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113TH CONGRESS
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H. R. 2848

[Report No. 113-226]

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

SEPTEMBER 25, 2013

Additional sponsor: Mr. FALEOMAVAEGA

SEPTEMBER 25, 2013

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on July 30, 2013]

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.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

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.

Sec. 106. Prohibition on use of funds relating to Federal Acquisition Regulation.

Sec. 107. Prohibition on use of funds relating to security and training facility.

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.

Sec. 213. Authority to restrict passports.

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.
Sec. 414. Revision of provisions relating to personnel recommendations of Accountability Review Board.

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.
Sec. 428. Bureau of Diplomatic Security mobile biometric enrollment program.

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 “ap-*
4 *propriate congressional committees” means the Committee*
5 *on Foreign Affairs of the House of Representatives and the*
6 *Committee on Foreign Relations of the Senate.*

1 **TITLE I—AUTHORIZATION OF**
2 **APPROPRIATIONS**

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

4 *The following amounts are authorized to be appro-*
5 *priated for the Department of State under “Administration*
6 *of Foreign Affairs” to carry out the authorities, functions,*
7 *duties, and responsibilities in the conduct of foreign affairs*
8 *of the United States, and for other purposes authorized by*
9 *law:*

10 (1) *DIPLOMATIC AND CONSULAR PROGRAMS.—*
11 *For “Diplomatic and Consular Programs”,*
12 *\$8,481,854,000 for fiscal year 2014.*

13 (A) *BUREAU OF DEMOCRACY, HUMAN*
14 *RIGHTS, AND LABOR.—Of such amounts, not less*
15 *than \$26,839,000 for fiscal year 2014 is author-*
16 *ized to be appropriated for the Bureau of Democ-*
17 *racy, Human Rights and Labor.*

18 (B) *WORLDWIDE SECURITY PROTECTION.—*
19 *Of such amounts, not less than \$2,182,135,000*
20 *for fiscal year 2014 is authorized to be appro-*
21 *priated for worldwide security protection.*

22 (2) *CAPITAL INVESTMENT FUND.—For “Capital*
23 *Investment Fund”, \$76,900,000 for fiscal year 2014.*

24 (3) *EDUCATIONAL AND CULTURAL EXCHANGE*
25 *PROGRAMS.—For “Educational and Cultural Ex-*

1 *change Programs”, \$535,000,000 for fiscal year 2014,*
2 *of which funding for educational and cultural pro-*
3 *grams that occur in countries or regions that are at*
4 *risk of, in, or are in transition from, conflict or civil*
5 *strife should be prioritized.*

6 (4) *CONFLICT STABILIZATION OPERATIONS.—*

7 (A) *IN GENERAL.—For “Conflict Stabiliza-*
8 *tion Operations”, \$45,207,000 for fiscal year*
9 *2014.*

10 (B) *TRANSFER.—Subject to subparagraph*
11 *(C) of this paragraph, of the amount authorized*
12 *to be appropriated pursuant to paragraph (1),*
13 *up to \$35,000,000 is authorized to be transferred*
14 *to, and merged with, the amount specified in*
15 *subparagraph (A) of this paragraph.*

16 (C) *NOTIFICATION.—If the Secretary of*
17 *State exercises the transfer authority described in*
18 *subparagraph (B), the Secretary shall notify the*
19 *Committee on Foreign Affairs and the Com-*
20 *mittee on Appropriations of the House of Rep-*
21 *resentatives and the Committee on Foreign Rela-*
22 *tions and the Committee on Appropriations of*
23 *the Senate.*

1 (5) *REPRESENTATION ALLOWANCES.*—For “*Rep-*
2 *resentation Allowances*”, \$6,933,000 for fiscal year
3 2014.

4 (6) *PROTECTION OF FOREIGN MISSIONS AND OF-*
5 *FICIALS.*—For “*Protection of Foreign Missions and*
6 *Officials*”, \$27,750,000 for fiscal year 2014.

7 (7) *EMERGENCIES IN THE DIPLOMATIC AND CON-*
8 *SULAR SERVICE.*—For “*Emergencies in the Diplo-*
9 *matic and Consular Service*”, \$9,073,000 for fiscal
10 year 2014.

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

13 (9) *PAYMENT TO THE AMERICAN INSTITUTE IN*
14 *TAIWAN.*—

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

18 (B) *TRANSFER.*—Subject to subparagraph
19 (C) of this paragraph, of the amount authorized
20 to be appropriated pursuant to paragraph (1),
21 up to \$15,300,000 is authorized to be transferred
22 to, and merged with, the amount specified in
23 subparagraph (A) of this paragraph.

24 (C) *NOTIFICATION.*—If the Secretary of
25 State exercises the transfer authority described in

1 *subparagraph (B), the Secretary shall notify the*
2 *Committee on Foreign Affairs and the Com-*
3 *mittee on Appropriations of the House of Rep-*
4 *resentatives and the Committee on Foreign Rela-*
5 *tions and the Committee on Appropriations of*
6 *the Senate.*

7 (10) *OFFICE OF THE INSPECTOR GENERAL.—For*
8 *“Office of the Inspector General”, \$119,056,000 for*
9 *fiscal year 2014, including for the Special Inspector*
10 *General for Iraq Reconstruction and the Special In-*
11 *pector General for Afghanistan Reconstruction, not-*
12 *withstanding section 209(a)(1) of the Foreign Service*
13 *Act of 1980 (22 U.S.C. 3929(a)(1)) as such section re-*
14 *lates to the inspection of the administration of activi-*
15 *ties and operations of each Foreign Service post.*

16 (11) *INTERNATIONAL CHANCERY CENTER.—For*
17 *“International Chancery Center (ICC)”, \$5,450,000*
18 *for fiscal year 2014.*

19 (12) *EMBASSY SECURITY, CONSTRUCTION AND*
20 *MAINTENANCE.—For “Embassy Security, Construc-*
21 *tion and Maintenance”, \$2,649,351,000 for fiscal year*
22 *2014.*

1 **SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**
2 **TIONS.**

3 *There are authorized to be appropriated for “Contribu-*
4 *tions to International Organizations”, \$1,400,000,000 for*
5 *fiscal year 2014, for the Department of State to carry out*
6 *the authorities, functions, duties, and responsibilities in the*
7 *conduct of the foreign affairs of the United States with re-*
8 *spect to international organizations and to carry out other*
9 *authorities in law consistent with such purposes. The Sec-*
10 *retary shall notify the appropriate congressional commit-*
11 *tees not less than fifteen days prior to obligating funds au-*
12 *thorized under this section to implement or establish any*
13 *principle commission or organization required by a treaty*
14 *that has not been ratified by the Senate.*

15 **SEC. 103. CONTRIBUTIONS FOR INTERNATIONAL PEACE-**
16 **KEEPING ACTIVITIES.**

17 *There are authorized to be appropriated for “Contribu-*
18 *tions for International Peacekeeping Activities”,*
19 *\$1,942,000,000 for fiscal year 2014 for the Department of*
20 *State to carry out the authorities, functions, duties, and*
21 *responsibilities of the United States with respect to inter-*
22 *national peacekeeping activities and to carry out other au-*
23 *thorities in law consistent with such purposes, except that*
24 *such amounts may not be used to support any United Na-*
25 *tions Unmanned Aerial Systems (drone) activities or mis-*
26 *sions operating in United States airspace, including United*

1 *States territories and possessions. Notwithstanding any*
2 *other provision of law, funds authorized to be appropriated*
3 *under this section are authorized to remain available until*
4 *September 30, 2015.*

5 **SEC. 104. INTERNATIONAL COMMISSIONS.**

6 *The following amounts are authorized to be appro-*
7 *priated under “International Commissions” for the Depart-*
8 *ment of State to carry out the authorities, functions, duties,*
9 *and responsibilities in the conduct of the foreign affairs of*
10 *the United States and for other purposes authorized by law:*

11 (1) *INTERNATIONAL BOUNDARY AND WATER COM-*
12 *MISSION, UNITED STATES AND MEXICO.—For “Inter-*
13 *national Boundary and Water Commission, United*
14 *States and Mexico”—*

15 (A) *for “Salaries and Expenses”,*
16 *\$44,722,000 for fiscal year 2014; and*

17 (B) *for “Construction”, \$31,400,000 for fis-*
18 *cal year 2014.*

19 (2) *INTERNATIONAL BOUNDARY COMMISSION,*
20 *UNITED STATES AND CANADA.—For “International*
21 *Boundary Commission, United States and Canada”,*
22 *\$2,449,000 for fiscal year 2014.*

23 (3) *INTERNATIONAL JOINT COMMISSION.—For*
24 *“International Joint Commission”, \$7,012,000 for fis-*
25 *cal year 2014.*

1 (4) *INTERNATIONAL FISHERIES COMMISSIONS.—*
2 *For “International Fisheries Commissions”,*
3 *\$31,445,000 for fiscal year 2014.*

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

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

8 *There are authorized to be appropriated for the “Na-*
9 *tional Endowment for Democracy” for authorized activities*
10 *\$117,764,000 for fiscal year 2014.*

11 **SEC. 106. PROHIBITION ON USE OF FUNDS RELATING TO**
12 **FEDERAL ACQUISITION REGULATION.**

13 *No funds under this Act are authorized to be appro-*
14 *priated to enter into a contract with any offeror or any*
15 *of its principals if the offeror certifies, pursuant to the Fed-*
16 *eral Acquisition Regulation, that the offeror or any of its*
17 *principals—*

18 (1) *within a three-year period preceding this*
19 *offer has been convicted of or had a civil judgment*
20 *rendered against it for commission of fraud or a*
21 *criminal offense in connection with obtaining, at-*
22 *tempting to obtain, or performing a public (Federal,*
23 *State, or local) contract or subcontract; violation of*
24 *Federal or State antitrust statutes relating to the sub-*
25 *mission of offers; or commission of embezzlement,*

1 *theft, forgery, bribery, falsification or destruction of*
2 *records, making false statements, tax evasion, vio-*
3 *lating Federal criminal tax laws, or receiving stolen*
4 *property; or*

5 *(2) are presently indicted for, or otherwise crimi-*
6 *nally or civilly charged by a governmental entity*
7 *with, commission of any of the offenses enumerated in*
8 *paragraph (1); or*

9 *(3) within a three-year period preceding this*
10 *offer, has been notified of any delinquent Federal*
11 *taxes in an amount that exceeds \$3,000 for which the*
12 *liability remains unsatisfied.*

13 **SEC. 107. PROHIBITION ON USE OF FUNDS RELATING TO**
14 **SECURITY AND TRAINING FACILITY.**

15 *No funds under this Act are authorized to be appro-*
16 *priated for any new Department of State security and*
17 *training facility, including the proposed Foreign Affairs*
18 *Security Training Center, for which there is not a com-*
19 *pleted, independent feasibility study that has been provided*
20 *to the appropriate congressional committees, verifying that*
21 *safety and security training for all Department personnel*
22 *who require such training cannot reasonably be provided*
23 *at the existing Federal Law Enforcement Training Facil-*
24 *ity.*

1 **TITLE II—DEPARTMENT OF**
2 **STATE AUTHORITIES AND AC-**
3 **TIVITIES**

4 **Subtitle A—Basic Authorities and**
5 **Activities**

6 **SEC. 201. RECOUPING COSTS OF INTERNATIONAL DISPUTE**
7 **ARBITRATION.**

8 *Paragraph (3) of section 38(d) of the State Depart-*
9 *ment Basic Authorities Act of 1956 (22 U.S.C. 2710(d)) is*
10 *amended by striking “by the Department of State from an-*
11 *other agency of the United States Government or pursuant*
12 *to” and inserting “by the Department of State as a result*
13 *of a decision of an international tribunal, from another*
14 *agency of the United States Government, or pursuant to”.*

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

16 *Section 501 of the Foreign Service Act of 1980 (22*
17 *U.S.C. 3981) is amended by inserting “If a position des-*
18 *ignated under this section is unfilled for more than one sin-*
19 *gle assignment cycle, such position shall be filled, as appro-*
20 *priate, on a temporary basis, in accordance with section*
21 *303 or 309.” after “Positions designated under this section*
22 *are excepted from the competitive service.”.*

1 **SEC. 203. CENTER FOR STRATEGIC COUNTERTERRORISM**
2 **COMMUNICATIONS OF THE DEPARTMENT OF**
3 **STATE.**

4 (a) *STATEMENT OF POLICY.*—As articulated in Execu-
5 tive Order 13584, issued on September 9, 2011, it is the
6 policy of the United States to actively counter the actions
7 and ideologies of al-Qa’ida, its affiliates and adherents,
8 other terrorist organizations, and violent extremists over-
9 seas that threaten the interests and national security of the
10 United States.

11 (b) *ESTABLISHMENT OF CENTER FOR STRATEGIC*
12 *COUNTERTERRORISM COMMUNICATIONS.*—There is author-
13 ized to be established within the Department of State, under
14 the direction of the Secretary of State, the Center for Stra-
15 tegic Counterterrorism Communications (in this section re-
16 ferred to as the “CSCC”).

17 (c) *MISSION.*—The CSCC may coordinate, orient, and
18 inform Government-wide public communications activities
19 directed at audiences abroad and targeted against violent
20 extremists and terrorist organizations, especially al-Qa’ida
21 and its affiliates and adherents.

22 (d) *COORDINATOR OF THE CENTER FOR STRATEGIC*
23 *COUNTERTERRORISM COMMUNICATIONS.*—The head of the
24 CSCC should be the Coordinator. The Coordinator of the
25 CSCC should—

1 (1) report to the Under Secretary for Public Di-
2 plomacy and Public Affairs; and

3 (2) collaborate with the Bureau of Counterter-
4 rorism of the Department of State, other Department
5 bureaus, and other United States Government agen-
6 cies.

7 (e) DUTIES.—The CSCC may—

8 (1) monitor and evaluate extremist narratives
9 and events abroad that are relevant to the develop-
10 ment of a United States strategic counterterrorism
11 narrative designed to counter violent extremism and
12 terrorism that threaten the interests and national se-
13 curity of the United States;

14 (2) develop and promulgate for use throughout
15 the executive branch the United States strategic
16 counterterrorism narrative developed in accordance
17 with paragraph (1), and public communications
18 strategies to counter the messaging of violent extrem-
19 ists and terrorist organizations, especially al-Qa'ida
20 and its affiliates and adherents;

21 (3) identify current and emerging trends in ex-
22 tremist communications and communications by al-
23 Qa'ida and its affiliates and adherents in order to co-
24 ordinate and provide guidance to the United States
25 Government regarding how best to proactively pro-

1 *mote the United States strategic counterterrorism*
2 *narrative developed in accordance with paragraph (1)*
3 *and related policies, and to respond to and rebut ex-*
4 *tremist messaging and narratives when commu-*
5 *nicating to audiences outside the United States;*

6 *(4) facilitate the use of a wide range of commu-*
7 *nications technologies by sharing expertise and best*
8 *practices among United States Government and non-*
9 *Government sources;*

10 *(5) identify and request relevant information*
11 *from United States Government agencies, including*
12 *intelligence reporting, data, and analysis;*

13 *(6) identify shortfalls in United States capabili-*
14 *ties in any areas relevant to the CSCC's mission, and*
15 *recommend necessary enhancements or changes; and*

16 *(7) establish measurable goals, performance*
17 *metrics, and monitoring and evaluation plans to*
18 *focus on learning, accountability, and policymaking.*

19 *(f) STEERING COMMITTEE.—*

20 *(1) IN GENERAL.—The Secretary of State may*
21 *establish a Steering Committee composed of senior*
22 *representatives of United States Government agencies*
23 *relevant to the CSCC's mission to provide advice to*
24 *the Secretary on the operations and strategic orienta-*

1 *tion of the CSCC and to ensure adequate support for*
2 *the CSCC.*

3 (2) *MEETINGS.*—*The Steering Committee should*
4 *meet not less often than once every six months.*

5 (3) *LEADERSHIP.*—*The Steering Committee*
6 *should be chaired by the Under Secretary of State for*
7 *Public Diplomacy. The Coordinator for Counterter-*
8 *rorism of the Department of State should serve as*
9 *Vice Chair. The Coordinator of the CSCC should serve*
10 *as Executive Secretary.*

11 (4) *COMPOSITION.*—

12 (A) *IN GENERAL.*—*The Steering Committee*
13 *may include one senior representative designated*
14 *by the head of each of the following agencies:*

15 (i) *The Department of Defense.*

16 (ii) *The Department of Justice.*

17 (iii) *The Department of Homeland Se-*
18 *curity.*

19 (iv) *The Department of the Treasury.*

20 (v) *The National Counterterrorism*
21 *Center of the Office of the Director of Na-*
22 *tional Intelligence.*

23 (vi) *The Joint Chiefs of Staff.*

24 (vii) *The Counterterrorism Center of*
25 *the Central Intelligence Agency.*

1 (viii) *The Broadcasting Board of Gov-*
2 *ernors.*

3 (ix) *The Agency for International De-*
4 *velopment.*

5 (B) *ADDITIONAL REPRESENTATION.—Rep-*
6 *resentatives from United States Government*
7 *agencies not specified in subparagraph (A) may*
8 *be invited to participate in the Steering Com-*
9 *mittee at the discretion of the Chair.*

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

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

16 ***Subtitle B—Consular Services and***
17 ***Related Matters***

18 **SEC. 211. EXTENSION OF AUTHORITY TO ASSESS PASSPORT**

19 ***SURCHARGE.***

20 *Paragraph (2) of section 1(b) of the Act of June 4,*
21 *1920 (41 Stat. 750; chapter 223; 22 U.S.C. 214(b)), is*
22 *amended by striking “2010” and inserting “2016”.*

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

24 *Section 410(a)(1)(A) of the Department of State and*
25 *Related Agencies Appropriations Act, 1999 (contained in*

1 *division A of Public Law 105–277) is amended by striking*
2 *“a fee of \$13” and inserting “a fee equal to one-half the*
3 *fee that would otherwise apply for processing a machine*
4 *readable combined border crossing identification card and*
5 *nonimmigrant visa”.*

6 **SEC. 213. AUTHORITY TO RESTRICT PASSPORTS.**

7 (a) *IN GENERAL.*—*The Secretary of State is author-*
8 *ized to—*

9 (1) *limit to one year or such period of time as*
10 *the Secretary of State shall determine appropriate the*
11 *period of validity of a passport issued to a sex of-*
12 *fender; and*

13 (2) *revoke the passport or passport card of an*
14 *individual who has been convicted by a court of com-*
15 *petent jurisdiction in a foreign country of a sex of-*
16 *fense.*

17 (b) *LIMITATION FOR RETURN TO UNITED STATES.*—
18 *Notwithstanding subsection (a), in no case shall a United*
19 *States citizen convicted by a court of competent jurisdiction*
20 *in a foreign country of a sex offense be precluded from enter-*
21 *ing the United States due to a passport revocation under*
22 *such subsection.*

23 (c) *REAPPLICATION.*—*An individual whose passport or*
24 *passport card was revoked pursuant to subsection (a)(2)*

1 *may reapply for a passport or passport card at any time*
2 *after such individual has returned to the United States.*

3 *(d) DEFINITIONS.—For purposes of this section:*

4 *(1) SEX OFFENDER.—The term “sex offender”*
5 *means an individual who is listed on the National*
6 *Sex Offender Registry established pursuant to section*
7 *119 of the Sex Offender Registration and Notification*
8 *Act (42 U.S.C. 16915).*

9 *(2) SEX OFFENSE.—The term “sex offense”*
10 *means a sex offense as defined in section 111(5) of the*
11 *Sex Offender Registration and Notification Act (42*
12 *U.S.C. 16915).*

13 ***Subtitle C—Reporting*** 14 ***Requirements***

15 **SEC. 221. REPORTING REFORM.**

16 *(a) IN GENERAL.—The following provisions of law are*
17 *repealed:*

18 *(1) Subsections (c)(4) and (c)(5) of section 601*
19 *of Public Law 96–465.*

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

21 *(3) Subsections (b) and (c) of section 11 of Pub-*
22 *lic Law 107–245.*

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

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

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

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

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

3 (9) *Section 3202 of Public Law 106–246.*

4 (b) *CONFORMING AMENDMENT.—Section 11 of Public*
5 *Law 107–245 is amended by striking “(a) IN GENERAL.—*
6 *”.*

7 (c) *REPORT ON UNITED STATES CONTRIBUTIONS TO*
8 *THE UNITED NATIONS.—*

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

17 (2) *CONTENT.—Each report required under sub-*
18 *section (a) shall include the following elements:*

19 (A) *The total amount of all assessed and*
20 *voluntary contributions, including in-kind, of*
21 *the United States Government to the United Na-*
22 *tions and its affiliated agencies and related bod-*
23 *ies during the previous fiscal year.*

24 (B) *The approximate percentage of United*
25 *States Government contributions to each United*

1 *Nations affiliated agency or related body in such*
2 *fiscal year when compared with all contributions*
3 *to each such agency or body from any source in*
4 *such fiscal year.*

5 *(C) For each such United States Govern-*
6 *ment contribution—*

7 *(i) the amount of the contribution;*

8 *(ii) a description of the contribution*
9 *(including whether assessed or voluntary);*

10 *(iii) the department or agency of the*
11 *United States Government responsible for*
12 *the contribution;*

13 *(iv) the purpose of the contribution;*
14 *and*

15 *(v) the United Nations or its affiliated*
16 *agency or related body receiving the con-*
17 *tribution.*

18 *(3) SCOPE OF INITIAL REPORT.—The first report*
19 *required under this subsection shall include the infor-*
20 *mation required under this section for the previous*
21 *three fiscal years.*

22 *(4) PUBLIC AVAILABILITY OF INFORMATION.—*
23 *Not later than 14 days after submitting a report*
24 *under this subsection, the Director of the Office of*
25 *Management and Budget shall post a public version*

1 of such report on a text-based, searchable, and pub-
2 licly available Internet Web site.

3 **TITLE III—ORGANIZATION AND**
4 **PERSONNEL AUTHORITIES**

5 **SEC. 301. SUSPENSION OF FOREIGN SERVICE MEMBERS**
6 **WITHOUT PAY.**

7 (a) *SUSPENSION.*—Section 610 of the Foreign Service
8 Act of 1980 (22 U.S.C. 4010) is amended by adding at the
9 end the following new subsection:

10 “(c)(1) *In order to promote the efficiency of the Serv-*
11 *ice, the Secretary may suspend a member of the Foreign*
12 *Service without pay when the member’s security clearance*
13 *is suspended or when there is reasonable cause to believe*
14 *that the member has committed a crime for which a sen-*
15 *tence of imprisonment may be imposed.*

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

19 “(A) *written notice stating the specific reasons*
20 *for the proposed suspension;*

21 “(B) *a reasonable time to respond orally and in*
22 *writing to the proposed suspension;*

23 “(C) *representation by an attorney or other rep-*
24 *resentative; and*

1 “(D) a final written decision, including the spe-
2 cific reasons for such decision, as soon as practicable.

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

6 “(4) In the case of a grievance filed under paragraph
7 (3)—

8 “(A) the review by the Foreign Service Grievance
9 Board shall be limited to a determination of whether
10 the provisions of paragraphs (1) and (2) have been
11 fulfilled; and

12 “(B) the Foreign Service Grievance Board may
13 not exercise the authority provided under section
14 1106(8).

15 “(5) In this subsection:

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

17 “(i) with respect to a member of the Foreign
18 Service assigned to duty in the United States, 15
19 days after receiving notice of the proposed sus-
20 pension; and

21 “(ii) with respect to a member of the For-
22 eign Service assigned to duty outside the United
23 States, 30 days after receiving notice of the pro-
24 posed suspension.

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

4 **(b) CONFORMING AND CLERICAL AMENDMENTS.—**

5 **(1) AMENDMENT OF SECTION HEADING.—***Section*
 6 *610 of the Foreign Service Act of 1980, as amended*
 7 *by subsection (a) of this section, is further amended,*
 8 *in the section heading, by inserting “; SUSPENSION”*
 9 *before the period at the end.*

10 **(2) CLERICAL AMENDMENT.—***The item relating*
 11 *to section 610 in the table of contents in section 2 of*
 12 *the Foreign Service Act of 1980 is amended to read*
 13 *as follows:*

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

14 **SEC. 302. REPEAL OF RECERTIFICATION REQUIREMENT**
 15 **FOR SENIOR FOREIGN SERVICE.**

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

18 **SEC. 303. LIMITED APPOINTMENTS IN THE FOREIGN SERV-**
 19 **ICE.**

20 *Section 309 of the Foreign Service Act of 1980 (22*
 21 *U.S.C. 3949) is amended—*

22 **(1) in subsection (a), by striking “subsection (b)”**
 23 *and inserting “subsection (b) or (c)”;*

24 **(2) in subsection (b)—**

25 **(A) in paragraph (3)—**

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

2 (ii) by inserting before the semicolon at

3 the end the following: “, or (B), the career

4 candidate is serving in the uniformed serv-

5 ices, as defined by the Uniformed Services

6 Employment and Reemployment Rights Act

7 of 1994 (38 U.S.C. 4301 et seq.), and the

8 limited appointment expires in the course of

9 such service”;

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

11 the end;

12 (C) in paragraph (5), by striking the period

13 at the end and inserting “; and”; and

14 (D) by adding after paragraph (5) the fol-

15 lowing new paragraph:

16 “(6) in exceptional circumstances where the Secretary

17 determines the needs of the Service require the extension of

18 a limited appointment, (A), for a period of time not to ex-

19 ceed 12 months (if such period of time does not permit addi-

20 tional review by boards under section 306), or (B), for the

21 minimum time needed to settle a grievance, claim, or com-

22 plaint not otherwise provided for in this section.”; and

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

24 section:

1 “(c) *Non-career Foreign Service employees who have*
2 *served five consecutive years under a limited appointment*
3 *may be reappointed to a subsequent limited appointment*
4 *if there is a one year break in service between each such*
5 *appointment. The Secretary may in cases of special need*
6 *waive the requirement for a one year break in service.”.*

7 **SEC. 304. LIMITATION OF COMPENSATORY TIME OFF FOR**
8 **TRAVEL.**

9 *Section 5550b of title 5, United States Code, is amend-*
10 *ed by adding at the end the following new subsection:*

11 “(c) *The maximum amount of compensatory time off*
12 *earned under this section may not exceed 104 hours during*
13 *any leave year (as defined by regulations established by the*
14 *Office of Personnel Management).”.*

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

16 *The Secretary of State may, after consultation with*
17 *the appropriate congressional committees, transfer to such*
18 *other officials or offices of the Department of State as the*
19 *Secretary may determine from time to time any authority,*
20 *duty, or function assigned by statute to the Coordinator for*
21 *Counterterrorism, the Coordinator for Reconstruction and*
22 *Stabilization, or the Coordinator for International Energy*
23 *Affairs.*

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

2 (a) *IN GENERAL.*—Subject to the limitation described
3 in subsection (b), the authority provided by section 1113
4 of the Supplemental Appropriations Act, 2009 (Public Law
5 111–32; 123 Stat. 1904), shall remain in effect through Sep-
6 tember 30, 2014.

7 (b) *LIMITATION.*—The authority described in sub-
8 section (a) may not be used to pay an eligible member of
9 the Foreign Service (as defined in section 1113(b) of the
10 Supplemental Appropriations Act, 2009) a locality-based
11 comparability payment (stated as a percentage) that ex-
12 ceeds two-thirds of the amount of the locality-based com-
13 parability payment (stated as a percentage) that would be
14 payable to such member under section 5304 of title 5,
15 United States Code, if such member’s official duty station
16 were in the District of Columbia.

17 **TITLE IV—EMBASSY SECURITY**
18 **AND PERSONNEL PROTECTION**
19 **Subtitle A—Review and Planning**
20 **Requirements**

21 **SEC. 411. DESIGNATION OF HIGH RISK, HIGH THREAT**
22 **POSTS AND WORKING GROUPS.**

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

1 **“SEC. 104. DESIGNATION OF HIGH RISK, HIGH THREAT**
2 **POSTS.**

3 “(a) *INITIAL DESIGNATION.*—Not later than 30 days
4 after the date of the enactment of this section, the Secretary
5 shall submit to the appropriate congressional committees a
6 report, in classified form, that contains an initial list of
7 diplomatic and consular posts designated as high risk, high
8 threat posts.

9 “(b) *DESIGNATIONS BEFORE OPENING OR REOPENING*
10 *POSTS.*—Before opening or reopening a diplomatic or con-
11 sular post, the Secretary shall determine if such post should
12 be designated as a high risk, high threat post.

13 “(c) *DESIGNATING EXISTING POSTS.*—The Secretary
14 shall regularly review existing diplomatic and consular
15 posts to determine if any such post should be designated
16 as a high risk, high threat post if conditions at such post
17 or the surrounding security environment require such a des-
18 igation.

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

20 “(1) *APPROPRIATE CONGRESSIONAL COMMIT-*
21 *TEES.*—The term ‘appropriate congressional commit-22 tees’ means the Committee on Foreign Affairs of the
23 House of Representatives and the Committee on For-
24 eign Relations of the Senate.

25 “(2) *HIGH RISK, HIGH THREAT POST.*—The term
26 ‘high risk, high threat post’ means a United States

1 *diplomatic or consular post, as determined by the*
2 *Secretary, that, among other factors, is—*

3 *“(A) located in a country—*

4 *“(i) with high to critical levels of polit-*
5 *ical violence and terrorism; and*

6 *“(ii) the government of which lacks the*
7 *ability or willingness to provide adequate*
8 *security; and*

9 *“(B) with mission physical security plat-*
10 *forms that fall below the Department of State’s*
11 *established standards.*

12 **“SEC. 105. WORKING GROUPS FOR HIGH RISK, HIGH**
13 **THREAT POSTS.**

14 *“(a) ESTABLISHMENT.—Before opening or reopening*
15 *a high risk, high threat post, the Secretary shall establish*
16 *a working group that is responsible for the geographic area*
17 *in which such post is to be opened or reopened.*

18 *“(b) DUTIES.—The duties of the working group estab-*
19 *lished in accordance with subsection (a) shall include—*

20 *“(1) evaluating the importance and appropriate-*
21 *ness of the objectives of the proposed post to the na-*
22 *tional security of the United States, and the type and*
23 *level of security threats such post could encounter;*

24 *“(2) completing working plans to expedite the*
25 *approval and funding for establishing and operating*

1 *such post, implementing physical security measures,*
2 *providing necessary security and management per-*
3 *sonnel, and the provision of necessary equipment;*

4 *“(3) establishing security ‘tripwires’ that would*
5 *determine specific action, including enhanced security*
6 *measures or evacuation of such post, based on the im-*
7 *provement or deterioration of the local security envi-*
8 *ronment; and*

9 *“(4) identifying and reporting any costs that*
10 *may be associated with opening or reopening such*
11 *post.*

12 *“(c) COMPOSITION.—The working group should be*
13 *composed of representatives of the—*

14 *“(1) appropriate regional bureau;*

15 *“(2) Bureau of Diplomatic Security;*

16 *“(3) Bureau of Overseas Building Operations;*

17 *“(4) Bureau of Intelligence and Research; and*

18 *“(5) other bureaus or offices as determined by the*
19 *Secretary.*

20 *“(d) CONGRESSIONAL NOTIFICATION.—Not less than*
21 *30 days before opening or reopening a high risk, high threat*
22 *post, the Secretary shall notify the appropriate congres-*
23 *sional committees in classified form of—*

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

25 *and*

1 “(2) the results of the working group under sub-
2 section (b).”.

3 (b) **CONFORMING AMENDMENT.**—*The table of contents*
4 *of the Omnibus Diplomatic Security and Antiterrorism Act*
5 *of 1986 is amended by inserting after the item relating to*
6 *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.*”.

7 **SEC. 412. CONTINGENCY PLANS FOR HIGH RISK, HIGH**
8 **THREAT POSTS.**

9 *Section 606(a) of the Secure Embassy Construction*
10 *and Counterterrorism Act of 1999 (22 U.S.C. 4865(a); re-*
11 *lating to diplomatic security) is amended—*

12 (1) *in paragraph (1)(A)—*

13 (A) *by inserting “and from complex attacks*
14 *(as such term is defined in section 416 of the*
15 *Omnibus Diplomatic Security and Antiterrorism*
16 *Act of 1986),” after “attacks from vehicles”; and*

17 (B) *by inserting “or such a complex attack”*
18 *before the period at the end;*

19 (2) *in paragraph (7), by inserting before the pe-*
20 *riod at the end the following: “, including at high*
21 *risk, high threat posts (as such term is defined in sec-*
22 *tion 104 of the Omnibus Diplomatic Security and*
23 *Antiterrorism Act of 1986), including options for the*
24 *deployment of additional military personnel or equip-*

1 *ment to bolster security and rapid deployment of*
2 *armed or surveillance assets in response to an at-*
3 *tack”.*

4 **SEC. 413. STRATEGIC REVIEW OF BUREAU OF DIPLOMATIC**
5 **SECURITY.**

6 *(a) IN GENERAL.—The Secretary of State shall com-*
7 *plete a strategic review of the Bureau of Diplomatic Secu-*
8 *urity of the Department of State to ensure that the mission*
9 *and activities of the Bureau are fulfilling the current and*
10 *projected needs of the Department of State.*

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

13 *(1) staffing needs for both domestic and inter-*
14 *national operations;*

15 *(2) facilities under chief of mission authority ad-*
16 *hering to security standards;*

17 *(3) security personnel with the necessary lan-*
18 *guage skills for assignment to overseas posts;*

19 *(4) programs being carried out by personnel*
20 *with the necessary experience and at commensurate*
21 *grade levels;*

22 *(5) necessary security training provided to per-*
23 *sonnel under chief of mission authority for expected*
24 *assignments and objectives;*

1 (6) *balancing security needs with an ability to*
2 *carry out the diplomatic mission of the Department*
3 *of State;*

4 (7) *the budgetary implications of balancing mul-*
5 *tiple missions; and*

6 (8) *how to resolve any identified deficiencies in*
7 *the mission or activities of the Bureau.*

8 **SEC. 414. REVISION OF PROVISIONS RELATING TO PER-**
9 **SONNEL RECOMMENDATIONS OF ACCOUNT-**
10 **ABILITY REVIEW BOARD.**

11 (a) *IN GENERAL.*—*Section 304(c) of the Diplomatic*
12 *Security Act (22 U.S.C. 4834(c)) is amended—*

13 (1) *in the matter preceding paragraph (1)—*

14 (A) *by striking “Whenever” and inserting*
15 *“If”; and*

16 (B) *by striking “has breached the duty of*
17 *that individual” and inserting “has engaged in*
18 *misconduct or unsatisfactorily performed the du-*
19 *ties of employment of that individual, and such*
20 *misconduct or unsatisfactory performance has*
21 *significantly contributed to the serious injury,*
22 *loss of life, or significant destruction of property,*
23 *or the serious breach of security that is the sub-*
24 *ject of the Board’s examination as described in*
25 *subsection (a)”;*

1 (2) in paragraph (2), by striking “finding” each
2 place it appears and inserting “findings”; and

3 (3) in the matter following paragraph (3)—

4 (A) by striking “has breached a duty of that
5 individual” and inserting “has unsatisfactorily
6 performed the duties of employment of that indi-
7 vidual”; and

8 (B) by inserting “of employment” after
9 “performance of the duties”.

10 (b) *EFFECTIVE DATE.*—The amendments made by sub-
11 section (a) shall apply with respect to any case of an Ac-
12 countability Review Board that is convened under section
13 301 of the Diplomatic Security Act (22 U.S.C. 4831) on
14 or after the date of the enactment of this Act.

15 **Subtitle B—Physical Security and** 16 **Personnel Requirements**

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

18 (a) *SENSE OF CONGRESS ON THE CAPITAL SECURITY*
19 *COST SHARING PROGRAM.*—It is the sense of Congress that
20 the Capital Security Cost Sharing Program should
21 prioritize the construction of new facilities and the mainte-
22 nance of existing facilities at high risk, high threat posts.

23 (b) *RESTRICTION ON CONSTRUCTION OF OFFICE*
24 *SPACE.*—Section 604(e)(2) of the Secure Embassy Con-
25 struction and Counterterrorism Act of 1999 (title VI of divi-

1 sion A of H.R. 3427, as enacted into law by section
 2 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–453;
 3 22 U.S.C. 4865 note) is amended by adding at the end the
 4 following new sentence: “A project to construct a diplomatic
 5 facility of the United States may not include office space
 6 or other accommodations for an employee of a Federal de-
 7 partment or agency if the Secretary of State determines
 8 that such department or agency has not provided to the De-
 9 partment of State the full amount of funding required by
 10 paragraph (1), except that such project may include office
 11 space or other accommodations for members of the United
 12 States Marine Corps.”.

13 **SEC. 422. LOCAL GUARD CONTRACTS ABROAD UNDER DIP-**
 14 **LOMATIC SECURITY PROGRAM.**

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

18 (1) in subsection (c)—

19 (A) in the matter preceding paragraph (1),
 20 by striking “With respect” and inserting “Ex-
 21 cept as provided in subsection (d), with respect”;
 22 and

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

1 (2) by redesignating subsections (d), (e), (f), and
2 (g) as subsections (e), (f), (g), and (h), respectively;
3 and

4 (3) by inserting after subsection (c) the following
5 new subsection:

6 “(d) *AWARD OF LOCAL GUARD AND PROTECTIVE*
7 *SERVICE CONTRACTS FOR HIGH RISK, HIGH THREAT*
8 *POSTS.—With respect to any local guard contract for a*
9 *high risk, high threat post (as such term is defined in sec-*
10 *tion 104 of the Omnibus Diplomatic Security and*
11 *Antiterrorism Act of 1986) that is entered into after the*
12 *date of the enactment of this subsection, the Secretary of*
13 *State—*

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

17 “(2) *after evaluating proposals for such contract,*
18 *may award such contract to the firm representing the*
19 *best value to the Government in accordance with the*
20 *best value tradeoff process described in subpart 15.1*
21 *of the Federal Acquisition Regulation (48 C.F.R. 6*
22 *15.101–1); and*

23 “(3) *shall ensure that contractor personnel under*
24 *such contract providing local guard or protective serv-*
25 *ices are classified—*

1 “(A) as employees of the contractor;

2 “(B) if the contractor is a joint venture, as
3 employees of one of the persons or parties consti-
4 tuting the joint venture; or

5 “(C) as employees of a subcontractor to the
6 contractor, and not as independent contractors to
7 the contractor or any other entity performing
8 under such contracts.”.

9 (b) *REPORT.*—Not later than one year after the date
10 of the enactment of this Act, the Secretary of State shall
11 submit to the appropriate congressional committees a report
12 that includes—

13 (1) an explanation of the implementation of sub-
14 section (d) of section 136 of the *Foreign Relations Au-*
15 *thorization Act, Fiscal Years 1990 and 1991, as*
16 *amended by subsection (a)(3) of this section; and*

17 (2) for each instance in which an award is made
18 pursuant to such subsection (d) of such section 136,
19 a written justification providing the basis for such
20 award and an explanation of the inability to satisfy
21 the needs of the Department of State by technically
22 acceptable, lowest price evaluation award.

1 **SEC. 423. TRANSFER AUTHORITY.**

2 *Section 4 of the Foreign Service Buildings Act, 1926*
3 *(22 U.S.C. 295) is amended by adding at the end the fol-*
4 *lowing new subsections:*

5 *“(j) In addition to exercising any other transfer au-*
6 *thority available to the Secretary of State, and subject to*
7 *subsection (k), the Secretary may transfer to, and merge*
8 *with, any appropriation for embassy security, construction,*
9 *and maintenance such amounts appropriated for any other*
10 *purpose related to the administration of foreign affairs on*
11 *or after October 1, 2013, as the Secretary determines nec-*
12 *essary to provide for the security of sites and buildings in*
13 *foreign countries under the jurisdiction and control of the*
14 *Secretary.*

15 *“(k) The Secretary of State shall consult with, and not*
16 *later than 15 days before any transfer of funds pursuant*
17 *to subsection (j) notify, the Committees on Foreign Rela-*
18 *tions and Appropriations of the Senate and the Committees*
19 *on Foreign Affairs and Appropriations of the House of Rep-*
20 *resentatives of such transfer.”.*

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

22 *Section 29 of the State Department Basic Authorities*
23 *Act of 1956 (22 U.S.C. 2701) is amended, in the third sen-*
24 *tence, by inserting “physical security enhancements and”*
25 *after “may include”.*

1 **SEC. 425. REEMPLOYMENT OF ANNUITANTS.**

2 *Section 824(g) of the Foreign Service Act of 1980 (22*
3 *U.S.C. 4064(g)) is amended—*

4 *(1) in paragraph (1)—*

5 *(A) in subparagraph (B)—*

6 *(i) by striking “to facilitate the” and*
7 *all that follows through “Afghanistan,”; and*

8 *(ii) by inserting before the semicolon at*
9 *the end the following: “and, when after an*
10 *exhaustive, open, and competitive search, no*
11 *qualified, full-time, current employees (in-*
12 *cluding members of the Civil Service) of the*
13 *Department of State have been identified”;*
14 *and*

15 *(B) by moving subparagraph (C) two ems*
16 *to the left; and*

17 *(2) in paragraph (2)—*

18 *(A) in subparagraph (A), by striking*
19 *“2010” and inserting “2018”; and*

20 *(B) in subparagraphs (B) and (C), by strik-*
21 *ing “2009” and inserting “2018” each place it*
22 *appears.*

1 **SEC. 426. SENSE OF CONGRESS REGARDING MINIMUM SE-**
2 **CURITY STANDARDS FOR TEMPORARY**
3 **UNITED STATES DIPLOMATIC AND CONSULAR**
4 **POSTS.**

5 *It is the sense of Congress that—*

6 *(1) the Overseas Security Policy Board's security*
7 *standards for United States diplomatic and consular*
8 *posts should apply to all such posts regardless of the*
9 *duration of their occupancy; and*

10 *(2) such posts should comply with requirements*
11 *for attaining a waiver or exception to applicable*
12 *standards if it is in the national interest of the*
13 *United States as determined by the Secretary of*
14 *State.*

15 **SEC. 427. ASSIGNMENT OF PERSONNEL AT HIGH RISK, HIGH**
16 **THREAT POSTS.**

17 *(a) IN GENERAL.—The Secretary of State shall station*
18 *key personnel for sustained periods of time at high risk,*
19 *high threat posts (as such term is defined in section 104*
20 *of the Omnibus Diplomatic Security and Antiterrorism Act*
21 *of 1986, as added by section 411 of this Act) in order to—*

22 *(1) establish institutional knowledge and situa-*
23 *tional awareness that would allow for a fuller famil-*
24 *iarization of the local political and security environ-*
25 *ment in which such posts are located; and*

1 (2) *ensure that necessary security procedures are*
2 *implemented.*

3 (b) *QUARTERLY BRIEFINGS.*—*The Secretary of State*
4 *shall quarterly brief the appropriate congressional commit-*
5 *tees on the personnel staffing and rotation cycles at high*
6 *risk, high threat posts.*

7 **SEC. 428. BUREAU OF DIPLOMATIC SECURITY MOBILE BIO-**
8 **METRIC ENROLLMENT PROGRAM.**

9 *Not later than 90 days after the date of the enactment*
10 *of this Act, the Secretary of State shall brief the appropriate*
11 *congressional committees regarding the mobile biometric en-*
12 *rollment program of the Bureau of Diplomatic Security*
13 *that includes the following:*

14 (1) *An overview of the mobile biometric enroll-*
15 *ment program and the Department of State’s use of*
16 *biometric technologies to secure access to United*
17 *States diplomatic and consular posts.*

18 (2) *An assessment of the effectiveness and uses of*
19 *such biometric technologies.*

20 (3) *An assessment of the costs, benefits, and im-*
21 *plementation time that would be involved in extend-*
22 *ing the mobile biometric enrollment program initially*
23 *to all high risk, high threat posts (as such term is de-*
24 *defined in section 104 of the Omnibus Diplomatic Secu-*
25 *rity and Antiterrorism Act of 1986, as added by sec-*

1 *tion 411 of this Act), and then to all remaining diplo-*
 2 *matic and consular posts.*

3 ***Subtitle C—Security Training***

4 ***SEC. 431. SECURITY TRAINING FOR PERSONNEL ASSIGNED***
 5 ***TO HIGH RISK, HIGH THREAT POSTS.***

6 *(a) IN GENERAL.—Title IV of the Omnibus Diplo-*
 7 *matic Security and Antiterrorism Act of 1986 (22 U.S.C.*
 8 *4851 et seq.; relating to diplomatic security) is amended*
 9 *by adding at the end the following new sections:*

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

12 *“(a) IN GENERAL.—Individuals assigned permanently*
 13 *to or who are in long-term temporary duty status as des-*
 14 *ignated by the Secretary at a high risk, high threat post*
 15 *shall receive security training described in subsection (b)*
 16 *on a mandatory basis in order to prepare such individuals*
 17 *for living and working at such posts.*

18 *“(b) SECURITY TRAINING DESCRIBED.—Security*
 19 *training referred to in subsection (a)—*

20 *“(1) is training to improve basic knowledge and*
 21 *skills; and*

22 *“(2) may include—*

23 *“(A) an ability to recognize, avoid, and re-*
 24 *spond to potential terrorist situations, including*
 25 *a complex attack;*

1 “(B) *conducting surveillance detection;*

2 “(C) *providing emergency medical care;*

3 “(D) *ability to detect the presence of impro-*
4 *vised explosive devices;*

5 “(E) *minimal firearms proficiency; and*

6 “(F) *defensive driving maneuvers.*

7 “(c) *EFFECTIVE DATE.*—*The requirements of this sec-*
8 *tion shall take effect upon the date of the enactment of this*
9 *section.*

10 “(d) *DEFINITIONS.*—*In this section and sections 417*
11 *and 418:*

12 “(1) *COMPLEX ATTACK.*—*The term ‘complex at-*
13 *tack’ has the meaning given such term by the North*
14 *Atlantic Treaty Organization as follows: ‘An attack*
15 *conducted by multiple hostile elements which employ*
16 *at least two distinct classes of weapon systems (i.e.,*
17 *indirect fire and direct fire, improvised explosive de-*
18 *vices, and surface to air fire).’.*

19 “(2) *HIGH RISK, HIGH THREAT POST.*—*The term*
20 *‘high risk, high threat post’ has the meaning given*
21 *such term in section 104.*

1 **“SEC. 417. SECURITY MANAGEMENT TRAINING FOR OFFI-**
2 **CIALS ASSIGNED TO A HIGH RISK, HIGH**
3 **THREAT POST.**

4 *“(a) IN GENERAL.—Officials described in subsection*
5 *(c) who are assigned to a high risk, high threat post shall*
6 *receive security training described in subsection (b) on a*
7 *mandatory basis in order to improve the ability of such*
8 *officials to make security-related management decisions.*

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

11 *“(1) development of skills to better evaluate*
12 *threats;*

13 *“(2) effective use of security resources to mitigate*
14 *such threats; and*

15 *“(3) improved familiarity of available security*
16 *resources.*

17 *“(c) OFFICIALS DESCRIBED.—Officials referred to in*
18 *subsection (a) are—*

19 *“(1) members of the Senior Foreign Service ap-*
20 *pointed under section 302(a)(1) or 303 of the Foreign*
21 *Service Act of 1980 (22 U.S.C. 3942(a)(1) and 3943)*
22 *or members of the Senior Executive Service (as such*
23 *term is described in section 3132(a)(2) of title 5,*
24 *United States Code);*

25 *“(2) Foreign Service officers appointed under*
26 *section 302(a)(1) of the Foreign Service Act of 1980*

1 (22 U.S.C. 3942(a)(1)) holding a position in classes
2 FS-1, FS-2, or FS-3;

3 “(3) Foreign Service Specialists appointed by
4 the Secretary under section 303 of the Foreign Service
5 Act of 1980 (22 U.S.C. 3943) holding a position in
6 classes FS-1, FS-2, or FS-3; and

7 “(4) individuals holding a position in grades
8 GS-13, GS-14, or GS-15.

9 “(d) *EFFECTIVE DATE.*—The requirements of this sec-
10 tion shall take effect beginning on the date that is one year
11 after the date of the enactment of this section.

12 **“SEC. 418. LANGUAGE REQUIREMENTS FOR DIPLOMATIC**
13 **SECURITY PERSONNEL ASSIGNED TO HIGH**
14 **RISK, HIGH THREAT POST.**

15 “(a) *IN GENERAL.*—Diplomatic security personnel as-
16 signed permanently to or who are in long-term temporary
17 duty status as designated by the Secretary at a high risk,
18 high threat post should receive language training described
19 in subsection (b) in order to prepare such personnel for duty
20 requirements at such post.

21 “(b) *LANGUAGE TRAINING DESCRIBED.*—Language
22 training referred to in subsection (a) should prepare per-
23 sonnel described in such subsection to—

24 “(1) speak the language at issue with sufficient
25 structural accuracy and vocabulary to participate ef-

1 *fectively in most formal and informal conversations*
 2 *on subjects germane to security; and*

3 *“(2) read within an adequate range of speed and*
 4 *with almost complete comprehension on subjects ger-*
 5 *mane to security.”.*

6 *(b) CONFORMING AMENDMENT.—The table of contents*
 7 *of the Omnibus Diplomatic Security and Antiterrorism Act*
 8 *of 1986 is amended by inserting after the item relating to*
 9 *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.”.

10 **SEC. 432. REPORT TO CONGRESS.**

11 *Not later than 18 months after the date of the enact-*
 12 *ment of this Act, the Secretary of State shall submit to the*
 13 *appropriate congressional committees a report on the im-*
 14 *plementation of this subtitle.*

15 ***Subtitle D—Expansion of the Ma-***
 16 ***rine Corps Security Guard De-***
 17 ***tachment Program***

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

19 *(a) IN GENERAL.—Pursuant to the responsibility of*
 20 *the Secretary of State for diplomatic security under section*
 21 *103 of the Diplomatic Security Act (22 U.S.C. 4802; en-*
 22 *acted as part of the Omnibus Diplomatic Security and*

1 *Antiterrorism Act of 1986 (Public Law 99–399)), the Sec-*
2 *retary of State, in consultation with the Secretary of De-*
3 *fense, shall conduct an annual review of the Marine Corps*
4 *Security Guard Program, including—*

5 (1) *an evaluation of whether the size and com-*
6 *position of the Marine Corps Security Guard Pro-*
7 *gram is adequate to meet global diplomatic security*
8 *requirements;*

9 (2) *an assessment of whether the Marine Corps*
10 *security guards are appropriately deployed among*
11 *United States embassies, consulates, and other diplo-*
12 *matic facilities to respond to evolving security devel-*
13 *opments and potential threats to United States inter-*
14 *ests abroad; and*

15 (3) *an assessment of the mission objectives of the*
16 *Marine Corps Security Guard Program and the pro-*
17 *cedural rules of engagement to protect diplomatic per-*
18 *sonnel under the Program.*

19 (b) *REPORTING REQUIREMENT.—Not later than 180*
20 *days after the date of the enactment of this Act and annu-*
21 *ally thereafter for three years, the Secretary of State, in*
22 *consultation with the Secretary of Defense, shall submit to*
23 *the appropriate congressional committees an unclassified*
24 *report, with a classified annex as necessary, that addresses*
25 *the requirements specified in subsection (a).*

Union Calendar No. 166

113TH CONGRESS
1ST Session

H. R. 2848

[Report No. 113-226]

A BILL

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

SEPTEMBER 25, 2013

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed