

113TH CONGRESS
1ST SESSION

H. R. 2848

To authorize appropriations for the Department of State for fiscal year 2014, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2013

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

A BILL

To authorize appropriations for the Department of State for fiscal year 2014, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of State
5 Operations and Embassy Security Authorization Act, Fis-
6 cal Year 2014”.

7 **SEC. 2. TABLE OF CONTENTS.**

8 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Appropriate congressional committees defined.

- Sec. 101. Administration of foreign affairs.
- Sec. 102. Contributions to international organizations.
- Sec. 103. Contributions for international peacekeeping activities.
- Sec. 104. International commissions.
- Sec. 105. National Endowment for Democracy.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

- Sec. 201. Recouping costs of international dispute arbitration.
- Sec. 202. Foreign Service Act of 1980.
- Sec. 203. Center for strategic counterterrorism communications of the Department of State.
- Sec. 204. Anti-piracy information sharing.

Subtitle B—Consular Services and Related Matters

- Sec. 211. Extension of authority to assess passport surcharge.
- Sec. 212. Border crossing card fee for minors.

Subtitle C—Reporting Requirements

- Sec. 221. Reporting reform.

TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

- Sec. 301. Suspension of foreign service members without pay.
- Sec. 302. Repeal of recertification requirement for senior foreign service.
- Sec. 303. Limited appointments in the foreign service.
- Sec. 304. Limitation of compensatory time off for travel.
- Sec. 305. Department of State organization.
- Sec. 306. Overseas comparability pay limitation.

TITLE IV—EMBASSY SECURITY AND PERSONNEL PROTECTION

Subtitle A—Review and Planning Requirements

- Sec. 411. Designation of high risk, high threat posts and working groups.
- Sec. 412. Contingency plans for high risk, high threat posts.
- Sec. 413. Strategic review of Bureau of Diplomatic Security.

Subtitle B—Physical Security and Personnel Requirements

- Sec. 421. Capital security cost sharing program.
- Sec. 422. Local guard contracts abroad under diplomatic security program.
- Sec. 423. Transfer authority.
- Sec. 424. Security enhancements for soft targets.
- Sec. 425. Reemployment of annuitants.
- Sec. 426. Sense of Congress regarding minimum security standards for temporary United States diplomatic and consular posts.
- Sec. 427. Assignment of personnel at high risk, high threat posts.

Subtitle C—Security Training

- Sec. 431. Security training for personnel assigned to high risk, high threat posts.
- Sec. 432. Report to Congress.

Subtitle D—Expansion of the Marine Corps Security Guard Detachment
Program

Sec. 441. Marine Corps Security Guard Program.

1 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
2 **FINED.**

3 Except as otherwise provided in this Act, the term
4 “appropriate congressional committees” means the Com-
5 mittee on Foreign Affairs of the House of Representatives
6 and the Committee on Foreign Relations of the Senate.

7 **TITLE I—AUTHORIZATION OF**
8 **APPROPRIATIONS**

9 **SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**

10 The following amounts are authorized to be appro-
11 priated for the Department of State under “Administra-
12 tion of Foreign Affairs” to carry out the authorities, func-
13 tions, duties, and responsibilities in the conduct of foreign
14 affairs of the United States, and for other purposes au-
15 thorized by law:

16 (1) **DIPLOMATIC AND CONSULAR PROGRAMS.—**
17 For “Diplomatic and Consular Programs”,
18 \$8,481,854,000 for fiscal year 2014.

19 (A) **BUREAU OF DEMOCRACY, HUMAN**
20 **RIGHTS, AND LABOR.—**Of such amounts, not
21 less than \$26,839,000 for fiscal year 2014 is
22 authorized to be appropriated for the Bureau of
23 Democracy, Human Rights and Labor.

1 (B) WORLDWIDE SECURITY PROTEC-
2 TION.—Of such amounts, not less than
3 \$2,182,135,000 for fiscal year 2014 is author-
4 ized to be appropriated for worldwide security
5 protection.

6 (2) CAPITAL INVESTMENT FUND.—For “Cap-
7 ital Investment Fund”, \$76,900,000 for fiscal year
8 2014.

9 (3) EDUCATIONAL AND CULTURAL EXCHANGE
10 PROGRAMS.—For “Educational and Cultural Ex-
11 change Programs”, \$535,000,000 for fiscal year
12 2014.

13 (4) CONFLICT STABILIZATION OPERATIONS.—

14 (A) IN GENERAL.—For “Conflict Stabiliza-
15 tion Operations”, \$45,207,000 for fiscal year
16 2014.

17 (B) TRANSFER.—Subject to subparagraph
18 (C) of this paragraph, of the amount authorized
19 to be appropriated pursuant to paragraph (1),
20 up to \$35,000,000 is authorized to be trans-
21 ferred to, and merged with, the amount speci-
22 fied in subparagraph (A) of this paragraph.

23 (C) NOTIFICATION.—If the Secretary of
24 State exercises the transfer authority described
25 in subparagraph (B), the Secretary shall notify

1 the Committee on Foreign Affairs and the
2 Committee on Appropriations of the House of
3 Representatives and the Committee on Foreign
4 Relations and the Committee on Appropriations
5 of the Senate.

6 (5) REPRESENTATION ALLOWANCES.—For
7 “Representation Allowances”, \$6,933,000 for fiscal
8 year 2014.

9 (6) PROTECTION OF FOREIGN MISSIONS AND
10 OFFICIALS.—For “Protection of Foreign Missions
11 and Officials”, \$27,750,000 for fiscal year 2014.

12 (7) EMERGENCIES IN THE DIPLOMATIC AND
13 CONSULAR SERVICE.—For “Emergencies in the Dip-
14 lomatic and Consular Service”, \$9,073,000 for fiscal
15 year 2014.

16 (8) REPATRIATION LOANS.—For “Repatriation
17 Loans”, \$1,374,000 for fiscal year 2014.

18 (9) PAYMENT TO THE AMERICAN INSTITUTE IN
19 TAIWAN.—

20 (A) IN GENERAL.—For “Payment to the
21 American Institute in Taiwan”, \$21,778,000
22 for fiscal year 2014.

23 (B) TRANSFER.—Subject to subparagraph
24 (C) of this paragraph, of the amount authorized
25 to be appropriated pursuant to paragraph (1),

1 up to \$15,300,000 is authorized to be trans-
2 ferred to, and merged with, the amount speci-
3 fied in subparagraph (A) of this paragraph.

4 (C) NOTIFICATION.—If the Secretary of
5 State exercises the transfer authority described
6 in subparagraph (B), the Secretary shall notify
7 the Committee on Foreign Affairs and the
8 Committee on Appropriations of the House of
9 Representatives and the Committee on Foreign
10 Relations and the Committee on Appropriations
11 of the Senate.

12 (10) OFFICE OF THE INSPECTOR GENERAL.—
13 For “Office of the Inspector General”,
14 \$119,056,000 for fiscal year 2014, including for the
15 Special Inspector General for Iraq Reconstruction
16 and the Special Inspector General for Afghanistan
17 Reconstruction, notwithstanding section 209(a)(1) of
18 the Foreign Service Act of 1980 (22 U.S.C.
19 3929(a)(1)) as such section relates to the inspection
20 of the administration of activities and operations of
21 each Foreign Service post.

22 (11) INTERNATIONAL CHANCERY CENTER.—
23 For “International Chancery Center (ICC)”,
24 \$5,450,000 for fiscal year 2014.

1 **SEC. 104. INTERNATIONAL COMMISSIONS.**

2 The following amounts are authorized to be appro-
3 priated under “International Commissions” for the De-
4 partment of State to carry out the authorities, functions,
5 duties, and responsibilities in the conduct of the foreign
6 affairs of the United States and for other purposes author-
7 ized by law:

8 (1) INTERNATIONAL BOUNDARY AND WATER
9 COMMISSION, UNITED STATES AND MEXICO.—For
10 “International Boundary and Water Commission,
11 United States and Mexico”—

12 (A) for “Salaries and Expenses”,
13 \$44,722,000 for fiscal year 2014; and

14 (B) for “Construction”, \$31,400,000 for
15 fiscal year 2014.

16 (2) INTERNATIONAL BOUNDARY COMMISSION,
17 UNITED STATES AND CANADA.—For “International
18 Boundary Commission, United States and Canada”,
19 \$2,449,000 for fiscal year 2014.

20 (3) INTERNATIONAL JOINT COMMISSION.—For
21 “International Joint Commission”, \$7,012,000 for
22 fiscal year 2014.

23 (4) INTERNATIONAL FISHERIES COMMISS-
24 SIONS.—For “International Fisheries Commissions”,
25 \$31,445,000 for fiscal year 2014.

1 (5) BORDER ENVIRONMENT COOPERATION COM-
2 MISSION.—For “Border Environment Cooperation
3 Commission”, \$2,386,000 for fiscal year 2014.

4 **SEC. 105. NATIONAL ENDOWMENT FOR DEMOCRACY.**

5 There are authorized to be appropriated for the “Na-
6 tional Endowment for Democracy” for authorized activi-
7 ties \$117,764,000 for fiscal year 2014.

8 **TITLE II—DEPARTMENT OF**
9 **STATE AUTHORITIES AND AC-**
10 **TIVITIES**

11 **Subtitle A—Basic Authorities and**
12 **Activities**

13 **SEC. 201. RECOUPING COSTS OF INTERNATIONAL DISPUTE**
14 **ARBITRATION.**

15 Paragraph (3) of section 38(d) of the State Depart-
16 ment Basic Authorities Act of 1956 (22 U.S.C. 2710(d))
17 is amended by striking “by the Department of State from
18 another agency of the United States Government or pur-
19 suant to” and inserting “by the Department of State as
20 a result of a decision of an international tribunal, from
21 another agency of the United States Government, or pur-
22 suant to”.

23 **SEC. 202. FOREIGN SERVICE ACT OF 1980.**

24 Section 501 of the Foreign Service Act of 1980 (22
25 U.S.C. 3981) is amended by inserting “If a position des-

1 ignated under this section is unfilled for more than one
2 single assignment cycle, such position shall be filled in ac-
3 cordance with section 303 or 309, as appropriate, of the
4 Foreign Service Act of 1980 (22 U.S.C. 3943 and 3949).”
5 after “Positions designated under this section are excepted
6 from the competitive service.”.

7 **SEC. 203. CENTER FOR STRATEGIC COUNTERTERRORISM**
8 **COMMUNICATIONS OF THE DEPARTMENT OF**
9 **STATE.**

10 (a) STATEMENT OF POLICY.—As articulated in Exec-
11 utive Order 13584, issued on September 9, 2011, it is the
12 policy of the United States to actively counter the actions
13 and ideologies of al-Qa’ida, its affiliates and adherents,
14 other terrorist organizations, and violent extremists over-
15 seas that threaten the interests and national security of
16 the United States.

17 (b) ESTABLISHMENT OF CENTER FOR STRATEGIC
18 COUNTERTERRORISM COMMUNICATIONS.—There is au-
19 thorized to be established within the Department of State,
20 under the direction of the Secretary of State, the Center
21 for Strategic Counterterrorism Communications (in this
22 section referred to as the “CSCC”).

23 (c) MISSION.—The CSCC may coordinate, orient,
24 and inform Government-wide public communications ac-
25 tivities directed at audiences abroad and targeted against

1 violent extremists and terrorist organizations, especially
2 al-Qa'ida and its affiliates and adherents.

3 (d) COORDINATOR OF THE CENTER FOR STRATEGIC
4 COUNTERTERRORISM COMMUNICATIONS.—The head of
5 the CSCC should be the Coordinator. The Coordinator of
6 the CSCC should—

7 (1) report to the Under Secretary for Public
8 Diplomacy and Public Affairs; and

9 (2) collaborate with the Bureau of Counterter-
10 rorism of the Department of State, other Depart-
11 ment bureaus, and other United States Government
12 agencies.

13 (e) DUTIES.—The CSCC may—

14 (1) monitor and evaluate extremist narratives
15 and events abroad that are relevant to the develop-
16 ment of a United States strategic counterterrorism
17 narrative designed to counter violent extremism and
18 terrorism that threaten the interests and national
19 security of the United States;

20 (2) develop and promulgate for use throughout
21 the executive branch the United States strategic
22 counterterrorism narrative developed in accordance
23 with paragraph (1), and public communications
24 strategies to counter the messaging of violent ex-

1 tremists and terrorist organizations, especially al-
2 Qa'ida and its affiliates and adherents;

3 (3) identify current and emerging trends in ex-
4 tremist communications and communications by al-
5 Qa'ida and its affiliates and adherents in order to
6 coordinate and provide guidance to the United
7 States Government regarding how best to proactively
8 promote the United States strategic counterter-
9 rorism narrative developed in accordance with para-
10 graph (1) and related policies, and to respond to and
11 rebut extremist messaging and narratives when com-
12 municating to audiences outside the United States;

13 (4) facilitate the use of a wide range of commu-
14 nications technologies by sharing expertise and best
15 practices among United States Government and non-
16 Government sources;

17 (5) identify and request relevant information
18 from United States Government agencies, including
19 intelligence reporting, data, and analysis;

20 (6) identify shortfalls in United States capabili-
21 ties in any areas relevant to the CSCC's mission,
22 and recommend necessary enhancements or changes;
23 and

1 (7) establish measurable goals, performance
2 metrics, and monitoring and evaluation plans to
3 focus on learning, accountability, and policymaking.

4 (f) STEERING COMMITTEE.—

5 (1) IN GENERAL.—The Secretary of State may
6 establish a Steering Committee composed of senior
7 representatives of United States Government agen-
8 cies relevant to the CSCC’s mission to provide advice
9 to the Secretary on the operations and strategic ori-
10 entation of the CSCC and to ensure adequate sup-
11 port for the CSCC.

12 (2) MEETINGS.—The Steering Committee
13 should meet not less often than once every six
14 months.

15 (3) LEADERSHIP.—The Steering Committee
16 should be chaired by the Under Secretary of State
17 for Public Diplomacy. The Coordinator for Counter-
18 terrorism of the Department of State should serve
19 as Vice Chair. The Coordinator of the CSCC should
20 serve as Executive Secretary.

21 (4) COMPOSITION.—

22 (A) IN GENERAL.—The Steering Com-
23 mittee may include one senior representative
24 designated by the head of each of the following
25 agencies:

- 1 (i) The Department of Defense.
- 2 (ii) The Department of Justice.
- 3 (iii) The Department of Homeland
4 Security.
- 5 (iv) The Department of the Treasury.
- 6 (v) The National Counterterrorism
7 Center of the Office of the Director of Na-
8 tional Intelligence.
- 9 (vi) The Joint Chiefs of Staff.
- 10 (vii) The Counterterrorism Center of
11 the Central Intelligence Agency.
- 12 (viii) The Broadcasting Board of Gov-
13 ernors.
- 14 (ix) The Agency for International De-
15 velopment.

16 (B) ADDITIONAL REPRESENTATION.—Rep-
17 resentatives from United States Government
18 agencies not specified in subparagraph (A) may
19 be invited to participate in the Steering Com-
20 mittee at the discretion of the Chair.

21 **SEC. 204. ANTI-PIRACY INFORMATION SHARING.**

22 The Secretary of State is authorized to provide for
23 the participation by the United States in the Information
24 Sharing Centre located in Singapore, as established by the

1 Regional Cooperation Agreement on Combating Piracy
2 and Armed Robbery against Ships in Asia (ReCAAP).

3 **Subtitle B—Consular Services and**
4 **Related Matters**

5 **SEC. 211. EXTENSION OF AUTHORITY TO ASSESS PASSPORT**
6 **SURCHARGE.**

7 Paragraph (2) of section 1(b) of the Act of June 4,
8 1920 (41 Stat. 750; chapter 223; 22 U.S.C. 214(b)), is
9 amended by striking “2010” and inserting “2016”.

10 **SEC. 212. BORDER CROSSING CARD FEE FOR MINORS.**

11 Section 410(a)(1)(A) of the Department of State and
12 Related Agencies Appropriations Act, 1999 (contained in
13 division A of Public Law 105–277) is amended by striking
14 “a fee of \$13” and inserting “a fee equal to one-half the
15 fee that would otherwise apply for processing a machine
16 readable combined border crossing identification card and
17 nonimmigrant visa”.

18 **Subtitle C—Reporting**
19 **Requirements**

20 **SEC. 221. REPORTING REFORM.**

21 (a) IN GENERAL.—The following provisions of law
22 are repealed:

23 (1) Subsections (c)(4) and (c)(5) of section 601
24 of Public Law 96–465.

25 (2) Section 585 of Public Law 104–208.

1 (3) Subsections (b) and (c) of section 11 of
2 Public Law 107–245.

3 (4) Section 181 of Public Law 102–138.

4 (5) Section 1012(c) of Public Law 103–337.

5 (6) Section 527(f) of Public Law 103–236.

6 (7) Section 304(f) of Public Law 107–173.

7 (8) Section 4(b) of Public Law 79–264.

8 (9) Sections 3202 and 3204(f) of Public Law
9 106–246.

10 (b) CONFORMING AMENDMENT.—Section 11 of Pub-
11 lic Law 107–245 is amended by striking “(a) IN GEN-
12 ERAL.—”.

13 (c) REPORT ON UNITED STATES CONTRIBUTIONS TO
14 THE UNITED NATIONS.—

15 (1) IN GENERAL.—Not later than 90 days after
16 the date of the enactment of this Act and annually
17 thereafter, the Director of the Office of Management
18 and Budget shall submit to Congress a report on all
19 assessed and voluntary contributions, including in-
20 kind, of the United States Government to the United
21 Nations and its affiliated agencies and related bodies
22 during the previous fiscal year.

23 (2) CONTENT.—Each report required under
24 subsection (a) shall include the following elements:

1 (A) The total amount of all assessed and
2 voluntary contributions, including in-kind, of
3 the United States Government to the United
4 Nations and its affiliated agencies and related
5 bodies during the previous fiscal year.

6 (B) The approximate percentage of United
7 States Government contributions to each
8 United Nations affiliated agency or related
9 body in such fiscal year when compared with all
10 contributions to each such agency or body from
11 any source in such fiscal year.

12 (C) For each such United States Govern-
13 ment contribution—

14 (i) the amount of the contribution;

15 (ii) a description of the contribution
16 (including whether assessed or voluntary);

17 (iii) the department or agency of the
18 United States Government responsible for
19 the contribution;

20 (iv) the purpose of the contribution;

21 and

22 (v) the United Nations or its affiliated
23 agency or related body receiving the con-
24 tribution.

1 (d) SCOPE OF INITIAL REPORT.—The first report re-
2 quired under subsection (a) shall include the information
3 required under this section for the previous three fiscal
4 years.

5 (e) PUBLIC AVAILABILITY OF INFORMATION.—Not
6 later than 14 days after submitting a report under sub-
7 section (a), the Director of the Office of Management and
8 Budget shall post a public version of such report on a text-
9 based, searchable, and publicly available Internet Web
10 site.

11 **TITLE III—ORGANIZATION AND** 12 **PERSONNEL AUTHORITIES**

13 **SEC. 301. SUSPENSION OF FOREIGN SERVICE MEMBERS** 14 **WITHOUT PAY.**

15 (a) SUSPENSION.—Section 610 of the Foreign Serv-
16 ice Act of 1980 (22 U.S.C. 4010) is amended by adding
17 at the end the following new subsection:

18 “(c)(1) In order to promote the efficiency of the Serv-
19 ice, the Secretary may suspend a member of the Foreign
20 Service without pay when the member’s security clearance
21 is suspended or when there is reasonable cause to believe
22 that the member has committed a crime for which a sen-
23 tence of imprisonment may be imposed.

1 “(2) Any member of the Foreign Service for whom
2 a suspension is proposed in accordance with paragraph (1)
3 shall be entitled to—

4 “(A) written notice stating the specific reasons
5 for the proposed suspension;

6 “(B) a reasonable time to respond orally and in
7 writing to the proposed suspension;

8 “(C) representation by an attorney or other
9 representative; and

10 “(D) a final written decision, including the spe-
11 cific reasons for such decision, as soon as prac-
12 ticable.

13 “(3) Any member suspended under this section may
14 file a grievance in accordance with the procedures applica-
15 ble to grievances under chapter 11.

16 “(4) In the case of a grievance filed under paragraph
17 (3)—

18 “(A) the review by the Foreign Service Griev-
19 ance Board shall be limited to a determination of
20 whether the provisions of paragraphs (1) and (2)
21 have been fulfilled; and

22 “(B) the Foreign Service Grievance Board may
23 not exercise the authority provided under section
24 1106(8).

25 “(5) In this subsection:

1 “(A) The term ‘reasonable time’ means—

2 “(i) with respect to a member of the For-
3 foreign Service assigned to duty in the United
4 States, 15 days after receiving notice of the
5 proposed suspension; and

6 “(ii) with respect to a member of the For-
7 foreign Service assigned to duty outside the
8 United States, 30 days after receiving notice of
9 the proposed suspension.

10 “(B) The term ‘suspend’ or ‘suspension’ means
11 the placing of a member of the Foreign Service in
12 a temporary status without duties and pay.”.

13 (b) CONFORMING AND CLERICAL AMENDMENTS.—

14 (1) AMENDMENT OF SECTION HEADING.—Sec-
15 tion 610 of the Foreign Service Act of 1980, as
16 amended by subsection (a) of this section, is further
17 amended, in the section heading, by inserting “;
18 SUSPENSION” before the period at the end.

19 (2) CLERICAL AMENDMENT.—The item relating
20 to section 610 in the table of contents in section 2
21 of the Foreign Service Act of 1980 is amended to
22 read as follows:

“Sec. 610. Separation for cause; suspension.”.

1 **SEC. 302. REPEAL OF RECERTIFICATION REQUIREMENT**
2 **FOR SENIOR FOREIGN SERVICE.**

3 Subsection (d) of section 305 of the Foreign Service
4 Act of 1980 (22 U.S.C. 3945) is repealed.

5 **SEC. 303. LIMITED APPOINTMENTS IN THE FOREIGN SERV-**
6 **ICE.**

7 Section 309 of the Foreign Service Act of 1980 (22
8 U.S.C. 3949) is amended—

9 (1) in subsection (a), by striking “subsection
10 (b)” and inserting “subsection (b) or (c)”;

11 (2) in subsection (b)—

12 (A) in paragraph (3)—

13 (i) by inserting “(A),” after “if”; and

14 (ii) by inserting before the semicolon

15 at the end the following: “, or (B), the ca-

16 reer candidate is serving in the uniformed

17 services, as defined by the Uniformed Serv-

18 ices Employment and Reemployment

19 Rights Act of 1994 (38 U.S.C. 4301 et

20 seq.), and the limited appointment expires

21 in the course of such service”;

22 (B) in paragraph (4), by striking “and” at

23 the end;

24 (C) in paragraph (5), by striking the pe-

25 riod at the end and inserting “; and”; and

1 (D) by adding after paragraph (5) the fol-
2 lowing new paragraph:

3 “(6) in exceptional circumstances where the
4 Secretary determines the needs of the Service re-
5 quire the extension of a limited appointment, (A),
6 for a period of time not to exceed 12 months (if
7 such period of time does not permit additional re-
8 view by boards under section 306), or (B), for the
9 minimum time needed to settle a grievance, claim, or
10 complaint not otherwise provided for in this sec-
11 tion.”; and

12 (3) by adding at the end the following new sub-
13 section:

14 “(c) Non-career Foreign Service employees who have
15 served five consecutive years under a limited appointment
16 may be reappointed to a subsequent limited appointment
17 if there is a one year break in service between each such
18 appointment. The Secretary may in cases of special need
19 waive the requirement for a one year break in service.”.

20 **SEC. 304. LIMITATION OF COMPENSATORY TIME OFF FOR**
21 **TRAVEL.**

22 Section 5550b of title 5, United States Code, is
23 amended by adding at the end the following new sub-
24 section:

1 “(c) The maximum amount of compensatory time off
2 earned under this section may not exceed 104 hours dur-
3 ing any leave year (as defined by regulations established
4 by the Office of Personnel Management).”.

5 **SEC. 305. DEPARTMENT OF STATE ORGANIZATION.**

6 The Secretary of State may, after consultation with
7 the appropriate congressional committees, transfer to such
8 other officials or offices of the Department of State as
9 the Secretary may determine from time to time any au-
10 thority, duty, or function assigned by statute to the Coor-
11 dinator for Counterterrorism, the Coordinator for Recon-
12 struction and Stabilization, or the Coordinator for Inter-
13 national Energy Affairs.

14 **SEC. 306. OVERSEAS COMPARABILITY PAY LIMITATION.**

15 (a) IN GENERAL.—Subject to the limitation de-
16 scribed in subsection (b), the authority provided by section
17 1113 of the Supplemental Appropriations Act, 2009 (Pub-
18 lic Law 111–32; 123 Stat. 1904), shall remain in effect
19 through September 30, 2014.

20 (b) LIMITATION.—The authority described in sub-
21 section (a) may not be used to pay an eligible member
22 of the Foreign Service (as defined in section 1113(b) of
23 the Supplemental Appropriations Act, 2009) a locality-
24 based comparability payment (stated as a percentage) that
25 exceeds two-thirds of the amount of the locality-based

1 comparability payment (stated as a percentage) that
2 would be payable to such member under section 5304 of
3 title 5, United States Code, if such member's official duty
4 station were in the District of Columbia.

5 **TITLE IV—EMBASSY SECURITY**
6 **AND PERSONNEL PROTECTION**
7 **Subtitle A—Review and Planning**
8 **Requirements**

9 **SEC. 411. DESIGNATION OF HIGH RISK, HIGH THREAT**
10 **POSTS AND WORKING GROUPS.**

11 (a) IN GENERAL.—Title I of the Omnibus Diplomatic
12 Security and Antiterrorism Act of 1986 (22 U.S.C. 4801
13 et seq.; relating to diplomatic security) is amended by in-
14 serting after section 103 the following new sections:

15 **“SEC. 104. DESIGNATION OF HIGH RISK, HIGH THREAT**
16 **POSTS.**

17 “(a) INITIAL DESIGNATION.—Not later than 30 days
18 after the date of the enactment of this section, the Sec-
19 retary shall submit to the appropriate congressional com-
20 mittees a report, in classified form, that contains an initial
21 list of diplomatic and consular posts designated as high
22 risk, high threat posts.

23 “(b) DESIGNATIONS BEFORE OPENING OR REOPEN-
24 ING POSTS.—Before opening or reopening a diplomatic or

1 consular post, the Secretary shall determine if such post
2 should be designated as a high risk, high threat post.

3 “(c) DESIGNATING EXISTING POSTS.—The Secretary
4 shall regularly review existing diplomatic and consular
5 posts to determine if any such post should be designated
6 as a high risk, high threat post if conditions at such post
7 or the surrounding security environment require such a
8 designation.

9 “(d) DEFINITIONS.—In this section and section 105:

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

15 “(2) HIGH RISK, HIGH THREAT POST.—The
16 term ‘high risk, high threat post’ means a United
17 States diplomatic or consular post, as determined by
18 the Secretary, that, among other factors, is—

19 “(A) located in a country—

20 “(i) with high to critical levels of po-
21 litical violence and terrorism; and

22 “(ii) the government of which lacks
23 the ability or willingness to provide ade-
24 quate security; and

1 “(B) with mission physical security plat-
2 forms that fall below the Department of State’s
3 established standards.

4 **“SEC. 105. WORKING GROUPS FOR HIGH RISK, HIGH**
5 **THREAT POSTS.**

6 “(a) ESTABLISHMENT.—Before opening or reopening
7 a high risk, high threat post, the Secretary shall establish
8 a working group that is responsible for the geographic
9 area in which such post is to be opened or reopened.

10 “(b) DUTIES.—The duties of the working group es-
11 tablished in accordance with subsection (a) shall include—

12 “(1) evaluating the importance and appro-
13 priateness of the objectives of the proposed post to
14 the national security of the United States, and the
15 type and level of security threats such post could en-
16 counter;

17 “(2) completing working plans to expedite the
18 approval and funding for establishing and operating
19 such post, implementing physical security measures,
20 providing necessary security and management per-
21 sonnel, and the provision of necessary equipment;

22 “(3) establishing security ‘tripwires’ that would
23 determine specific action, including enhanced secu-
24 rity measures or evacuation of such post, based on

1 the improvement or deterioration of the local secu-
2 rity environment; and

3 “(4) identifying and reporting any costs that
4 may be associated with opening or reopening such
5 post.

6 “(c) COMPOSITION.—The working group should be
7 composed of representatives of the—

8 “(1) appropriate regional bureau;

9 “(2) Bureau of Diplomatic Security;

10 “(3) Bureau of Overseas Building Operations;

11 “(4) Bureau of Intelligence and Research; and

12 “(5) other bureaus or offices as determined by
13 the Secretary.

14 “(d) CONGRESSIONAL NOTIFICATION.—Not less than
15 30 days before opening or reopening a high risk, high
16 threat post, the Secretary shall notify the appropriate con-
17 gressional committees in classified form of—

18 “(1) the decision to open or reopen such post;

19 and

20 “(2) the results of the working group under
21 subsection (b).”.

22 (b) CONFORMING AMENDMENT.—The table of con-
23 tents of the Omnibus Diplomatic Security and
24 Antiterrorism Act of 1986 is amended by inserting after
25 the item relating to section 103 the following new items:

“Sec. 104. Designation of high risk, high threat posts.

“Sec. 105. Working groups for high risk, high threat posts.”.

1 **SEC. 412. CONTINGENCY PLANS FOR HIGH RISK, HIGH**
2 **THREAT POSTS.**

3 Section 606(a) of the Secure Embassy Construction
4 and Counterterrorism Act of 1999 (22 U.S.C. 4865(a);
5 relating to diplomatic security) is amended—

6 (1) in paragraph (1)(A)—

7 (A) by inserting “and from complex at-
8 tacks (as such term is defined in section 416 of
9 the Omnibus Diplomatic Security and
10 Antiterrorism Act of 1986),” after “attacks
11 from vehicles”; and

12 (B) by inserting “or such a complex at-
13 tack” before the period at the end;

14 (2) in paragraph (7), by inserting before the pe-
15 riod at the end the following: “, including at high
16 risk, high threat posts (as such term is defined in
17 section 104 of the Omnibus Diplomatic Security and
18 Antiterrorism Act of 1986), including options for the
19 deployment of additional military personnel or equip-
20 ment to bolster security and rapid deployment of
21 armed or surveillance assets in response to an at-
22 tack”.

1 **SEC. 413. STRATEGIC REVIEW OF BUREAU OF DIPLOMATIC**
2 **SECURITY.**

3 (a) IN GENERAL.—The Secretary of State shall com-
4 plete a strategic review of the Bureau of Diplomatic Secu-
5 rity of the Department of State to ensure that the mission
6 and activities of the Bureau are fulfilling the current and
7 projected needs of the Department of State.

8 (b) CONTENTS OF REVIEW.—The strategic review de-
9 scribed in subsection (a) shall include assessments of—

10 (1) staffing needs for both domestic and inter-
11 national operations;

12 (2) facilities under chief of mission authority
13 adhering to security standards;

14 (3) security personnel with the necessary lan-
15 guage skills for assignment to overseas posts;

16 (4) programs being carried out by personnel
17 with the necessary experience and at commensurate
18 grade levels;

19 (5) necessary security training provided to per-
20 sonnel under chief of mission authority for expected
21 assignments and objectives;

22 (6) balancing security needs with an ability to
23 carry out the diplomatic mission of the Department
24 of State;

25 (7) the budgetary implications of balancing
26 multiple missions; and

1 (8) how to resolve any identified deficiencies in
2 the mission or activities of the Bureau.

3 **Subtitle B—Physical Security and**
4 **Personnel Requirements**

5 **SEC. 421. CAPITAL SECURITY COST SHARING PROGRAM.**

6 (a) SENSE OF CONGRESS ON THE CAPITAL SECURITY
7 COST SHARING PROGRAM.—It is the sense of Congress
8 that the Capital Security Cost Sharing Program should
9 prioritize the construction of new facilities and the mainte-
10 nance of existing facilities at high risk, high threat posts.

11 (b) RESTRICTION ON CONSTRUCTION OF OFFICE
12 SPACE.—Section 604(e)(2) of the Secure Embassy Con-
13 struction and Counterterrorism Act of 1999 (title VI of
14 division A of H.R. 3427, as enacted into law by section
15 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–
16 453; 22 U.S.C. 4865 note) is amended by adding at the
17 end the following new sentence: “A project to construct
18 a diplomatic facility of the United States may not include
19 office space or other accommodations for an employee of
20 a Federal department or agency if the Secretary of State
21 determines that such department or agency has not pro-
22 vided to the Department of State the full amount of fund-
23 ing required by paragraph (1), except that such project
24 may include office space or other accommodations for
25 members of the United States Marine Corps.”.

1 **SEC. 422. LOCAL GUARD CONTRACTS ABROAD UNDER DIP-**
2 **LOMATIC SECURITY PROGRAM.**

3 (a) IN GENERAL.—Section 136 of the Foreign Rela-
4 tions Authorization Act, Fiscal Years 1990 and 1991 (22
5 U.S.C. 4864) is amended—

6 (1) in subsection (c)—

7 (A) in the matter preceding paragraph (1),
8 by striking “With respect” and inserting “Ex-
9 cept as provided in subsection (d), with re-
10 spect”; and

11 (B) in paragraph (3), by striking “sub-
12 section (d)” and inserting “subsection (e)”;

13 (2) by redesignating subsections (d), (e), (f),
14 and (g) as subsections (e), (f), (g), and (h), respec-
15 tively; and

16 (3) by inserting after subsection (c) the fol-
17 lowing new subsection:

18 “(d) AWARD OF LOCAL GUARD AND PROTECTIVE
19 SERVICE CONTRACTS FOR HIGH RISK, HIGH THREAT
20 POSTS.—With respect to any local guard contract for a
21 high risk, high threat post (as such term is defined in sec-
22 tion 104 of the Omnibus Diplomatic Security and
23 Antiterrorism Act of 1986) that is entered into after the
24 date of the enactment of this subsection, the Secretary of
25 State—

1 “(1) shall comply with paragraphs (1), (2), (4),
2 (5), and (6) of subsection (c) in the award of such
3 contract;

4 “(2) after evaluating proposals for such con-
5 tract, may award such contract to the firm rep-
6 resenting the best value to the Government in ac-
7 cordance with the best value tradeoff process de-
8 scribed in subpart 15.1 of the Federal Acquisition
9 Regulation (48 C.F.R. 6 15.101–1); and

10 “(3) shall ensure that contractor personnel
11 under such contract providing local guard or protec-
12 tive services are classified—

13 “(A) as employees of the contractor;

14 “(B) if the contractor is a joint venture, as
15 employees of one of the persons or parties con-
16 stituting the joint venture; or

17 “(C) as employees of a subcontractor to
18 the contractor, and not as independent contrac-
19 tors to the contractor or any other entity per-
20 forming under such contracts.”.

21 (b) REPORT.—Not later than one year after the date
22 of the enactment of this Act, the Secretary of State shall
23 submit to the appropriate congressional committees a re-
24 port that includes—

1 (1) an explanation of the implementation of
2 subsection (d) of section 136 of the Foreign Rela-
3 tions Authorization Act, Fiscal Years 1990 and
4 1991, as amended by subsection (a)(3) of this sec-
5 tion; and

6 (2) for each instance in which an award is
7 made pursuant to such subsection (d) of such sec-
8 tion 136, a written justification providing the basis
9 for such award and an explanation of the inability
10 to satisfy the needs of the Department of State by
11 technically acceptable, lowest price evaluation award.

12 **SEC. 423. TRANSFER AUTHORITY.**

13 Section 4 of the Foreign Service Buildings Act, 1926
14 (22 U.S.C. 295) is amended by adding at the end the fol-
15 lowing new subsections:

16 “(j) In addition to exercising any other transfer au-
17 thority available to the Secretary of State, and subject to
18 subsection (k), the Secretary may transfer to, and merge
19 with, any appropriation for embassy security, construc-
20 tion, and maintenance such amounts appropriated for any
21 other purpose related to the administration of foreign af-
22 fairs on or after October 1, 2013, as the Secretary deter-
23 mines necessary to provide for the security of sites and
24 buildings in foreign countries under the jurisdiction and
25 control of the Secretary.

1 “(k) Not later than 15 days before any transfer of
2 funds pursuant to subsection (j), the Secretary of State
3 shall notify the Committees on Foreign Relations and Ap-
4 propriations of the Senate and the Committees on Foreign
5 Affairs and Appropriations of the House of Representa-
6 tives of such transfer.”.

7 **SEC. 424. SECURITY ENHANCEMENTS FOR SOFT TARGETS.**

8 Section 29 of the State Department Basic Authorities
9 Act of 1956 (22 U.S.C. 2701) is amended, in the third
10 sentence, by inserting “physical security enhancements
11 and” after “may include”.

12 **SEC. 425. REEMPLOYMENT OF ANNUITANTS.**

13 Section 824(g) of the Foreign Service Act of 1980
14 (22 U.S.C. 4064(g)), as amended by section 306 of this
15 Act, is further amended—

16 (1) in paragraph (1)—

17 (A) in subparagraph (B)—

18 (i) by striking “to facilitate the” and
19 all that follows through “Afghanistan,”;
20 and

21 (ii) by inserting before the semicolon
22 at the end the following: “and, when after
23 an exhaustive, open, and competitive
24 search, no qualified, full-time, current em-
25 ployees (including members of the Civil

1 Service) of the Department of State have
2 been identified”; and

3 (B) by moving subparagraph (C) two ems
4 to the left; and

5 (2) in paragraph (2)—

6 (A) in subparagraph (A), by striking
7 “2010” and inserting “2018”; and

8 (B) in subparagraphs (B) and (C), by
9 striking “2009” and inserting “2018” each
10 place it appears.

11 **SEC. 426. SENSE OF CONGRESS REGARDING MINIMUM SE-**
12 **CURITY STANDARDS FOR TEMPORARY**
13 **UNITED STATES DIPLOMATIC AND CONSULAR**
14 **POSTS.**

15 It is the sense of Congress that—

16 (1) the Overseas Security Policy Board’s secu-
17 rity standards for United States diplomatic and con-
18 sular posts should apply to all such posts regardless
19 of the duration of their occupancy; and

20 (2) such posts should comply with requirements
21 for attaining a waiver or exception to applicable
22 standards if it is in the national interest of the
23 United States as determined by the Secretary of
24 State.

1 **SEC. 427. ASSIGNMENT OF PERSONNEL AT HIGH RISK,**
2 **HIGH THREAT POSTS.**

3 (a) IN GENERAL.—The Secretary of State shall sta-
4 tion key personnel for sustained periods of time at high
5 risk, high threat posts (as such term is defined in section
6 104 of the Omnibus Diplomatic Security and
7 Antiterrorism Act of 1986, as added by section 411 of this
8 Act) in order to—

9 (1) establish institutional knowledge and situa-
10 tional awareness that would allow for a fuller famil-
11 iarization of the local political and security environ-
12 ment in which such posts are located; and

13 (2) ensure that necessary security procedures
14 are implemented.

15 (b) QUARTERLY BRIEFINGS.—The Secretary of State
16 shall quarterly brief the appropriate congressional commit-
17 tees on the personnel staffing and rotation cycles at high
18 risk, high threat posts.

19 **Subtitle C—Security Training**

20 **SEC. 431. SECURITY TRAINING FOR PERSONNEL ASSIGNED**
21 **TO HIGH RISK, HIGH THREAT POSTS.**

22 (a) IN GENERAL.—Title IV of the Omnibus Diplo-
23 matic Security and Antiterrorism Act of 1986 (22 U.S.C.
24 4851 et seq.; relating to diplomatic security) is amended
25 by adding at the end the following new sections:

1 **“SEC. 416. SECURITY TRAINING FOR PERSONNEL ASSIGNED**
2 **TO A HIGH RISK, HIGH THREAT POST.**

3 “(a) IN GENERAL.—Individuals assigned perma-
4 nently to or who are in long-term temporary duty status
5 as designated by the Secretary at a high risk, high threat
6 post shall receive security training described in subsection
7 (b) on a mandatory basis in order to prepare such individ-
8 uals for living and working at such posts.

9 “(b) SECURITY TRAINING DESCRIBED.—Security
10 training referred to in subsection (a)—

11 “(1) is training to improve basic knowledge and
12 skills; and

13 “(2) may include—

14 “(A) an ability to recognize, avoid, and re-
15 spond to potential terrorist situations, including
16 a complex attack;

17 “(B) conducting surveillance detection;

18 “(C) providing emergency medical care;

19 “(D) ability to detect the presence of im-
20 proved explosive devices;

21 “(E) minimal firearms proficiency; and

22 “(F) defensive driving maneuvers.

23 “(c) EFFECTIVE DATE.—The requirements of this
24 section shall take effect upon the date of the enactment
25 of this section.

1 “(d) DEFINITIONS.—In this section and sections 417
2 and 418:

3 “(1) COMPLEX ATTACK.—The term ‘complex
4 attack’ has the meaning given such term by the
5 North Atlantic Treaty Organization as follows: ‘An
6 attack conducted by multiple hostile elements which
7 employ at least two distinct classes of weapon sys-
8 tems (i.e., indirect fire and direct fire, improvised
9 explosive devices, and surface to air fire).’.

10 “(2) HIGH RISK, HIGH THREAT POST.—The
11 term ‘high risk, high threat post’ has the meaning
12 given such term in section 104.

13 **“SEC. 417. SECURITY MANAGEMENT TRAINING FOR OFFI-
14 CIALS ASSIGNED TO A HIGH RISK, HIGH
15 THREAT POST.**

16 “(a) IN GENERAL.—Officials described in subsection
17 (c) who are assigned to a high risk, high threat post shall
18 receive security training described in subsection (b) on a
19 mandatory basis in order to improve the ability of such
20 officials to make security-related management decisions.

21 “(b) SECURITY TRAINING DESCRIBED.—Security
22 training referred to in subsection (a) may include—

23 “(1) development of skills to better evaluate
24 threats;

1 “(2) effective use of security resources to miti-
2 gate such threats; and

3 “(3) improved familiarity of available security
4 resources.

5 “(c) OFFICIALS DESCRIBED.—Officials referred to in
6 subsection (a) are—

7 “(1) members of the Senior Foreign Service ap-
8 pointed under section 302(a)(1) or 303 of the For-
9 eign Service Act of 1980 (22 U.S.C. 3942(a)(1) and
10 3943) or members of the Senior Executive Service
11 (as such term is described in section 3132(a)(2) of
12 title 5, United States Code);

13 “(2) Foreign Service officers appointed under
14 section 302(a)(1) of the Foreign Service Act of 1980
15 (22 U.S.C. 3942(a)(1)) holding a position in classes
16 FS–1, FS–2, or FS–3;

17 “(3) Foreign Service Specialists appointed by
18 the Secretary under section 303 of the Foreign Serv-
19 ice Act of 1980 (22 U.S.C. 3943) holding a position
20 in classes FS–1, FS–2, or FS–3; and

21 “(4) individuals holding a position in grades
22 GS–13, GS–14, or GS–15.

23 “(d) EFFECTIVE DATE.—The requirements of this
24 section shall take effect beginning on the date that is one
25 year after the date of the enactment of this section.

1 **“SEC. 418. LANGUAGE REQUIREMENTS FOR DIPLOMATIC**
2 **SECURITY PERSONNEL ASSIGNED TO HIGH**
3 **RISK, HIGH THREAT POST.**

4 “(a) IN GENERAL.—Diplomatic security personnel
5 assigned permanently to or who are in long-term tem-
6 porary duty status as designated by the Secretary at a
7 high risk, high threat post should receive language train-
8 ing described in subsection (b) in order to prepare such
9 personnel for duty requirements at such post.

10 “(b) LANGUAGE TRAINING DESCRIBED.—Language
11 training referred to in subsection (a) should prepare per-
12 sonnel described in such subsection to—

13 “(1) speak the language at issue with sufficient
14 structural accuracy and vocabulary to participate ef-
15 fectively in most formal and informal conversations
16 on subjects germane to security; and

17 “(2) read within an adequate range of speed
18 and with almost complete comprehension on subjects
19 germane to security.”

20 (c) CONFORMING AMENDMENT.—The table of con-
21 tents of the Omnibus Diplomatic Security and
22 Antiterrorism Act of 1986 is amended by inserting after
23 the item relating to section 415 the following new items:

“Sec. 416. Security training for personnel assigned to a high risk, high threat
post.

“Sec. 417. Security management training for officials assigned to a high risk,
high threat post.

“Sec. 418. Language requirements for diplomatic security personnel assigned to high risk, high threat post.”.

1 **SEC. 432. REPORT TO CONGRESS.**

2 Not later than 18 months after the date of the enact-
3 ment of this Act, the Secretary of State shall submit to
4 the appropriate congressional committees a report on the
5 implementation of this subtitle.

6 **Subtitle D—Expansion of the Ma-**
7 **rine Corps Security Guard De-**
8 **tachment Program**

9 **SEC. 441. MARINE CORPS SECURITY GUARD PROGRAM.**

10 (a) IN GENERAL.—Pursuant to the responsibility of
11 the Secretary of State for diplomatic security under sec-
12 tion 103 of the Diplomatic Security Act (22 U.S.C. 4802;
13 enacted as part of the Omnibus Diplomatic Security and
14 Antiterrorism Act of 1986 (Public Law 99–399)), the Sec-
15 retary of State, in consultation with the Secretary of De-
16 fense, shall conduct an annual review of the Marine Corps
17 Security Guard Program, including—

18 (1) an evaluation of whether the size and com-
19 position of the Marine Corps Security Guard Pro-
20 gram is adequate to meet global diplomatic security
21 requirements;

22 (2) an assessment of whether the Marine Corps
23 security guards are appropriately deployed among
24 United States embassies, consulates, and other dip-

1 lomatic facilities to respond to evolving security de-
2 velopments and potential threats to United States
3 interests abroad; and

4 (3) an assessment of the mission objectives of
5 the Marine Corps Security Guard Program and the
6 procedural rules of engagement to protect diplomatic
7 personnel under the Program.

8 (b) REPORTING REQUIREMENT.—Not later than 180
9 days after the date of the enactment of this Act and annu-
10 ally thereafter for three years, the Secretary of State, in
11 consultation with the Secretary of Defense, shall submit
12 to the appropriate congressional committees an unclassi-
13 fied report, with a classified annex as necessary, that ad-
14 dresses the requirements specified in subsection (a).

○