMERICAN DIPLO-**
2 **MACY.**

3 Title I of the State Department Basic Authorities Act
4 of 1956 is amended by adding after section 63 (22 U.S.C.
5 2735) the following new section:

6 **“SEC. 64. THE NATIONAL MUSEUM OF AMERICAN DIPLO-**
7 **MACY.**

8 “(a) **ACTIVITIES.**—

9 “(1) **SUPPORT AUTHORIZED.**—The Secretary of
10 State is authorized to provide, by contract, grant, or
11 otherwise, for the performance of appropriate mu-
12 seum visitor and educational outreach services and
13 related events, including organizing programs and
14 conference activities, museum shop services and food
15 services in the public exhibition and related space
16 utilized by the National Museum of American Diplo-
17 macy.

18 “(2) **RECOVERY OF COSTS.**—The Secretary of
19 State is authorized to recover any revenues gen-
20 erated under the authority of paragraph (1) for vis-
21 itor and outreach services and related events re-
22 ferred to in such paragraph, including fees for use
23 of facilities at the National Museum for American
24 Diplomacy. Any such revenues may be retained as a
25 recovery of the costs of operating the museum.

1 “(b) DISPOSITION OF NATIONAL MUSEUM OF AMER-
2 ICAN DIPLOMACY DOCUMENTS, ARTIFACTS, AND OTHER
3 ARTICLES.—

4 “(1) PROPERTY.—All historic documents, arti-
5 facts, or other articles permanently acquired by the
6 Department of State and determined by the Sec-
7 retary of State to be suitable for display by the Na-
8 tional Museum of American Diplomacy shall be con-
9 sidered to be the property of the United States Gov-
10 ernment and shall be subject to disposition solely in
11 accordance with this subsection.

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

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

6 “(A) such document, artifact, or other arti-
7 cle no longer serves to further the purposes of
8 the National Museum of American Diplomacy
9 as set forth in the collections management pol-
10 icy of the museum;

11 “(B) the sale, trade, or transfer of such
12 document, artifact, or other article would serve
13 to maintain the standards of the collection of
14 the museum; or

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

18 “(4) LOANS.—In addition to the authorization
19 under paragraph (2) relating to the sale, trade, or
20 transfer of documents, artifacts, or other articles
21 under paragraph (1), the Secretary of State may
22 loan such documents, artifacts, or other articles,
23 when not needed for use or display by the National
24 Museum of American Diplomacy to the Smithsonian

1 Institution or a similar institution for repair, study,
2 or exhibition.”.

3 **SEC. 5113. EXTENSION OF PERIOD FOR REIMBURSEMENT**
4 **OF FISHERMEN FOR COSTS INCURRED FROM**
5 **THE ILLEGAL SEIZURE AND DETENTION OF**
6 **U.S.-FLAG FISHING VESSELS BY FOREIGN**
7 **GOVERNMENTS.**

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

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

14 (b) RETROACTIVE APPLICABILITY.—

15 (1) EFFECTIVE DATE.—The amendment made
16 by subsection (a) shall take effect on the date of the
17 enactment of this Act and apply as if the date speci-
18 fied in subsection (e) of section 7 of the Fishermen’s
19 Protective Act of 1967, as in effect on the day be-
20 fore the date of the enactment of this Act, were the
21 day after such date of enactment.

22 (2) AGREEMENTS AND PAYMENTS.—The Sec-
23 retary shall—

24 (A) enter into agreements pursuant to sec-
25 tion 7 of the Fishermen’s Protective Act of

1 1967 for any claims to which such section
2 would otherwise apply but for the date specified
3 in subsection (e) of such section, as in effect on
4 the day before the date of the enactment of this
5 Act; and

6 (B) make payments in accordance with
7 agreements entered into pursuant to such sec-
8 tion if any such payments have not been made
9 as a result of the expiration of the date speci-
10 fied in such section, as in effect on the day be-
11 fore the date of the enactment of this Act.

12 **SEC. 5114. ART IN EMBASSIES.**

13 (a) IN GENERAL.—No funds are authorized to be ap-
14 propriated for the purchase of any piece of art for the
15 purposes of installation or display in any embassy, con-
16 sulate, or other foreign mission of the United States if
17 the purchase price of such piece of art is in excess of
18 \$50,000, unless such purchase is subject to prior consulta-
19 tion with, and the regular notification procedures of, the
20 appropriate congressional committees.

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

1 (c) SUNSET.—This section shall terminate on the
2 date that is 2 years after the date of the enactment of
3 this Act.

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

7 **SEC. 5115. AMENDMENT OR REPEAL OF REPORTING RE-**
8 **QUIREMENTS.**

9 (a) BURMA.—

10 (1) IN GENERAL.—Section 570 of Public Law
11 104–208 is amended—

12 (A) by amending subsection (c) to read as
13 follows:

14 “(c) MULTILATERAL STRATEGY.—The President
15 shall develop, in coordination with members of ASEAN
16 and other likeminded countries, a comprehensive, multilat-
17 eral strategy to bring about further democratic consolida-
18 tion in Burma and improve human rights practices and
19 the quality of life in Burma, including the development
20 of a dialogue leading to genuine national reconciliation.”;
21 and

22 (B) in subsection (d)—

23 (i) in the matter preceding paragraph
24 (1), by striking “six months” and inserting
25 “year”;

1 (ii) by redesignating paragraph (3) as
2 paragraph (7); and

3 (iii) by inserting after paragraph (2)
4 the following new paragraphs:

5 “(3) improvements in human rights practices;

6 “(4) progress toward broad-based and inclusive
7 economic growth;

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

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

15 (2) EFFECTIVE DATE.—The amendments made
16 by paragraph (1) shall take effect on the date of the
17 enactment of this Act and apply with respect to the
18 first report required under subsection (d) of section
19 570 of Public Law 104–208 that is required after
20 the date of the enactment of this Act.

21 (b) REPEALS.—The following provisions of law are
22 hereby repealed:

23 (1) Subsection (b) of section 804 of Public Law
24 101–246.

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

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

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

5 **SEC. 5116. REPORTING ON IMPLEMENTATION OF GAO REC-**
6 **COMMENDATIONS.**

7 (a) INITIAL REPORT.—Not later than 120 days after
8 the date of the enactment of this Act, the Secretary shall
9 submit to the appropriate congressional committees a re-
10 port that lists all of the Government Accountability Of-
11 fice’s recommendations relating to the Department that
12 have not been fully implemented.

13 (b) COMPTROLLER GENERAL REPORT.—Not later
14 than 30 days after the Secretary submits the report under
15 subsection (a), the Comptroller General of the United
16 States shall submit to the appropriate congressional com-
17 mittees a report that identifies any discrepancies between
18 the list of recommendations included in such report and
19 the Government Accountability Office’s list of outstanding
20 recommendations for the Department.

21 (c) IMPLEMENTATION REPORT.—

22 (1) IN GENERAL.—Not later than 120 days
23 after the date of the submission of the Comptroller
24 General’s report under subsection (b), the Secretary
25 shall submit to the appropriate congressional com-

1 mittees a report that describes the implementation
2 status of each recommendation from the Govern-
3 ment Accountability Office included in the report
4 submitted under subsection (a).

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

7 (A) a detailed justification for each deci-
8 sion not to fully implement a recommendation
9 or to implement a recommendation in a dif-
10 ferent manner than specified by the Govern-
11 ment Accountability Office;

12 (B) a timeline for the full implementation
13 of any recommendation the Secretary has de-
14 cided to adopt, but has not yet fully imple-
15 mented; and

16 (C) an explanation for any discrepancies
17 included in the Comptroller General report sub-
18 mitted under subsection (b).

19 (d) **FORM.**—The information required in each report
20 under this section shall be submitted in unclassified form,
21 to the maximum extent practicable, but may be included
22 in a classified annex to the extent necessary.

23 **SEC. 5117. OFFICE OF GLOBAL CRIMINAL JUSTICE.**

24 (a) **IN GENERAL.**—There should be established with-
25 in the Department an Office of Global Criminal Justice

1 (referred to in this section as the “Office”), which may
2 be placed within the organizational structure of the De-
3 partment at the discretion of the Secretary.

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

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

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

12 (3) Coordinate United States Government posi-
13 tions relating to the international and hybrid courts
14 currently prosecuting persons responsible for geno-
15 cide, war crimes, and crimes against humanity any-
16 where in the world.

17 (4) Work with other governments, international
18 organizations, and nongovernmental organizations,
19 as appropriate, to establish and assist international
20 and domestic commissions of inquiry, fact-finding
21 missions, and tribunals to investigate, document,
22 and prosecute atrocities in every region of the globe.

23 (5) Coordinate the deployment of diplomatic,
24 legal, economic, military, and other tools to help ex-
25 pose the truth, judge those responsible, protect and

1 assist victims, enable reconciliation, deter atrocities,
2 and build the rule of law.

3 (6) Provide advice and expertise on transitional
4 justice to United States personnel operating in con-
5 flict and post-conflict environments.

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

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

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

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

17 **TITLE II—EMBASSY**
18 **CONSTRUCTION**

19 **SEC. 5201. EMBASSY SECURITY, CONSTRUCTION, AND MAIN-**
20 **TENANCE.**

21 For “Embassy Security, Construction, and Mainte-
22 nance”, there is authorized to be appropriated
23 \$1,975,449,000 for fiscal year 2021.

1 **SEC. 5202. 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 shall carry out
10 any new United States embassy compound or new con-
11 sulate compound project that utilizes a non-standard de-
12 sign, including those projects that are in the design or pre-
13 design phase as of the date of the enactment of this Act,
14 only in consultation with the appropriate congressional
15 committees. The Secretary shall provide the appropriate
16 congressional committees, for each such project, the fol-
17 lowing 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. 5203. 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 4 years after such
4 date of enactment, the Secretary shall submit to the ap-
5 propriate congressional committees a comprehensive re-
6 port 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) INITIAL REPORT.—The first report required
19 under subsection (a) of section 118 of the Department of
20 State Authorities Act, Fiscal Year 2017 (as amended by
21 this section) shall include an annex regarding all overseas
22 capital construction projects and major embassy security
23 upgrade projects completed during the 10-year period end-
24 ing on December 31, 2018, including, for each such

1 project, the elements specified in subsection (b) of such
2 section 118.

3 **SEC. 5204. CONTRACTOR PERFORMANCE INFORMATION.**

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

9 (b) PRIORITIZATION SYSTEM.—

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

15 (2) ELEMENTS.—The system required under
16 paragraph (1) should prioritize the evaluations as
17 follows:

18 (A) Project completion evaluations should
19 be prioritized over annual evaluations.

20 (B) Evaluations for relatively large con-
21 tracts should have priority.

22 (C) Evaluations that would be particularly
23 informative for the awarding of government
24 contracts should have priority.

1 (c) BRIEFING.—Not later than 90 days after the date
2 of the enactment of this Act, the Secretary of State shall
3 brief the appropriate congressional committees on the De-
4 partment’s plan for completing all evaluations by October
5 1, 2021, in accordance with subsection (a) and the
6 prioritization system developed pursuant to subsection (b).

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

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

12 (2) the Department should develop a forum
13 where contractors can comment on the Department’s
14 project management performance.

15 **SEC. 5205. GROWTH PROJECTIONS FOR NEW EMBASSIES**
16 **AND CONSULATES.**

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

23 (1) Relevant historical trends for Department
24 personnel and personnel from other agencies rep-

1 resented at the NEC or NCC that is to be con-
2 structed.

3 (2) An analysis of the tradeoffs between risk
4 and the needs of United States Government policy
5 conducted as part of the most recent Vital Presence
6 Validation Process, if applicable.

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

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

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

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

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

1 **SEC. 5206. LONG-RANGE PLANNING PROCESS.**

2 (a) PLANS REQUIRED.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of the enactment of this Act and an-
5 nually thereafter for 5 years, the Secretary shall de-
6 velop—

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

20 (B) a comprehensive 6-year plan detailing
21 the Department’s long-term planning for the
22 maintenance and sustainment of completed dip-
23 lomatic posts, which takes into account security
24 factors under the Secure Embassy Construction
25 and Counterterrorism Act of 1999 and other
26 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. Such report,
13 which may include a classified annex, shall include
14 the following:

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

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

23 (C) A description of whether each small
24 diplomatic post meets current security require-
25 ments.

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

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

6 (3) UPDATED INFORMATION.—The annual up-
7 dates of each of the plans developed pursuant to
8 paragraph (1) shall highlight any changes from the
9 previous year’s plan to the ordering of construction
10 and maintenance projects.

11 (b) REPORTING REQUIREMENTS.—

12 (1) SUBMISSION OF PLANS TO CONGRESS.—Not
13 later than 60 days after the completion of each plan
14 required under subsection (a), the Secretary shall
15 submit the plans to the appropriate congressional
16 committees.

17 (2) REFERENCE IN BUDGET JUSTIFICATION
18 MATERIALS.—In the budget justification materials
19 submitted to the appropriate congressional commit-
20 tees in support of the Department’s budget for any
21 fiscal year (as submitted with the budget of the
22 President under section 1105(a) of title 31, United
23 States Code), the plans required under subsection
24 (a) shall be referenced to justify funding requested
25 for building and maintenance projects overseas.

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

4 (c) SMALL DIPLOMATIC POST DEFINED.—In this
5 section, the term “small diplomatic post” means any
6 United States embassy or consulate that has employed five
7 or fewer United States Government employees on average
8 over the 36 months prior to the date of the enactment
9 of this Act.

10 **SEC. 5207. VALUE ENGINEERING AND RISK ASSESSMENT.**

11 (a) FINDINGS.—Congress makes the following find-
12 ings:

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

18 (2) OBO has a Policy Directive and Standard
19 Operation Procedure, dated May 24, 2017, on con-
20 ducting risk management studies on all international
21 construction projects.

22 (b) NOTIFICATION REQUIREMENTS.—

23 (1) SUBMISSION TO AUTHORIZING COMMIT-
24 TEES.—The proposed allocation of capital construc-
25 tion and maintenance funds that is required by the

1 Committees on Appropriations of the Senate and the
2 House of Representatives not later than 45 days
3 after the date of the enactment of an Act making
4 appropriations for the Department of State, foreign
5 operations, and related programs shall also be sub-
6 mitted to the Committee on Foreign Relations of the
7 Senate and the Committee on Foreign Affairs of the
8 House of Representatives.

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

15 (c) REPORTING AND BRIEFING REQUIREMENTS.—
16 The Secretary shall provide to the appropriate congres-
17 sional committees upon request—

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

22 (2) a report or briefing detailing the rationale
23 for not implementing any such recommendations
24 that may otherwise yield significant cost savings to
25 the Department if implemented.

1 **SEC. 5208. BUSINESS VOLUME.**

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

6 **SEC. 5209. EMBASSY SECURITY REQUESTS AND DEFICI-
7 CIENCIES.**

8 The Secretary shall provide to the appropriate con-
9 gressional committees upon request information on secu-
10 rity deficiencies at United States diplomatic posts, includ-
11 ing relating to the following:

12 (1) Requests made over the previous year by
13 United States diplomatic posts for security up-
14 grades.

15 (2) Significant security deficiencies at United
16 States diplomatic posts that are not operating out of
17 a new embassy compound or new consulate com-
18 pound.

19 **SEC. 5210. OVERSEAS SECURITY BRIEFINGS.**

20 Not later than 1 year after the date of the enactment
21 of this Act, the Secretary shall revise the Foreign Affairs
22 Manual to stipulate that information on the current threat
23 environment shall be provided to all United States Govern-
24 ment employees under chief of mission authority traveling
25 to a foreign country on official business. To the extent
26 practicable, such material shall be provided to such em-

1 ployees prior to their arrival at a United States diplomatic
2 post or as soon as possible thereafter.

3 **SEC. 5211. CONTRACTING METHODS IN CAPITAL CON-**
4 **STRUCTION.**

5 (a) DELIVERY.—Unless the Secretary notifies the ap-
6 propriate congressional committees that the use of the de-
7 sign-build project delivery method would not be appro-
8 priate, the Secretary shall make use of such method at
9 United States diplomatic posts that have not yet received
10 design or capital construction contracts as of the date of
11 the enactment of this Act.

12 (b) NOTIFICATION.—Before executing a contract for
13 a delivery method other than design-build in accordance
14 with subsection (a), the Secretary shall notify the appro-
15 priate congressional committees in writing of the decision,
16 including the reasons therefor. The notification required
17 by this subsection may be included in any other report
18 regarding a new United States diplomatic post that is re-
19 quired to be submitted to the appropriate congressional
20 committees.

21 (c) PERFORMANCE EVALUATION.—Not later than
22 180 days after the date of the enactment of this Act, the
23 Secretary shall report to the appropriate congressional
24 committees regarding performance evaluation measures in
25 accordance with GAO’s “Standards for Internal Control

1 in the Federal Government” that will be applicable to de-
2 sign and construction, lifecycle cost, and building mainte-
3 nance programs of the Bureau of Overseas Building Oper-
4 ations of the Department.

5 **SEC. 5212. COMPETITION IN EMBASSY CONSTRUCTION.**

6 Not later than 45 days after the date of the enact-
7 ment of this Act, the Secretary shall submit to the appro-
8 priate congressional committee a report detailing steps the
9 Department is taking to expand the embassy construction
10 contractor base in order to increase competition and maxi-
11 mize value.

12 **SEC. 5213. STATEMENT OF POLICY.**

13 It is the policy of the United States that the Bureau
14 of Overseas Building Operations of the Department or its
15 successor office shall continue to balance functionality and
16 security with accessibility, as defined by guidelines estab-
17 lished by the United States Access Board in constructing
18 embassies and consulates, and shall ensure compliance
19 with the Architectural Barriers Act of 1968 (42 U.S.C.
20 4151 et seq.) to the fullest extent possible.

21 **SEC. 5214. DEFINITIONS.**

22 In this title:

23 (1) DESIGN-BUILD.—The term “design-build”
24 means a method of project delivery in which one en-

1 tity works under a single contract with the Depart-
2 ment to provide design and construction services.

3 (2) NON-STANDARD DESIGN.—The term “non-
4 standard design” means a design for a new embassy
5 compound project or new consulate compound
6 project that does not utilize a standardized design
7 for the structural, spatial, or security requirements
8 of such embassy compound or consulate compound,
9 as the case may be.

10 **TITLE III—PERSONNEL ISSUES**

11 **SEC. 5301. DEFENSE BASE ACT INSURANCE WAIVERS.**

12 (a) APPLICATION FOR WAIVERS.—Not later than 30
13 days after the date of the enactment of this Act, the Sec-
14 retary shall apply to the Department of Labor for a waiver
15 from insurance requirements under the Defense Base Act
16 (42 U.S.C. 1651 et seq.) for all countries with respect to
17 which the requirement was waived prior to January 2017,
18 and for which there is not currently a waiver.

19 (b) CERTIFICATION REQUIREMENT.—Not later than
20 45 days after the date of the enactment of this Act, the
21 Secretary shall certify to the appropriate congressional
22 committees that the requirement in subsection (a) has
23 been met.

24 **SEC. 5302. STUDY ON FOREIGN SERVICE ALLOWANCES.**

25 (a) REPORT REQUIRED.—

1 (1) IN GENERAL.—Not later than 270 days
2 after date of the enactment of this Act, the Sec-
3 retary shall submit to the appropriate congressional
4 committees a report detailing an empirical analysis
5 on the effect of overseas allowances on the foreign
6 assignment of Foreign Service officers (FSOs), to be
7 conducted by a federally-funded research and devel-
8 opment center with appropriate expertise in labor ec-
9 onomics and military compensation.

10 (2) CONTENTS.—The analysis required under
11 paragraph (1) shall—

12 (A) identify all allowances paid to FSOs
13 assigned permanently or on temporary duty to
14 foreign areas;

15 (B) examine the efficiency of the Foreign
16 Service bidding system in determining foreign
17 assignments;

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

21 (D) examine the Department’s strategy
22 and process for incentivizing FSOs to bid on
23 assignments that are historically in lower de-
24 mand, including with monetary compensation,

1 and whether monetary compensation is nec-
2 essary for assignments in higher demand;

3 (E) make any relevant comparisons to
4 military compensation and allowances, noting
5 which allowances are shared or based on the
6 same regulations;

7 (F) recommend options for restructuring
8 allowances to improve the efficiency of the as-
9 signments system and better align FSO incen-
10 tives with the needs of the Foreign Service, in-
11 cluding any cost savings associated with such
12 restructuring;

13 (G) recommend any statutory changes nec-
14 essary to implement subparagraph (F), such as
15 consolidating existing legal authorities for the
16 provision of hardship and danger pay; and

17 (H) detail any effects of recommendations
18 made pursuant to subparagraphs (F) and (G)
19 on other United States Government depart-
20 ments and agencies with civilian employees per-
21 manently assigned or on temporary duty in for-
22 eign areas, following consultation with such de-
23 partments and agencies.

24 (b) BRIEFING REQUIREMENT.—Before initiating the
25 analysis required under subsection (a)(1), and not later

1 than 60 days after the date of the enactment of this Act,
2 the Secretary shall provide to the Committee on Foreign
3 Relations of the Senate and the Committee on Foreign
4 Affairs in the House of Representatives a briefing on the
5 implementation of this section that includes the following:

6 (1) The name of the federally funded research
7 and development center that will conduct such anal-
8 ysis.

9 (2) The scope of such analysis and terms of ref-
10 erence for such analysis as specified between the De-
11 partment and such federally funded research and de-
12 velopment center.

13 (c) AVAILABILITY OF INFORMATION.—

14 (1) IN GENERAL.—The Secretary shall make
15 available to the federally-funded research and devel-
16 opment center carrying out the analysis required
17 under subsection (a)(1) all necessary and relevant
18 information to allow such center to conduct such
19 analysis in a quantitative and analytical manner, in-
20 cluding historical data on the number of bids for
21 each foreign assignment and any survey data col-
22 lected by the Department from eligible bidders on
23 their bid decision-making.

24 (2) COOPERATION.—The Secretary shall work
25 with the heads of other relevant United States Gov-

1 ernment departments and agencies to ensure such
2 departments and agencies provide all necessary and
3 relevant information to the federally-funded research
4 and development center carrying out the analysis re-
5 quired under subsection (a)(1).

6 (d) INTERIM REPORT TO CONGRESS.—The Secretary
7 shall require that the chief executive officer of the feder-
8 ally-funded research and development center that carries
9 out the analysis required under subsection (a)(1) submit
10 to the Committee on Foreign Relations of the Senate and
11 the Committee on Foreign Affairs of the House of Rep-
12 resentatives an interim report on such analysis not later
13 than 120 days after the date of the enactment of this Act.

14 **SEC. 5303. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

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

18 “(e) GRANTS AND COOPERATIVE AGREEMENTS RE-
19 LATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP
20 PROGRAMS.—

21 “(1) IN GENERAL.—The Secretary is authorized
22 to make grants or enter into cooperative agreements
23 related to Department of State science and tech-
24 nology fellowship programs, including for assistance

1 in recruiting fellows and the payment of stipends,
2 travel, and other appropriate expenses to fellows.

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

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

10 **SEC. 5304. TRAVEL FOR SEPARATED FAMILIES.**

11 Section 901(15) of the Foreign Service Act of 1980
12 (22 U.S.C. 4081(15)) is amended—

13 (1) in the matter preceding subparagraph (A),
14 by striking “1 round-trip per year for each child
15 below age 21 of a member of the Service assigned
16 abroad” and inserting “in the case of one or more
17 children below age 21 of a member of the Service as-
18 signed abroad, 1 round-trip per year”;

19 (2) in subparagraph (A)—

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

22 (B) by striking “; or” and inserting a
23 comma;

24 (3) in subparagraph (B)—

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

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

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

6 “(C) for one of the child’s parents to visit
7 the child or children abroad if the child or chil-
8 dren do not regularly reside with that parent
9 and that parent is not receiving an education
10 allowance or educational travel allowance for
11 the child or children under section 5924(4) of
12 title 5, United States Code,”; and

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

17 **SEC. 5305. HOME LEAVE TRAVEL FOR SEPARATED FAMI-**
18 **LIES.**

19 Section 903(b) of the Foreign Service Act of 1980
20 (22 U.S.C. 4083(b)) is amended by adding at the end the
21 following new sentence: “In cases in which the family
22 members of a member of the Service reside apart from
23 the member at authorized locations outside the United
24 States because they are prevented by official order from
25 residing with the member at post, the member may take

1 the leave ordered under this section where that member's
2 family members reside, notwithstanding section 6305 of
3 title 5, United States Code.”.

4 **SEC. 5306. SENSE OF CONGRESS REGARDING CERTAIN FEL-**
5 **LOWSHIP PROGRAMS.**

6 It is the sense of Congress that Department fellow-
7 ships that promote the employment of candidates belong-
8 ing to under-represented groups, including the Charles B.
9 Rangel International Affairs Graduate Fellowship Pro-
10 gram, the Thomas R. Pickering Foreign Affairs Fellow-
11 ship Program, and the Donald M. Payne International De-
12 velopment Fellowship Program, represent smart invest-
13 ments vital for building a strong, capable, and representa-
14 tive national security workforce.

15 **SEC. 5307. TECHNICAL CORRECTION.**

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

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

21 (2) striking “individual joining the Service on
22 or after January 1, 2017,” and inserting “Foreign
23 Service officer, appointed under section 302(a)(1),
24 who has general responsibility for carrying out the
25 functions of the Service”.

1 **SEC. 5308. FOREIGN SERVICE AWARDS.**

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

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

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

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

“Sec. 614. Department awards.”.

11 **SEC. 5309. DIPLOMATIC PROGRAMS.**

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

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

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

9 (2) the Secretary has provided to the appro-
10 priate congressional committees a detailed report
11 that describes the Department’s strategic staffing
12 goals, including—

13 (A) a justification that describes how any
14 proposed workforce reduction enhances the ef-
15 fectiveness of the Department;

16 (B) a certification that such workforce re-
17 duction is in the national interest of the United
18 States;

19 (C) a comprehensive strategic staffing plan
20 for the Department, including 5-year workforce
21 forecasting and a description of the anticipated
22 impact of any proposed workforce reduction;
23 and

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

4 (i) Foreign Service officer and For-
5 eign Service specialist rank;

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

8 (iii) contracted employees, including
9 the equivalent job skill code and bureau of
10 assignment; and

11 (iv) employees hired under schedule C
12 of subpart C of part 213 of title 5, Code
13 of Federal Regulations, including their
14 equivalent grade and job skill code and bu-
15 reau of assignment.

16 **SEC. 5310. SENSE OF CONGRESS REGARDING VETERANS**
17 **EMPLOYMENT AT THE DEPARTMENT OF**
18 **STATE.**

19 It is the sense of Congress that—

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

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

5 (3) the Department should continue to encour-
6 age veteran employment and facilitate their partici-
7 pation in the workforce.

8 **SEC. 5311. EMPLOYEE ASSIGNMENT RESTRICTIONS AND**
9 **PRECLUSIONS.**

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

14 (b) APPEAL OF ASSIGNMENT RESTRICTION OR PRE-
15 CLUSION.—Section 502(a)(2) of the Foreign Service Act
16 of 1980 (22 U.S.C. 3982(a)(2)), as amended by section
17 111 of this Act, is further amended by adding at the end
18 the following new sentences: “Any employee subjected to
19 an assignment restriction or preclusion shall have the
20 same appeal rights as provided by the Department regard-
21 ing denial or revocation of a security clearance. Any such
22 appeal shall be resolved not later than 60 days after such
23 appeal is filed.”.

24 (c) NOTICE AND CERTIFICATION.—Not later than 90
25 days after the date of the enactment of this Act, the Sec-

1 retary shall revise, and certify to the appropriate congres-
2 sional committees regarding such revision, the Foreign Af-
3 fairs Manual guidance regarding denial or revocation of
4 a security clearance to expressly state that all review and
5 appeal rights relating thereto shall also apply to any rec-
6 ommendation or decision to impose an assignment restric-
7 tion or preclusion to an employee.

8 **SEC. 5312. RECALL AND REEMPLOYMENT OF CAREER MEM-**
9 **BERS.**

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

12 (1) career Department employees provide in-
13 valuable service to the United States as nonpartisan
14 professionals who contribute subject matter expertise
15 and professional skills to the successful development
16 and execution of United States foreign policy; and

17 (2) reemployment of skilled former members of
18 the Foreign and civil service who have voluntarily
19 separated from the Foreign or civil service due to
20 family reasons or to obtain professional skills outside
21 government is of benefit to the Department.

22 (b) REEMPLOYMENT.—Subsection (b) of section 308
23 of the Foreign Service Act of 1980 (22 U.S.C. 3948) is
24 amended by adding at the end the following new sentence:
25 “Former career tenured members of the Service seeking

1 reappointment, if separated for other than cause for up
2 to 4 years prior to the date of the enactment of this sen-
3 tence, shall be eligible to participate in the regular assign-
4 ment bidding process without restriction and shall not be
5 required to accept a directed first assignment upon re-
6 appointment.”.

7 (c) NOTICE OF EMPLOYMENT OPPORTUNITIES.—

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

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

14 **“§ 10301. Notice of employment opportunities for de-**
15 **partment of state and usaid positions**

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

1 www.usajobs.gov. If using merit promotion procedures, the
2 notice shall expressly state that former employees eligible
3 for reinstatement may apply.”.

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

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

7 **SEC. 5313. STRATEGIC STAFFING PLAN FOR THE DEPART-**
8 **MENT.**

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

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; and

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.

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

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

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

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

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

14 **SEC. 5314. CONSULTING SERVICES.**

15 (a) IN GENERAL.—Chapter 103 of title 5, United
16 States Code, as added by section 5312 of this Act, is
17 amended by adding at the end the following:

18 **“§ 10302. Consulting services for the Department of**
19 **State**

20 “Any consulting service obtained by the Department
21 of State through procurement contract pursuant to section
22 3109 of title 5, United States Code, shall be limited to
23 those contracts with respect to which expenditures are a
24 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 subpart I of title 5, United States Code, is amended
5 by adding after the item relating to section 10302 the fol-
6 lowing new item:

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

7 **SEC. 5315. 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. 5316. 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. 5317. 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) Any member of the Service suspended
14 from duties under this subsection may be suspended
15 without pay only after a final written decision is pro-
16 vided to such member under paragraph (2).

17 “(6) If no final written decision under para-
18 graph (2) has been provided within 1 calendar year
19 of the date the suspension at issue was proposed,
20 not later than 30 days thereafter the Secretary of
21 State shall report to the Committee on Foreign Af-
22 fairs of the House of Representatives and the Com-
23 mittee on Foreign Relations of the Senate in writing
24 regarding the specific reasons for such delay.”; and

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

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

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

3 The term” and inserting the following:

4 “(7) In this subsection, the term”;

5 (C) by striking subparagraph (B) (relating

6 to the definition of “suspend” and “suspension”); and

7

8 (D) by redesignating clauses (i) and (ii) as

9 subparagraphs (A) and (B), respectively; and

10 moving such subparagraphs 2 ems to the left.

11 **SEC. 5318. FOREIGN AFFAIRS MANUAL AND FOREIGN AF-**

12 **FAIRS HANDBOOK CHANGES.**

13 (a) **IN GENERAL.**—Not later than 180 days after the

14 date of the enactment of this Act and every 180 days

15 thereafter for 5 years, the Secretary shall submit to the

16 appropriate congressional committees a report detailing all

17 changes made to the Foreign Affairs Manual or the For-

18 eign Affairs Handbook.

19 (b) **COVERED PERIODS.**—The first report required

20 under subsection (a) shall cover the 5-year period pre-

21 ceding the submission of such report. Each subsequent re-

22 port shall cover the 180 day period preceding submission.

23 (c) **CONTENTS.**—Each report required under sub-

24 section (a) shall contain the following:

1 (1) The location within the Foreign Affairs
2 Manual or the Foreign Affairs Handbook where a
3 change has been made.

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

5 (3) A side-by-side comparison of the Foreign
6 Affairs Manual or Foreign Affairs Handbook before
7 and after such change.

8 (4) A summary of such changes displayed in
9 spreadsheet form.

10 **SEC. 5319. WAIVER AUTHORITY FOR INDIVIDUAL OCCUPA-**
11 **TIONAL REQUIREMENTS OF CERTAIN POSI-**
12 **TIONS.**

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

1 Personnel Management the rationale for the decision of
2 the Secretary to waive such requirements.

3 **SEC. 5320. APPOINTMENT OF EMPLOYEES TO THE GLOBAL**
4 **ENGAGEMENT CENTER.**

5 The Secretary may appoint, for a 3-year period that
6 may be extended for up to an additional 2 years, solely
7 to carry out the functions of the Global Engagement Cen-
8 ter, employees of the Department without regard to the
9 provisions of title 5, United States Code, governing ap-
10 pointment in the competitive service, and may fix the basic
11 compensation of such employees without regard to chapter
12 51 and subchapter III of chapter 53 of such title.

13 **SEC. 5321. REST AND RECUPERATION AND OVERSEAS OP-**
14 **ERATIONS LEAVE FOR FEDERAL EMPLOYEES.**

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

18 **“§ 6329d. Rest and recuperation leave**

19 “(a) DEFINITIONS.—In this section—

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

24 “(2) the term ‘combat zone’ means a geo-
25 graphic area designated by an Executive order of the

1 President as an area in which the Armed Forces are
2 engaging or have engaged in combat, an area des-
3 ignated by law to be treated as a combat zone, or
4 a location the Department of Defense has certified
5 for combat zone tax benefits due to its direct sup-
6 port of military operations;

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

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

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

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

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

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

8 **“§ 6329e. Overseas operations leave**

9 “(a) DEFINITIONS.—In this section—

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

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

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

21 “(b) LEAVE FOR OVERSEAS OPERATIONS.—The head
22 of an agency may prescribe regulations to grant up to 10
23 days of paid leave, per leave year, to an employee of the
24 agency serving abroad where the conduct of business could
25 pose potential security or safety related risks or would be

1 inconsistent with host-country practice. Such regulations
2 may provide that additional leave days may be granted
3 during such leave year if the head of the agency deter-
4 mines that to do so is necessary to advance the national
5 security or foreign policy interests of the United States.

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

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

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

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

17 **TITLE IV—A DIVERSE WORK-**
18 **FORCE: RECRUITMENT, RE-**
19 **TENTION, AND PROMOTION**

20 **SEC. 5401. DEFINITIONS.**

21 In this title:

22 (1) APPLICANT FLOW DATA.—The term “appli-
23 cant flow data” means data that tracks the rate of

1 applications for job positions among demographic
2 categories.

3 (2) DEMOGRAPHIC DATA.—The term “demo-
4 graphic data” means facts or statistics relating to
5 the demographic categories specified in the Office of
6 Management and Budget statistical policy directive
7 entitled “Standards for Maintaining, Collecting, and
8 Presenting Federal Data on Race and Ethnicity”
9 (81 Fed. Reg. 67398).

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

15 (4) WORKFORCE.—The term “workforce”
16 means—

17 (A) individuals serving in a position in the
18 civil service (as defined in section 2101 of title
19 5, United States Code);

20 (B) individuals who are members of the
21 Foreign Service (as defined in section 103 of
22 the Foreign Service Act of 1980 (22 U.S.C.
23 3902));

1 (C) all individuals serving under a personal
2 services agreement or personal services con-
3 tract;

4 (D) all individuals serving under a Foreign
5 Service Limited appointment under section 309
6 of the Foreign Service Act of 1980; or

7 (E) individuals working in the Department
8 of State under any other authority.

9 **SEC. 5402. COLLECTION, ANALYSIS, AND DISSEMINATION**
10 **OF WORKFORCE DATA.**

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

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

23 (1) Demographic data on each element of the
24 workforce of the Department, disaggregated by rank

1 and grade or grade-equivalent, with respect to the
2 following groups:

3 (A) Applicants for positions in the Depart-
4 ment.

5 (B) Individuals hired to join the workforce.

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

11 (D) Individuals serving on applicable selec-
12 tion boards.

13 (E) Members of any external advisory com-
14 mittee or board who are subject to appointment
15 by individuals at senior positions in the Depart-
16 ment.

17 (F) Individuals participating in profes-
18 sional development programs of the Depart-
19 ment, and the extent to which such participants
20 have been placed into senior positions within
21 the Department after such participation.

22 (G) Individuals participating in mentorship
23 or retention programs.

24 (H) Individuals who separated from the
25 agency during the 2-year period ending on the

1 date of the enactment of this Act, including in-
2 dividuals in the Senior Executive Service or the
3 Senior Foreign Service.

4 (2) An assessment of agency compliance with
5 the essential elements identified in Equal Employ-
6 ment Opportunity Commission Management Direc-
7 tive 715, effective October 1, 2003.

8 (3) Data on the overall number of individuals
9 who are part of the workforce, the percentages of
10 such workforce corresponding to each element listed
11 in section 5401(4), and the percentages cor-
12 responding to each rank, grade, or grade-equivalent.

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

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

1 (1) to propagate fairness, impartiality, and in-
2 clusion in the work environment, both domestically
3 and abroad;

4 (2) to enforce anti-harassment and anti-dis-
5 crimination policies, both domestically and at posts
6 overseas;

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

11 (4) to prevent illegal retaliation against employ-
12 ees for participating in a protected equal employ-
13 ment opportunity activity or for reporting sexual
14 harassment or sexual assault;

15 (5) to provide reasonable accommodation for
16 qualified employees and applicants with disabilities;
17 and

18 (6) to recruit a representative workforce by—

19 (A) recruiting women and minorities;

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

1 (C) placing job advertisements in news-
2 papers, magazines, and job sites oriented to-
3 ward women and minorities;

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

7 (E) providing opportunities through the
8 Foreign Service Internship Program under
9 chapter 12 of the Foreign Service Act of 1980
10 (22 U.S.C. 4141 et seq.) and other hiring ini-
11 tiatives;

12 (F) recruiting mid-level and senior-level
13 professionals through programs designed to in-
14 crease minority representation in international
15 affairs;

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

22 (H) expanding the use of paid internships;
23 and

24 (I) supporting recruiting and hiring oppor-
25 tunities through—

1 (i) the Charles B. Rangel Inter-
2 national Affairs Fellowship Program;

3 (ii) the Thomas R. Pickering Foreign
4 Affairs Fellowship Program;

5 (iii) the Donald M. Payne Inter-
6 national Development Fellowship Program;

7 and

8 (iv) other initiatives, including agency-
9 wide policy initiatives.

10 (e) ANNUAL UPDATES.—Not later than 1 year after
11 the publication of the report required under subsection (a)
12 and annually thereafter for the following 5 years, the Sec-
13 retary shall work with the Director of the Office of Per-
14 sonnel Management and the Director of the Office of Man-
15 agement and Budget to provide a report to the appro-
16 priate congressional committees, which shall be posted on
17 the Department’s website, which may be included in an-
18 other annual report required under another provision of
19 law, that includes—

20 (1) disaggregated demographic data relating to
21 the workforce and information on the status of di-
22 versity and inclusion efforts of the Department;

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

24 (3) disaggregated demographic data relating to
25 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. 5403. EXIT INTERVIEWS FOR WORKFORCE.**

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

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 Human Resources
18 shall provide an opportunity for an exit interview to each
19 individual in the workforce of the Department who sepa-
20 rates from service with the Department to better under-
21 stand the reasons of such individual for leaving such serv-
22 ice.

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

1 other information obtained through interviews under sub-
2 sections (a) and (b) to determine—

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

6 (2) whether to implement any policy changes or
7 include any recommendations in a report required
8 under subsection (a) or (e) of section 5402 relating
9 to the determination reached pursuant to paragraph
10 (1).

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

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

16 (2) annually evaluate such data—

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

20 (B) to understand the extent to which par-
21 ticipation in any professional development pro-
22 gram offered or sponsored by the Department
23 differs among the demographic categories of the
24 workforce; and

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

5 **SEC. 5404. RECRUITMENT AND RETENTION.**

6 (a) IN GENERAL.—The Secretary shall—

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

9 (2) instruct the Director General of the Foreign
10 Service and the Director of the Bureau of Human
11 Resources of the Department to have a recruitment
12 plan of action for the recruitment of people belong-
13 ing to traditionally under-represented groups, which
14 should include outreach at appropriate colleges, uni-
15 versities, affinity groups, and professional associa-
16 tions.

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

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

23 (2) placing job advertisements in newspapers,
24 magazines, and job sites oriented toward diverse
25 groups;

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

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

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

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

12 (c) EXPAND TRAINING ON ANTI-HARASSMENT AND
13 ANTI-DISCRIMINATION.—

14 (1) IN GENERAL.—The Secretary shall, through
15 the Foreign Service Institute and other educational
16 and training opportunities—

17 (A) ensure the provision to all individuals
18 in the workforce of training on anti-harassment
19 and anti-discrimination information and poli-
20 cies, including in existing Foreign Service Insti-
21 tute courses or modules prioritized in the De-
22 partment’s Diversity and Inclusion Strategic
23 Plan for 2016–2020 to promote diversity in Bu-
24 reau awards or mitigate unconscious bias;

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

6 (C) make such expanded training manda-
7 tory for—

8 (i) individuals in senior and super-
9 visory positions;

10 (ii) individuals having responsibilities
11 related to recruitment, retention, or pro-
12 motion of employees; and

13 (iii) any other individual determined
14 by the Department who needs such train-
15 ing based on analysis by the Department
16 or OPM analysis.

17 (2) BEST PRACTICES.—The Department shall
18 give special attention to ensuring the continuous in-
19 corporation of research-based best practices in train-
20 ing provided under this subsection.

21 **SEC. 5405. LEADERSHIP ENGAGEMENT AND ACCOUNT-**
22 **ABILITY.**

23 (a) REWARD AND RECOGNIZE EFFORTS TO PRO-
24 MOTE DIVERSITY AND INCLUSION.—

1 (1) IN GENERAL.—The Secretary shall imple-
2 ment performance and advancement requirements
3 that reward and recognize the efforts of individuals
4 in senior positions and supervisors in the Depart-
5 ment in fostering an inclusive environment and culti-
6 vating talent consistent with merit system principles,
7 such as through participation in mentoring pro-
8 grams or sponsorship initiatives, recruitment events,
9 and other similar opportunities.

10 (2) OUTREACH EVENTS.—The Secretary shall
11 create opportunities for individuals in senior posi-
12 tions and supervisors in the Department to partici-
13 pate in outreach events and to discuss issues relat-
14 ing to diversity and inclusion with the workforce on
15 a regular basis, including with employee resource
16 groups.

17 (b) EXTERNAL ADVISORY COMMITTEES AND
18 BOARDS.—For each external advisory committee or board
19 to which individuals in senior positions in the Department
20 appoint members, the Secretary is strongly encouraged by
21 Congress to ensure such external advisory committee or
22 board is developed, reviewed, and carried out by qualified
23 teams that represent the diversity of the organization.

1 **SEC. 5406. PROFESSIONAL DEVELOPMENT OPPORTUNITIES**
2 **AND TOOLS.**

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

5 (1) IN GENERAL.—The Secretary is authorized
6 to expand professional development opportunities
7 that support the mission needs of the Department,
8 such as—

9 (A) academic programs;

10 (B) private-public exchanges; and

11 (C) detail assignments to relevant positions
12 in—

13 (i) private or international organiza-
14 tions;

15 (ii) State, local, and Tribal govern-
16 ments;

17 (iii) other branches of the Federal
18 Government; or

19 (iv) professional schools of inter-
20 national affairs.

21 (2) TRAINING FOR SENIOR POSITIONS.—

22 (A) IN GENERAL.—The Secretary shall
23 offer, or sponsor members of the workforce to
24 participate in, a Senior Executive Service can-
25 didate development program or other program
26 that trains members on the skills required for

1 appointment to senior positions in the Depart-
2 ment.

3 (B) REQUIREMENTS.—In determining
4 which members of the workforce are granted
5 professional development or career advancement
6 opportunities under subparagraph (A), the Sec-
7 retary shall—

8 (i) ensure any program offered or
9 sponsored by the Department under such
10 subparagraph comports with the require-
11 ments of subpart C of part 412 of title 5,
12 Code of Federal Regulations, or any suc-
13 cessor thereto, including merit staffing and
14 assessment requirements;

15 (ii) consider the number of expected
16 vacancies in senior positions as a factor in
17 determining the number of candidates to
18 select for such programs;

19 (iii) understand how participation in
20 any program offered or sponsored by the
21 Department under such subparagraph dif-
22 fers by gender, race, national origin, dis-
23 ability status, or other demographic cat-
24 egories; and

1 (iv) actively encourage participation
2 from a range of demographic categories,
3 especially from categories with consistently
4 low participation.

5 **SEC. 5407. EXAMINATION AND ORAL ASSESSMENT FOR THE**
6 **FOREIGN SERVICE.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that the Department should offer both the Foreign
9 Service written examination and oral assessment in more
10 locations throughout the United States. Doing so would
11 ease the financial burden on potential candidates who do
12 not currently reside in and must travel at their own ex-
13 pense to one of the few locations where these assessments
14 are offered.

15 (b) FOREIGN SERVICE EXAMINATIONS.—Section
16 301(b) of the Foreign Service Act of 1980 (22 U.S.C.
17 3941) is amended—

18 (1) by striking “The Secretary” and inserting:
19 “(1) The Secretary”; and

20 (2) by adding at the end the following new
21 paragraph:

22 “(2) The Secretary shall ensure that the Board of
23 Examiners for the Foreign Service annually offers the oral
24 assessment examinations described in paragraph (1) in

1 cities, chosen on a rotating basis, located in at least three
2 different time zones across the United States.”.

3 **SEC. 5408. PAYNE FELLOWSHIP AUTHORIZATION.**

4 (a) IN GENERAL.—Undergraduate and graduate
5 components of the Donald M. Payne International Devel-
6 opment Fellowship Program may conduct outreach to at-
7 tract outstanding students with an interest in pursuing
8 a Foreign Service career who represent diverse ethnic and
9 socioeconomic backgrounds.

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

13 **SEC. 5409. VOLUNTARY PARTICIPATION.**

14 (a) IN GENERAL.—Nothing in this title should be
15 construed so as to compel any employee to participate in
16 the collection of the data or divulge any personal informa-
17 tion. Department employees shall be informed that their
18 participation in the data collection contemplated by this
19 title is voluntary.

20 (b) PRIVACY PROTECTION.—Any data collected
21 under this title shall be subject to the relevant privacy pro-
22 tection statutes and regulations applicable to Federal em-
23 ployees.

1 **TITLE V—INFORMATION**
2 **SECURITY**

3 **SEC. 5501. DEFINITIONS.**

4 In this title:

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

8 (2) **INTELLIGENCE COMMUNITY.**—The term
9 “intelligence community” has the meaning given
10 such term in section 3(4) of the National Security
11 Act of 1947 (50 U.S.C. 3003(4)).

12 (3) **RELEVANT CONGRESSIONAL COMMIT-**
13 **TEES.**—The term “relevant congressional commit-

14 tees” means—
15 (A) the appropriate congressional commit-

16 tees;
17 (B) the Select Committee on Intelligence
18 of the Senate; and

19 (C) the Permanent Select Committee on
20 Intelligence of the House of Representatives.

21 **SEC. 5502. INFORMATION SYSTEM SECURITY.**

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

23 (1) **INCIDENT.**—The term “incident” has the
24 meaning given such term in section 3552(b) of title
25 44, United States Code.

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

5 (b) CONSULTATIONS PROCESS.—Not later than 60
6 days after the date of the enactment of this Act, the Sec-
7 retary shall establish a process for conducting semiannual
8 consultations with the Secretary of Defense, the Director
9 of National Intelligence, the Secretary of Homeland Secu-
10 rity, and any other department or agency representative
11 who the Secretary determines to be appropriate regarding
12 the security of United States Government and nongovern-
13 mental information systems used or operated by the De-
14 partment, a contractor of the Department, or another or-
15 ganization on behalf of the Department, including any
16 such systems or networks facilitating the use of sensitive
17 or classified information.

18 (c) INDEPENDENT PENETRATION TESTING OF IN-
19 FORMATION SYSTEMS.—In coordination with the consulta-
20 tions under subsection (b), the Secretary shall commission
21 independent, semiannual penetration tests, which shall be
22 carried out by an appropriate Federal department or agen-
23 cy other than the Department, such as the Department
24 of Homeland Security or the National Security Agency,
25 to ensure that adequate policies and protections are imple-

1 mented to detect and prevent penetrations or compromises
2 of such information systems, including malicious intru-
3 sions by any unauthorized individual, state actor, or other
4 entity.

5 (d) WAIVER.—The Secretary may waive the require-
6 ment under subsection (c) for up to 1 year if the Sec-
7 retary—

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

11 (2) not later than 30 days after the commence-
12 ment of such a determination, submits to the rel-
13 evant congressional committees a written justifica-
14 tion that describes how such penetration tests would
15 undermine national security or the diplomatic mis-
16 sion of the Department.

17 (e) INCIDENT REPORTING.—Not later than 180 days
18 after the date of the enactment of this Act and annually
19 thereafter for 3 years, the Secretary, in consultation with
20 the Secretary of Defense, the Director of the National In-
21 telligence, the Secretary of Homeland Security, and any
22 other department or agency representative who the Sec-
23 retary determines to be appropriate, shall securely submit
24 to the relevant congressional committees a classified re-
25 port that describes in detail the following:

1 (1) For the first reporting period, all known
2 and suspected incidents affecting the information
3 systems specified in subsection (b) that occurred
4 during the 180-day period immediately preceding the
5 date of the enactment of this Act.

6 (2) For all subsequent reporting periods, all
7 known and suspected incidents affecting the infor-
8 mation systems specified in subsection (b) that oc-
9 curred since the submission of the most recent re-
10 port.

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

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

17 (2) An assessment of the date and time each
18 such incident occurred or was suspected to have oc-
19 curred.

20 (3) An assessment of the duration over which
21 each such incident took place or is suspected of hav-
22 ing taken place, including whether such incident is
23 ongoing.

24 (4) An assessment of the volume and sensitivity
25 of information accessed, compromised, or potentially

1 compromised by each incident, including any such
2 information contained on information systems
3 owned, operated, managed, or utilized by any other
4 Federal department or agency.

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

8 (A) The known or suspected perpetrators,
9 including state actors.

10 (B) The methods used to carry out the in-
11 cident.

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

14 (6) A description of the actions the Department
15 has taken or plans to take, including timelines and
16 descriptions of any progress on plans described in
17 prior reports, to prevent future, similar incidents af-
18 fecting such information systems.

19 **SEC. 5503. PROHIBITION ON CONTRACTING WITH CERTAIN**
20 **TELECOMMUNICATIONS PROVIDERS.**

21 (a) LIST OF COVERED CONTRACTORS.—Not later
22 than 30 days after the date of the enactment of this Act,
23 the Secretary, in consultation with the Director of Na-
24 tional Intelligence, shall develop or maintain, as the case
25 may be, and update as frequently as the Secretary deter-

1 mines appropriate, a list of covered contractors with re-
2 spect to which the prohibition specified in subsection (b)
3 shall apply. Not later than 30 days after the initial devel-
4 opment of the list under this subsection, any update there-
5 to, and annually thereafter for 5 years after such initial
6 30 day period, the Secretary shall submit to the appro-
7 priate congressional committees a copy of such list.

8 (b) PROHIBITION ON CONTRACTS.—The Secretary
9 may not enter into a contract with a covered contractor
10 on the list described in subsection (a).

11 (c) REMOVAL FROM LIST.—To be removed from the
12 list described in subsection (a), a covered contractor may
13 submit a request to the Secretary in such manner as the
14 Secretary determines appropriate. The Secretary, in con-
15 sultation with the Director of National Intelligence, shall
16 determine a process for removing covered contractors from
17 the list, as appropriate, and publicly disclose such process.

18 (d) WAIVERS.—

19 (1) IN GENERAL.—The President or the Sec-
20 retary may waive the prohibition specified in sub-
21 section (b) if the President or the Secretary deter-
22 mines that such waiver is justified for national secu-
23 rity reasons.

24 (2) WAIVER FOR OVERSEAS OPERATIONS.—The
25 Secretary may waive the prohibition specified in sub-

1 section (b) for United States diplomatic posts or dip-
2 lomatic personnel overseas if the Secretary, in con-
3 sultation with the Director of National Intelligence,
4 determines that no suitable alternatives are avail-
5 able.

6 (e) COVERED CONTRACTOR DEFINED.—In this sec-
7 tion, the term “covered contractor” means a provider of
8 telecommunications, telecommunications equipment, or in-
9 formation technology equipment, including hardware, soft-
10 ware, or services, that has knowingly assisted or facilitated
11 a cyber attack or conducted surveillance, including passive
12 or active monitoring, carried out against—

13 (1) the United States by, or on behalf of, any
14 government, or persons associated with such govern-
15 ment, listed as a cyber threat actor in the intel-
16 ligence community’s 2017 assessment of worldwide
17 threats to United States national security or any
18 subsequent worldwide threat assessment of the intel-
19 ligence community; or

20 (2) individuals, including activists, journalists,
21 opposition politicians, or other individuals for the
22 purposes of suppressing dissent or intimidating crit-
23 ics, on behalf of a country included in the annual
24 country reports on human rights practices of the
25 Department for systematic acts of political repres-

1 sion, including arbitrary arrest or detention, torture,
2 extrajudicial or politically motivated killing, or other
3 gross violations of human rights.

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

7 **SEC. 5504. PRESERVING RECORDS OF ELECTRONIC COM-**
8 **MUNICATIONS CONDUCTED RELATED TO OF-**
9 **FICIAL DUTIES OF POSITIONS IN THE PUBLIC**
10 **TRUST OF THE AMERICAN PEOPLE.**

11 (a) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that, as a matter of rule of law and transparency
13 in a democratic government, all officers and employees of
14 the Department and the United States Agency for Inter-
15 national Development must preserve all records of commu-
16 nications conducted in their official capacities or related
17 to their official duties with entities outside of the United
18 States Government. It is further the sense of Congress
19 that such practice should include foreign government offi-
20 cials or other foreign entities which may seek to influence
21 United States Government policies and actions.

22 (b) PUBLICATION.—Not later than 180 days after the
23 date of the enactment of this Act, the Secretary shall pub-
24 lish in the Foreign Affairs Manual guidance implementing
25 chapter 31 of title 44, United States Code (commonly re-

1 ferred to as the “Federal Records Act”), to treat elec-
2 tronic messaging systems, software, and applications as
3 equivalent to electronic mail for the purpose of identifying
4 Federal records, and shall also publish in the Foreign Af-
5 fairs Manual the statutory penalties for failure to comply
6 with such guidance. No funds are authorized to be appro-
7 priated or made available to the Department of State
8 under any Act to support the use or establishment of ac-
9 counts on third-party messaging applications or other non-
10 Government online communication tools if the Secretary
11 does not certify to the relevant congressional committees
12 that the Secretary has carried out this section.

13 **SEC. 5505. FOREIGN RELATIONS OF THE UNITED STATES**
14 **(FRUS) SERIES AND DECLASSIFICATION.**

15 The State Department Basic Authorities Act of 1956
16 is amended—

17 (1) in section 402(a)(2) (22 U.S.C.
18 4352(a)(2)), by striking “26” and inserting “20”;

19 and

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

21 (A) in subsection (a)(1), by striking
22 “30” and inserting “25”; and

23 (B) in subsection (c)(1)(C), by striking
24 “30” and inserting “25”.

1 **SEC. 5506. VULNERABILITY DISCLOSURE POLICY AND BUG**
2 **BOUNTY PILOT PROGRAM.**

3 (a) DEFINITIONS.—In this section:

4 (1) BUG BOUNTY PROGRAM.—The term “bug
5 bounty program” means a program under which an
6 approved individual, organization, or company is
7 temporarily authorized to identify and report
8 vulnerabilities of internet-facing information tech-
9 nology of the Department in exchange for compensa-
10 tion.

11 (2) DEPARTMENT.—The term “Department”
12 means the Department of State.

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

17 (4) SECRETARY.—The term “Secretary” means
18 the Secretary of State.

19 (b) DEPARTMENT OF STATE VULNERABILITY DIS-
20 CLOSURE PROCESS.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of the enactment of this Act, the Sec-
23 retary shall design, establish, and make publicly
24 known a Vulnerability Disclosure Process (VDP) to
25 improve Department cybersecurity by—

1 (A) providing security researchers with
2 clear guidelines for—

3 (i) conducting vulnerability discovery
4 activities directed at Department informa-
5 tion technology; and

6 (ii) submitting discovered security
7 vulnerabilities to the Department; and

8 (B) creating Department procedures and
9 infrastructure to receive and fix discovered
10 vulnerabilities.

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

13 (A) identify which Department information
14 technology should be included in the process;

15 (B) determine whether the process should
16 differentiate among and specify the types of se-
17 curity vulnerabilities that may be targeted;

18 (C) provide a readily available means of re-
19 porting discovered security vulnerabilities and
20 the form in which such vulnerabilities should be
21 reported;

22 (D) identify which Department offices and
23 positions will be responsible for receiving,
24 prioritizing, and addressing security vulner-
25 ability disclosure reports;

1 (E) consult with the Attorney General re-
2 garding how to ensure that individuals, organi-
3 zations, and companies that comply with the re-
4 quirements of the process are protected from
5 prosecution under section 1030 of title 18,
6 United States Code, and similar provisions of
7 law for specific activities authorized under the
8 process;

9 (F) consult with the relevant offices at the
10 Department of Defense that were responsible
11 for launching the 2016 Vulnerability Disclosure
12 Program, “Hack the Pentagon”, and subse-
13 quent Department of Defense bug bounty pro-
14 grams;

15 (G) engage qualified interested persons, in-
16 cluding nongovernmental sector representatives,
17 about the structure of the process as construc-
18 tive and to the extent practicable; and

19 (H) award contracts to entities, as nec-
20 essary, to manage the process and implement
21 the remediation of discovered security
22 vulnerabilities.

23 (3) ANNUAL REPORTS.—Not later than 180
24 days after the establishment of the VDP under para-
25 graph (1) and annually thereafter for the next 5

1 years, the Secretary of State shall submit to the
2 Committee on Foreign Affairs of the House of Rep-
3 resentatives and the Committee on Foreign Rela-
4 tions of the Senate a report on the VDP, including
5 information relating to the following:

6 (A) The number and severity, in accord-
7 ance with the National Vulnerabilities Database
8 of the National Institute of Standards and
9 Technology, of security vulnerabilities reported.

10 (B) The number of previously unidentified
11 security vulnerabilities remediated as a result.

12 (C) The current number of outstanding
13 previously unidentified security vulnerabilities
14 and Department of State remediation plans.

15 (D) The average length of time between
16 the reporting of security vulnerabilities and re-
17 mediation of such vulnerabilities.

18 (E) The resources, surge staffing, roles,
19 and responsibilities within the Department used
20 to implement the VDP and complete security
21 vulnerability remediation.

22 (F) Any other information the Secretary
23 determines relevant.

24 (c) DEPARTMENT OF STATE BUG BOUNTY PILOT
25 PROGRAM.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of the enactment of this Act, the Secretary
3 shall establish a bug bounty pilot program to mini-
4 mize security vulnerabilities of internet-facing infor-
5 mation technology of the Department.

6 (2) REQUIREMENTS.—In establishing the pilot
7 program described in paragraph (1), the Secretary
8 shall—

9 (A) provide compensation for reports of
10 previously unidentified security vulnerabilities
11 within the websites, applications, and other
12 internet-facing information technology of the
13 Department that are accessible to the public;

14 (B) award contracts to entities, as nec-
15 essary, to manage such pilot program and for
16 executing the remediation of security
17 vulnerabilities identified pursuant to subpara-
18 graph (A);

19 (C) identify which Department information
20 technology should be included in such pilot pro-
21 gram;

22 (D) consult with the Attorney General on
23 how to ensure that individuals, organizations,
24 or companies that comply with the requirements
25 of such pilot program are protected from pros-

1 ecution under section 1030 of title 18, United
2 States Code, and similar provisions of law for
3 specific activities authorized under such pilot
4 program;

5 (E) consult with the relevant offices at the
6 Department of Defense that were responsible
7 for launching the 2016 “Hack the Pentagon”
8 pilot program and subsequent Department of
9 Defense bug bounty programs;

10 (F) develop a process by which an ap-
11 proved individual, organization, or company can
12 register with the entity referred to in subpara-
13 graph (B), submit to a background check as de-
14 termined by the Department, and receive a de-
15 termination as to eligibility for participation in
16 such pilot program;

17 (G) engage qualified interested persons, in-
18 cluding nongovernmental sector representatives,
19 about the structure of such pilot program as
20 constructive and to the extent practicable; and

21 (H) consult with relevant United States
22 Government officials to ensure that such pilot
23 program complements persistent network and
24 vulnerability scans of the Department of State’s
25 internet-accessible systems, such as the scans

1 conducted pursuant to Binding Operational Di-
2 rective BOD-15-01.

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

6 (4) REPORT.—Not later than 180 days after
7 the date on which the bug bounty pilot program
8 under subsection (a) is completed, the Secretary
9 shall submit to the Committee on Foreign Relations
10 of the Senate and the Committee on Foreign Affairs
11 of the House of Representatives a report on such
12 pilot program, including information relating to—

13 (A) the number of approved individuals,
14 organizations, or companies involved in such
15 pilot program, broken down by the number of
16 approved individuals, organizations, or compa-
17 nies that—

18 (i) registered;

19 (ii) were approved;

20 (iii) submitted security vulnerabilities;

21 and

22 (iv) received compensation;

23 (B) the number and severity, in accordance
24 with the National Vulnerabilities Database of
25 the National Institute of Standards and Tech-

1 nology, of security vulnerabilities reported as
2 part of such pilot program;

3 (C) the number of previously unidentified
4 security vulnerabilities remediated as a result of
5 such pilot program;

6 (D) the current number of outstanding
7 previously unidentified security vulnerabilities
8 and Department remediation plans;

9 (E) the average length of time between the
10 reporting of security vulnerabilities and remedi-
11 ation of such vulnerabilities;

12 (F) the types of compensation provided
13 under such pilot program; and

14 (G) the lessons learned from such pilot
15 program.

16 **TITLE VI—PUBLIC DIPLOMACY**

17 **SEC. 5601. SHORT TITLE.**

18 This title may be cited as the “Public Diplomacy
19 Modernization Act of 2020”.

20 **SEC. 5602. AVOIDING DUPLICATION OF PROGRAMS AND EF-** 21 **FORTS.**

22 The Secretary shall—

23 (1) identify opportunities for greater efficiency
24 of operations, including through improved coordina-

1 tion of efforts across public diplomacy bureaus and
2 offices of the Department; and

3 (2) maximize shared use of resources between,
4 and within, such public diplomacy bureaus and of-
5 fices in cases in which programs, facilities, or admin-
6 istrative functions are duplicative or substantially
7 overlapping.

8 **SEC. 5603. IMPROVING RESEARCH AND EVALUATION OF**
9 **PUBLIC DIPLOMACY.**

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

13 (1) conduct regular research and evaluation of
14 public diplomacy programs and activities of the De-
15 partment, including through the routine use of audi-
16 ence research, digital analytics, and impact evalua-
17 tions, to plan and execute such programs and activi-
18 ties; and

19 (2) make available to Congress the findings of
20 the research and evaluations conducted under para-
21 graph (1).

22 (b) **DIRECTOR OF RESEARCH AND EVALUATION.**—

23 (1) **APPOINTMENT.**—Not later than 90 days
24 after the date of the enactment of this Act, the Sec-
25 retary shall appoint a Director of Research and

1 Evaluation (referred to in this subsection as the
2 “Director”) in the Office of Policy, Planning, and
3 Resources for Public Diplomacy and Public Affairs
4 of the Department.

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

9 (3) RESPONSIBILITIES.—The Director shall—

10 (A) coordinate and oversee the research
11 and evaluation of public diplomacy programs
12 and activities of the Department in order to—

13 (i) improve public diplomacy strate-
14 gies and tactics; and

15 (ii) ensure that such programs and
16 activities are increasing the knowledge, un-
17 derstanding, and trust of the United
18 States by relevant target audiences;

19 (B) routinely organize and oversee audi-
20 ence research, digital analytics, and impact
21 evaluations across all public diplomacy bureaus
22 and offices of the Department;

23 (C) support United States diplomatic
24 posts’ public affairs sections;

1 (D) share appropriate public diplomacy re-
2 search and evaluation information within the
3 Department and with other appropriate Federal
4 departments and agencies;

5 (E) regularly design and coordinate stand-
6 ardized research questions, methodologies, and
7 procedures to ensure that public diplomacy pro-
8 grams and activities across all public diplomacy
9 bureaus and offices are designed to meet appro-
10 priate foreign policy objectives; and

11 (F) report biannually to the United States
12 Advisory Commission on Public Diplomacy,
13 through the Subcommittee on Research and
14 Evaluation established pursuant to subsection
15 (f), regarding the research and evaluation of all
16 public diplomacy bureaus and offices.

17 (4) GUIDANCE AND TRAINING.—Not later than
18 1 year after the appointment of the Director pursu-
19 ant to paragraph (1), the Director shall develop
20 guidance and training, including curriculum for use
21 by the Foreign Service Institute, for all public diplo-
22 macy officers of the Department regarding the read-
23 ing and interpretation of public diplomacy program
24 and activity evaluation findings to ensure that such
25 findings and related lessons learned are implemented

1 in the planning and evaluation of all public diplo-
2 macy programs and activities of the Department.

3 (c) PRIORITIZING RESEARCH AND EVALUATION.—

4 (1) IN GENERAL.—The head of the Office of
5 Policy, Planning, and Resources for Public Diplo-
6 macy and Public Affairs of the Department shall en-
7 sure that research and evaluation of public diplo-
8 macy and activities of the Department, as coordi-
9 nated and overseen by the Director pursuant to sub-
10 section (b), supports strategic planning and resource
11 allocation across all public diplomacy bureaus and
12 offices of the Department.

13 (2) ALLOCATION OF RESOURCES.—Amounts al-
14 located for the purpose of research and evaluation of
15 public diplomacy programs and activities of the De-
16 partment pursuant to subsection (b) shall be made
17 available to be disbursed at the direction of the Di-
18 rector of Research and Evaluation among the re-
19 search and evaluation staff across all public diplo-
20 macy bureaus and offices of the Department.

21 (3) SENSE OF CONGRESS.—It is the sense of
22 Congress that the Department should gradually in-
23 crease its allocation of funds made available under
24 the headings “Educational and Cultural Exchange
25 Programs” and “Diplomatic Programs” for research

1 and evaluation of public diplomacy programs and ac-
2 tivities of the Department pursuant to subsection (b)
3 to a percentage of program funds that is commensu-
4 rate with Federal Government best practices.

5 (d) LIMITED EXEMPTION RELATING TO THE PRI-
6 VACY ACT.—

7 (1) IN GENERAL.—The Department shall main-
8 tain, collect, use, and disseminate records (as such
9 term is defined in section 552a(a)(4) of title 5,
10 United States Code) for audience research, digital
11 analytics, and impact evaluation of communications
12 related to public diplomacy efforts intended for for-
13 eign audiences.

14 (2) CONDITIONS.—Audience research, digital
15 analytics, and impact evaluations under paragraph
16 (1) shall be—

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

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

21 (e) UNITED STATES ADVISORY COMMISSION ON PUB-
22 LIC DIPLOMACY.—

23 (1) SUBCOMMITTEE FOR RESEARCH AND EVAL-
24 UATION.—The United States Advisory Commission
25 on Public Diplomacy shall establish a Subcommittee

1 on Research and Evaluation to monitor and advise
2 regarding audience research, digital analytics, and
3 impact evaluations carried out by the Department
4 and the United States Agency for Global Media.

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

16 **SEC. 5604. PERMANENT REAUTHORIZATION OF THE**
17 **UNITED STATES ADVISORY COMMISSION ON**
18 **PUBLIC DIPLOMACY.**

19 Section 1334 of the Foreign Affairs Reform and Re-
20 structuring Act of 1998 (22 U.S.C. 6553) is amended—

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

23 (2) by striking “until October 1, 2020”.

1 **SEC. 5605. STREAMLINING OF SUPPORT FUNCTIONS.**

2 (a) WORKING GROUP ESTABLISHED.—Not later than
3 60 days after the date of the enactment of this Act, the
4 Secretary shall establish a working group to explore the
5 possibilities and cost-benefit analysis of transitioning to a
6 shared services model as such pertains to human re-
7 sources, travel, purchasing, budgetary planning, and all
8 other executive support functions for all bureaus of the
9 Department that report to the Under Secretary for Public
10 Diplomacy of the Department.

11 (b) REPORT.—Not later than 180 days after the date
12 of the enactment of this Act, the Secretary shall submit
13 to the appropriate congressional committees a plan to im-
14 plement any such findings of the working group estab-
15 lished under subsection (a).

16 **SEC. 5606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLO-**
17 **MACY FACILITIES.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of the enactment of this Act, the Secretary of State
20 shall adopt, and include in the Foreign Affairs Manual,
21 guidelines to collect and utilize information from each dip-
22 lomatic post at which the construction of a new embassy
23 compound or new consulate compound would result in the
24 closure or co-location of an American Space, American
25 Center, American Corner, or any other public diplomacy

1 facility under the Secure Embassy Construction and
2 Counterterrorism Act of 1999 (22 U.S.C. 4865 et seq.).

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

5 (1) Standardized notification to each chief of
6 mission at a diplomatic post describing the require-
7 ments of the Secure Embassy Construction and
8 Counterterrorism Act of 1999 and the impact on the
9 mission footprint of such requirements.

10 (2) An assessment and recommendations from
11 each chief of mission of potential impacts to public
12 diplomacy programming at such diplomatic post if
13 any public diplomacy facility referred to in sub-
14 section (a) is closed or staff is co-located in accord-
15 ance with such Act.

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

20 (4) Notification to the appropriate congres-
21 sional committees, prior to the initiation of a new
22 embassy compound or new consulate compound de-
23 sign, of the intent to close any such public diplomacy
24 facility or co-locate public diplomacy staff in accord-
25 ance with such Act.

1 (c) REPORT.—Not later than 1 year after the date
2 of the enactment of this Act, the Secretary shall submit
3 to the appropriate congressional committees a report con-
4 taining the guidelines required under subsection (a) and
5 any recommendations for any modifications to such guide-
6 lines.

7 **SEC. 5607. DEFINITIONS.**

8 In this title:

9 (1) AUDIENCE RESEARCH.—The term “audi-
10 ence research” means research conducted at the out-
11 set of a public diplomacy program or the outset of
12 campaign planning and design regarding specific au-
13 dience segments to understand the attitudes, inter-
14 ests, knowledge, and behaviors of such audience seg-
15 ments.

16 (2) DIGITAL ANALYTICS.—The term “digital
17 analytics” means the analysis of qualitative and
18 quantitative data, accumulated in digital format, to
19 indicate the outputs and outcomes of a public diplo-
20 macy program or campaign.

21 (3) IMPACT EVALUATION.—The term “impact
22 evaluation” means an assessment of the changes in
23 the audience targeted by a public diplomacy program
24 or campaign that can be attributed to such program
25 or campaign.

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

5 (A) The Bureau of Educational and Cul-
6 tural Affairs.

7 (B) The Bureau of Global Public Affairs.

8 (C) The Office of Policy, Planning, and
9 Resources for Public Diplomacy and Public Af-
10 fairs.

11 (D) The Global Engagement Center.

12 (E) The public diplomacy functions within
13 the regional and functional bureaus.

14 **TITLE VII—COMBATING PUBLIC**
15 **CORRUPTION**

16 **SEC. 5701. SENSE OF CONGRESS.**

17 It is the sense of Congress that—

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

21 (2) multiple Federal departments and agencies
22 operate programs that promote good governance in
23 foreign countries and enhance such countries’ ability
24 to combat public corruption;

1 (3) the Department should promote coordina-
2 tion among the Federal departments and agencies
3 implementing programs to promote good governance
4 and combat public corruption in foreign countries in
5 order to improve effectiveness and efficiency; and

6 (4) the Department should identify areas in
7 which United States efforts to help other countries
8 promote good governance and combat public corrup-
9 tion could be enhanced.

10 **SEC. 5702. ANNUAL ASSESSMENT.**

11 (a) IN GENERAL.—For each of fiscal years 2021
12 through 2027, the Secretary shall assess the capacity and
13 commitment of foreign countries to combat public corrup-
14 tion. Each such assessment shall—

15 (1) utilize independent, third party indicators
16 that measure transparency, accountability, and cor-
17 ruption in the public sector in such countries, includ-
18 ing the extent to which public power is exercised for
19 private gain, to identify those countries that are
20 most vulnerable to public corruption;

21 (2) consider, to the extent reliable information
22 is available, whether the government of a country
23 identified under paragraph (1)—

24 (A) has adopted measures to prevent pub-
25 lic corruption, such as measures to inform and

1 educate the public, including potential victims,
2 about the causes and consequences of public
3 corruption;

4 (B) has enacted laws and established gov-
5 ernment structures, policies, and practices that
6 prohibit public corruption;

7 (C) enforces such laws through a fair judi-
8 cial process;

9 (D) vigorously investigates, prosecutes,
10 convicts, and sentences public officials who par-
11 ticipate in or facilitate public corruption, includ-
12 ing nationals of such country who are deployed
13 in foreign military assignments, trade delega-
14 tions abroad, or other similar missions who en-
15 gage in or facilitate public corruption;

16 (E) prescribes appropriate punishment for
17 serious, significant corruption that is commen-
18 surate with the punishment prescribed for seri-
19 ous crimes;

20 (F) prescribes appropriate punishment for
21 significant corruption that provides a suffi-
22 ciently stringent deterrent and adequately re-
23 flects the nature of the offense;

24 (G) convicts and sentences persons respon-
25 sible for such acts that take place wholly or

1 partly within the country of such government,
2 including, as appropriate, requiring the incar-
3 ceration of individuals convicted of such acts;

4 (H) holds private sector representatives ac-
5 countable for their role in public corruption;
6 and

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

9 (3) further consider—

10 (A) verifiable measures taken by the gov-
11 ernment of a country identified under para-
12 graph (1) to prohibit government officials from
13 participating in, facilitating, or condoning pub-
14 lic corruption, including the investigation, pros-
15 ecution, and conviction of such officials;

16 (B) the extent to which such government
17 provides access, or, as appropriate, makes ade-
18 quate resources available, to civil society organi-
19 zations and other institutions to combat public
20 corruption, including reporting, investigating,
21 and monitoring;

22 (C) the extent to which an independent ju-
23 diciary or judicial body in such country is re-
24 sponsible for, and effectively capable of, decid-
25 ing public corruption cases impartially, on the

1 basis of facts and in accordance with law, with-
2 out any improper restrictions, influences, in-
3 ducements, pressures, threats, or interferences,
4 whether direct or indirect, from any source or
5 for any reason;

6 (D) the extent to which such government
7 cooperates meaningfully with the United States
8 to strengthen government and judicial institu-
9 tions and the rule of law to prevent, prohibit,
10 and punish public corruption;

11 (E) the extent to which such government—

12 (i) is assisting in international inves-
13 tigations of transnational public corruption
14 networks and in other cooperative efforts
15 to combat serious, significant corruption,
16 including cooperating with the govern-
17 ments of other countries to extradite cor-
18 rupt actors;

19 (ii) recognizes the rights of victims of
20 public corruption, ensures their access to
21 justice, and takes steps to prevent such
22 victims from being further victimized or
23 persecuted by corrupt actors, government
24 officials, or others; and

1 (iii) refrains from prosecuting legiti-
2 mate victims of public corruption or whis-
3 tleblowers due to such persons having as-
4 sisted in exposing public corruption, and
5 refrains from other discriminatory treat-
6 ment of such persons; and

7 (F) contain such other information relating
8 to public corruption as the Secretary considers
9 appropriate.

10 (b) IDENTIFICATION.—After conducting each assess-
11 ment under subsection (a), the Secretary shall identify the
12 countries described in paragraph (1) of such subsection
13 that are—

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

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

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

20 (c) REPORT.—Not later than 180 days after the date
21 of the enactment of this Act and annually thereafter
22 through fiscal year 2026, the Secretary shall submit to
23 the appropriate congressional committees and make pub-
24 licly available a report that identifies the countries de-
25 scribed in subsection (a)(1) and paragraphs (2) and (3)

1 of subsection (b), including a description of the method-
2 ology and data utilized in the assessments under sub-
3 section (a) and the reasons for such identifications.

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

8 (1) determines that publication of such report
9 would—

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

12 (B) threaten the national interests of the
13 United States; and

14 (2) provides a briefing to the appropriate con-
15 gressional committees that identifies the countries
16 described in subsection (a)(1) and paragraphs (2)
17 and (3) of subsection (b), including a description of
18 the methodology and data utilized in the assessment
19 under subsection (a) and the reasons for such identi-
20 fications.

21 **SEC. 5703. TRANSPARENCY AND ACCOUNTABILITY.**

22 For each country identified under paragraphs (2) and
23 (3) of section 5702(b), the Secretary, in coordination with
24 the Administrator of the United States Agency for Inter-
25 national Development, as appropriate, shall—

1 (1) ensure that a corruption risk assessment
2 and mitigation strategy is included in the integrated
3 country strategy for such country; and

4 (2) utilize appropriate mechanisms to combat
5 corruption in such countries, including by ensur-
6 ing—

7 (A) the inclusion of anti-corruption clauses
8 in contracts, grants, and cooperative agree-
9 ments entered into by the Department or the
10 Agency for or in such countries, which allow for
11 the termination of such contracts, grants, or co-
12 operative agreements, as the case may be, with-
13 out penalty if credible indicators of public cor-
14 ruption are discovered;

15 (B) the inclusion of appropriate clawback
16 or flowdown clauses within the procurement in-
17 struments of the Department and the Agency
18 that provide for the recovery of funds misappro-
19 priated through corruption;

20 (C) the appropriate disclosure to the
21 United States Government, in confidential
22 form, if necessary, of the beneficial ownership
23 of contractors, subcontractors, grantees, cooper-
24 ative agreement participants, and other organi-

1 zations implementing programs on behalf of the
2 Department or Agency; and

3 (D) the establishment of mechanisms for
4 investigating allegations of misappropriated re-
5 sources and equipment.

6 **SEC. 5704. DESIGNATION OF EMBASSY ANTI-CORRUPTION**
7 **POINTS OF CONTACT.**

8 (a) **IN GENERAL.**—The Secretary shall annually des-
9 ignate an anti-corruption point of contact at the United
10 States diplomatic post to each country identified under
11 paragraphs (2) and (3) of section 5702(b), or which the
12 Secretary otherwise determines is in need of such a point
13 of contact.

14 (b) **RESPONSIBILITIES.**—Each designated anti-cor-
15 ruption point of contact under subsection (a) shall be re-
16 sponsible for coordinating and overseeing implementation
17 of a whole-of-government approach among the relevant
18 Federal departments and agencies that operate programs
19 that promote good governance in foreign countries and en-
20 hance such countries' ability to combat public corruption
21 in order to accomplish such objectives in the country to
22 which such point of contact is posted, including through
23 the development and implementation of corruption risk as-
24 sessment tools and mitigation strategies.

1 (c) TRAINING.—The Secretary shall implement ap-
2 propriate training for designated anti-corruption points of
3 contact under subsection (a).

4 **SEC. 5705. REPORTING REQUIREMENTS.**

5 (a) ANNUAL REPORT.—

6 (1) IN GENERAL.—The Secretary shall, for each
7 of fiscal years 2021 through 2026, submit to the ap-
8 propriate congressional committees a report on im-
9 plementation of this title, including a description of
10 the following:

11 (A) The offices within the Department and
12 the United States Agency for International De-
13 velopment that are engaging in significant anti-
14 corruption activities.

15 (B) The findings and actions of designated
16 anti-corruption points of contact to develop and
17 implement risk mitigation strategies and ensure
18 compliance with section 5703.

19 (C) The training implemented under sec-
20 tion 5704(e).

21 (D) Management of the whole-of-govern-
22 ment effort referred to in section 5704(b) to
23 combat corruption within the countries identi-
24 fied in section 5702 and efforts to improve co-

1 ordination across Federal departments and
2 agencies.

3 (E) The risk assessment tools and mitiga-
4 tion strategies utilized by the Department and
5 the Agency.

6 (F) Other information determined by the
7 Secretary to be necessary and appropriate.

8 (2) FORM OF REPORT.—Each report under this
9 subsection shall be submitted in an unclassified for-
10 mat but may include a classified annex.

11 (b) ONLINE PLATFORM.—The Secretary shall con-
12 solidate existing reports with anti-corruption components
13 into one online, public platform, which should—

14 (1) include—

15 (A) the annual Country Reports on
16 Human Rights Practices;

17 (B) the annual Fiscal Transparency Re-
18 port;

19 (C) the annual Investment Climate State-
20 ments;

21 (D) the annual International Narcotics
22 Control Strategy Report;

23 (E) the Country Scorecards of the Millen-
24 nium Challenge Corporation; and

25 (F) any other relevant public reports; and

1 (2) link to third-party indicators and compli-
2 ance mechanisms used by the United States Govern-
3 ment to inform policy and programming, such as—

4 (A) the International Finance Corpora-
5 tion’s Doing Business surveys;

6 (B) the International Budget Partnership’s
7 Open Budget Index; and

8 (C) multilateral peer review anti-corruption
9 compliance mechanisms, such as the Organiza-
10 tion for Economic Co-operation and Develop-
11 ment’s Working Group on Bribery in Inter-
12 national Business Transactions and the United
13 Nations Convention Against Corruption, done
14 at New York October 31, 2003, to further high-
15 light expert international views on country chal-
16 lenges and country efforts.

17 (c) TRAINING.—The Secretary and the Administrator
18 of the United States Agency for International Develop-
19 ment shall incorporate anti-corruption components into
20 existing Foreign Service and Civil Service training courses
21 to—

22 (1) increase the ability of Department and
23 Agency personnel to support anti-corruption as a
24 foreign policy priority; and

1 (2) strengthen the ability of such personnel to
2 design, implement, and evaluate more effective anti-
3 corruption programming around the world, including
4 enhancing skills to better evaluate and mitigate pub-
5 lic corruption risks in assistance programs.

6 **SEC. 5706. FOREIGN INVESTMENTS AND NATIONAL SECU-**
7 **RITY.**

8 (a) IN GENERAL.—Not later than 1 year after the
9 date of the enactment of this Act and biennially thereafter
10 for the following 5 years, the Secretary, in consultation
11 with the Secretary of the Treasury, the Director of Na-
12 tional Intelligence, and the heads of other agencies, as ap-
13 propriate, shall submit to Congress an interagency strat-
14 egy to work with foreign governments and multilateral in-
15 stitutions to guard against the risks of certain trans-
16 actions involving foreign investments.

17 (b) CONTENTS.—Each interagency strategy under
18 paragraph (1) shall include plans relating to the following:

19 (1) Information sharing with foreign govern-
20 ments and multilateral institutions regarding risks
21 associated with potential foreign investments.

22 (2) Promoting American and other alternatives
23 to foreign investments identified as presenting sub-
24 stantial risk to the national security or sovereignty
25 of a country.

1 (3) Providing technical assistance to foreign
2 governments or multilateral institutions regarding
3 screening foreign investments.

4 (4) Designating points of contact at each
5 United States mission to foreign governments and
6 multilateral institutions, and in associated regional
7 bureaus, to coordinate efforts described in this para-
8 graph.

9 (c) COORDINATION.—If the Secretary determines
10 such is appropriate, the designated points of contact re-
11 ferred to in subsection (b)(4) may be the same individual
12 designated under section 5704(a).

13 **TITLE VIII—MISCELLANEOUS**

14 **SEC. 5801. CASE-ZABLOCKI ACT REFORM.**

15 Section 112b of title 1, United States Code, is
16 amended—

17 (1) in subsection (a), by striking “Committee
18 on International Relations” and inserting “Com-
19 mittee 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. 5802. 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:

20 “(1) No assistance”;

21 (2) by inserting “the government of” before
22 “any country”;

23 (3) by inserting “the government of” before
24 “such country” each place it appears;

1 (4) by striking “determines” and all that fol-
2 lows and inserting “determines, after consultation
3 with the Committee on Foreign Affairs and the
4 Committee on Appropriations of the House of Rep-
5 resentatives and the Committee on Foreign Rela-
6 tions and the Committee on Appropriations of the
7 Senate, that assistance for such country is in the na-
8 tional interest of the United States.”; and

9 (5) by adding at the end the following:

10 “(2) No assistance shall be furnished under this
11 Act, the Peace Corps Act, the Millennium Challenge
12 Act of 2003, the African Development Foundation
13 Act, the BUILD Act of 2018, section 504 of the
14 FREEDOM Support Act, or section 23 of the Arms
15 Export Control Act to the government of any coun-
16 try which is in default during a period in excess of
17 1 calendar year in payment to the United States of
18 principal or interest or any loan made to the govern-
19 ment of such country by the United States unless
20 the President determines, following consultation with
21 the congressional committees specified in paragraph
22 (1), that assistance for such country is in the na-
23 tional interest of the United States.”.

1 **SEC. 5803. PROHIBITION ON ASSISTANCE TO GOVERN-**
2 **MENTS SUPPORTING INTERNATIONAL TER-**
3 **RORISM.**

4 (a) PROHIBITION.—Subsection (a) of section 620A of
5 the Foreign Assistance Act of 1961 (22 U.S.C. 2371) is
6 amended by striking “that the government of that coun-
7 try” and all that follows and inserting “that the govern-
8 ment of that country—

9 “(1) has repeatedly provided support for acts of
10 international terrorism;

11 “(2) grants sanctuary from prosecution to any
12 individual or group which has committed an act of
13 international terrorism;

14 “(3) otherwise supports international terrorism;
15 or

16 “(4) is controlled by an organization designated
17 as a foreign terrorist organization under section 219
18 of the Immigration and Nationality Act (8 U.S.C.
19 1189).”.

20 (b) RESCISSION.—Subsection (c) of such section is
21 amended by striking “and the Chairman of the Committee
22 on Foreign Relations of the Senate” and inserting “, the
23 Committee on Foreign Affairs of the House of Representa-
24 tives, the Committee on Foreign Relations of the Senate,
25 and the Committees on Appropriations of the House of
26 Representatives and the Senate”.

1 (c) WAIVER.—Subsection (d)(2) of such section is
2 amended by striking “and the chairman of the Committee
3 on Foreign Relations of the Senate” and inserting “, the
4 Committee on Foreign Affairs of the House of Representa-
5 tives, the Committee on Foreign Relations of the Senate,
6 and the Committees on Appropriations of the House of
7 Representatives and the Senate”.

8 (d) PROHIBITION ON LETHAL MILITARY EQUIPMENT
9 EXPORTS.—Such section, as so amended, is further
10 amended by adding at the end the following:

11 “(e) PROHIBITION ON LETHAL MILITARY EQUIP-
12 MENT EXPORTS.—

13 “(1) PROHIBITION.—

14 “(A) IN GENERAL.—The United States
15 shall not provide any assistance under this Act
16 or section 23 of the Arms Export Control Act
17 to any foreign government that provides lethal
18 military equipment to a country the government
19 of which the Secretary of State has determined
20 supports international terrorism for purposes of
21 section 1754(c) of the Export Control Reform
22 Act of 2018.

23 “(B) TERMINATION.—The prohibition on
24 assistance under subparagraph (A) with respect
25 to a foreign government shall terminate 12

1 months after such government ceases to provide
2 the lethal military equipment described in such
3 subparagraph.

4 “(C) APPLICABILITY.—This subsection ap-
5 plies with respect to lethal military equipment
6 provided under a contract entered into after Oc-
7 tober 1, 1997.

8 “(2) WAIVER.—The President may waive the
9 prohibition on assistance under paragraph (1) with
10 respect to a foreign government if the President de-
11 termines that to do so is important to the national
12 interest of the United States.

13 “(3) REPORT.—Upon the exercise of the waiver
14 authority pursuant to paragraph (2), the President
15 shall submit to the appropriate congressional com-
16 mittees a report with respect to the furnishing of as-
17 sistance under the waiver authority, including—

18 “(A) a detailed explanation of the assist-
19 ance to be provided;

20 “(B) the estimated dollar amount of such
21 assistance; and

22 “(C) an explanation of how the assistance
23 furthers the national interest of the United
24 States.

1 “(4) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES DEFINED.—In this subsection, the term ‘ap-
3 propriate congressional committees’ means—

4 “(A) the Committee on Foreign Affairs
5 and the Committee on Appropriations of the
6 House of Representatives; and

7 “(B) the Committee on Foreign Relations
8 and the Committee on Appropriations of the
9 Senate.”.

10 **SEC. 5804. SEAN AND DAVID GOLDMAN CHILD ABDUCTION**
11 **PREVENTION AND RETURN ACT OF 2014**
12 **AMENDMENT.**

13 Subsection (b) of section 101 of the Sean and David
14 Goldman International Child Abduction Prevention and
15 Return Act of 2014 (22 U.S.C. 9111; Public Law 113–
16 150) is amended—

17 (1) in paragraph (2)—

18 (A) in subparagraph (A)—

19 (i) by inserting “, respectively,” after
20 “access cases”; and

21 (ii) by inserting “and the number of
22 children involved” before the semicolon at
23 the end;

1 (B) in subparagraph (D), by inserting “re-
2 spectively, the number of children involved,”
3 after “access cases,”;

4 (2) in paragraph (7), by inserting “, and num-
5 ber of children involved in such cases” before the
6 semicolon at the end;

7 (3) in paragraph (8), by striking “and” after
8 the semicolon at the end;

9 (4) in paragraph (9), by striking the period at
10 the end and inserting “; and”; and

11 (5) by adding at the end the following new
12 paragraph:

13 “(10) the total number of pending cases the
14 Department of State has assigned to case officers
15 and number of children involved for each country
16 and as a total for all countries.”.

17 **SEC. 5805. MODIFICATION OF AUTHORITIES OF COMMIS-**
18 **SION FOR THE PRESERVATION OF AMERICA’S**
19 **HERITAGE ABROAD.**

20 (a) IN GENERAL.—Chapter 3123 of title 54, United
21 States Code, is amended as follows:

22 (1) In section 312302, by inserting “, and
23 unimpeded access to those sites,” after “and historic
24 buildings”.

25 (2) In section 312304(a)—

1 (A) in paragraph (2)—

2 (i) by striking “and historic build-
3 ings” and inserting “and historic buildings,
4 and unimpeded access to those sites”; and

5 (ii) by striking “and protected” and
6 inserting “, protected, and made acces-
7 sible”; and

8 (B) in paragraph (3), by striking “and
9 protecting” and inserting “, protecting, and
10 making accessible”.

11 (3) In section 312305, by inserting “and to the
12 Committee on Foreign Affairs of the House of Rep-
13 resentatives and the Committee on Foreign Rela-
14 tions of the Senate” after “President”.

15 (b) REPORT.—Not later than 90 days after the date
16 of the enactment of this Act, the Commission for the Pres-
17 ervation of America’s Heritage Abroad shall submit to the
18 President and to the Committee on Foreign Affairs of the
19 House of Representatives and the Committee on Foreign
20 Relations of the Senate a report that contains an evalua-
21 tion of the extent to which the Commission is prepared
22 to continue its activities and accomplishments with respect
23 to the foreign heritage of United States citizens from east-
24 ern and central Europe, were the Commission’s duties and
25 powers extended to include other regions, including the

1 Middle East and North Africa, and any additional re-
2 sources or personnel the Commission would require.

3 **SEC. 5806. CHIEF OF MISSION CONCURRENCE.**

4 In the course of providing concurrence to the exercise
5 of the authority pursuant to section 127e of title 10,
6 United State Code, or section 1202 of the National De-
7 fense Authorization Act for Fiscal Year 2018—

8 (1) each relevant chief of mission shall inform
9 and consult in a timely manner with relevant indi-
10 viduals at relevant missions or bureaus of the De-
11 partment of State; and

12 (2) the Secretary of State shall take such steps
13 as may be necessary to ensure that such relevant in-
14 dividuals have the security clearances necessary to
15 so consult in a timely manner with respect to such
16 concurrence.

