

Union Calendar No. 140

116TH CONGRESS
1ST SESSION

H. R. 3352

[Report No. 116–181]

To provide for certain authorities of the Department of State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2019

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

JULY 24, 2019

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 *italic*]

[For text of introduced bill, see copy of bill as introduced on June 19, 2019]

A BILL

To provide for certain authorities of the Department of
State, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “De-*
 5 *partment of State Authorization Act of 2019”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 7 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

**TITLE I—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT
OF STATE**

Sec. 101. Sense of Congress on importance of Department of State’s work.

Sec. 102. Bureau of Democracy, Human Rights, and Labor.

*Sec. 103. Assistant Secretary for International Narcotics and Law Enforcement
Affairs.*

*Sec. 104. Bureau of Consular Affairs; Bureau of Population, Refugees, and Mi-
gration.*

Sec. 105. Office of International Disability Rights.

Sec. 106. Office of Global Women’s Issues.

Sec. 107. Special appointments.

Sec. 108. Anti-piracy information sharing.

Sec. 109. Importance of foreign affairs training to national security.

*Sec. 110. Authorization for receipt of private funding for diplomatic studies and
training.*

Sec. 111. Classification and assignment of Foreign Service officers.

Sec. 112. Energy diplomacy and security within the Department of State.

Sec. 113. Passport fees.

Sec. 114. United States diplomacy center.

*Sec. 115. Extension of period for reimbursement of fishermen for costs incurred
from the illegal seizure and detention of U.S.-flag fishing vessels
by foreign governments.*

Sec. 116. Art in embassies.

Sec. 117. Amendment or repeal of reporting requirements.

Sec. 118. Reporting on implementation of GAO recommendations.

Sec. 119. Office of Global Criminal Justice.

TITLE II—EMBASSY CONSTRUCTION

Sec. 201. Embassy security, construction, and maintenance.

Sec. 202. Standard design in capital construction.

Sec. 203. Capital construction transparency.

Sec. 204. Contractor performance information.

Sec. 205. Growth projections for new embassies and consulates.

Sec. 206. Long-range planning process.

Sec. 207. Value engineering and risk assessment.

Sec. 208. Business volume.

- Sec. 209. Embassy security requests and deficiencies.*
- Sec. 210. Overseas security briefings.*
- Sec. 211. Contracting methods in capital construction.*
- Sec. 212. Competition in embassy construction.*
- Sec. 213. Statement of policy.*
- Sec. 214. Definitions.*

TITLE III—PERSONNEL ISSUES

- Sec. 301. Defense Base Act insurance waivers.*
- Sec. 302. Study on Foreign Service allowances.*
- Sec. 303. Science and technology fellowships.*
- Sec. 304. Travel for separated families.*
- Sec. 305. Home leave travel for separated families.*
- Sec. 306. Sense of Congress regarding certain fellowship programs.*
- Sec. 307. Technical correction.*
- Sec. 308. Foreign Service awards.*
- Sec. 309. Diplomatic programs.*
- Sec. 310. Sense of Congress regarding veterans employment at the Department of State.*
- Sec. 311. Employee assignment restrictions and preclusions.*
- Sec. 312. Recall and reemployment of career members.*
- Sec. 313. Strategic staffing plan for the Department.*
- Sec. 314. Consulting services.*
- Sec. 315. Incentives for critical posts.*
- Sec. 316. Extension of authority for certain accountability review boards.*
- Sec. 317. Foreign service suspension without pay.*
- Sec. 318. Foreign Affairs Manual and Foreign Affairs Handbook changes.*
- Sec. 319. Waiver authority for individual occupational requirements of certain positions.*
- Sec. 320. Standardizing Department parental leave policies.*
- Sec. 321. Appointment of employees to the Global Engagement Center.*
- Sec. 322. Rest and recuperation and overseas operations leave for Federal employees.*

TITLE IV—A DIVERSE WORKFORCE: RECRUITMENT, RETENTION, AND PROMOTION

- Sec. 401. Definitions.*
- Sec. 402. Collection, analysis, and dissemination of workforce data.*
- Sec. 403. Exit interviews for workforce.*
- Sec. 404. Recruitment and retention.*
- Sec. 405. Leadership engagement and accountability.*
- Sec. 406. Professional development opportunities and tools.*
- Sec. 407. Examination and oral assessment for the Foreign Service.*
- Sec. 408. Payne fellowship authorization.*
- Sec. 409. Voluntary participation.*

TITLE V—INFORMATION SECURITY

- Sec. 501. Definitions.*
- Sec. 502. Information system security.*
- Sec. 503. Prohibition on contracting with certain telecommunications providers.*
- Sec. 504. Preserving records of electronic communications conducted related to official duties of positions in the public trust of the American people.*

- Sec. 505. Foreign Relations of the United States (FRUS) series and declassification.*
- Sec. 506. Vulnerability Disclosure Policy and Bug Bounty Pilot Program.*

TITLE VI—PUBLIC DIPLOMACY

- Sec. 601. Short title.*
- Sec. 602. Avoiding duplication of programs and efforts.*
- Sec. 603. Improving research and evaluation of public diplomacy.*
- Sec. 604. Permanent reauthorization of the United States Advisory Commission on Public Diplomacy.*
- Sec. 605. Streamlining of support functions.*
- Sec. 606. Guidance for closure of public diplomacy facilities.*
- Sec. 607. Definitions.*

TITLE VII—COMBATING PUBLIC CORRUPTION

- Sec. 701. Sense of Congress.*
- Sec. 702. Annual assessment.*
- Sec. 703. Transparency and accountability.*
- Sec. 704. Designation of embassy anti-corruption points of contact.*
- Sec. 705. Reporting requirements.*
- Sec. 706. Foreign investments and national security.*

TITLE VIII—MATTERS RELATING TO INTERNATIONAL SECURITY

- Sec. 801. Short title.*
- Sec. 802. Security assistance defined.*

Subtitle A—Reform Relating to Security Assistance

- Sec. 811. Organizational reform.*
- Sec. 812. Workforce development.*
- Sec. 813. Security assistance planning.*
- Sec. 814. Interagency coordination of security assistance, transfers, and security cooperation.*
- Sec. 815. Rule of construction.*

Subtitle B—Foreign Military Assistance

- Sec. 821. Strategic allocation of excess defense articles.*
- Sec. 822. Modification of purposes for which military sales by the United States are authorized.*
- Sec. 823. Return of defense articles.*
- Sec. 824. Requirements relating to exemptions for licensing of defense items.*
- Sec. 825. Amendment to general provisions.*
- Sec. 826. Technical amendments to Arms Export Control Act.*
- Sec. 827. Sense of Congress on licensing under United States arms export control programs.*
- Sec. 828. Extension of war reserve stockpile authority.*
- Sec. 829. Peacekeeping operations and other national security programs.*
- Sec. 830. Other amendments to military assistance authorities.*
- Sec. 831. Repeal of reports.*
- Sec. 832. Defense trade controls registration fees.*
- Sec. 833. Withholding of assistance to units of foreign security forces that engaged in sexual exploitation or abuse in peacekeeping operations.*
- Sec. 834. Modification to limitations on assistance relating to human rights.*

Subtitle C—Studies on Authorities and Programs

Sec. 841. Requirement for study by Bureau of International Narcotics and Law Enforcement Affairs.

Sec. 842. Requirement for independent study of existing security assistance authorities.

TITLE IX—MISCELLANEOUS

Sec. 901. Case-Zablocki Act reform.

Sec. 902. Limitation on assistance to countries in default.

Sec. 903. Prohibition on assistance to governments supporting international terrorism.

Sec. 904. Establishing a coordinator for ISIS detainee issues.

Sec. 905. Sean and David Goldman Child Abduction Prevention and Return Act of 2014 amendment.

Sec. 906. Modification of authorities of Commission for the Preservation of America's Heritage Abroad.

1 SEC. 2. DEFINITIONS.

2 *In this Act:*

3 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
4 *TEES.—Unless otherwise specified, the term “appro-*
5 *prate congressional committees” means—*

6 (A) *the Committee on Foreign Relations of*
7 *the Senate;*

8 (B) *the Committee on Appropriations of the*
9 *Senate;*

10 (C) *the Committee on Foreign Affairs of the*
11 *House of Representatives; and*

12 (D) *the Committee on Appropriations of the*
13 *House of Representatives.*

14 (2) *DEPARTMENT.—Unless otherwise specified,*
15 *the term “Department” means the Department of*
16 *State.*

1 (3) *SECRETARY*.—Unless otherwise specified, the
2 term “Secretary” means the Secretary of State.

3 **TITLE I—ORGANIZATION AND**
4 **OPERATIONS OF THE DE-**
5 **PARTMENT OF STATE**

6 **SEC. 101. SENSE OF CONGRESS ON IMPORTANCE OF DE-**
7 **PARTMENT OF STATE’S WORK.**

8 *It is the sense of Congress that—*

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

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

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

17 (4) *challenges such as the global refugee and mi-*
18 *gration crises, terrorism, historic famine and food in-*
19 *security, and fragile or repressive societies cannot be*
20 *addressed without sustained and robust United States*
21 *diplomatic and development leadership;*

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

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

3 *(6) United States security and prosperity depend*
4 *on having partners and allies that share our interests*
5 *and values, and these partnerships are nurtured and*
6 *our shared interests and values are promoted through*
7 *United States diplomatic engagement, security co-*
8 *operation, economic statecraft, and assistance that*
9 *helps further economic development, good governance,*
10 *including the rule of law and democratic institutions,*
11 *and the development of shared responses to natural*
12 *and humanitarian disasters;*

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

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

1 *opportunities for women and girls, promoting good*
 2 *governance and democracy, supporting anti-corruption*
 3 *efforts, driving economic development and trade,*
 4 *preventing armed conflicts and humanitarian crises,*
 5 *and creating American jobs and export opportunities;*

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

12 *(10) investing in diplomacy and development be-*
 13 *fore conflicts break out saves American lives while*
 14 *also being cost-effective; and*

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

19 **SEC. 102. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND**
 20 **LABOR.**

21 *Paragraph (2) of section 1(c) of the State Department*
 22 *Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amend-*
 23 *ed—*

24 *(1) in subparagraph (A), by adding at the end*
 25 *the following new sentence: “All special envoys, am-*

1 *bassadors, and coordinators located within the Bu-*
 2 *reau of Democracy, Human Rights, and Labor shall*
 3 *report directly to the Assistant Secretary.”;*

4 *(2) in subparagraph (B)(ii)—*

5 *(A) by striking “section” and inserting*
 6 *“sections 116 and”; and*

7 *(B) by inserting before the period at the end*
 8 *the following: “(commonly referred to as the an-*
 9 *nuual ‘Country Reports on Human Rights Prac-*
 10 *tices’)”; and*

11 *(3) by adding at the end the following new sub-*
 12 *paragraphs:*

13 *“(C) AUTHORITIES.—In addition to the duties,*
 14 *functions, and responsibilities specified in this para-*
 15 *graph, the Assistant Secretary of State for Democ-*
 16 *racy, Human Rights, and Labor is authorized to—*

17 *“(i) promote democracy and actively sup-*
 18 *port human rights throughout the world;*

19 *“(ii) promote the rule of law and good gov-*
 20 *ernance throughout the world;*

21 *“(iii) strengthen, empower, and protect civil*
 22 *society representatives, programs, and organiza-*
 23 *tions, and facilitate their ability to engage in*
 24 *dialogue with governments and other civil society*
 25 *entities;*

1 “(iv) *work with regional bureaus to ensure*
2 *adequate personnel at diplomatic posts are as-*
3 *signed responsibilities relating to advancing de-*
4 *mocracy, human rights, labor rights, women’s*
5 *equal participation in society, and the rule of*
6 *law, with particular attention paid to adequate*
7 *oversight and engagement on such issues by sen-*
8 *ior officials at such posts;*

9 “(v) *review and, as appropriate, make rec-*
10 *ommendations to the Secretary of State regard-*
11 *ing the proposed transfer of—*

12 “(I) *defense articles and defense serv-*
13 *ices authorized under the Foreign Assistance*
14 *Act of 1961 (22 U.S.C. 2151 et seq.) or the*
15 *Arms Export Control Act (22 U.S.C. 2751*
16 *et seq.); and*

17 “(II) *military items listed on the ‘600*
18 *series’ of the Commerce Control List con-*
19 *tained in Supplement No. 1 to part 774 of*
20 *subtitle B of title 15, Code of Federal Regu-*
21 *lations;*

22 “(vi) *coordinate programs and activities*
23 *that protect and advance the exercise of human*
24 *rights and internet freedom in cyberspace; and*

1 “(vii) implement other relevant policies and
2 provisions of law.

3 “(D) *EFFICIENCY.*—*The Assistant Secretary for*
4 *Democracy, Human Rights, and Labor shall take*
5 *whatever actions may be necessary to minimize the*
6 *duplication of efforts within the Bureau of Democ-*
7 *racy, Human Rights, and Labor.*

8 “(E) *LOCAL OVERSIGHT.*—*United States mis-*
9 *sions, to the extent practicable, should assist in exer-*
10 *cising oversight authority and coordinate with the*
11 *Bureau of Democracy, Human Rights, and Labor to*
12 *ensure that funds are appropriately used and comply*
13 *with anti-corruption practices.”.*

14 **SEC. 103. ASSISTANT SECRETARY FOR INTERNATIONAL**
15 **NARCOTICS AND LAW ENFORCEMENT AF-**
16 **FAIRS.**

17 “(a) *IN GENERAL.*—*Section 1(c) of the State Depart-*
18 *ment Basic Authorities Act of 1956 (22 U.S.C. 2651a(c))*
19 *is amended—*

20 (1) *by redesignating paragraph (3) as para-*
21 *graph (4); and*

22 (2) *by inserting after paragraph (2) the fol-*
23 *lowing new paragraph:*

24 “(3) *ASSISTANT SECRETARY FOR INTERNATIONAL*
25 *NARCOTICS AND LAW ENFORCEMENT AFFAIRS.—*

1 “(A) *IN GENERAL.*—*There is authorized to*
2 *be in the Department of State an Assistant Sec-*
3 *retary for International Narcotics and Law En-*
4 *forcement Affairs, who shall be responsible to the*
5 *Secretary of State for all matters, programs, and*
6 *related activities pertaining to international*
7 *narcotics, anti-crime, and law enforcement af-*
8 *airs in the conduct of foreign policy by the De-*
9 *partment, including, as appropriate, leading the*
10 *coordination of programs carried out by United*
11 *States Government agencies abroad, and such*
12 *other related duties as the Secretary may from*
13 *time to time designate.*

14 “(B) *AREAS OF RESPONSIBILITY.*—*The As-*
15 *stant Secretary for International Narcotics and*
16 *Law Enforcement Affairs shall maintain contin-*
17 *uous observation and coordination of all matters*
18 *pertaining to international narcotics, anti-crime,*
19 *and law enforcement affairs in the conduct of*
20 *foreign policy, including programs carried out*
21 *by other United States Government agencies*
22 *when such programs pertain to the following*
23 *matters:*

24 “(i) *Combating international narcotics*
25 *production and trafficking.*

1 “(ii) *Strengthening foreign justice sys-*
2 *tems, including judicial and prosecutorial*
3 *capacity, appeals systems, law enforcement*
4 *agencies, prison systems, and the sharing of*
5 *recovered assets.*

6 “(iii) *Training and equipping foreign*
7 *police, border control, other government offi-*
8 *cials, and other civilian law enforcement*
9 *authorities for anti-crime purposes, includ-*
10 *ing ensuring that no foreign security unit*
11 *or member of such unit shall receive such*
12 *assistance from the United States Govern-*
13 *ment absent appropriate vetting.*

14 “(iv) *Ensuring the inclusion of human*
15 *rights and women’s participation issues in*
16 *law enforcement programs, in consultation*
17 *with the Assistant Secretary for Democracy,*
18 *Human Rights, and Labor, and other senior*
19 *officials in regional and thematic bureaus*
20 *and offices.*

21 “(v) *Combating, in conjunction with*
22 *other relevant bureaus of the Department,*
23 *all forms of transnational organized crime,*
24 *including illicit trafficking in human*
25 *beings, arms, wildlife, and cultural prop-*

1 *erty, migrant smuggling, corruption, money*
2 *laundering, the illicit smuggling of bulk*
3 *cash, the licit use of financial systems for*
4 *malign purposes, and other new and emerg-*
5 *ing forms of crime.*

6 *“(vi) Identifying and responding to*
7 *global corruption, including strengthening*
8 *the capacity of foreign government institu-*
9 *tions responsible for addressing financial*
10 *crimes and engaging with multilateral or-*
11 *ganizations responsible for monitoring and*
12 *supporting foreign governments’ anti-cor-*
13 *ruption efforts.*

14 *“(C) ADDITIONAL DUTIES.—In addition to*
15 *the responsibilities specified in subparagraph*
16 *(B), the Assistant Secretary for International*
17 *Narcotics and Law Enforcement Affairs shall*
18 *also—*

19 *“(i) carry out timely and substantive*
20 *consultation with chiefs of mission and, as*
21 *appropriate, the heads of other United*
22 *States Government agencies to ensure effec-*
23 *tive coordination of all international nar-*
24 *cotics and law enforcement programs car-*

ried out overseas by the Department and such other agencies;

“(ii) coordinate with the Office of National Drug Control Policy to ensure lessons learned from other United States Government agencies are available to the Bureau of International Narcotics and Law Enforcement Affairs of the Department;

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

“(iv) in coordination with the Secretary of State, annually certify in writing to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate that United States law enforcement personnel posted abroad whose activities are funded to any extent by the Bureau of International Narcotics and Law Enforcement Affairs are complying with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927); and

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

3 (b) *MODIFICATION OF ANNUAL INTERNATIONAL NAR-*
 4 *COTICS CONTROL STRATEGY REPORT.*—Subsection (a) of
 5 section 489 of the Foreign Assistance Act of 1961 (22 U.S.C.
 6 2291h) is amended by inserting after paragraph (8) the fol-
 7 lowing new paragraph:

8 “(9) A separate section that contains an identi-
 9 fication of all United States Government-supported
 10 units funded by the Bureau of International Narcotics
 11 and Law Enforcement Affairs and any Bureau-fund-
 12 ed operations by such units in which United States
 13 law enforcement personnel have been physically
 14 present.”.

15 **SEC. 104. BUREAU OF CONSULAR AFFAIRS; BUREAU OF POP-**
 16 **ULATION, REFUGEES, AND MIGRATION.**

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

19 (1) by redesignating subsection (g) as subsection
 20 (i); and

21 (2) by inserting after subsection (f) the following
 22 new subsections:

23 “(g) *BUREAU OF CONSULAR AFFAIRS.*—There is in the
 24 Department of State the Bureau of Consular Affairs, which

1 *shall be headed by the Assistant Secretary of State for Con-*
 2 *sular Affairs*

3 “(h) *BUREAU OF POPULATION, REFUGEES, AND MI-*
 4 *GRATION.*—*There is in the Department of State the Bureau*
 5 *of Population, Refugees, and Migration, which shall be*
 6 *headed by the Assistant Secretary of State for Population,*
 7 *Refugees, and Migration.”.*

8 **SEC. 105. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

9 (a) *ESTABLISHMENT.*—*There should be established in*
 10 *the Department an Office of International Disability Rights*
 11 *(referred to in this section as the “Office”).*

12 (b) *DUTIES.*—*The Office should—*

13 (1) *seek to ensure that all United States foreign*
 14 *operations are accessible to, and inclusive of, persons*
 15 *with disabilities;*

16 (2) *promote the human rights and full participa-*
 17 *tion in international development activities of all per-*
 18 *sons with disabilities;*

19 (3) *promote disability inclusive practices and the*
 20 *training of Department staff on soliciting quality*
 21 *programs that are fully inclusive of people with dis-*
 22 *abilities;*

23 (4) *represent the United States in diplomatic*
 24 *and multilateral fora on matters relevant to the rights*
 25 *of persons with disabilities, and work to raise the pro-*

1 *file of disability across a broader range of organiza-*
2 *tions contributing to international development ef-*
3 *forts;*

4 (5) *conduct regular consultation with civil soci-*
5 *ety organizations working to advance international*
6 *disability rights and empower persons with disabil-*
7 *ities internationally;*

8 (6) *consult with other relevant offices at the De-*
9 *partment that are responsible for drafting annual re-*
10 *ports documenting progress on human rights, includ-*
11 *ing, wherever applicable, references to instances of*
12 *discrimination, prejudice, or abuses of persons with*
13 *disabilities; and*

14 (7) *advise the Bureau of Human Resources De-*
15 *velopment of the Department regarding the hiring*
16 *and recruitment and overseas practices of civil service*
17 *employees and Foreign Service officers with disabil-*
18 *ities and their family members with chronic medical*
19 *conditions or disabilities.*

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

21 (1) *a senior advisor to the appropriate Assistant*
22 *Secretary; or*

23 (2) *an officer exercising significant authority*
24 *who reports to the President or Secretary, appointed*
25 *by and with the advice and consent of the Senate.*

1 (d) *CONSULTATION.*—*The Secretary should direct Am-*
 2 *bassadors at Large, Representatives, Special Envoys, and*
 3 *coordinators working on human rights to consult with the*
 4 *Office to promote the human rights and full participation*
 5 *in international development activities of all persons with*
 6 *disabilities.*

7 **SEC. 106. OFFICE OF GLOBAL WOMEN'S ISSUES.**

8 (a) *IN GENERAL.*—*There should be established an Of-*
 9 *fice of Global Women's Issues (referred to in this section*
 10 *as the "Office"), which may be placed within the organiza-*
 11 *tional structure of the Department at the discretion of the*
 12 *Secretary.*

13 (b) *PURPOSE.*—*The Office should coordinate efforts of*
 14 *the United States Government, as directed by the Secretary,*
 15 *regarding gender equality and advancing the status of*
 16 *women and girls in United States foreign policy.*

17 (c) *DUTIES.*—*The Office should—*

18 (1) *serve as the principal advisor to the Sec-*
 19 *retary regarding gender equality, women's and girls'*
 20 *empowerment, and violence against women and girls*
 21 *as a priority of United States foreign policy;*

22 (2) *represent the United States in diplomatic*
 23 *and multilateral fora on matters relevant to the sta-*
 24 *tus of women and girls;*

1 (3) *advise the Secretary and provide input on all*
2 *activities, policies, programs, and funding relating to*
3 *gender equality and the advancement of women and*
4 *girls internationally for all bureaus and offices of the*
5 *Department and in the international programs of all*
6 *other Federal agencies;*

7 (4) *work to ensure that efforts to advance gender*
8 *equality and women's and girls' empowerment are*
9 *fully integrated into the programs, structures, proc-*
10 *esses, and capacities of all bureaus and offices of the*
11 *Department and in the international programs of*
12 *other Federal agencies; and*

13 (5) *conduct regular consultation with civil soci-*
14 *ety organizations working to advance gender equality*
15 *and empower women and girls internationally.*

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

18 (e) *REPORT.—Not later than 180 days after the date*
19 *of the enactment of this Act, the Secretary shall provide to*
20 *the appropriate congressional committees a report or brief-*
21 *ing regarding this section.*

22 **SEC. 107. SPECIAL APPOINTMENTS.**

23 (a) *REPORT ON POSITIONS.—Not later than 30 days*
24 *after the date of the enactment of this Act, the Secretary*

1 *shall submit to the appropriate congressional committees a*
2 *report that includes the following:*

3 (1) *A description of the duties, responsibilities,*
4 *and number of staff of each existing Special Envoy,*
5 *Special Representative, Special Coordinator, Special*
6 *Negotiator, Envoy, Representative, Coordinator, Spe-*
7 *cial Advisor, and other similar position at the De-*
8 *partment.*

9 (2) *Recommendations regarding whether to*
10 *maintain in the Department each such position, in-*
11 *cluding those listed in the report submitted by the*
12 *Secretary to the Committee on Foreign Relations of*
13 *the Senate on April 14, 2017, pursuant to section 418*
14 *of the Department of State Authorities Act, Fiscal*
15 *Year 2017 (Public Law 114–323), that are not ex-*
16 *pressly authorized by a provision of law enacted by*
17 *Congress.*

18 (3) *Justifications supporting each of the Sec-*
19 *retary’s recommendations under paragraph (2).*

20 (b) *ADVICE AND CONSENT.—Not later than 90 days*
21 *after the submission of the report required under subsection*
22 *(a), the President shall submit the name of each Special*
23 *Envoy, Special Representative, Special Coordinator, Spe-*
24 *cial Negotiator, Envoy, Representative, Coordinator, Spe-*
25 *cial Advisor, or other person occupying a similar position*

1 *at the Department exercising significant authority pursu-*
 2 *ant to the laws of the United States that is not expressly*
 3 *authorized by a provision of law enacted by Congress who*
 4 *is included in such report to the Committee on Foreign Re-*
 5 *lations of the Senate to seek the advice and consent of the*
 6 *Senate.*

7 (c) *RULE OF CONSTRUCTION REGARDING ESTABLISH-*
 8 *MENT OF POSITIONS.*—*Nothing in this section may be con-*
 9 *strued as prohibiting the establishment or maintenance of*
 10 *any Special Envoy, Special Representative, Special Coordi-*
 11 *nator, Special Negotiator, Envoy, Representative, Coordi-*
 12 *nator, Special Advisor, or other similar position at the De-*
 13 *partment exercising significant authority pursuant to the*
 14 *laws of the United States if the name of the appointee for*
 15 *each such position is submitted to the Committee on Foreign*
 16 *Relations of the Senate, to seek the advice and consent of*
 17 *the Senate, not later than 90 days after each such appoint-*
 18 *ment.*

19 (d) *LIMITED EXCEPTION FOR TEMPORARY APPOINT-*
 20 *MENTS.*—*The Secretary may maintain or establish a posi-*
 21 *tion with the title of Special Envoy, Special Representative,*
 22 *Special Coordinator, Special Negotiator, Special Advisor,*
 23 *or a similar position not exercising significant authority*
 24 *pursuant to the laws of the United States for not longer*
 25 *than 180 days if the Secretary, not later than 15 days before*

1 *the appointment of a person to such a position, submits*
 2 *to the appropriate congressional committees a notification*
 3 *that includes the following:*

4 (1) *A certification that the position is not ex-*
 5 *pected to demand the exercise of significant authority*
 6 *pursuant to the laws of the United States.*

7 (2) *A description of the duties and purpose of the*
 8 *position.*

9 (3) *The rationale for giving the specific title to*
 10 *the position.*

11 (e) *RENEWAL OF TEMPORARY APPOINTMENT.—Noth-*
 12 *ing in this section may be construed as prohibiting the Sec-*
 13 *retary from renewing for a period not to exceed 180 days*
 14 *any position maintained or established under subsection (d)*
 15 *if the Secretary complies with the notification requirements*
 16 *contained in such subsection.*

17 (f) *FUNDING RESTRICTIONS.—*

18 (1) *POSITIONS NOT SUBMITTED FOR ADVICE AND*
 19 *CONSENT.—No funds may be authorized to be appro-*
 20 *priated for—*

21 (A) *any Special Envoy, Special Representa-*
 22 *tive, Special Coordinator, Special Negotiator,*
 23 *Envoy, Representative, Coordinator, Special Ad-*
 24 *visor, or other similar position at the Depart-*
 25 *ment exercising significant authority pursuant*

1 *to the laws of the United States if the name of*
2 *the person appointed to such position has not*
3 *been submitted to the Committee on Foreign Re-*
4 *lations of the Senate for the advice and consent*
5 *of the Senate in accordance with subsection (b);*
6 *or*

7 *(B) any staff or resources related to such a*
8 *position until the person appointed to such posi-*
9 *tion has been submitted to the Committee on*
10 *Foreign Relations of the Senate for the advice*
11 *and consent of the Senate.*

12 (2) *TEMPORARY POSITIONS.*—*No funds may be*
13 *authorized to be appropriated for any position de-*
14 *scribed in subsection (d) or for any staff or resources*
15 *related to such position unless the Secretary has com-*
16 *plied with the notification requirements under such*
17 *subsection.*

18 (3) *FISCAL YEAR 2020.*—*The restrictions de-*
19 *scribed in this subsection shall not apply in fiscal*
20 *year 2020 to positions or associated staff and re-*
21 *sources for which funding is expressly appropriated*
22 *for such fiscal year in an Act of Congress.*

23 (g) *CONFIRMATION FOR AUTHORIZED POSITIONS.*—

24 (1) *IN GENERAL.*—*No Special Envoy, Special*
25 *Representative, Special Coordinator, Special Nego-*

1 *tiator, Envoy, Representative, Coordinator, Special*
2 *Advisor, or other similar position at the Department*
3 *exercising significant authority pursuant to the laws*
4 *of the United States that is authorized by an Act of*
5 *Congress (except the position authorized by section*
6 *621 of the Tibetan Policy Act of 2002 (subtitle B of*
7 *title VI of Public Law 107–228; 22 U.S.C. 6901*
8 *note)) may be appointed without the advice and con-*
9 *sent of the Senate.*

10 (2) *FISCAL YEAR 2020.*—*The restriction described*
11 *in paragraph (1) shall not apply in fiscal year 2020*
12 *to positions or associated staff and resources for*
13 *which funding is expressly appropriated for such fis-*
14 *cal year in an Act of Congress.*

15 (h) *ELIMINATION OF SPECIAL REPRESENTATIVE AND*
16 *POLICY COORDINATOR FOR BURMA.*—

17 (1) *FINDINGS.*—*Congress finds the following:*

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

24 (B) *In 2012, the United States re-estab-*
25 *lished full diplomatic relations with Burma and*

1 *appointed a United States Ambassador to*
 2 *Burma who, along with the Secretary of State,*
 3 *Assistant Secretary of State for East Asia and*
 4 *the Pacific, and other United States Government*
 5 *officials, represents the United States' interests*
 6 *in Burma.*

7 (2) *REPEAL.—Section 7 of the Tom Lantos*
 8 *Block Burmese Jade (Junta's Anti-Democratic Ef-*
 9 *forts) Act of 2008 (Public Law 110–286; 50 U.S.C.*
 10 *1701 note; relating to the establishment of a Special*
 11 *Representative and Policy Coordinator for Burma) is*
 12 *hereby repealed.*

13 **SEC. 108. ANTI-PIRACY INFORMATION SHARING.**

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

19 **SEC. 109. IMPORTANCE OF FOREIGN AFFAIRS TRAINING TO**
 20 **NATIONAL SECURITY.**

21 *It is the sense of Congress that—*

22 (1) *the Department is a crucial national security*
 23 *agency, whose employees, both Foreign and Civil*
 24 *Service, require the best possible training at every*
 25 *stage of their careers to prepare them to promote and*

1 *defend United States national interests and the health*
 2 *and safety of United States citizens abroad;*

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

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

13 *(4) consistent with existing Department gift ac-*
 14 *ceptance authority and other applicable laws, the De-*
 15 *partment and Foreign Service Institute should seek*
 16 *and accept funds and other resources from founda-*
 17 *tions, not-for-profit corporations, and other appro-*
 18 *priate sources to help the Department and the Insti-*
 19 *tute accomplish the goals specified in paragraph (3).*

20 **SEC. 110. AUTHORIZATION FOR RECEIPT OF PRIVATE**
 21 **FUNDING FOR DIPLOMATIC STUDIES AND**
 22 **TRAINING.**

23 *Section 701 of the Foreign Service Act of 1980 (22*
 24 *U.S.C. 4021) is amended—*

1 (1) by redesignating subsection (g) as subsection
2 (h); and

3 (2) by inserting after subsection (f) the following
4 new subsection:

5 “(g)(1) The institution is authorized to receive private
6 funds from private individuals and organizations to sup-
7 plement the institution’s funding and expand and enhance
8 training, including for the following:

9 “(A) Design and implementation of a degree
10 granting program at the institution.

11 “(B) Curriculum development.

12 “(C) Training and classes for Members of Con-
13 gress and congressional staff.

14 “(D) Hiring retired Department of State per-
15 sonnel to teach, notwithstanding other hiring limita-
16 tions.

17 “(E) Other purposes as determined appropriate
18 and necessary by the Secretary of State.

19 “(2) Private funding received by the institution pursu-
20 ant to this subsection shall be provided at the discretion
21 of the grantor individual or organization, as the case may
22 be.

23 “(3) Not less than once annually, and at the request
24 of the Committee on Foreign Affairs or the Committee on
25 Appropriations of the House of Representatives or the Com-

1 *mittee on Foreign Relations or the Committee on Appro-*
 2 *priations of the Senate, the Department shall provide the*
 3 *names of grantors and information relating to the nature*
 4 *and amounts of any contributions made.”.*

5 **SEC. 111. CLASSIFICATION AND ASSIGNMENT OF FOREIGN**
 6 **SERVICE OFFICERS.**

7 *The Foreign Service Act of 1980 is amended—*

8 *(1) in section 501 (22 U.S.C. 3981), by inserting*
 9 *“If a position designated under this section is unfilled*
 10 *for more than 365 calendar days, such position may*
 11 *be filled, as appropriate, on a temporary basis, in ac-*
 12 *cordance with section 309.” after “Positions des-*
 13 *ignated under this section are excepted from the com-*
 14 *petitive service.”; and*

15 *(2) in paragraph (2) of section 502(a) (22*
 16 *U.S.C. 3982(a)), by inserting “, or domestically, in a*
 17 *position working on issues relating to a particular*
 18 *country or geographic area,” after “geographic area”.*

19 **SEC. 112. ENERGY DIPLOMACY AND SECURITY WITHIN THE**
 20 **DEPARTMENT OF STATE.**

21 *(a) IN GENERAL.—Subsection (c) of section 1 of the*
 22 *State Department Basic Authorities Act of 1956 (22 U.S.C.*
 23 *2651a), as amended by section 103 of this Act, is further*
 24 *amended—*

1 (1) *by redesignating paragraph (4) (as redesign-*
2 *ated pursuant to such section 103) as paragraph*
3 *(5); and*

4 (2) *by inserting after paragraph (3) the fol-*
5 *lowing new paragraph:*

6 “(4) *ENERGY RESOURCES.—*

7 “(A) *AUTHORIZATION FOR ASSISTANT SEC-*
8 *RETARY.—Subject to the numerical limitation*
9 *specified in paragraph (1), there is authorized to*
10 *be established in the Department of State an As-*
11 *stant Secretary of State for Energy Resources.*

12 “(B) *PERSONNEL.—The Secretary of State*
13 *shall ensure that there are sufficient personnel*
14 *dedicated to energy matters within the Depart-*
15 *ment of State whose responsibilities shall in-*
16 *clude—*

17 “(i) *formulating and implementing*
18 *international policies aimed at protecting*
19 *and advancing United States energy secu-*
20 *rity interests by effectively managing*
21 *United States bilateral and multilateral re-*
22 *lations;*

23 “(ii) *ensuring that analyses of the na-*
24 *tional security implications of global energy*
25 *and environmental developments are re-*

1 *flected in the decision making process with-*
2 *in the Department;*

3 “(iii) *incorporating energy security*
4 *priorities into the activities of the Depart-*
5 *ment;*

6 “(iv) *coordinating energy activities of*
7 *the Department with relevant Federal de-*
8 *partments and agencies; and*

9 “(v) *working internationally to—*

10 “(I) *support the development of*
11 *energy resources and the distribution of*
12 *such resources for the benefit of the*
13 *United States and United States allies*
14 *and trading partners for their energy*
15 *security and economic development*
16 *needs;*

17 “(II) *promote availability of di-*
18 *versified energy supplies and a well-*
19 *functioning global market for energy*
20 *resources, technologies, and expertise*
21 *for the benefit of the United States and*
22 *United States allies and trading part-*
23 *ners;*

24 “(III) *resolve international dis-*
25 *putes regarding the exploration, devel-*

1 *opment, production, or distribution of*
2 *energy resources;*

3 *“(IV) support the economic and*
4 *commercial interests of United States*
5 *persons operating in the energy mar-*
6 *kets of foreign countries;*

7 *“(V) support and coordinate*
8 *international efforts to alleviate energy*
9 *poverty;*

10 *“(VI) leading the United States*
11 *commitment to the Extractive Indus-*
12 *tries Transparency Initiative;*

13 *“(VII) coordinating within the*
14 *Department and with relevant Federal*
15 *departments and agencies on devel-*
16 *oping and implementing international*
17 *energy-related sanctions; and*

18 *“(VIII) coordinating energy secu-*
19 *rity and other relevant functions with-*
20 *in the Department currently under-*
21 *taken by—*

22 *“(aa) the Bureau of Eco-*
23 *nomics and Business Affairs;*

1 “(bb) the Bureau of Oceans
 2 and International Environmental
 3 and Scientific Affairs; and
 4 “(cc) other offices within the
 5 Department of State.”.

6 (b) *CONFORMING AMENDMENT.*—Section 931 of the
 7 *Energy Independence and Security Act of 2007* (42 U.S.C.
 8 17371) is amended—
 9 (1) by striking subsections (a) and (b); and
 10 (2) by redesignating subsections (c) and (d) as
 11 subsections (a) and (b), respectively.

12 **SEC. 113. PASSPORT FEES.**

13 Paragraph (2) of section 1(b) of the *Passport Act of*
 14 *June 4, 1920* (22 U.S.C. 214(b)) is amended by striking
 15 “not” and all that follows through the period at the end
 16 and inserting the following: “be exercised beginning on the
 17 date of the enactment of the *Department of State Authoriza-*
 18 *tion Act of 2019.*”.

19 **SEC. 114. UNITED STATES DIPLOMACY CENTER.**

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

23 **“SEC. 64. UNITED STATES DIPLOMACY CENTER.**

24 “(a) *ACTIVITIES.*—

1 “(1) *SUPPORT AUTHORIZED.*—*The Secretary of*
2 *State is authorized to provide, by contract, grant, or*
3 *otherwise, for the performance of appropriate museum*
4 *visitor and educational outreach services and related*
5 *events, including organizing programs and conference*
6 *activities, museum shop services and food services in*
7 *the public exhibition and related space utilized by the*
8 *center for United States diplomacy.*

9 “(2) *RECOVERY OF COSTS.*—*The Secretary of*
10 *State is authorized to recover any revenues generated*
11 *under the authority of paragraph (1) for visitor and*
12 *outreach services and related events referred to in*
13 *such paragraph, including fees for use of facilities at*
14 *a center for United States diplomacy. Any such reve-*
15 *nues may be retained as a recovery of the costs of op-*
16 *erating the Center.*

17 “(b) *DISPOSITION OF UNITED STATES DIPLOMACY*
18 *CENTER DOCUMENTS, ARTIFACTS, AND OTHER ARTI-*
19 *CLES.*—

20 “(1) *PROPERTY.*—*All historic documents, arti-*
21 *facts, or other articles permanently acquired by the*
22 *Department of State and determined by the Secretary*
23 *of State to be suitable for display by the center for*
24 *United States diplomacy shall be considered to be the*
25 *property of the United States Government and shall*

1 *be subject to disposition solely in accordance with this*
2 *subsection.*

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

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

20 “(A) *such document, artifact, or other arti-*
21 *cle no longer serves to further the purposes of the*
22 *center for United States diplomacy as set forth*
23 *in the collections management policy of the cen-*
24 *ter;*

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

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

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

16 **SEC. 115. EXTENSION OF PERIOD FOR REIMBURSEMENT OF**
 17 **FISHERMEN FOR COSTS INCURRED FROM**
 18 **THE ILLEGAL SEIZURE AND DETENTION OF**
 19 **U.S.-FLAG FISHING VESSELS BY FOREIGN**
 20 **GOVERNMENTS.**

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

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

4 (b) *RETROACTIVE APPLICABILITY.*—

5 (1) *EFFECTIVE DATE.*—*The amendment made by*
 6 *subsection (a) shall take effect on the date of the en-*
 7 *actment of this Act and apply as if the date specified*
 8 *in subsection (e) of section 7 of the Fishermen’s Pro-*
 9 *jective Act of 1967, as in effect on the day before the*
 10 *date of the enactment of this Act, were the day after*
 11 *such date of enactment.*

12 (2) *AGREEMENTS AND PAYMENTS.*—*The Sec-*
 13 *retary shall—*

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

20 (B) *make payments in accordance with*
 21 *agreements entered into pursuant to such section*
 22 *if any such payments have not been made as a*
 23 *result of the expiration of the date specified in*
 24 *such section, as in effect on the day before the*
 25 *date of the enactment of this Act.*

1 **SEC. 116. ART IN EMBASSIES.**

2 (a) *IN GENERAL.*—No funds are authorized to be ap-
 3 propriated for the purchase of any piece of art for the pur-
 4 poses of installation or display in any embassy, consulate,
 5 or other foreign mission of the United States if the purchase
 6 price of such piece of art is in excess of \$50,000, unless
 7 such purchase is subject to prior consultation with, and the
 8 regular notification procedures of, the appropriate congres-
 9 sional committees.

10 (b) *REPORT.*—Not later than 90 days after the date
 11 of the enactment of this Act, the Secretary shall submit to
 12 the appropriate congressional committees a report on the
 13 costs of the Art in Embassies Program for each of fiscal
 14 years 2012, 2013, and 2014.

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

18 (d) *DEFINITION.*—In this section, the term “art” in-
 19 cludes paintings, sculptures, photographs, industrial design,
 20 and craft art.

21 **SEC. 117. AMENDMENT OR REPEAL OF REPORTING RE-**
 22 **QUIREMENTS.**

23 (a) *BURMA.*—

24 (1) *IN GENERAL.*—Section 570 of Public Law
 25 104–208 is amended—

1 (A) by amending subsection (c) to read as
2 *follows:*

3 “(c) *MULTILATERAL STRATEGY.—The President shall*
4 *develop, in coordination with members of ASEAN and other*
5 *likeminded countries, a comprehensive, multilateral strat-*
6 *egy to bring about further democratic consolidation in*
7 *Burma and improve human rights practices and the qual-*
8 *ity of life in Burma, including the development of a dia-*
9 *logue leading to genuine national reconciliation.”; and*

10 (B) in subsection (d)—

11 (i) in the matter preceding paragraph
12 (1), by striking “six months” and inserting
13 “year”;

14 (ii) by redesignating paragraph (3) as
15 paragraph (7); and

16 (iii) by inserting after paragraph (2)
17 the following new paragraphs:

18 “(3) *improvements in human rights practices;*

19 “(4) *progress toward broad-based and inclusive*
20 *economic growth;*

21 “(5) *progress toward genuine national reconcili-*
22 *ation;*

23 “(6) *progress on improving the quality of life of*
24 *the Burmese people, including progress relating to*
25 *market reforms, living standards, labor standards, use*

1 of forced labor in the tourism industry, and environ-
2 mental quality; and”.

3 (2) *EFFECTIVE DATE.*—The amendments made
4 by paragraph (1) shall take effect on the date of the
5 enactment of this Act and apply with respect to the
6 first report required under subsection (d) of section
7 570 of Public Law 104–208 that is required after the
8 date of the enactment of this Act.

9 (b) *REPEALS.*—The following provisions of law are
10 hereby repealed:

11 (1) Subsection (b) of section 804 of Public Law
12 101–246.

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

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

16 (4) Subsection (c) of section 702 of Public Law
17 96–465 (22 U.S.C. 4022).

18 **SEC. 118. REPORTING ON IMPLEMENTATION OF GAO REC-**
19 **OMMENDATIONS.**

20 (a) *INITIAL REPORT.*—Not later than 120 days after
21 the date of the enactment of this Act, the Secretary shall
22 submit to the appropriate congressional committees a report
23 that lists all of the Government Accountability Office’s rec-
24 ommendations relating to the Department that have not
25 been fully implemented.

1 (b) *COMPTROLLER GENERAL REPORT.*—Not later than
2 30 days after the Secretary submits the report under sub-
3 section (a), the Comptroller General of the United States
4 shall submit to the appropriate congressional committees a
5 report that identifies any discrepancies between the list of
6 recommendations included in such report and the Govern-
7 ment Accountability Office’s list of outstanding rec-
8 ommendations for the Department.

9 (c) *IMPLEMENTATION REPORT.*—

10 (1) *IN GENERAL.*—Not later than 120 days after
11 the date of the submission of the Comptroller Gen-
12 eral’s report under subsection (b), the Secretary shall
13 submit to the appropriate congressional committees a
14 report that describes the implementation status of
15 each recommendation from the Government Account-
16 ability Office included in the report submitted under
17 subsection (a).

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

20 (A) a detailed justification for each decision
21 not to fully implement a recommendation or to
22 implement a recommendation in a different
23 manner than specified by the Government Ac-
24 countability Office;

1 (B) a timeline for the full implementation
 2 of any recommendation the Secretary has de-
 3 cided to adopt, but has not yet fully imple-
 4 mented; and

5 (C) an explanation for any discrepancies
 6 included in the Comptroller General report sub-
 7 mitted under subsection (b).

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

12 **SEC. 119. OFFICE OF GLOBAL CRIMINAL JUSTICE.**

13 (a) *IN GENERAL.*—There should be established within
 14 the Department an Office of Global Criminal Justice (re-
 15 ferred to in this section as the “Office”), which may be
 16 placed within the organizational structure of the Depart-
 17 ment at the discretion of the Secretary.

18 (b) *DUTIES.*—The Office should carry out the fol-
 19 lowing:

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

23 (2) Assist in formulating United States policy
 24 on the prevention of, responses to, and accountability
 25 for mass atrocities.

1 (3) *Coordinate United States Government posi-*
2 *tions relating to the international and hybrid courts*
3 *currently prosecuting persons responsible for genocide,*
4 *war crimes, and crimes against humanity anywhere*
5 *in the world.*

6 (4) *Work with other governments, international*
7 *organizations, and nongovernmental organizations, as*
8 *appropriate, to establish and assist international and*
9 *domestic commissions of inquiry, fact-finding mis-*
10 *sions, and tribunals to investigate, document, and*
11 *prosecute atrocities in every region of the globe.*

12 (5) *Coordinate the deployment of diplomatic,*
13 *legal, economic, military, and other tools to help ex-*
14 *pose the truth, judge those responsible, protect and as-*
15 *ist victims, enable reconciliation, deter atrocities,*
16 *and build the rule of law.*

17 (6) *Provide advice and expertise on transitional*
18 *justice to United States personnel operating in con-*
19 *flict and post-conflict environments.*

20 (7) *Act as a point of contact for international,*
21 *hybrid, and mixed tribunals exercising jurisdiction*
22 *over war crimes, crimes against humanity, and geno-*
23 *cide committed around the world.*

1 (8) *Represent the Department on any inter-*
 2 *agency whole-of-government coordinating entities ad-*
 3 *ressing genocide and other mass atrocities.*

4 (9) *Perform any additional duties and exercise*
 5 *such powers as the Secretary of State may prescribe.*

6 (c) *SUPERVISION.—The Office should be led by an Am-*
 7 *bassador-at-Large for Global Criminal Justice.*

8 **TITLE II—EMBASSY**
 9 **CONSTRUCTION**

10 **SEC. 201. EMBASSY SECURITY, CONSTRUCTION, AND MAIN-**
 11 **TENANCE.**

12 *For “Embassy Security, Construction, and Mainte-*
 13 *nance”, there is authorized to be appropriated*
 14 *\$1,987,211,000 for fiscal year 2020.*

15 **SEC. 202. STANDARD DESIGN IN CAPITAL CONSTRUCTION.**

16 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 17 *that the Department’s Bureau of Overseas Building Oper-*
 18 *ations (OBO) or successor office should give appropriate*
 19 *consideration to standardization in construction, in which*
 20 *each new United States embassy and consulate starts with*
 21 *a standard design and keeps customization to a minimum.*

22 (b) *CONSULTATION.—The Secretary shall carry out*
 23 *any new United States embassy compound or new consulate*
 24 *compound project that utilizes a non-standard design, in-*
 25 *cluding those projects that are in the design or pre-design*

1 *phase as of the date of the enactment of this Act, only in*
2 *consultation with the appropriate congressional committees.*
3 *The Secretary shall provide the appropriate congressional*
4 *committees, for each such project, the following documenta-*
5 *tion:*

6 (1) *A comparison of the estimated full lifecycle*
7 *costs of the project to the estimated full lifecycle costs*
8 *of such project if it were to use a standard design.*

9 (2) *A comparison of the estimated completion*
10 *date of such project to the estimated completion date*
11 *of such project if it were to use a standard design.*

12 (3) *A comparison of the security of the completed*
13 *project to the security of such completed project if it*
14 *were to use a standard design.*

15 (4) *A justification for the Secretary's selection of*
16 *a non-standard design over a standard design for*
17 *such project.*

18 (5) *A written explanation if any of the docu-*
19 *mentation necessary to support the comparisons and*
20 *justification, as the case may be, described in para-*
21 *graphs (1) through (4) cannot be provided.*

22 (c) *SUNSET.—The consultation requirement under*
23 *subsection (b) shall expire on the date that is four years*
24 *after the date of the enactment of this Act.*

1 **SEC. 203. CAPITAL CONSTRUCTION TRANSPARENCY.**

2 (a) *IN GENERAL.*—Section 118 of the Department of
3 *State Authorities Act, Fiscal Year 2017 (22 U.S.C. 304)*
4 *is amended—*

5 (1) *in the section heading , by striking “AN-*
6 ***NUAL REPORT ON EMBASSY CONSTRUCTION***
7 ***COSTS”*** *and inserting “BIANNUAL REPORT ON*
8 ***OVERSEAS CAPITAL CONSTRUCTION***
9 ***PROJECTS”***; *and*

10 (2) *by striking subsections (a) and (b) and in-*
11 *serting the following new subsections:*

12 “(a) *IN GENERAL.*—Not later than 180 days after the
13 *date of the enactment of this subsection and every 180 days*
14 *thereafter until the date that is four years after such date*
15 *of enactment, the Secretary shall submit to the appropriate*
16 *congressional committees a comprehensive report regarding*
17 *all ongoing overseas capital construction projects and major*
18 *embassy security upgrade projects.*

19 “(b) *CONTENTS.*—Each report required under sub-
20 *section (a) shall include the following with respect to each*
21 *ongoing overseas capital construction project and major em-*
22 *bassy security upgrade project:*

23 “(1) *The initial cost estimate as specified in the*
24 *proposed allocation of capital construction and main-*
25 *tenance funds required by the Committees on Appro-*
26 *priations for Acts making appropriations for the De-*

1 *partment of State, foreign operations, and related*
2 *programs.*

3 *“(2) The current cost estimate.*

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

6 *“(4) The value of each certified claim received by*
7 *the Department to date.*

8 *“(5) The value of any usage of the project’s con-*
9 *tingency fund to date and the value of the remainder*
10 *of the project’s contingency fund.*

11 *“(6) An enumerated list of each request for ad-*
12 *justment and certified claim that remains out-*
13 *standing or unresolved.*

14 *“(7) An enumerated list of each request for equi-*
15 *table adjustment and certified claim that has been*
16 *fully adjudicated or that the Department has settled,*
17 *and the final dollar amount of each adjudication or*
18 *settlement.*

19 *“(8) The date of estimated completion specified*
20 *in the proposed allocation of capital construction and*
21 *maintenance funds required by the Committees on*
22 *Appropriations not later than 45 days after the date*
23 *of the enactment of an Act making appropriations for*
24 *the Department of State, foreign operations, and re-*
25 *lated programs.*

1 “(9) *The current date of estimated completion.*”.

2 (b) *INITIAL REPORT.*—*The first report required under*
 3 *subsection (a) of section 118 of the Department of State Au-*
 4 *thorities Act, Fiscal Year 2017 (as amended by this section)*
 5 *shall include an annex regarding all overseas capital con-*
 6 *struction projects and major embassy security upgrade*
 7 *projects completed during the 10-year period ending on De-*
 8 *cember 31, 2018, including, for each such project, the ele-*
 9 *ments specified in subsection (b) of such section 118.*

10 **SEC. 204. CONTRACTOR PERFORMANCE INFORMATION.**

11 (a) *DEADLINE FOR COMPLETION.*—*The Secretary shall*
 12 *complete all contractor performance evaluations required by*
 13 *subpart 42.15 of the Federal Acquisition Regulation for*
 14 *those contractors engaged in construction of new embassy*
 15 *or new consulate compounds by October 1, 2021.*

16 (b) *PRIORITIZATION SYSTEM.*—

17 (1) *IN GENERAL.*—*Not later than 90 days after*
 18 *the date of the enactment of this Act, the Secretary*
 19 *shall develop a prioritization system for clearing the*
 20 *current backlog of required evaluations referred to in*
 21 *subsection (a).*

22 (2) *ELEMENTS.*—*The system required under*
 23 *paragraph (1) should prioritize the evaluations as fol-*
 24 *lows:*

1 (A) *Project completion evaluations should be*
 2 *prioritized over annual evaluations.*

3 (B) *Evaluations for relatively large con-*
 4 *tracts should have priority.*

5 (C) *Evaluations that would be particularly*
 6 *informative for the awarding of government con-*
 7 *tracts should have priority.*

8 (c) *BRIEFING.*—*Not later than 90 days after the date*
 9 *of the enactment of this Act, the Secretary of State shall*
 10 *brief the appropriate congressional committees on the De-*
 11 *partment’s plan for completing all evaluations by October*
 12 *1, 2021, in accordance with subsection (a) and the*
 13 *prioritization system developed pursuant to subsection (b).*

14 (d) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 15 *that—*

16 (1) *contractors deciding whether to bid on De-*
 17 *partment contracts would benefit from greater under-*
 18 *standing of the Department as a client; and*

19 (2) *the Department should develop a forum*
 20 *where contractors can comment on the Department’s*
 21 *project management performance.*

22 **SEC. 205. GROWTH PROJECTIONS FOR NEW EMBASSIES AND**
 23 **CONSULATES.**

24 (a) *IN GENERAL.*—*For each new United States em-*
 25 *bassy compound (NEC) and new consulate compound*

1 project (NCC) in or not yet in the design phase as of the
2 date of the enactment of this Act, the Department shall
3 project growth over the estimated life of the facility using
4 all available and relevant data, including the following:

5 (1) Relevant historical trends for Department
6 personnel and personnel from other agencies rep-
7 resented at the NEC or NCC that is to be constructed.

8 (2) An analysis of the tradeoffs between risk and
9 the needs of United States Government policy con-
10 ducted as part of the most recent Vital Presence Vali-
11 dation Process, if applicable.

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

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

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

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

1 (d) *CONGRESSIONAL NOTIFICATION.*—Any congres-
 2 sional notification of site selection for a NEC or NCC sub-
 3 mitted after the date of the enactment of this Act shall in-
 4 clude the growth assumption used pursuant to subsection
 5 (c).

6 **SEC. 206. LONG-RANGE PLANNING PROCESS.**

7 (a) *PLANS REQUIRED.*—

8 (1) *IN GENERAL.*—Not later than 180 days after
 9 the date of the enactment of this Act and annually
 10 thereafter for five years, the Secretary shall develop—

11 (A) a comprehensive six-year plan docu-
 12 menting the Department’s overseas building pro-
 13 gram for the replacement of overseas diplomatic
 14 posts taking into account security factors under
 15 the Secure Embassy Construction and Counter-
 16 terrorism Act of 1999 and other relevant statutes
 17 and regulations, as well as occupational safety
 18 and health factors pursuant to the Occupational
 19 Safety and Health Act of 1970 and other rel-
 20 evant statutes and regulations, including envi-
 21 ronmental factors such as indoor air quality that
 22 impact employee health and safety; and

23 (B) a comprehensive six-year plan detailing
 24 the Department’s long-term planning for the
 25 maintenance and sustainment of completed dip-

1 *lomatic posts, which takes into account security*
2 *factors under the Secure Embassy Construction*
3 *and Counterterrorism Act of 1999 and other rel-*
4 *evant statutes and regulations, as well as occu-*
5 *pational safety and health factors pursuant to*
6 *the Occupational Safety and Health Act of 1970*
7 *and other relevant statutes and regulations, in-*
8 *cluding environmental factors such as indoor air*
9 *quality that impact employee health and safety.*

10 (2) *INITIAL REPORT.*—*The first plan developed*
11 *pursuant to paragraph (1)(A) shall also include a*
12 *one-time status report on existing small diplomatic*
13 *posts and a strategy for establishing a physical diplo-*
14 *matic presence in countries in which there is no cur-*
15 *rent physical diplomatic presence. Such report, which*
16 *may include a classified annex, shall include the fol-*
17 *lowing:*

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

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

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

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

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

9 (3) *UPDATED INFORMATION.*—The annual up-
10 dates of each of the plans developed pursuant to para-
11 graph (1) shall highlight any changes from the pre-
12 vious year’s plan to the ordering of construction and
13 maintenance projects.

14 (b) *REPORTING REQUIREMENTS.*—

15 (1) *SUBMISSION OF PLANS TO CONGRESS.*—Not
16 later than 60 days after the completion of each plan
17 required under subsection (a), the Secretary shall sub-
18 mit the plans to the appropriate congressional com-
19 mittees.

20 (2) *REFERENCE IN BUDGET JUSTIFICATION MA-*
21 *TERIALS.*—In the budget justification materials sub-
22 mitted to the appropriate congressional committees in
23 support of the Department’s budget for any fiscal
24 year (as submitted with the budget of the President
25 under section 1105(a) of title 31, United States Code),

1 the plans required under subsection (a) shall be ref-
 2 erenced to justify funding requested for building and
 3 maintenance projects overseas.

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

7 (c) *SMALL DIPLOMATIC POST DEFINED.*—In this sec-
 8 tion, the term “small diplomatic post” means any United
 9 States embassy or consulate that has employed five or fewer
 10 United States Government employees on average over the
 11 36 months prior to the date of the enactment of this Act.

12 **SEC. 207. VALUE ENGINEERING AND RISK ASSESSMENT.**

13 (a) *FINDINGS.*—Congress makes the following findings:

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

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

23 (b) *NOTIFICATION REQUIREMENTS.*—

24 (1) *SUBMISSION TO AUTHORIZING COMMIT-*
 25 *TEES.*—The proposed allocation of capital construc-

tion and maintenance funds that is required by the Committees on Appropriations of the Senate and the House of Representatives not later than 45 days after the date of the enactment of an Act making appropriations for the Department of State, foreign operations, and related programs shall also be submitted to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) *REQUIREMENT TO CONFIRM COMPLETION OF VALUE ENGINEERING AND RISK ASSESSMENT STUDIES.*—The notifications required under paragraph (1) shall include confirmation that the Department has completed the requisite VE and risk management studies described in subsection (a).

(c) *REPORTING AND BRIEFING REQUIREMENTS.*—The Secretary shall provide to the appropriate congressional committees upon request—

(1) a description of each risk management study referred to in subsection (a)(2) and a table detailing which recommendations related to each such study were accepted and which were rejected; and

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

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

3 **SEC. 208. BUSINESS VOLUME.**

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

8 **SEC. 209. EMBASSY SECURITY REQUESTS AND DEFICI-**
 9 **CIENCIES.**

10 *The Secretary shall provide to the appropriate congres-*
 11 *sional committees upon request information on security de-*
 12 *ficiencies at United States diplomatic posts, including re-*
 13 *lating to the following:*

14 (1) *Requests made over the previous year by*
 15 *United States diplomatic posts for security upgrades.*

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

20 **SEC. 210. OVERSEAS SECURITY BRIEFINGS.**

21 *Not later than one year after the date of the enactment*
 22 *of this Act, the Secretary shall revise the Foreign Affairs*
 23 *Manual to stipulate that information on the current threat*
 24 *environment shall be provided to all United States Govern-*
 25 *ment employees under chief of mission authority traveling*

1 *to a foreign country on official business. To the extent prac-*
 2 *ticable, such material shall be provided to such employees*
 3 *prior to their arrival at a United States diplomatic post*
 4 *or as soon as possible thereafter.*

5 **SEC. 211. CONTRACTING METHODS IN CAPITAL CONSTRUC-**
 6 **TION.**

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

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

22 (c) *PERFORMANCE EVALUATION.*—Not later than 180
 23 days after the date of the enactment of this Act, the Sec-
 24 retary shall report to the appropriate congressional commit-
 25 tees regarding performance evaluation measures in accord-

1 *ance with GAO’s “Standards for Internal Control in the*
 2 *Federal Government” that will be applicable to design and*
 3 *construction, lifecycle cost, and building maintenance pro-*
 4 *grams of the Bureau of Overseas Building Operations of*
 5 *the Department.*

6 **SEC. 212. COMPETITION IN EMBASSY CONSTRUCTION.**

7 *Not later than 45 days after the date of the enactment*
 8 *of this Act, the Secretary shall submit to the appropriate*
 9 *congressional committee a report detailing steps the Depart-*
 10 *ment is taking to expand the embassy construction con-*
 11 *tractor base in order to increase competition and maximize*
 12 *value.*

13 **SEC. 213. STATEMENT OF POLICY.**

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

22 **SEC. 214. DEFINITIONS.**

23 *In this title:*

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

1 *ty works under a single contract with the Department*
 2 *to provide design and construction services.*

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

10 ***TITLE III—PERSONNEL ISSUES***

11 ***SEC. 301. DEFENSE BASE ACT INSURANCE WAIVERS.***

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

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

23 ***SEC. 302. STUDY ON FOREIGN SERVICE ALLOWANCES.***

24 (a) *REPORT REQUIRED.*—

1 (1) *IN GENERAL.*—Not later than 270 days after
2 date of the enactment of this Act, the Secretary shall
3 submit to the appropriate congressional committees a
4 report detailing an empirical analysis on the effect of
5 overseas allowances on the foreign assignment of For-
6 eign Service officers (FSOs), to be conducted by a fed-
7 erally-funded research and development center with
8 appropriate expertise in labor economics and mili-
9 tary compensation.

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

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

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

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

21 (D) examine the Department's strategy and
22 process for incentivizing FSOs to bid on assign-
23 ments that are historically in lower demand, in-
24 cluding with monetary compensation, and

1 *whether monetary compensation is necessary for*
2 *assignments in higher demand;*

3 *(E) make any relevant comparisons to mili-*
4 *tary compensation and allowances, noting which*
5 *allowances are shared or based on the same regu-*
6 *lations;*

7 *(F) recommend options for restructuring al-*
8 *lowances to improve the efficiency of the assign-*
9 *ments system and better align FSO incentives*
10 *with the needs of the Foreign Service, including*
11 *any cost savings associated with such restruc-*
12 *turing;*

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

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

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

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

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

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

13 *(c) AVAILABILITY OF INFORMATION.—*

14 (1) *IN GENERAL.—The Secretary shall make*
15 *available to the federally-funded research and develop-*
16 *ment center carrying out the analysis required under*
17 *subsection (a)(1) all necessary and relevant informa-*
18 *tion to allow such center to conduct such analysis in*
19 *a quantitative and analytical manner, including his-*
20 *torical data on the number of bids for each foreign as-*
21 *signment and any survey data collected by the De-*
22 *partment from eligible bidders on their bid decision-*
23 *making.*

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

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

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

14 **SEC. 303. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

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

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

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

1 *cruciating fellows and the payment of stipends, travel,*
 2 *and other appropriate expenses to fellows.*

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

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

10 **SEC. 304. TRAVEL FOR SEPARATED FAMILIES.**

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

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

19 *(2) in subparagraph (A)—*

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

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

24 *(3) in subparagraph (B)—*

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

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

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

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

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

17 **SEC. 305. HOME LEAVE TRAVEL FOR SEPARATED FAMILIES.**

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

1 *side, notwithstanding section 6305 of title 5, United States*
2 *Code.”.*

3 **SEC. 306. SENSE OF CONGRESS REGARDING CERTAIN FEL-**
4 **LOWSHIP PROGRAMS.**

5 *It is the sense of Congress that—*

6 *(1) Department fellowships that promote the em-*
7 *ployment of candidates belonging to under-represented*
8 *groups, including the Charles B. Rangel International*
9 *Affairs Graduate Fellowship Program, the Thomas R.*
10 *Pickering Foreign Affairs Fellowship Program, and*
11 *the Donald M. Payne International Development Fel-*
12 *lowship Program, represent smart investments vital*
13 *for building a strong, capable, and representative na-*
14 *tional security workforce; and*

15 *(2) the Secretary of State and the Administrator*
16 *of the United States Agency for International Devel-*
17 *opment should fulfill the terms of their fellowship*
18 *agreements with each participant in the Fellowship*
19 *Programs referred to in paragraph (1), as specified in*
20 *the original contractual agreements with each such*
21 *participant.*

22 **SEC. 307. TECHNICAL CORRECTION.**

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

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

3 (2) striking “individual joining the Service on
4 or after January 1, 2017,” and inserting “Foreign
5 Service officer, appointed under section 302(a)(1),
6 who has general responsibility for carrying out the
7 functions of the Service”.

8 **SEC. 308. FOREIGN SERVICE AWARDS.**

9 (a) *IN GENERAL.*—Section 614 of the Foreign Service
10 Act of 1980 (22 U.S.C. 4013) is amended—

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

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

15 (b) *CONFORMING AMENDMENT.*—The item relating to
16 section 614 in the table of contents of the Foreign Service
17 Act of 1980 is amended to read as follows:

 “Sec. 614. Department awards.”.

18 **SEC. 309. DIPLOMATIC PROGRAMS.**

19 (a) *SENSE OF CONGRESS ON WORKFORCE RECRUIT-*
20 *MENT.*—It is the sense of Congress that the Secretary should
21 continue to hold entry-level classes for Foreign Service offi-
22 cers and specialists and continue to recruit civil servants
23 through programs such as the Presidential Management
24 Fellows Program and Pathways Internship Programs in a
25 manner and at a frequency consistent with prior years and

1 *consistent with the need to maintain a pool of experienced*
2 *personnel effectively distributed across skill codes and*
3 *ranks. It is further the sense of Congress that absent contin-*
4 *uous recruitment and training of Foreign Service officers*
5 *and civil servants, the Department will lack experienced,*
6 *qualified personnel in the short, medium, and long terms.*

7 (b) *LIMITATION.—The Secretary may not obligate or*
8 *expend any amounts for any reduction-in-force action*
9 *under section 3502 or 3595 of title 5, United States Code,*
10 *or for any incentive payments for early separation or re-*
11 *tirement under any other provision of law unless—*

12 (1) *the appropriate congressional committees are*
13 *notified not less than 15 days in advance of such obli-*
14 *gation or expenditure; and*

15 (2) *the Secretary has provided to the appropriate*
16 *congressional committees a detailed report that de-*
17 *scribes the Department’s strategic staffing goals, in-*
18 *cluding—*

19 (A) *a justification that describes how any*
20 *proposed workforce reduction enhances the effec-*
21 *tiveness of the Department;*

22 (B) *a certification that such workforce re-*
23 *duction is in the national interest of the United*
24 *States;*

1 (C) a comprehensive strategic staffing plan
 2 for the Department, including five-year work-
 3 force forecasting and a description of the antici-
 4 pated impact of any proposed workforce reduc-
 5 tion; and

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

9 (i) Foreign Service officer and Foreign
 10 Service specialist rank;

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

13 (iii) contracted employees, including
 14 the equivalent job skill code and bureau of
 15 assignment; and

16 (iv) employees hired under schedule C
 17 of subpart C of part 213 of title 5, Code of
 18 Federal Regulations, including their equiva-
 19 lent grade and job skill code and bureau of
 20 assignment.

21 **SEC. 310. SENSE OF CONGRESS REGARDING VETERANS EM-**
 22 **PLOYMENT AT THE DEPARTMENT OF STATE.**

23 *It is the sense of Congress that—*

24 (1) the Department should continue to promote
 25 the employment of veterans, in accordance with sec-

1 *tion 301 of the Foreign Service Act of 1980 (22*
 2 *U.S.C. 3941), as amended by section 405 of this Act,*
 3 *including those veterans belonging to traditionally*
 4 *underrepresented groups at the Department;*

5 *(2) veterans employed by the Department have*
 6 *made significant contributions to United States for-*
 7 *ign policy in a variety of regional and global affairs*
 8 *bureaus and diplomatic posts overseas; and*

9 *(3) the Department should continue to encourage*
 10 *veteran employment and facilitate their participation*
 11 *in the workforce.*

12 **SEC. 311. EMPLOYEE ASSIGNMENT RESTRICTIONS AND**
 13 **PRECLUSIONS.**

14 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 15 *that the Department should expand the appeal process it*
 16 *makes available to employees related to assignment*
 17 *preclusions and restrictions.*

18 *(b) APPEAL OF ASSIGNMENT RESTRICTION OR PRE-*
 19 *CLUSION.—Section 502(a)(2) of the Foreign Service Act of*
 20 *1980 (22 U.S.C. 3982(a)(2)), as amended by section 111*
 21 *of this Act, is further amended by adding at the end the*
 22 *following new sentences: “Any employee subjected to an as-*
 23 *signment restriction or preclusion shall have the same ap-*
 24 *peal rights as provided by the Department regarding denial*
 25 *or revocation of a security clearance. Any such appeal shall*

1 *be resolved not later than 60 days after such appeal is*
2 *filed.”.*

3 (c) *NOTICE AND CERTIFICATION.*—Not later than 90
4 *days after the date of the enactment of this Act, the Sec-*
5 *retary shall revise, and certify to the appropriate congres-*
6 *sional committees regarding such revision, the Foreign Af-*
7 *fairs Manual guidance regarding denial or revocation of a*
8 *security clearance to expressly state that all review and ap-*
9 *peal rights relating thereto shall also apply to any rec-*
10 *ommendation or decision to impose an assignment restric-*
11 *tion or preclusion to an employee.*

12 **SEC. 312. RECALL AND REEMPLOYMENT OF CAREER MEM-**
13 **BERS.**

14 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
15 *that—*

16 (1) *career Department employees provide inval-*
17 *uable service to the United States as nonpartisan pro-*
18 *fessionals who contribute subject matter expertise and*
19 *professional skills to the successful development and*
20 *execution of United States foreign policy; and*

21 (2) *re-employment of skilled former members of*
22 *the Foreign and civil service who have voluntarily*
23 *separated from the Foreign or civil service due to*
24 *family reasons or to obtain professional skills outside*
25 *government is of benefit to the Department.*

1 (b) *REEMPLOYMENT*.—Subsection (b) of section 308 of
 2 the Foreign Service Act of 1980 (22 U.S.C. 3948) is amend-
 3 ed by adding at the end the following new sentence:
 4 “Former career tenured members of the Service seeking re-
 5 appointment, if separated for other than cause for up to
 6 three years prior to the date of the enactment of this sen-
 7 tence, shall be eligible to participate in the regular assign-
 8 ment bidding process without restriction and shall not be
 9 required to accept a directed first assignment upon re-
 10 appointment.”.

11 (c) *NOTICE OF EMPLOYMENT OPPORTUNITIES*.—

12 (1) *IN GENERAL*.—Title 5, United States Code, is
 13 amended by inserting after chapter 102 the following
 14 new chapter:

15 **“CHAPTER 103—NOTICE OF EMPLOYMENT**
 16 **OPPORTUNITIES FOR DEPARTMENT**
 17 **OF STATE AND USAID POSITIONS**

18 **“§ 10301. Notice of Employment Opportunities for De-**
 19 **partment of State and USAID positions**

20 “To ensure that individuals who have separated from
 21 the Department of State or the United States Agency for
 22 International Development and who are eligible for re-
 23 appointment are aware of such opportunities, the Depart-
 24 ment of State and the United States Agency for Inter-
 25 national Development shall publicize notice of all employ-

1 ment opportunities, including positions for which the rel-
 2 evant agency is accepting applications from individuals
 3 within the agency’s workforce under merit promotion proce-
 4 dures, on publicly accessible sites, including
 5 *www.usajobs.gov*. If using merit promotion procedures, the
 6 notice shall expressly state that former employees eligible
 7 for reinstatement may apply.”.

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

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

11 (d) *RECALL.*—Subsection (a) of section 308 of the For-
 12 eign Service Act of 1980 (22 U.S.C. 3948) is amended to
 13 read as follows:

14 “(a) Whenever the Secretary determines that the needs
 15 of the Department so require, the Secretary may recall any
 16 retired or voluntarily separated career member of the Serv-
 17 ice, or any retired or voluntarily separated career employee
 18 of the civil service (within the meaning of section 315.201
 19 of title 5, Code of Federal Regulations (or successor sec-
 20 tion)), for active duty in the same personnel category as
 21 such member or employee was serving at the time of retire-
 22 ment or voluntary separation. A recalled retired or volun-
 23 tarily separated career member of the Service or retired or
 24 voluntarily separated career employee of the civil service

1 *may not be recalled to a salary class higher than the one*
 2 *in which such member or employee was serving at the time*
 3 *of retirement or voluntary separation, unless appointed to*
 4 *such higher class by the President, by and with the advice*
 5 *and consent of the Senate.”.*

6 **SEC. 313. STRATEGIC STAFFING PLAN FOR THE DEPART-**
 7 **MENT.**

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

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

22 *(A) Foreign Service officer and Foreign*
 23 *Service specialist rank;*

24 *(B) civil service job skill code, grade level,*
 25 *and bureau of assignment;*

1 (C) contracted employees, including the
2 equivalent job skill code and bureau of assign-
3 ment; and

4 (D) employees hired under schedule C of
5 subpart C of part 213 of title 5, Code of Federal
6 Regulations, including the equivalent grade and
7 job skill code and bureau of assignment of such
8 employee.

9 (2) Recommendations on the number of Foreign
10 Service officers disaggregated by service cone that
11 should be posted at each United States diplomatic
12 post and in the District of Columbia, with a detailed
13 basis for such recommendations.

14 (3) Recommendations on the number of civil
15 service officers that should be employed by the Depart-
16 ment, with a detailed basis for such recommendations.

17 (b) MAINTENANCE.—The dataset required under sub-
18 section (a)(1) shall be maintained and updated on a regular
19 basis.

20 (c) CONSULTATION.—The Secretary shall lead the de-
21 velopment of the plan required under subsection (a) but
22 may consult or partner with private sector entities with ex-
23 pertise in labor economics, management, or human re-
24 sources, as well as organizations familiar with the demands
25 and needs of the Department's workforce.

1 (d) *REPORT.*—Not later than 120 days after the date
 2 of the enactment of this Act, the Secretary of State shall
 3 submit to the appropriate congressional committees a report
 4 regarding root causes of Foreign Service and civil service
 5 shortages, the effect of such shortages on national security
 6 objectives, and the Department’s plan to implement rec-
 7 ommendations described in GAO-19-220.

8 **SEC. 314. CONSULTING SERVICES.**

9 (a) *IN GENERAL.*—Chapter 103 of title 5, United
 10 States Code, as added by section 313 of this Act, is amended
 11 by adding at the end the following:

12 **“§ 10302. Consulting services for the Department of**
 13 **State**

14 “Any consulting service obtained by the Department
 15 of State through procurement contract pursuant to section
 16 3109 of title 5, United States Code, shall be limited to those
 17 contracts with respect to which expenditures are a matter
 18 of public record and available for public inspection, except
 19 if otherwise provided under existing law, or under existing
 20 executive order issued pursuant to existing law.”.

21 (b) *CLERICAL AMENDMENT.*—The table of sections for
 22 subpart I of title 5, United States Code, is amended by add-
 23 ing after the item relating to section 10302 the following
 24 new item:

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

1 **SEC. 315. INCENTIVES FOR CRITICAL POSTS.**

2 *Section 1115(d) of the Supplemental Appropriations*
 3 *Act, 2009 (Public Law 111–32) is amended by striking the*
 4 *last sentence.*

5 **SEC. 316. EXTENSION OF AUTHORITY FOR CERTAIN AC-**
 6 **COUNTABILITY REVIEW BOARDS.**

7 *Section 301(a)(3) of the Omnibus Diplomatic Security*
 8 *and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) is*
 9 *amended—*

10 *(1) in the heading, by striking “AFGHANISTAN*
 11 *AND” and inserting “AFGHANISTAN, YEMEN, SYRIA,*
 12 *AND”; and*

13 *(2) in subparagraph (A)—*

14 *(A) in clause (i), by striking “Afghanistan*
 15 *or” and inserting “Afghanistan, Yemen, Syria,*
 16 *or”; and*

17 *(B) in clause (ii), by striking “beginning on*
 18 *October 1, 2005, and ending on September 30,*
 19 *2009” and inserting “beginning on October 1,*
 20 *2019, and ending on September 30, 2022”.*

21 **SEC. 317. FOREIGN SERVICE SUSPENSION WITHOUT PAY.**

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

24 *(1) in paragraph (1), in the matter preceding*
 25 *subparagraph (A), by striking “suspend” and insert-*
 26 *ing “indefinitely suspend without duties”;*

1 (2) *by redesignating paragraph (5) as para-*
 2 *graph (7);*

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

5 “(5) *Any member of the Service suspended from duties*
 6 *under this subsection may be suspended without pay only*
 7 *after a final written decision is provided to such member*
 8 *under paragraph (2).*

9 “(6) *If no final written decision under paragraph (2)*
 10 *has been provided within one calendar year of the date the*
 11 *suspension at issue was proposed, not later than 30 days*
 12 *thereafter the Secretary of State shall report to the Com-*
 13 *mittee on Foreign Affairs of the House of Representatives*
 14 *and the Committee on Foreign Relations of the Senate in*
 15 *writing regarding the specific reasons for such delay.”; and*

16 (4) *in paragraph (7), as so redesignated—*

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

18 (B) *in subparagraph (A), by striking “(A)*
 19 *The term” and inserting the following:*

20 “(7) *In this subsection, the term”;*

21 (C) *by striking subparagraph (B) (relating*
 22 *to the definition of “suspend” and “suspension”);*

23 *and*

1 (D) by redesignating clauses (i) and (ii) as
 2 subparagraphs (A) and (B), respectively; and
 3 moving such subparagraphs two ems to the left.

4 **SEC. 318. FOREIGN AFFAIRS MANUAL AND FOREIGN AF-**
 5 **FAIRS HANDBOOK CHANGES.**

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

12 (b) *COVERED PERIODS.*—The first report required
 13 under subsection (a) shall cover the five year period pre-
 14 ceding the submission of such report. Each subsequent re-
 15 port shall cover the 180 day period preceding submission.

16 (c) *CONTENTS.*—Each report required under sub-
 17 section (a) shall contain the following:

18 (1) *The location within the Foreign Affairs Man-*
 19 *ual or the Foreign Affairs Handbook where a change*
 20 *has been made.*

21 (2) *The statutory basis for each such change.*

22 (3) *A side-by-side comparison of the Foreign Af-*
 23 *fairs Manual or Foreign Affairs Handbook before and*
 24 *after such change.*

1 (4) *A summary of such changes displayed in*
 2 *spreadsheet form.*

3 **SEC. 319. WAIVER AUTHORITY FOR INDIVIDUAL OCCUPA-**
 4 **TIONAL REQUIREMENTS OF CERTAIN POSI-**
 5 **TIONS.**

6 *The Secretary of State may waive any or all of the*
 7 *individual occupational requirements with respect to an*
 8 *employee or prospective employee of the Department of*
 9 *State for a civilian position categorized under the GS-0130*
 10 *occupational series if the Secretary determines that the in-*
 11 *dividual possesses significant scientific, technological, engi-*
 12 *neering, or mathematical expertise that is integral to per-*
 13 *forming the duties of the applicable position, based on dem-*
 14 *onstrated job performance and qualifying experience. With*
 15 *respect to each waiver granted under this subsection, the*
 16 *Secretary shall set forth in a written document that is*
 17 *transmitted to the Director of the Office of Personnel Man-*
 18 *agement the rationale for the decision of the Secretary to*
 19 *wave such requirements .*

20 **SEC. 320. STANDARDIZING DEPARTMENT PARENTAL LEAVE**
 21 **POLICIES.**

22 *(a) PURPOSE.—The purpose of this section is to—*

23 *(1) afford every employee at the Department*
 24 *equal access to leave and workplace flexibilities for*
 25 *childbirth, adoption, and foster care;*

1 (2) *encourage the Department to work towards a*
2 *parental leave policy that will help recruit and retain*
3 *a dynamic, multi-talented, and diverse workforce ca-*
4 *pable of meeting the national security and foreign*
5 *policy goals of the United States; and*

6 (3) *determine the impacts of flexible leave poli-*
7 *cies on recruitment and retention rates.*

8 (b) *ESTABLISHING STANDARD PARENTAL LEAVE*
9 *POLICIES.—*

10 (1) *IN GENERAL.—Not later than 120 days after*
11 *the date of the enactment of this Act, the Secretary*
12 *shall establish and implement a standard parental*
13 *leave policy applicable to Department employees*
14 *across all bureaus and offices within the Department*
15 *and Missions abroad. Nothing in this section shall be*
16 *construed to provide any new category of leave not*
17 *otherwise provided by law.*

18 (2) *REPORTS.—Not later than 180 days after the*
19 *date of the enactment of this Act, the Secretary shall*
20 *submit to the appropriate congressional committees a*
21 *report describing—*

22 (A) *the steps taken to implement the policy*
23 *required under paragraph (1) across all bureaus*
24 *and offices within the Department and Missions*
25 *abroad; and*

1 *(B) any costs associated with such policy.*

2 **SEC. 321. APPOINTMENT OF EMPLOYEES TO THE GLOBAL**
 3 **ENGAGEMENT CENTER.**

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

12 **SEC. 322. REST AND RECUPERATION AND OVERSEAS OPER-**
 13 **ATIONS LEAVE FOR FEDERAL EMPLOYEES.**

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

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

18 *“(a) DEFINITIONS.—In this section—*

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

22 *“(2) the term ‘combat zone’ means a geographic*
 23 *area designated by an Executive Order of the Presi-*
 24 *dent as an area in which the Armed Forces are en-*
 25 *gaging or have engaged in combat, an area designated*

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

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

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

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

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

23 *“(c) DISCRETIONARY AUTHORITY OF AGENCY HEAD.—*
24 *Use of the authority under subsection (b) is at the sole and*
25 *exclusive discretion of the head of the agency concerned.*

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

4 **“§ 6329e. Overseas operations leave**

5 “(a) *DEFINITIONS.*—In this section—

6 “(1) the term ‘agency’ means an Executive agen-
 7 cy (as that term is defined in section 105), but does
 8 not include the Government Accountability Office;

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

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

16 “(b) *LEAVE FOR OVERSEAS OPERATIONS.*—The head
 17 of an agency may prescribe regulations to grant up to 10
 18 days of paid leave, per leave year, to an employee of the
 19 agency serving abroad where the conduct of business could
 20 pose potential security or safety related risks or would be
 21 inconsistent with host-country practice. Such regulations
 22 may provide that additional leave days may be granted
 23 during such leave year if the head of the agency determines
 24 that to do so is necessary to advance the national security
 25 or foreign policy interests of the United States.

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

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

7 “(b) *CLERICAL AMENDMENTS.*—*The table of sections at*
 8 *the beginning of such chapter is amended by inserting after*
 9 *the item relating to section 6329c the following new items:*

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

10 ***TITLE IV—A DIVERSE WORK-***
 11 ***FORCE: RECRUITMENT, RE-***
 12 ***TENTION, AND PROMOTION***

13 ***SEC. 401. DEFINITIONS.***

14 *In this title:*

15 (1) *APPLICANT FLOW DATA.*—*The term “appli-*
 16 *cant flow data” means data that tracks the rate of*
 17 *applications for job positions among demographic*
 18 *categories.*

19 (2) *DEMOGRAPHIC DATA.*—*The term “demo-*
 20 *graphic data” means facts or statistics relating to the*
 21 *demographic categories specified in the Office of Man-*
 22 *agement and Budget statistical policy directive enti-*
 23 *tled “Standards for Maintaining, Collecting, and Pre-*

1 *senting Federal Data on Race and Ethnicity*” (81
2 *Fed. Reg.* 67398).

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

8 (4) *WORKFORCE.*—*The term “workforce”*
9 *means—*

10 (A) *individuals serving in a position in the*
11 *civil service (as defined in section 2101 of title*
12 *5, United States Code);*

13 (B) *individuals who are members of the*
14 *Foreign Service (as defined in section 103 of the*
15 *Foreign Service Act of 1980 (22 U.S.C. 3902));*

16 (C) *all individuals serving under a personal*
17 *services agreement or personal services contract;*

18 (D) *all individuals serving under a Foreign*
19 *Service Limited appointment under section 309*
20 *of the Foreign Service Act of 1980; or*

21 (E) *individuals working in the Department*
22 *of State under any other authority.*

1 **SEC. 402. COLLECTION, ANALYSIS, AND DISSEMINATION OF**
2 **WORKFORCE DATA.**

3 (a) *INITIAL REPORT.*—Not later than 180 days after
4 the date of the enactment of this Act, the Secretary shall,
5 in consultation with the Director of the Office of Personnel
6 Management and the Director of the Office of Management
7 and Budget, submit to the appropriate congressional com-
8 mittees a report, which shall also be posted on a publicly
9 available website of the Department in a searchable data-
10 base format, that includes disaggregated demographic data
11 and other information regarding the diversity of the work-
12 force of the Department.

13 (b) *DATA.*—The report under subsection (a) shall in-
14 clude the following data:

15 (1) *Demographic data on each element of the*
16 *workforce of the Department, disaggregated by rank*
17 *and grade or grade-equivalent, with respect to the fol-*
18 *lowing groups:*

19 (A) *Applicants for positions in the Depart-*
20 *ment.*

21 (B) *Individuals hired to join the workforce.*

22 (C) *Individuals promoted during the 2-year*
23 *period ending on the date of the enactment of*
24 *this Act, including promotions to and within the*
25 *Senior Executive Service or the Senior Foreign*
26 *Service.*

1 (D) *Individuals serving on applicable selec-*
2 *tion boards.*

3 (E) *Members of any external advisory com-*
4 *mittee or board who are subject to appointment*
5 *by individuals at senior positions in the Depart-*
6 *ment.*

7 (F) *Individuals participating in profes-*
8 *sional development programs of the Department,*
9 *and the extent to which such participants have*
10 *been placed into senior positions within the De-*
11 *partment after such participation.*

12 (G) *Individuals participating in*
13 *mentorship or retention programs.*

14 (H) *Individuals who separated from the*
15 *agency during the 2-year period ending on the*
16 *date of the enactment of this Act, including indi-*
17 *viduals in the Senior Executive Service or the*
18 *Senior Foreign Service.*

19 (2) *An assessment of agency compliance with the*
20 *essential elements identified in Equal Employment*
21 *Opportunity Commission Management Directive 715,*
22 *effective October 1, 2003.*

23 (3) *Data on the overall number of individuals*
24 *who are part of the workforce, the percentages of such*
25 *workforce corresponding to each element listed in sec-*

1 *tion 401(4), and the percentages corresponding to*
2 *each rank, grade, or grade-equivalent.*

3 (c) *RECOMMENDATION.—The Secretary may include*
4 *in the report under subsection (a) a recommendation to the*
5 *Director of Office of Management and Budget and to the*
6 *appropriate congressional committees regarding whether the*
7 *Department should collect more detailed data on demo-*
8 *graphic categories in addition to the race and ethnicity cat-*
9 *egories specified in the Office of Management and Budget*
10 *statistical policy directive entitled “Standards for Main-*
11 *taining, Collecting, and Presenting Federal Data on Race*
12 *and Ethnicity” (81 Fed. Reg. 67398).*

13 (d) *OTHER CONTENTS.—The report under subsection*
14 (a) *shall also describe and assess the effectiveness of the ef-*
15 *forts of the Department—*

16 (1) *to propagate fairness, impartiality, and in-*
17 *clusion in the work environment, both domestically*
18 *and abroad;*

19 (2) *to enforce anti-harassment and anti-dis-*
20 *crimination policies, both domestically and at posts*
21 *overseas;*

22 (3) *to refrain from engaging in unlawful dis-*
23 *crimination in any phase of the employment process,*
24 *including recruitment, hiring, evaluation, assign-*
25 *ments, promotion, retention, and training;*

1 (4) to prevent illegal retaliation against employ-
2 ees for participating in a protected equal employment
3 opportunity activity or for reporting sexual harass-
4 ment or sexual assault;

5 (5) to provide reasonable accommodation for
6 qualified employees and applicants with disabilities;
7 and

8 (6) to recruit a representative workforce by—

9 (A) recruiting women and minorities;

10 (B) recruiting at women's colleges, histori-
11 cally Black colleges and universities, minority-
12 serving institutions, and other institutions serv-
13 ing a significant percentage of minority stu-
14 dents;

15 (C) placing job advertisements in news-
16 papers, magazines, and job sites oriented toward
17 women and minorities;

18 (D) sponsoring and recruiting at job fairs
19 in urban and rural communities and land-grant
20 colleges or universities;

21 (E) providing opportunities through the
22 Foreign Service Internship Program under chap-
23 ter 12 of the Foreign Service Act of 1980 (22
24 U.S.C. 4141 et seq.) and other hiring initiatives;

1 (F) recruiting mid-level and senior-level
2 professionals through programs designed to in-
3 crease minority representation in international
4 affairs;

5 (G) offering the Foreign Service written and
6 oral assessment examinations in several locations
7 throughout the United States to reduce the bur-
8 den of applicants having to travel at their own
9 expense to take either or both such examinations;
10 and

11 (H) support recruiting and hiring opportu-
12 nities through—

13 (i) the Charles B. Rangel International
14 Affairs Fellowship Program;

15 (ii) the Thomas R. Pickering Foreign
16 Affairs Fellowship Program;

17 (iii) the Donald M. Payne Inter-
18 national Development Fellowship Program;
19 and

20 (iv) other initiatives, including agen-
21 cy-wide policy initiatives.

22 (e) ANNUAL UPDATES.—Not later than one year after
23 the publication of the report required under subsection (a)
24 and annually thereafter for the following five years, the Sec-
25 retary shall work with the Director of the Office of Per-

1 *sonnel Management and the Director of the Office of Man-*
 2 *agement and Budget to provide a report to the appropriate*
 3 *congressional committees, which shall be posted on the De-*
 4 *partment's website, which may be included in another an-*
 5 *nual report required under another provision of law, that*
 6 *includes—*

7 (1) *disaggregated demographic data relating to*
 8 *the workforce and information on the status of diver-*
 9 *sity and inclusion efforts of the Department;*

10 (2) *an analysis of applicant flow data; and*

11 (3) *disaggregated demographic data relating to*
 12 *participants in professional development programs of*
 13 *the Department and the rate of placement into senior*
 14 *positions for participants in such programs.*

15 **SEC. 403. EXIT INTERVIEWS FOR WORKFORCE.**

16 (a) *RETAINED MEMBERS.*—*The Director General of*
 17 *the Foreign Service and the Director of Human Resources*
 18 *of the Department should conduct periodic interviews with*
 19 *a representative and diverse cross-section of the workforce*
 20 *of the Department—*

21 (1) *to understand the reasons of individuals in*
 22 *such workforce for remaining in a position in the De-*
 23 *partment; and*

24 (2) *to receive feedback on workplace policies, pro-*
 25 *fessional development opportunities, and other issues*

1 *affecting the decision of individuals in the workforce*
2 *to remain in the Department.*

3 *(b) DEPARTING MEMBERS.—The Director General of*
4 *the Foreign Service and the Director of Human Resources*
5 *shall provide an opportunity for an exit interview to each*
6 *individual in the workforce of the Department who sepa-*
7 *rates from service with the Department to better understand*
8 *the reasons of such individual for leaving such service.*

9 *(c) USE OF ANALYSIS FROM INTERVIEWS.—The Direc-*
10 *tor General of the Foreign Service and the Director of*
11 *Human Resources shall analyze demographic data and*
12 *other information obtained through interviews under sub-*
13 *sections (a) and (b) to determine—*

14 *(1) to what extent, if any, the diversity of those*
15 *participating in such interviews impacts the results;*
16 *and*

17 *(2) whether to implement any policy changes or*
18 *include any recommendations in a report required*
19 *under subsection (a) or (e) of section 402 relating to*
20 *the determination reached pursuant to paragraph (1).*

21 *(d) TRACKING DATA.—The Department shall—*

22 *(1) track demographic data relating to partici-*
23 *pants in professional development programs and the*
24 *rate of placement into senior positions for partici-*
25 *pants in such programs;*

1 (2) *annually evaluate such data—*

2 (A) *to identify ways to improve outreach*
 3 *and recruitment for such programs, consistent*
 4 *with merit system principles; and*

5 (B) *to understand the extent to which par-*
 6 *ticipation in any professional development pro-*
 7 *gram offered or sponsored by the Department*
 8 *differs among the demographic categories of the*
 9 *workforce; and*

10 (3) *actively encourage participation from a*
 11 *range of demographic categories, especially from cat-*
 12 *egories with consistently low participation, in such*
 13 *professional development programs.*

14 **SEC. 404. RECRUITMENT AND RETENTION.**

15 (a) *IN GENERAL.—The Secretary should—*

16 (1) *continue to seek a diverse and talented pool*
 17 *of applicants; and*

18 (2) *instruct the Director General of the Foreign*
 19 *Service and the Director of the Bureau of Human Re-*
 20 *sources of the Department to have a recruitment plan*
 21 *of action for the recruitment of people belonging to*
 22 *traditionally under-represented groups, which should*
 23 *include outreach at appropriate colleges, universities,*
 24 *affinity groups, and professional associations.*

1 (b) *SCOPE.*—*The diversity recruitment initiatives de-*
2 *scribed in subsection (a) should include—*

3 (1) *recruiting at women’s colleges, historically*
4 *Black colleges and universities, minority-serving in-*
5 *stitutions, and other institutions serving a significant*
6 *percentage of minority students;*

7 (2) *placing job advertisements in newspapers,*
8 *magazines, and job sites oriented toward diverse*
9 *groups;*

10 (3) *sponsoring and recruiting at job fairs in*
11 *urban and rural communities and land-grant colleges*
12 *or universities;*

13 (4) *providing opportunities through highly re-*
14 *spected, international leadership programs, that focus*
15 *on diversity recruitment and retention; and*

16 (5) *cultivating partnerships with organizations*
17 *dedicated to the advancement of the profession of*
18 *international affairs and national security to advance*
19 *shared diversity goals.*

20 (c) *EXPAND TRAINING ON ANTI-HARASSMENT AND*
21 *ANTI-DISCRIMINATION.*—

22 (1) *IN GENERAL.*—*The Secretary shall, through*
23 *the Foreign Service Institute and other educational*
24 *and training opportunities—*

1 (A) ensure the provision of training on
2 anti-harassment and anti-discrimination infor-
3 mation and policies to all individuals in the
4 workforce;

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

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

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

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

17 (iii) any other individual determined
18 by the Department who needs such training
19 based on analysis by the Department or
20 OPM analysis.

21 (2) *BEST PRACTICES.*—The Department shall
22 give special attention to ensuring the continuous in-
23 corporation of research-based best practices in train-
24 ing provided under this subsection.

1 **SEC. 405. LEADERSHIP ENGAGEMENT AND ACCOUNT-**
2 **ABILITY.**

3 (a) *REWARD AND RECOGNIZE EFFORTS TO PROMOTE*
4 *DIVERSITY AND INCLUSION.—*

5 (1) *IN GENERAL.—The Secretary shall imple-*
6 *ment performance and advancement requirements*
7 *that reward and recognize the efforts of individuals in*
8 *senior positions and supervisors in the Department in*
9 *fostering an inclusive environment and cultivating*
10 *talent consistent with merit system principles, such as*
11 *through participation in mentoring programs or*
12 *sponsorship initiatives, recruitment events, and other*
13 *similar opportunities.*

14 (2) *OUTREACH EVENTS.—The Secretary shall*
15 *create opportunities for individuals in senior posi-*
16 *tions and supervisors in the Department to partici-*
17 *pate in outreach events and to discuss issues relating*
18 *to diversity and inclusion with the workforce on a*
19 *regular basis, including with employee resource*
20 *groups.*

21 (b) *EXTERNAL ADVISORY COMMITTEES AND*
22 *BOARDS.—For each external advisory committee or board*
23 *to which individuals in senior positions in the Department*
24 *appoint members, the Secretary is strongly encouraged by*
25 *Congress to ensure such external advisory committee or*

1 *board is developed, reviewed, and carried out by qualified*
 2 *teams that represent the diversity of the organization.*

3 **SEC. 406. PROFESSIONAL DEVELOPMENT OPPORTUNITIES**
 4 **AND TOOLS.**

5 *(a) EXPAND PROVISION OF PROFESSIONAL DEVELOP-*
 6 *MENT AND CAREER ADVANCEMENT OPPORTUNITIES.—*

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

11 *(A) academic programs;*

12 *(B) private-public exchanges; and*

13 *(C) detail assignments to relevant positions*
 14 *in—*

15 *(i) private or international organiza-*
 16 *tions;*

17 *(ii) State, local, and Tribal govern-*
 18 *ments;*

19 *(iii) other branches of the Federal Gov-*
 20 *ernment; or*

21 *(iv) professional schools of inter-*
 22 *national affairs.*

23 *(2) TRAINING FOR SENIOR POSITIONS.—*

24 *(A) IN GENERAL.—The Secretary shall offer,*
 25 *or sponsor members of the workforce to partici-*

1 *pate in, a Senior Executive Service candidate*
2 *development program or other program that*
3 *trains members on the skills required for ap-*
4 *pointment to senior positions in the Department.*

5 *(B) REQUIREMENTS.—In determining*
6 *which members of the workforce are granted pro-*
7 *fessional development or career advancement op-*
8 *portunities under subparagraph (A), the Sec-*
9 *retary shall—*

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

17 *(ii) consider the number of expected*
18 *vacancies in senior positions as a factor in*
19 *determining the number of candidates to se-*
20 *lect for such programs;*

21 *(iii) understand how participation in*
22 *any program offered or sponsored by the*
23 *Department under such subparagraph dif-*
24 *fers by gender, race, national origin, dis-*

1 ability status, or other demographic cat-
2 egories; and

3 (iv) actively encourage participation
4 from a range of demographic categories, es-
5 pecially from categories with consistently
6 low participation.

7 **SEC. 407. EXAMINATION AND ORAL ASSESSMENT FOR THE**
8 **FOREIGN SERVICE.**

9 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
10 *that the Department should offer both the Foreign Service*
11 *written examination and oral assessment in more locations*
12 *throughout the United States. Doing so would ease the fi-*
13 *nancial burden on potential candidates who do not cur-*
14 *rently reside in and must travel at their own expense to*
15 *one of the few locations where these assessments are offered.*

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

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

21 (2) *by adding at the end the following new para-*
22 *graph:*

23 *“(2) The Secretary shall ensure that the Board of Ex-*
24 *aminers for the Foreign Service annually offers the oral as-*
25 *essment examinations described in paragraph (1) in cities,*

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

3 **SEC. 408. PAYNE FELLOWSHIP AUTHORIZATION.**

4 *(a) IN GENERAL.—Undergraduate and graduate com-*
5 *ponents of the Donald M. Payne International Development*
6 *Fellowship Program may conduct outreach to attract out-*
7 *standing students with an interest in pursuing a Foreign*
8 *Service career who represent diverse ethnic and socio-*
9 *economic backgrounds.*

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

13 **SEC. 409. VOLUNTARY PARTICIPATION.**

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

20 *(b) PRIVACY PROTECTION.—Any data collected under*
21 *this title shall be subject to the relevant privacy protection*
22 *statutes and regulations applicable to Federal employees.*

**TITLE V—INFORMATION
SECURITY**

SEC. 501. DEFINITIONS.

In this title:

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

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

(3) *RELEVANT CONGRESSIONAL COMMITTEES*.—The term “relevant congressional committees” means—

(A) the appropriate congressional committees;

(B) the Select Committee on Intelligence of the Senate; and

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

SEC. 502. INFORMATION SYSTEM SECURITY.

(a) *DEFINITIONS*.—In this section:

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

1 (2) *PENETRATION TEST.*—The term “penetration
2 *test*” means a test methodology in which assessors at-
3 *tempt to circumvent or defeat the security features of*
4 *an information system.*

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

18 (c) *INDEPENDENT PENETRATION TESTING OF INFOR-*
19 *MATION SYSTEMS.*—In coordination with the consultations
20 *under subsection (b), the Secretary shall commission inde-*
21 *pendent, semiannual penetration tests, which shall be car-*
22 *ried out by an appropriate Federal department or agency*
23 *other than the Department, such as the Department of*
24 *Homeland Security or the National Security Agency, to en-*
25 *sure that adequate policies and protections are implemented*

1 *to detect and prevent penetrations or compromises of such*
2 *information systems, including malicious intrusions by any*
3 *unauthorized individual, state actor, or other entity.*

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

7 (1) *determines that such requirement would have*
8 *adverse effects on national security or the diplomatic*
9 *mission of the Department; and*

10 (2) *not later than 30 days after the commence-*
11 *ment of such a determination, submits to the relevant*
12 *congressional committees a written justification that*
13 *describes how such penetration tests would undermine*
14 *national security or the diplomatic mission of the De-*
15 *partment.*

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

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

6 (2) *For all subsequent reporting periods, all*
7 *known and suspected incidents affecting the informa-*
8 *tion systems specified in subsection (b) that occurred*
9 *since the submission of the most recent report.*

10 (f) *CONTENTS.—Each report under subsection (e) shall*
11 *include, for the relevant reporting period, a summary over-*
12 *view addressing the following:*

13 (1) *A description of the relevant information sys-*
14 *tem, as specified in subsection (b), that experienced a*
15 *known or suspected incident.*

16 (2) *An assessment of the date and time each such*
17 *incident occurred or was suspected to have occurred.*

18 (3) *An assessment of the duration over which*
19 *each such incident took place or is suspected of having*
20 *taken place, including whether such incident is ongo-*
21 *ing.*

22 (4) *An assessment of the volume and sensitivity*
23 *of information accessed, compromised, or potentially*
24 *compromised by each incident, including any such*
25 *information contained on information systems owned,*

1 operated, managed, or utilized by any other Federal
2 department or agency.

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

6 (A) *The known or suspected perpetrators,*
7 *including state actors.*

8 (B) *The methods used to carry out the inci-*
9 *dent.*

10 (C) *The known or suspected intent of the ac-*
11 *tors in accessing the information system.*

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

17 **SEC. 503. PROHIBITION ON CONTRACTING WITH CERTAIN**
18 **TELECOMMUNICATIONS PROVIDERS.**

19 (a) *LIST OF COVERED CONTRACTORS.*—*Not later than*
20 *30 days after the date of the enactment of this Act, the Sec-*
21 *retary, in consultation with the Director of National Intel-*
22 *ligence, shall develop or maintain, as the case may be, and*
23 *update as frequently as the Secretary determines appro-*
24 *priate, a list of covered contractors with respect to which*
25 *the prohibition specified in subsection (b) shall apply. Not*

1 *later than 30 days after the initial development of the list*
2 *under this subsection, any update thereto, and annually*
3 *thereafter for five years after such initial 30 day period,*
4 *the Secretary shall submit to the appropriate congressional*
5 *committees a copy of such list.*

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

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

16 (d) *WAIVERS.—*

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

22 (2) *WAIVER FOR OVERSEAS OPERATIONS.—The*
23 *Secretary may waive the prohibition specified in sub-*
24 *section (b) for United States diplomatic posts or dip-*
25 *lomatic personnel overseas if the Secretary, in con-*

1 *sultation with the Director of National Intelligence,*
2 *determines that no suitable alternatives are available.*

3 *(e) COVERED CONTRACTOR DEFINED.—In this section,*
4 *the term “covered contractor” means a provider of tele-*
5 *communications, telecommunications equipment, or infor-*
6 *mation technology equipment, including hardware, soft-*
7 *ware, or services, that has knowingly assisted or facilitated*
8 *a cyber attack or conducted surveillance, including passive*
9 *or active monitoring, carried out against—*

10 *(1) the United States by, or on behalf of, any*
11 *government, or persons associated with such govern-*
12 *ment, listed as a cyber threat actor in the intelligence*
13 *community’s 2017 assessment of worldwide threats to*
14 *United States national security or any subsequent*
15 *worldwide threat assessment of the intelligence com-*
16 *munity; or*

17 *(2) individuals, including activists, journalists,*
18 *opposition politicians, or other individuals for the*
19 *purposes of suppressing dissent or intimidating crit-*
20 *ics, on behalf of a country included in the annual*
21 *country reports on human rights practices of the De-*
22 *partment for systematic acts of political repression,*
23 *including arbitrary arrest or detention, torture,*
24 *extrajudicial or politically motivated killing, or other*
25 *gross violations of human rights.*

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

4 **SEC. 504. PRESERVING RECORDS OF ELECTRONIC COMMU-**
 5 **NICATIONS CONDUCTED RELATED TO OFFI-**
 6 **CIAL DUTIES OF POSITIONS IN THE PUBLIC**
 7 **TRUST OF THE AMERICAN PEOPLE.**

8 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 9 *that, as a matter of rule of law and transparency in a*
 10 *democratic government, all officers and employees of the De-*
 11 *partment and the United States Agency for International*
 12 *Development must preserve all records of communications*
 13 *conducted in their official capacities or related to their offi-*
 14 *cial duties with entities outside of the United States Gov-*
 15 *ernment. It is further the sense of Congress that such prac-*
 16 *tice should include foreign government officials or other for-*
 17 *ign entities which may seek to influence United States*
 18 *Government policies and actions.*

19 (b) *PUBLICATION.*—*Not later than 180 days after the*
 20 *date of the enactment of this Act, the Secretary shall publish*
 21 *in the Foreign Affairs Manual guidance implementing*
 22 *chapter 31 of title 44, United States Code (commonly re-*
 23 *ferred to as the “Federal Records Act”), to treat electronic*
 24 *messaging systems, software, and applications as equivalent*
 25 *to electronic mail for the purpose of identifying Federal*

1 records, and shall also publish in the *Foreign Affairs Man-*
 2 *ual* the statutory penalties for failure to comply with such
 3 guidance. No funds are authorized to be appropriated or
 4 made available to the Department of State under any Act
 5 to support the use or establishment of accounts on third-
 6 party messaging applications or other non-Government on-
 7 line communication tools if the Secretary does not certify
 8 to the relevant congressional committees that the Secretary
 9 has carried out this section.

10 **SEC. 505. FOREIGN RELATIONS OF THE UNITED STATES**

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

12 *The State Department Basic Authorities Act of 1956*
 13 *is amended—*

14 (1) in section 401(c) (22 U.S.C. 4351(c)), by
 15 striking “30” and inserting “25”;

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

18 (3) in section 404 (22 U.S.C. 4354)—

19 (A) in subsection (a)(1), by striking
 20 “30” and inserting “25”; and

21 (B) in subsection (c)(1)(C), by striking
 22 “30” and inserting “25”.

23 **SEC. 506. VULNERABILITY DISCLOSURE POLICY AND BUG**

24 **BOUNTY PILOT PROGRAM.**

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

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

8 (2) *DEPARTMENT.*—*The term “Department”*
9 *means the Department of State.*

10 (3) *INFORMATION TECHNOLOGY.*—*The term “in-*
11 *formation technology” has the meaning given such*
12 *term in section 11101 of title 40, United States Code.*

13 (4) *SECRETARY.*—*The term “Secretary” means*
14 *the Secretary of State.*

15 (b) *DEPARTMENT OF STATE VULNERABILITY DISCLO-*
16 *SURE PROCESS.*—

17 (1) *IN GENERAL.*—*Not later than 180 days after*
18 *the date of the enactment of this Act, the Secretary*
19 *shall design, establish, and make publicly known a*
20 *Vulnerability Disclosure Process (VDP) to improve*
21 *Department cybersecurity by—*

22 (A) *providing security researchers with*
23 *clear guidelines for—*

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

4 (ii) submitting discovered security
5 vulnerabilities to the Department; and

6 (B) creating Department procedures and
7 infrastructure to receive and fix discovered
8 vulnerabilities.

9 (2) *REQUIREMENTS.*—In establishing the VDP
10 pursuant to paragraph (1), the Secretary shall—

11 (A) identify which Department information
12 technology should be included in the process;

13 (B) determine whether the process should
14 differentiate among and specify the types of secu-
15 rity vulnerabilities that may be targeted;

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

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

24 (E) consult with the Attorney General re-
25 garding how to ensure that individuals, organi-

1 zations, and companies that comply with the re-
2 quirements of the process are protected from
3 prosecution under section 1030 of title 18,
4 United States Code, and similar provisions of
5 law for specific activities authorized under the
6 process;

7 (F) consult with the relevant offices at the
8 Department of Defense that were responsible for
9 launching the 2016 Vulnerability Disclosure Pro-
10 gram, “Hack the Pentagon”, and subsequent De-
11 partment of Defense bug bounty programs;

12 (G) engage qualified interested persons, in-
13 cluding nongovernmental sector representatives,
14 about the structure of the process as constructive
15 and to the extent practicable; and

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

20 (3) ANNUAL REPORTS.—Not later than 180 days
21 after the establishment of the VDP under paragraph
22 (1) and annually thereafter for the next six years, the
23 Secretary of State shall submit to the Committee on
24 Foreign Affairs of the House of Representatives and
25 the Committee on Foreign Relations of the Senate a

1 *report on the VDP, including information relating to*
2 *the following:*

3 *(A) The number and severity, in accordance*
4 *with the National Vulnerabilities Database of the*
5 *National Institute of Standards and Technology,*
6 *of security vulnerabilities reported.*

7 *(B) The number of previously unidentified*
8 *security vulnerabilities remediated as a result.*

9 *(C) The current number of outstanding pre-*
10 *viously unidentified security vulnerabilities and*
11 *Department of State remediation plans.*

12 *(D) The average length of time between the*
13 *reporting of security vulnerabilities and remedi-*
14 *ation of such vulnerabilities.*

15 *(E) The resources, surge staffing, roles, and*
16 *responsibilities within the Department used to*
17 *implement the VDP and complete security vul-*
18 *nerability remediation.*

19 *(F) Any other information the Secretary de-*
20 *termines relevant.*

21 *(c) DEPARTMENT OF STATE BUG BOUNTY PILOT PRO-*
22 *GRAM.—*

23 *(1) IN GENERAL.—Not later than one year after*
24 *the date of the enactment of this Act, the Secretary*
25 *shall establish a bug bounty pilot program to mini-*

1 *mize security vulnerabilities of internet-facing infor-*
2 *mation technology of the Department.*

3 (2) *REQUIREMENTS.—In establishing the pilot*
4 *program described in paragraph (1), the Secretary*
5 *shall—*

6 (A) *provide compensation for reports of pre-*
7 *viously unidentified security vulnerabilities*
8 *within the websites, applications, and other*
9 *internet-facing information technology of the De-*
10 *partment that are accessible to the public;*

11 (B) *award contracts to entities, as nec-*
12 *essary, to manage such pilot program and for*
13 *executing the remediation of security vulnerabili-*
14 *ties identified pursuant to subparagraph (A);*

15 (C) *identify which Department information*
16 *technology should be included in such pilot pro-*
17 *gram;*

18 (D) *consult with the Attorney General on*
19 *how to ensure that individuals, organizations, or*
20 *companies that comply with the requirements of*
21 *such pilot program are protected from prosecu-*
22 *tion under section 1030 of title 18, United States*
23 *Code, and similar provisions of law for specific*
24 *activities authorized under such pilot program;*

1 (E) consult with the relevant offices at the
2 Department of Defense that were responsible for
3 launching the 2016 “Hack the Pentagon” pilot
4 program and subsequent Department of Defense
5 bug bounty programs;

6 (F) develop a process by which an approved
7 individual, organization, or company can reg-
8 ister with the entity referred to in subparagraph
9 (B), submit to a background check as determined
10 by the Department, and receive a determination
11 as to eligibility for participation in such pilot
12 program;

13 (G) engage qualified interested persons, in-
14 cluding nongovernmental sector representatives,
15 about the structure of such pilot program as con-
16 structive and to the extent practicable; and

17 (H) consult with relevant United States
18 Government officials to ensure that such pilot
19 program complements persistent network and
20 vulnerability scans of the Department of State’s
21 internet-accessible systems, such as the scans con-
22 ducted pursuant to Binding Operational Direc-
23 tive BOD–15–01.

1 (3) *DURATION.*—*The pilot program established*
2 *under paragraph (1) should be short-term in duration*
3 *and not last longer than one year.*

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

11 (A) *the number of approved individuals, or-*
12 *ganizations, or companies involved in such pilot*
13 *program, broken down by the number of ap-*
14 *proved individuals, organizations, or companies*
15 *that—*

16 (i) *registered;*

17 (ii) *were approved;*

18 (iii) *submitted security vulnerabilities;*

19 *and*

20 (iv) *received compensation;*

21 (B) *the number and severity, in accordance*
22 *with the National Vulnerabilities Database of the*
23 *National Institute of Standards and Technology,*
24 *of security vulnerabilities reported as part of*
25 *such pilot program;*

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

4 (D) the current number of outstanding pre-
5 viously unidentified security vulnerabilities and
6 Department remediation plans;

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

10 (F) the types of compensation provided
11 under such pilot program; and

12 (G) the lessons learned from such pilot pro-
13 gram.

14 ***TITLE VI—PUBLIC DIPLOMACY***

15 ***SEC. 601. SHORT TITLE.***

16 *This title may be cited as the “Public Diplomacy Mod-
17 ernization Act of 2019”.*

18 ***SEC. 602. AVOIDING DUPLICATION OF PROGRAMS AND EF-***

19 ***FORTS.***

20 *The Secretary shall—*

21 (1) identify opportunities for greater efficiency of
22 operations, including through improved coordination
23 of efforts across public diplomacy bureaus and offices
24 of the Department; and

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

6 **SEC. 603. IMPROVING RESEARCH AND EVALUATION OF PUB-**
 7 **LIC DIPLOMACY.**

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

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

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

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

21 (1) *APPOINTMENT.*—*Not later than 90 days after*
 22 *the date of the enactment of this Act, the Secretary*
 23 *shall appoint a Director of Research and Evaluation*
 24 *(referred to in this subsection as the “Director”) in*

1 *the Office of Policy, Planning, and Resources for Pub-*
2 *lic Diplomacy and Public Affairs of the Department.*

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

7 (3) *RESPONSIBILITIES.—The Director shall—*

8 (A) *report to the Director of Policy Plan-*
9 *ning of the Office of Policy, Planning, and Re-*
10 *sources for Public Diplomacy and Public Affairs*
11 *of the Department;*

12 (B) *coordinate and oversee the research and*
13 *evaluation of public diplomacy programs and*
14 *activities of the Department to—*

15 (i) *improve public diplomacy strategies*
16 *and tactics; and*

17 (ii) *ensure that such programs and ac-*
18 *tivities are increasing the knowledge, under-*
19 *standing, and trust of the United States by*
20 *relevant target audiences;*

21 (C) *routinely organize and oversee audience*
22 *research, digital analytics, and impact evalua-*
23 *tions across all public diplomacy bureaus and of-*
24 *fices of the Department;*

1 (D) support United States diplomatic posts'
2 public affairs sections;

3 (E) share appropriate public diplomacy re-
4 search and evaluation information within the
5 Department and with other appropriate Federal
6 departments and agencies;

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

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

19 (4) GUIDANCE AND TRAINING.—Not later than
20 one year after the appointment of the Director pursu-
21 ant to paragraph (1), the Director shall develop guid-
22 ance and training, including curriculum for use by
23 the Foreign Service Institute, for all public diplomacy
24 officers of the Department regarding the reading and
25 interpretation of public diplomacy program and ac-

1 *tivity evaluation findings to ensure that such findings*
2 *and related lessons learned are implemented in the*
3 *planning and evaluation of all public diplomacy pro-*
4 *grams and activities of the Department.*

5 *(c) PRIORITIZING RESEARCH AND EVALUATION.—*

6 *(1) IN GENERAL.—The Director of Policy Plan-*
7 *ning of the Office of Policy, Planning, and Resources*
8 *for Public Diplomacy and Public Affairs of the De-*
9 *partment shall ensure that research and evaluation of*
10 *public diplomacy and activities of the Department, as*
11 *coordinated and overseen by the Director pursuant to*
12 *subsection (b), supports strategic planning and re-*
13 *source allocation across all public diplomacy bureaus*
14 *and offices of the Department.*

15 *(2) ALLOCATION OF RESOURCES.—Amounts allo-*
16 *cated for the purpose of research and evaluation of*
17 *public diplomacy programs and activities of the De-*
18 *partment pursuant to subsection (b) shall be made*
19 *available to be disbursed at the direction of the Direc-*
20 *tor among the research and evaluation staff across all*
21 *public diplomacy bureaus and offices of the Depart-*
22 *ment.*

23 *(3) SENSE OF CONGRESS.—It is the sense of*
24 *Congress that the Department should gradually in-*
25 *crease its allocation of funds made available under*

1 the headings “Educational and Cultural Exchange
2 Programs” and “Diplomatic Programs” for research
3 and evaluation of public diplomacy programs and ac-
4 tivities of the Department pursuant to subsection (b)
5 to a percentage of program funds that is commensu-
6 rate with Federal Government best practices.

7 (d) *LIMITED EXEMPTION RELATING TO THE PAPER-*
8 *WORK REDUCTION ACT.*—Chapter 35 of title 44, United
9 States Code (commonly known as the “Paperwork Reduc-
10 tion Act”) shall not apply to the collection of information
11 directed at any individuals conducted by, or on behalf of,
12 the Department for the purpose of audience research, moni-
13 toring, and evaluations, and in connection with the Depart-
14 ment’s activities conducted pursuant to any of the fol-
15 lowing:

16 (1) *The United States Information and Edu-*
17 *cational Exchange Act of 1948 (22 U.S.C. 1431 et*
18 *seq.).*

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

21 (3) *Section 1287 of the National Defense Author-*
22 *ization Act for Fiscal Year 2017 (Public Law 114–*
23 *328; 22 U.S.C. 2656 note).*

24 (4) *The Foreign Assistance Act of 1961 (22*
25 *U.S.C. 2151 et seq.).*

1 (e) *LIMITED EXEMPTION RELATING TO THE PRIVACY*
2 *ACT.*—

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

10 (2) *CONDITIONS.*—*Audience research, digital*
11 *analytics, and impact evaluations under paragraph*
12 *(1) shall be—*

13 (A) *reasonably tailored to meet the purposes*
14 *of this subsection; and*

15 (B) *carried out with due regard for privacy*
16 *and civil liberties guidance and oversight.*

17 (f) *UNITED STATES ADVISORY COMMISSION ON PUB-*
18 *LIC DIPLOMACY.*—

19 (1) *SUBCOMMITTEE FOR RESEARCH AND EVAL-*
20 *UATION.*—*The United States Advisory Commission on*
21 *Public Diplomacy shall establish a Subcommittee on*
22 *Research and Evaluation to monitor and advise re-*
23 *garding audience research, digital analytics, and im-*
24 *pect evaluations carried out by the Department and*
25 *the United States Agency for Global Media.*

1 (2) *ANNUAL REPORT.*—*The Subcommittee on Re-*
 2 *search and Evaluation established pursuant to para-*
 3 *graph (1) shall submit to the appropriate congres-*
 4 *sional committees an annual report, in conjunction*
 5 *with the United States Advisory Commission on Pub-*
 6 *lic Diplomacy’s Comprehensive Annual Report on the*
 7 *performance of the Department and the United States*
 8 *Agency for Global Media, describing all actions taken*
 9 *by the Subcommittee pursuant to paragraph (1) and*
 10 *any findings made as a result of such actions.*

11 **SEC. 604. PERMANENT REAUTHORIZATION OF THE UNITED**
 12 **STATES ADVISORY COMMISSION ON PUBLIC**
 13 **DIPLOMACY.**

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

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

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

19 **SEC. 605. STREAMLINING OF SUPPORT FUNCTIONS.**

20 (a) *WORKING GROUP ESTABLISHED.*—*Not later than*
 21 *90 days after the date of the enactment of this Act, the Sec-*
 22 *retary shall establish a working group to explore the possi-*
 23 *bilities and cost-benefit analysis of transitioning to a*
 24 *shared services model as such pertains to human resources,*
 25 *travel, purchasing, budgetary planning, and all other execu-*

1 *tive support functions for all bureaus of the Department*
 2 *that report to the Under Secretary for Public Diplomacy*
 3 *of the Department.*

4 (b) *REPORT.*—*Not later than one year after the date*
 5 *of the enactment of this Act, the Secretary shall submit to*
 6 *the appropriate congressional committees a plan to imple-*
 7 *ment any such findings of the working group established*
 8 *under subsection (a).*

9 **SEC. 606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMACY**
 10 **FACILITIES.**

11 (a) *IN GENERAL.*—*Not later than 180 days after the*
 12 *date of the enactment of this Act, the Secretary of State*
 13 *shall adopt, and include in the Foreign Affairs Manual,*
 14 *guidelines to collect and utilize information from each dip-*
 15 *lomatic post at which the construction of a new embassy*
 16 *compound or new consulate compound would result in the*
 17 *closure or co-location of an American Space, American Cen-*
 18 *ter, American Corner, or any other public diplomacy facil-*
 19 *ity under the Secure Embassy Construction and Counter-*
 20 *terrorism Act of 1999 (22 U.S.C. 4865 et seq.).*

21 (b) *REQUIREMENTS.*—*The guidelines required by sub-*
 22 *section (a) shall include the following:*

23 (1) *Standardized notification to each chief of*
 24 *mission at a diplomatic post describing the require-*
 25 *ments of the Secure Embassy Construction and*

1 *Counterterrorism Act of 1999 and the impact on the*
2 *mission footprint of such requirements.*

3 (2) *An assessment and recommendations from*
4 *each chief of mission of potential impacts to public*
5 *diplomacy programming at such diplomatic post if*
6 *any public diplomacy facility referred to in sub-*
7 *section (a) is closed or staff is co-located in accord-*
8 *ance with such Act.*

9 (3) *A process by which assessments and rec-*
10 *ommendations under paragraph (2) are considered by*
11 *the Secretary and the appropriate Under Secretaries*
12 *and Assistant Secretaries of the Department.*

13 (4) *Notification to the appropriate congressional*
14 *committees, prior to the initiation of a new embassy*
15 *compound or new consulate compound design, of the*
16 *intent to close any such public diplomacy facility or*
17 *co-locate public diplomacy staff in accordance with*
18 *such Act.*

19 (c) *REPORT.*—*Not later than one year after the date*
20 *of the enactment of this Act, the Secretary shall submit to*
21 *the appropriate congressional committees a report con-*
22 *taining the guidelines required under subsection (a) and*
23 *any recommendations for any modifications to such guide-*
24 *lines.*

1 **SEC. 607. DEFINITIONS.**

2 *In this title:*

3 (1) *AUDIENCE RESEARCH.*—The term “audience
4 research” means research conducted at the outset of a
5 public diplomacy program or the outset of campaign
6 planning and design regarding specific audience seg-
7 ments to understand the attitudes, interests, knowl-
8 edge, and behaviors of such audience segments.

9 (2) *DIGITAL ANALYTICS.*—The term “digital
10 analytics” means the analysis of qualitative and
11 quantitative data, accumulated in digital format, to
12 indicate the outputs and outcomes of a public diplo-
13 macy program or campaign.

14 (3) *IMPACT EVALUATION.*—The term “impact
15 evaluation” means an assessment of the changes in
16 the audience targeted by a public diplomacy program
17 or campaign that can be attributed to such program
18 or campaign.

19 (4) *PUBLIC DIPLOMACY BUREAUS AND OF-*
20 *FICES.*—The term “public diplomacy bureaus and of-
21 fices” means, with respect to the Department, the fol-
22 lowing:

23 (A) *The Bureau of Educational and Cul-*
24 *tural Affairs.*

25 (B) *The Bureau of Global Public Affairs.*

1 (C) *The Office of Policy, Planning, and Re-*
 2 *sources for Public Diplomacy and Public Affairs.*

3 (D) *The Global Engagement Center.*

4 (E) *The public diplomacy functions within*
 5 *the regional and functional bureaus.*

6 **TITLE VII—COMBATING PUBLIC**
 7 **CORRUPTION**

8 **SEC. 701. SENSE OF CONGRESS.**

9 *It is the sense of Congress that—*

10 (1) *it is in the foreign policy interest of the*
 11 *United States to help foreign countries promote good*
 12 *governance and combat public corruption;*

13 (2) *multiple Federal departments and agencies*
 14 *operate programs that promote good governance in*
 15 *foreign countries and enhance such countries' ability*
 16 *to combat public corruption;*

17 (3) *the Department should promote coordination*
 18 *among the Federal departments and agencies imple-*
 19 *menting programs to promote good governance and*
 20 *combat public corruption in foreign countries in*
 21 *order to improve effectiveness and efficiency; and*

22 (4) *the Department should identify areas in*
 23 *which United States efforts to help other countries*
 24 *promote good governance and combat public corrup-*
 25 *tion could be enhanced.*

1 **SEC. 702. ANNUAL ASSESSMENT.**

2 (a) *IN GENERAL.*—For each of fiscal years 2020
3 through 2026, the Secretary shall assess the capacity and
4 commitment of foreign countries to combat public corrup-
5 tion. Each such assessment shall—

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

12 (2) *consider, to the extent reliable information is*
13 *available, whether the government of a country identi-*
14 *fied under paragraph (1)—*

15 (A) *has adopted measures to prevent public*
16 *corruption, such as measures to inform and edu-*
17 *cate the public, including potential victims,*
18 *about the causes and consequences of public cor-*
19 *ruption;*

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

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

25 (D) *vigorously investigates, prosecutes, con-*
26 *victs, and sentences public officials who partici-*

1 *pate in or facilitate public corruption, including*
2 *nationals of such country who are deployed in*
3 *foreign military assignments, trade delegations*
4 *abroad, or other similar missions who engage in*
5 *or facilitate public corruption;*

6 *(E) prescribes appropriate punishment for*
7 *serious, significant corruption that is commensu-*
8 *rate with the punishment prescribed for serious*
9 *crimes;*

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

14 *(G) convicts and sentences persons respon-*
15 *sible for such acts that take place wholly or part-*
16 *ly within the country of such government, in-*
17 *cluding, as appropriate, requiring the incarcer-*
18 *ation of individuals convicted of such acts;*

19 *(H) holds private sector representatives ac-*
20 *countable for their role in public corruption; and*

21 *(I) addresses threats for civil society to*
22 *monitor anti-corruption efforts; and*

23 *(3) further consider—*

24 *(A) verifiable measures taken by the govern-*
25 *ment of a country identified under paragraph*

1 (1) to prohibit government officials from partici-
2 pating in, facilitating, or condoning public cor-
3 ruption, including the investigation, prosecution,
4 and conviction of such officials;

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

11 (C) the extent to which an independent ju-
12 diciary or judicial body in such country is re-
13 sponsible for, and effectively capable of, deciding
14 public corruption cases impartially, on the basis
15 of facts and in accordance with law, without any
16 improper restrictions, influences, inducements,
17 pressures, threats, or interferences, whether direct
18 or indirect, from any source or for any reason;

19 (D) the extent to which such government co-
20 operates meaningfully with the United States to
21 strengthen government and judicial institutions
22 and the rule of law to prevent, prohibit, and
23 punish public corruption;

24 (E) the extent to which such government—

1 (i) is assisting in international inves-
2 tigations of transnational public corruption
3 networks and in other cooperative efforts to
4 combat serious, significant corruption, in-
5 cluding cooperating with the governments of
6 other countries to extradite corrupt actors;

7 (ii) recognizes the rights of victims of
8 public corruption, ensures their access to
9 justice, and takes steps to prevent such vic-
10 tims from being further victimized or per-
11 secuted by corrupt actors, government offi-
12 cials, or others; and

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

19 (F) contain such other information relating
20 to public corruption as the Secretary considers
21 appropriate.

22 (b) IDENTIFICATION.—After conducting each assess-
23 ment under subsection (a), the Secretary shall identify the
24 countries described in paragraph (1) of such subsection that
25 are—

1 (1) *meeting minimum standards to combat pub-*
2 *lic corruption;*

3 (2) *not meeting such minimum standards but*
4 *making significant efforts to do so; and*

5 (3) *neither meeting such minimum standards*
6 *nor making significant efforts to do so.*

7 (c) *REPORT.*—*Not later than 180 days after the date*
8 *of the enactment of this Act and annually thereafter through*
9 *fiscal year 2026, the Secretary shall submit to the appro-*
10 *priate congressional committees and make publicly avail-*
11 *able a report that identifies the countries described in sub-*
12 *section (a)(1) and paragraphs (2) and (3) of subsection (b),*
13 *including a description of the methodology and data uti-*
14 *lized in the assessments under subsection (a) and the rea-*
15 *sons for such identifications.*

16 (d) *BRIEFING IN LIEU OF REPORT.*—*The Secretary*
17 *may waive the requirement to submit and make publicly*
18 *available a written report under subsection (c) if the Sec-*
19 *retary—*

20 (1) *determines that publication of such report*
21 *would—*

22 (A) *undermine existing United States anti-*
23 *corruption efforts in one or more countries; or*

24 (B) *threaten the national interests of the*
25 *United States; and*

1 (2) provides a briefing to the appropriate con-
2 gressional committees that identifies the countries de-
3 scribed in subsection (a)(1) and paragraphs (2) and
4 (3) of subsection (b), including a description of the
5 methodology and data utilized in the assessment
6 under subsection (a) and the reasons for such identi-
7 fications.

8 **SEC. 703. TRANSPARENCY AND ACCOUNTABILITY.**

9 For each country identified under paragraphs (2) and
10 (3) of section 702(b), the Secretary, in coordination with
11 the Administrator of the United States Agency for Inter-
12 national Development, as appropriate, shall—

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

16 (2) utilize appropriate mechanisms to combat
17 corruption in such countries, including by ensuring—

18 (A) the inclusion of anti-corruption clauses
19 in contracts, grants, and cooperative agreements
20 entered into by the Department or the Agency for
21 or in such countries, which allow for the termi-
22 nation of such contracts, grants, or cooperative
23 agreements, as the case may be, without penalty
24 if credible indicators of public corruption are
25 discovered;

1 (B) the inclusion of appropriate clawback
 2 or flowdown clauses within the procurement in-
 3 struments of the Department and the Agency
 4 that provide for the recovery of funds misappro-
 5 priated through corruption;

6 (C) the appropriate disclosure to the United
 7 States Government, in confidential form, if nec-
 8 essary, of the beneficial ownership of contractors,
 9 subcontractors, grantees, cooperative agreement
 10 participants, and other organizations imple-
 11 menting programs on behalf of the Department
 12 or Agency; and

13 (D) the establishment of mechanisms for in-
 14 vestigating allegations of misappropriated re-
 15 sources and equipment.

16 **SEC. 704. DESIGNATION OF EMBASSY ANTI-CORRUPTION**
 17 **POINTS OF CONTACT.**

18 (a) *IN GENERAL.*—The Secretary shall annually des-
 19 ignate an anti-corruption point of contact at the United
 20 States diplomatic post to each country identified under
 21 paragraphs (2) and (3) of section 702(b), or which the Sec-
 22 retary otherwise determines is in need of such a point of
 23 contact.

24 (b) *RESPONSIBILITIES.*—Each designated anti-corrup-
 25 tion point of contact under subsection (a) shall be respon-

1 sible for coordinating and overseeing implementation of a
 2 whole-of-government approach among the relevant Federal
 3 departments and agencies that operate programs that pro-
 4 mote good governance in foreign countries and enhance such
 5 countries' ability to combat public corruption in order to
 6 accomplish such objectives in the country to which such
 7 point of contact is posted, including through the develop-
 8 ment and implementation of corruption risk assessment
 9 tools and mitigation strategies.

10 (c) *TRAINING.*—The Secretary shall implement appro-
 11 priate training for designated anti-corruption points of
 12 contact under subsection (a).

13 **SEC. 705. REPORTING REQUIREMENTS.**

14 (a) *ANNUAL REPORT.*—

15 (1) *IN GENERAL.*—The Secretary shall, for each
 16 of fiscal years 2020 through 2026, submit to the ap-
 17 propriate congressional committees a report on imple-
 18 mentation of this title, including a description of the
 19 following:

20 (A) The offices within the Department and
 21 the United States Agency for International De-
 22 velopment that are engaging in significant anti-
 23 corruption activities.

24 (B) The findings and actions of designated
 25 anti-corruption points of contact to develop and

1 *implement risk mitigation strategies and ensure*
2 *compliance with section 703.*

3 *(C) The training implemented under section*
4 *704(c).*

5 *(D) Management of the whole-of-government*
6 *effort referred to in section 704(b) to combat cor-*
7 *ruption within the countries identified in section*
8 *702 and efforts to improve coordination across*
9 *Federal departments and agencies.*

10 *(E) The risk assessment tools and mitiga-*
11 *tion strategies utilized by the Department and*
12 *the Agency.*

13 *(F) Other information determined by the*
14 *Secretary to be necessary and appropriate.*

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

18 *(b) ONLINE PLATFORM.—The Secretary shall consoli-*
19 *date existing reports with anti-corruption components into*
20 *one online, public platform, which should—*

21 *(1) include—*

22 *(A) the annual Country Reports on Human*
23 *Rights Practices;*

24 *(B) the annual Fiscal Transparency Re-*
25 *port;*

1 (C) *the annual Investment Climate State-*
2 *ments;*

3 (D) *the annual International Narcotics*
4 *Control Strategy Report;*

5 (E) *the Country Scorecards of the Millen-*
6 *nium Challenge Corporation; and*

7 (F) *any other relevant public reports; and*

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

11 (A) *the International Finance Corporation’s*
12 *Doing Business surveys;*

13 (B) *the International Budget Partnership’s*
14 *Open Budget Index; and*

15 (C) *multilateral peer review anti-corruption*
16 *compliance mechanisms, such as the Organiza-*
17 *tion for Economic Co-operation and Develop-*
18 *ment’s Working Group on Bribery in Inter-*
19 *national Business Transactions and the United*
20 *Nations Convention Against Corruption, done at*
21 *New York October 31, 2003, to further highlight*
22 *expert international views on country challenges*
23 *and country efforts.*

24 (c) *TRAINING.—The Secretary and the Administrator*
25 *of the United States Agency for International Development*

1 *shall incorporate anti-corruption components into existing*
2 *Foreign Service and Civil Service training courses to—*

3 *(1) increase the ability of Department and Agen-*
4 *cy personnel to support anti-corruption as a foreign*
5 *policy priority; and*

6 *(2) strengthen the ability of such personnel to de-*
7 *sign, implement, and evaluate more effective anti-cor-*
8 *ruption programming around the world, including*
9 *enhancing skills to better evaluate and mitigate pub-*
10 *lic corruption risks in assistance programs.*

11 **SEC. 706. FOREIGN INVESTMENTS AND NATIONAL SECU-**
12 **RITY.**

13 *(a) IN GENERAL.—Not later than one year after the*
14 *date of the enactment of this Act and biennially thereafter*
15 *for the following six years, the Secretary, in consultation*
16 *with the Secretary of the Treasury, the Director of National*
17 *Intelligence, and the heads of other agencies, as appropriate,*
18 *shall submit to Congress an interagency strategy to work*
19 *with foreign governments and multilateral institutions to*
20 *guard against the risks of certain transactions involving*
21 *foreign investments.*

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

1 (1) *Information sharing with foreign govern-*
 2 *ments and multilateral institutions regarding risks*
 3 *associated with potential foreign investments.*

4 (2) *Promoting American and other alternatives*
 5 *to foreign investments identified as presenting sub-*
 6 *stantial risk to the national security or sovereignty of*
 7 *a country.*

8 (3) *Providing technical assistance to foreign gov-*
 9 *ernments or multilateral institutions regarding*
 10 *screening foreign investments.*

11 (4) *Designating points of contact at each United*
 12 *States mission to foreign governments and multilat-*
 13 *eral institutions, and in associated regional bureaus,*
 14 *to coordinate efforts described in this paragraph.*

15 (c) *COORDINATION.*—*If the Secretary determines such*
 16 *is appropriate, the designated points of contact referred to*
 17 *in subsection (b)(4) may be the same individual designated*
 18 *under section 704(a).*

19 ***TITLE VIII—MATTERS RELATING***
 20 ***TO INTERNATIONAL SECURITY***

21 ***SEC. 801. SHORT TITLE.***

22 *This title may be cited as the “International Security*
 23 *Assistance Act of 2019”.*

24 ***SEC. 802. SECURITY ASSISTANCE DEFINED.***

25 *In this title, the term “security assistance” means—*

(1) *assistance under chapter 8 (relating to international narcotics control) of part I of the Foreign Assistance Act of 1961;*

(2) *assistance under chapter 2 (military assistance), chapter 5 (international military education and training), chapter 6 (peacekeeping operations), chapter 8 (antiterrorism assistance), and chapter 9 (nonproliferation and export control assistance) of part II of the Foreign Assistance Act of 1961;*

(3) *assistance under section 23 of the Arms Export Control Act (relating to the Foreign Military Financing program); and*

(4) *sales of defense articles or defense services, extensions of credits (including participations in credits), and guaranties of loans under the Arms Export Control Act.*

Subtitle A—Reform Relating to Security Assistance

SEC. 811. ORGANIZATIONAL REFORM.

(a) *WORKING GROUP.—*

(1) *ESTABLISHMENT.—The Secretary shall establish a Working Group on matters relating to security assistance (in this subtitle referred to as the “Working Group”).*

(2) *MEMBERSHIP.—*

1 (A) *IN GENERAL.*—*The Working Group*
2 *shall be composed of—*

3 (i) *the Deputy Secretary of State; and*

4 (ii) *each Under Secretary of State re-*
5 *sponsible for matters relating to security as-*
6 *sistance.*

7 (B) *CHAIR.*—*The Deputy Secretary shall*
8 *serve as the chair of the Working Group.*

9 (3) *MEETINGS.*—*The Working Group shall meet*
10 *not later than 90 days after the date of the enactment*
11 *of this Act and on a quarterly basis thereafter.*

12 (4) *DUTIES.*—*The duties of the Working Group*
13 *shall include—*

14 (A) *within the Department and across*
15 *United States diplomatic posts—*

16 (i) *providing strategic policy guidance*
17 *on objectives and priorities for security as-*
18 *sistance;*

19 (ii) *ensuring strategic integration of*
20 *budgets and planning for security assist-*
21 *ance; and*

22 (iii) *advising the Secretary on all*
23 *budgets, programs, and activities for secu-*
24 *rity assistance; and*

1 *(B) overseeing Department of State coordi-*
2 *nation with the Secretary of Defense, the Admin-*
3 *istrator of the United States Agency for Inter-*
4 *national Development (USAID), and the heads*
5 *of other relevant Federal departments and agen-*
6 *cies on all matters relating to security assist-*
7 *ance.*

8 *(b) OFFICE OF SECURITY ASSISTANCE.—*

9 *(1) IN GENERAL.—Not later than one year after*
10 *the date of the enactment of this Act, the Secretary*
11 *shall designate an existing office or establish a new*
12 *office to be the Office of Security Assistance (in this*
13 *subtitle referred to as the “Office”), which shall report*
14 *to an Under Secretary who is a member of the Work-*
15 *ing Group.*

16 *(2) COORDINATOR.—The head of the Office shall*
17 *be the Coordinator for Security Assistance (in this*
18 *subtitle referred to as the “Coordinator”), who shall*
19 *be an individual of demonstrated competency in the*
20 *fields of security assistance and international diplo-*
21 *macy.*

22 *(3) DUTIES.—The duties of the Coordinator shall*
23 *include—*

24 *(A) within the Department and across*
25 *United States diplomatic posts—*

1 (i) *guiding and supporting security as-*
2 *sistance;*

3 (ii) *advising the Working Group on all*
4 *matters relating to security assistance;*

5 (iii) *establishing the framework de-*
6 *scribed in section 813(a);*

7 (iv) *coordinating the assessment, moni-*
8 *toring, and evaluation program established*
9 *under section 813(c); and*

10 (v) *maintaining the common database*
11 *described in section 814(a); and*

12 (B) *acting as a Department of State point*
13 *of contact with the Department of Defense, the*
14 *United States Agency for International Develop-*
15 *ment (USAID), and other relevant Federal de-*
16 *partments and agencies on all matters relating*
17 *to security assistance.*

18 (c) *COORDINATION WITHIN DEPARTMENT.—*

19 (1) *DESIGNATION.—Not later than one year after*
20 *the date of the enactment of this Act, and subject to*
21 *paragraph (2), the head of each bureau of the Depart-*
22 *ment that is involved in directing or implementing*
23 *security assistance shall designate an officer of such*
24 *bureau to be responsible for coordinating the respon-*

1 *sibilities of such bureau with respect to security as-*
2 *sistance.*

3 (2) *NON-ELIGIBILITY.*—*An officer of a bureau of*
4 *the Department shall not be eligible to be designated*
5 *pursuant to paragraph (1) if the officer is responsible*
6 *for conducting human rights vetting pursuant to*
7 *620M of the Foreign Assistance Act of 1961 (22*
8 *U.S.C. 2378d).*

9 (3) *TRAINING.*—*Each individual designated pur-*
10 *suant to paragraph (1) shall successfully complete the*
11 *training described in section 812.*

12 (d) *COORDINATION WITHIN UNITED STATES DIPLO-*
13 *MATIC POSTS.*—

14 (1) *DESIGNATION.*—*Not later than one year after*
15 *the date of the enactment of this Act, the chief of mis-*
16 *sion of the United States in a foreign country that re-*
17 *ceives security assistance shall designate a senior dip-*
18 *lomatic officer at the embassy or highest ranking dip-*
19 *lomatic post if no embassy exists in the foreign coun-*
20 *try to be responsible for coordinating security assist-*
21 *ance for the foreign country.*

22 (2) *DUTIES.*—*The senior diplomatic officer des-*
23 *ignated pursuant to paragraph (1) shall be respon-*
24 *sible for—*

1 (A) overseeing personnel and activities of
2 Federal departments and agencies at the relevant
3 embassy or diplomatic post with respect to the
4 provision of security assistance for the country;
5 and

6 (B) ensuring implementation of section
7 620M of the Foreign Assistance Act of 1961 (22
8 U.S.C. 2378d) and section 362 of title 10, United
9 States Code, with respect to the country.

10 (3) *TRAINING.*—Each individual designated pur-
11 suant to paragraph (1) shall successfully complete the
12 training described in section 812

13 (e) *PLAN FOR ORGANIZATIONAL STRUCTURE.*—

14 (1) *IN GENERAL.*—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary
16 shall submit to the Committee on Foreign Affairs of
17 the House of Representatives and the Committee on
18 Foreign Relations of the Senate a plan for the organi-
19 zational structure of the Department relating to secu-
20 rity assistance programs.

21 (2) *MATTERS TO BE INCLUDED.*—The plan re-
22 quired under paragraph (1) shall include the fol-
23 lowing:

24 (A) An identification of each bureau and of-
25 fice of the Department that carries out functions

1 relating to planning, coordination, integration,
2 implementation, or evaluation of security assist-
3 ance, a description of the organizational hier-
4 archy and decision-making processes used to co-
5 ordinate across such bureaus and offices and
6 with United States diplomatic posts and other
7 Federal departments and agencies, and a de-
8 scription of how the Working Group and the Co-
9 ordinator will facilitate coordination among
10 each such bureau and office.

11 (B) A description of—

12 (i) the reasons for—

13 (I) designating an existing office
14 or establishing a new office to serve as
15 the Office; and

16 (II) selecting the Under Secretary
17 to which the Office will report;

18 (ii) the organizational structure of the
19 Office;

20 (iii) the specific mechanisms through
21 which the Working Group and Coordinator
22 could improve coordination among bureaus
23 and offices of the Department involved in
24 the planning or implementation of security
25 assistance programs and activities; and

1 (iv) the process by which the require-
2 ment for training described in section 812
3 will be fulfilled.

4 (C) The benefits, feasibility, and steps nec-
5 essary to detail personnel—

6 (i) on a reimbursable basis from the
7 relevant bureaus and offices of the Depart-
8 ment to provide staff to the Office; and

9 (ii) from USAID, the Department of
10 Defense, and other relevant Federal depart-
11 ments and agencies to provide staff to the
12 Office.

13 (D) An identification of lessons learned
14 from the Security Governance Initiative (SGI),
15 an assessment of the utility of expanding the
16 SGI or a similar initiative globally, and a de-
17 scription of where best to locate the SGI or simi-
18 lar initiative within the Department.

19 (E) An identification of an appropriate bu-
20 reau or office of the Department, whose head does
21 not report to the Under Secretary described in
22 subsection (b)(1), to select and retain the inde-
23 pendent research entity described in section
24 813(c)(4).

1 (F) *A list of recommendations for any addi-*
 2 *tional legislative measures necessary to improve*
 3 *the capacity and capabilities of the Department*
 4 *to plan and implement security assistance pro-*
 5 *grams and activities.*

6 (3) *FORM.—The plan required under paragraph*
 7 *(1) shall be submitted in unclassified form, but may*
 8 *include a classified annex if necessary.*

9 (4) *CONSULTATION.—Not later than 90 days*
 10 *after the date of the enactment of this Act, the Sec-*
 11 *retary shall consult with the Committee on Foreign*
 12 *Affairs of the House of Representatives and the Com-*
 13 *mittee on Foreign Relations of the Senate regarding*
 14 *the development and implementation of the plan re-*
 15 *quired under paragraph (1).*

16 **SEC. 812. WORKFORCE DEVELOPMENT.**

17 *Not later than 180 days after the date of the enactment*
 18 *of this Act, the Secretary shall carry out the following: —*

19 (1) *Establish curriculum at the Department's*
 20 *Foreign Service Institute to provide employees of the*
 21 *Department of State with specialized training with*
 22 *respect to security assistance. The training should be*
 23 *aligned with the Security Cooperation Workforce De-*
 24 *velopment Program and developed in coordination*
 25 *with the Defense Security Cooperation Agency, in-*

cluding through an agreement under section 1535(a) of title 31, United States Code (commonly referred to as the “Economy Act”) or any other appropriate agency-specific authority. The training shall include the following:

(A) Awareness of the full range of agencies, offices, personnel, statutory authorities, funds, and programs involved in security assistance and transfers and the respective decision-making timelines.

(B) Familiarity with relevant military and police security force systems and structures and institutions at the time such training is occurring.

(C) Familiarity with security assistance reform, research regarding options for improvement, and United States interagency and external resources and experts.

(D) Familiarity with planning, implementation, and monitoring and evaluation for programmatic activities.

(E) Familiarity with implementation of—
(i) section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) and section 362 of title 10, United States Code;

1 (ii) arms transfer requirements under
2 the Arms Export Control Act (22 U.S.C.
3 2751 et seq.); and

4 (iii) best practices related to human
5 rights and civilian protection.

6 (F) Awareness of common risks to effective-
7 ness of security assistance, including corruption,
8 political instability, and challenges relating to
9 absorptive capacity, partner commitment, and
10 transparency.

11 (2) Coordinate with the Secretary of Defense, to
12 the extent feasible, to ensure that, in addition to the
13 training described paragraph (1), individuals who
14 serve in priority recipient countries or countries that
15 do not meet baseline norms of governance, as deter-
16 mined by the Under Secretary for purposes of sub-
17 sections (d)(1) and (d)(4) of section 813, obtain high-
18 er-level certification through the Defense Security Co-
19 operation Agency's Defense Institute of Security Co-
20 operation Studies or through a commensurate pro-
21 gram developed at the Department's Foreign Service
22 Institute prior to serving at the United States diplo-
23 matic post in such country.

1 **SEC. 813. SECURITY ASSISTANCE PLANNING.**

2 (a) *FRAMEWORK AND STANDARDS FOR SECURITY AS-*
3 *SISTANCE.*—Not later than 18 months after the date of the
4 enactment of this Act, the Coordinator shall create and sub-
5 mit to the Committee on Foreign Affairs of the House of
6 Representatives and the Committee on Foreign Relations of
7 the Senate a framework to be used by relevant bureaus and
8 diplomatic posts to guide regional and country-specific
9 planning, such as joint regional strategies or integrated
10 country strategies, with respect to security assistance. Such
11 framework shall include the following:

12 (1) *Identification and prioritization of overall*
13 *goals and objectives for security assistance, in accord-*
14 *ance with the relevant National Security Strategy.*

15 (2) *Criteria for—*

16 (A) *determining the commitment and polit-*
17 *ical will of countries receiving assistance to use*
18 *such assistance in a manner that achieves*
19 *United States objectives;*

20 (B) *identifying opportunities and risks cre-*
21 *ated by the provision of security assistance; and*

22 (C) *tailoring and sequencing such assistance*
23 *accordingly.*

24 (3) *Guidance for—*

1 (A) incorporating the assessment, moni-
2 toring, and evaluation program described in sub-
3 section (c) into the strategic planning cycle;

4 (B) increasing coordination, as appro-
5 priate, with other major international donors to
6 maximize resources and unity of efforts;

7 (C) aligning the security assistance pro-
8 grams, projects, and activities of the Department
9 with other United States goals of engagement
10 with foreign countries, such as the promotion of
11 democracy, human rights, governance, and eco-
12 nomic growth, as well as with other United
13 States assistance authorities, resources, pro-
14 grammatic capabilities, and activities; and

15 (D) assessing the impact on Department se-
16 curity assistance objectives, programs, and ac-
17 tivities of United States military activities in
18 the country or region covered by country or re-
19 gional strategy, including the number of United
20 States forces deployed, the duration of deploy-
21 ment, the purpose for which they were deployed,
22 and the authority under which they are oper-
23 ating.

24 (4) Metrics for assessing the effectiveness of secu-
25 rity assistance in—

1 (A) increasing the operational access and
2 influence of the United States;

3 (B) improving partner capacity and com-
4 mitment to countering shared threats and in-
5 creased burden sharing, including in ways that
6 enable reallocation of United States military de-
7 ployments to other high priority missions;

8 (C) reducing the underlying drivers of state
9 fragility; and

10 (D) contributing to the maintenance of ex-
11 isting peace treaties between recipients of assist-
12 ance.

13 (5) A process to ensure that transfers regulated
14 by the Department that are outside the scope of secu-
15 rity assistance, such as certain direct commercial
16 sales, are factored into—

17 (A) the implementation of the assessment,
18 monitoring, and evaluation program described
19 in subsection (c); and

20 (B) the planning process described in sub-
21 section (d).

22 (b) *DEFINITIONS PROMULGATED BY THE WORKING*
23 *GROUP.*—Not later than 18 months after the date of the
24 enactment of this Act, the Working Group shall—

1 (1) *in consultation with the Coordinator and bu-*
2 *reaus and offices of the Department that are involved*
3 *in the planning, coordination, integration, implemen-*
4 *tation, or evaluation of security assistance, develop*
5 *and promulgate a definition of the level of security*
6 *assistance programs, projects, or activities that mark*
7 *a country as a recipient of “significant” security as-*
8 *sistance to merit inclusion in the assessment, moni-*
9 *toring, and evaluation process described in subsection*
10 *(c); and*

11 (2) *in consultation with the Coordinator, the Bu-*
12 *reau of Democracy , Human Rights, and Labor, and*
13 *the heads of other relevant bureaus of the Department,*
14 *develop and promulgate a definition of baseline*
15 *norms for governance and the rule of law, including*
16 *a rubric to assess whether a recipient of security as-*
17 *sistance is abiding by such baseline.*

18 (c) *ASSESSMENT, MONITORING, AND EVALUATION.—*

19 (1) *IN GENERAL.—Not later than 18 months*
20 *after the date of the enactment of this Act, the Coordi-*
21 *nator shall develop an assessment, monitoring, and*
22 *evaluation program to be conducted for any country*
23 *receiving significant security assistance, as defined in*
24 *accordance with subsection (b)(1).*

1 (2) *ELEMENTS.*—*The program described in*
2 *paragraph (1) shall include each of the following ele-*
3 *ments:*

4 (A) *Baseline assessments that consider fac-*
5 *tors, including—*

6 (i) *recipient country threat perceptions*
7 *and the manner in which such perceptions*
8 *may inform the use of security assistance;*

9 (ii) *the recipient's approach to govern-*
10 *ance and commitment to rule of law, in-*
11 *cluding the transparency and account-*
12 *ability of security forces, and the manner in*
13 *which such approach is likely to be influ-*
14 *enced by security assistance;*

15 (iii) *the recipient's capacity to absorb*
16 *the security assistance given and to achieve*
17 *the objectives of such assistance;*

18 (iv) *the human rights record of the re-*
19 *cipient, including for purposes of section*
20 *620M of the Foreign Assistance Act of 1961*
21 *(22 U.S.C. 2378d) and section 362 of title*
22 *10, United States Code, and any relevant*
23 *attempts by such recipient to remedy such*
24 *record;*

1 (v) country- or region-specific opportu-
2 nities and risks that could enhance or im-
3 pair the outcomes associated with providing
4 security assistance; and

5 (vi) indicators of efficacy for security
6 assistance programs, projects, and activi-
7 ties, for purposes of planning, monitoring,
8 and evaluation.

9 (B) Monitoring implementation of security
10 assistance programs, projects, and activities to
11 measure progress toward achieving specific tar-
12 gets, metrics, or indicators, as well as desired
13 outcomes.

14 (C) Evaluation of the efficiency and effec-
15 tiveness of security assistance in achieving de-
16 sired outcomes.

17 (D) Identification of lessons learned in car-
18 rying out security assistance and recommenda-
19 tions for improving future assistance.

20 (3) OVERSIGHT AND FRAMEWORK.—The Coordi-
21 nator shall guide and support, in coordination with
22 relevant regional and functional bureaus, the assess-
23 ment and monitoring described in paragraph (1) and
24 shall create a common evaluation framework.

1 (4) *INDEPENDENT RESEARCH ENTITY.*—Not later
2 than 18 months after the date of the enactment of this
3 Act, the Secretary shall enter into a contract with an
4 independent research entity, such as a federally fund-
5 ed research and development center or other non-prof-
6 it entity, that demonstrates appropriate expertise and
7 analytical capability to evaluate the capacity of secu-
8 rity assistance to achieve desired outcomes in accord-
9 ance with the framework created pursuant to para-
10 graph (3).

11 (5) *SENSE OF CONGRESS.*—It is the sense of
12 Congress that the ability of the Department to meas-
13 ure and assess the effects of United States security as-
14 sistance programs and activities on governance, rule
15 of law, professionalism of recipient security forces,
16 and institutional capacity weaknesses of recipient se-
17 curity forces would benefit from the increased avail-
18 ability of independent research and data.

19 (d) *SECURITY ASSISTANCE PLANNING.*—

20 (1) *PRIORITIZATION.*—Not later than two years
21 after the date of the enactment of this Act, and annu-
22 ally thereafter, the Working Group shall develop a list
23 of priority recipient countries to receive security as-
24 sistance, on the basis of policy objectives determined

1 *by the Department, and submit such information in*
2 *accordance with subsection (f).*

3 (2) *INCLUSION IN REGIONAL AND COUNTRY*
4 *STRATEGIES.—Any comprehensive regional strategy,*
5 *such as a joint regional strategy or its equivalent,*
6 *and any country strategy, such as an integrated*
7 *country strategy or its equivalent, that is produced on*
8 *or after the date that is 2 years after the date of the*
9 *enactment of this Act, and each successor strategy to*
10 *such strategy, shall integrate security assistance plan-*
11 *ning in a manner that incorporates the elements of*
12 *the framework created pursuant to subsection (a) and*
13 *include an annex relating to security assistance,*
14 *which shall include—*

15 (A) *the assessment, monitoring, and evalua-*
16 *tion metrics described in subsection (c);*

17 (B) *requests to allocate security assistance*
18 *with respect to the area covered by the strategy;*
19 *and*

20 (C) *a description of the manner in which*
21 *such resources will be used.*

22 (3) *COORDINATION OF RESOURCES.—In devel-*
23 *oping annexes relating to security assistance for in-*
24 *clusion in comprehensive regional strategies or coun-*
25 *try strategies in accordance with paragraph (2), the*

1 *relevant bureau, office, or diplomatic post shall co-*
2 *ordinate with—*

3 *(A) the Office;*

4 *(B) the Office of Foreign Assistance Re-*
5 *sources, or an equivalent entity in the Depart-*
6 *ment, regarding the allocation of resources in*
7 *line with priorities of the Department of State*
8 *for security assistance; and*

9 *(C) the Department of Defense and other*
10 *Federal departments and agencies that provide*
11 *security assistance, security cooperation, or other*
12 *forms of foreign assistance.*

13 *(4) SECURITY ASSISTANCE, GOVERNANCE, AND*
14 *RULE OF LAW.—Not later than two years after the*
15 *date of the enactment of this Act, any annex relating*
16 *to security assistance described in paragraph (2) that*
17 *is included in a country strategy shall include an as-*
18 *essment by the Under Secretary responsible for civil-*
19 *ian security, democracy, and human rights whether*
20 *such country abides by baseline norms for governance*
21 *and the rule of law using the rubric promulgated in*
22 *accordance with subsection (b)(2). A security assist-*
23 *ance annex developed in accordance with paragraph*
24 *(2) for a country receiving a negative determination*
25 *shall also include the following:*

1 (A) Reforms the recipient could undertake,
2 where practicable, to improve governance and
3 rule of law in order to create more effective secu-
4 rity.

5 (B) Conditions, which may also be included
6 in the compacts described in subsection (e),
7 under which the United States might—

8 (i) expand or increase security assist-
9 ance upon verifiable progress made toward
10 such reforms; and

11 (ii) restrict or end security assistance
12 as a result of lack of progress toward such
13 reforms or further deterioration of norms
14 for governance or the rule of law.

15 (C) An assessment of the benefits and likeli-
16 hood of reaching agreement with the recipient
17 country to devote 1 percent of the total value of
18 all security assistance to such country for train-
19 ing in-country civilian professionals on methods
20 to evaluate the fiscal and functional effectiveness
21 of the security institutions in such country.

22 (D) The manner in which security assist-
23 ance will be used to improve governance, rule of
24 law, and human rights reforms in such country.

1 (E) *Steps to ensure consultation with the*
2 *national legislature and with civil society groups*
3 *that operate in such country on the provision of*
4 *security assistance, including for the formulation*
5 *of a compact in accordance with subsection*
6 *(e)(2).*

7 (e) *SECURITY ASSISTANCE COMPACTS.*—

8 (1) *IN GENERAL.*—*Not later than two years after*
9 *the date of the enactment of this Act, the Secretary*
10 *shall seek to enter into multi-year compacts where ap-*
11 *propriate with the governments of countries that re-*
12 *ceive security assistance. Such compacts should in-*
13 *clude the following elements:*

14 (A) *A joint diagnosis of the strengths and*
15 *challenges of the recipient country's security in-*
16 *stitutions, including priority capacity and capa-*
17 *bility requirements.*

18 (B) *A plan for bilateral security assistance*
19 *and cooperation that includes—*

20 (i) *a commitment by the recipient*
21 *specifying the manner in which security as-*
22 *istance will be used, within a defined time-*
23 *frame;*

1 (ii) plans for sustainment by the re-
2 cipient of any capacity or capabilities built
3 as a result of such assistance; and

4 (iii) mutually agreed oversight mecha-
5 nisms for security assistance and metrics, to
6 determine whether such assistance is accom-
7 plishing the agreed-upon objectives.

8 (2) *SPECIAL PROVISIONS.*—If the Under Sec-
9 retary described in subsection (d)(3) assesses that a
10 country is not abiding by baseline norms for govern-
11 ance or the rule of law, a compact under this sub-
12 section with such country should, where practicable,
13 be formulated in consultation with the national legis-
14 lature and domestic civil society groups and include
15 mutually agreed upon reforms and conditions based
16 on those established as a result of such determination
17 in accordance with subsection (d)(4).

18 (f) *REPORTING REQUIREMENTS.*—Beginning three
19 years after the date of the enactment of this Act and annu-
20 ally thereafter, the Secretary shall include with any mate-
21 rials submitted in support of the budget for that fiscal year
22 that is submitted to Congress by the President under section
23 1105(a) of title 31 an unclassified report, that may include
24 a classified annex, with the following:

1 (1) *A list of priority security assistance recipi-*
2 *ents, along with descriptions of the policy objectives*
3 *that the Secretary seeks to achieve by providing such*
4 *assistance to such recipients, developed pursuant to*
5 *subsection (d)(1).*

6 (2) *A description of the results of the evaluations*
7 *conducted pursuant to subsection (c)(4).*

8 (3) *A description of the manner in which the De-*
9 *partment will allocate, monitor, and evaluate all se-*
10 *curity assistance pursuant to the program described*
11 *in subsection (c) and the planning process described*
12 *in subsection (d).*

13 (4) *A description of any updates made during*
14 *the previous year to the framework described in sub-*
15 *section (d)(1) and annex relating to security assist-*
16 *ance required under subsection (d)(2).*

17 (5) *The status and impact on United States ob-*
18 *jectives of any compacts entered into in accordance*
19 *with subsection (e) and of any ongoing efforts to enter*
20 *into new compacts in accordance with such sub-*
21 *section.*

1 **SEC. 814. INTERAGENCY COORDINATION OF SECURITY AS-**
2 **SISTANCE, TRANSFERS, AND SECURITY CO-**
3 **OPERATION.**

4 (a) *CREATION OF A COMMON DATABASE.*—Not later
5 than two years after the date of the enactment of this Act,
6 the Secretary, in coordination with the Secretary of Defense
7 and other appropriate Federal departments and agencies,
8 shall maintain a common database of information to per-
9 mit the identification of security assistance programs, fund-
10 ing, and transfers by recipient country.

11 (b) *COORDINATION WITH THE DEPARTMENT OF DE-*
12 *FENSE.*—

13 (1) *IN GENERAL.*—Not later than one year after
14 the date of the enactment of this Act, the Secretary,
15 in coordination with the Secretary of Defense, shall
16 submit a report to the appropriate congressional com-
17 mittees that assesses existing mechanisms, including
18 provisions under title 10, United States Code, that re-
19 quire the concurrence of the Secretary of State, and
20 other applicable provisions of law that provide for co-
21 ordination between security assistance programs,
22 projects, and activities of the Department of State
23 and security cooperation programs, projects, and ac-
24 tivities of the Department of Defense that includes the
25 following:

1 (A) *An identification of existing coordina-*
2 *tion mechanisms for planning, executing, and*
3 *overseeing security assistance and security co-*
4 *operation programs, projects, and activities, the*
5 *purpose of such mechanisms, and their efficacy*
6 *in practice.*

7 (B) *An identification of additional meas-*
8 *ures that would improve the speed, simplicity, or*
9 *agility of each identified mechanism, with a*
10 *focus on mechanisms requiring the concurrence*
11 *of the Secretary.*

12 (C) *An identification of any programs, au-*
13 *thorities, or resources that do not require coordi-*
14 *nation under existing law.*

15 (D) *An identification of the specific mecha-*
16 *nisms to improve coordination between Depart-*
17 *ment of State bureaus and offices involved in*
18 *planning, executing, or overseeing security as-*
19 *sistance programs and activities and the United*
20 *States combatant command or commands rel-*
21 *evant to such bureaus and offices.*

22 (E) *An assessment of the advisability and*
23 *feasibility of expanding existing mechanisms or*
24 *establishing new mechanisms to detail employees*
25 *from Department of State bureaus and offices in-*

1 *involved in planning, executing, or overseeing secu-*
 2 *rity assistance programs and activities to United*
 3 *States combatant commands and from the De-*
 4 *partment of Defense to such Department of State*
 5 *bureaus and offices for the purpose of improving*
 6 *coordination on security assistance planning*
 7 *and implementation.*

8 (2) *APPROPRIATE CONGRESSIONAL COMMITTEES*

9 *DEFINED.—In this subsection, the term “appropriate*
 10 *congressional committees” means—*

11 *(A) the Committee on Foreign Affairs and*
 12 *the Committee on Armed Services of the House*
 13 *of Representatives; and*

14 *(B) the Committee on Foreign Relations*
 15 *and the Committee on Armed Services of the*
 16 *Senate.*

17 (c) *SENSE OF CONGRESS.—It is the sense of Congress*
 18 *that the Secretary of State and the Secretary of Defense*
 19 *should jointly establish a pilot program to evaluate the ad-*
 20 *visability and feasibility of a joint entity to conduct col-*
 21 *laborative planning of security assistance and security co-*
 22 *operation. The pilot program should—*

23 (1) *establish one or more joint planning cells to*
 24 *conduct collaborative planning between the Depart-*
 25 *ment of State and the Department of Defense for secu-*

1 *city assistance and security cooperation programs,*
 2 *projects, and activities in a specific region or regions;*

3 *(2) assign personnel from relevant offices and*
 4 *agencies within each Department to staff the joint*
 5 *planning cell or cells; and*

6 *(3) assess the advantages and disadvantages of*
 7 *collaborative interagency planning of security assist-*
 8 *ance, and determine whether there are organizational,*
 9 *legal, policy, or resource barriers to broader adoption*
 10 *of such a model.*

11 **SEC. 815. RULE OF CONSTRUCTION.**

12 *Nothing in this subtitle shall affect the implementation*
 13 *of subsection (h) of section 36 of the Arms Export Control*
 14 *Act (22 U.S.C. 2776).*

15 ***Subtitle B—Foreign Military***
 16 ***Assistance***

17 **SEC. 821. STRATEGIC ALLOCATION OF EXCESS DEFENSE AR-**
 18 ***TICLES.***

19 *(a) IN GENERAL.—Section 516 of the Foreign Assist-*
 20 *ance Act of 1961 (22 U.S.C. 2321j), is amended—*

21 *(1) in subsection (b)—*

22 *(A) by striking “(1) The President” and in-*
 23 *serting “The President”;*

24 *(B) by redesignating subparagraphs (A)*
 25 *through (F) as paragraphs (1) through (6), re-*

1 *spectively, and moving the margins of each such*
2 *paragraph two ems to the left;*

3 *(C) in paragraph (2), as redesignated, by*
4 *inserting “except as provided in subsection*
5 *(c)(3),” before “funds available”; and*

6 *(D) by striking “(2) Accordingly,” and all*
7 *that follows through “1990.” ;*

8 *(2) in subsection (c)—*

9 *(A) by striking paragraph (2) and inserting*
10 *the following:*

11 *“(2) PRIORITY.—Notwithstanding any other pro-*
12 *vision of law, excess defense articles under this section*
13 *shall be transferred in accordance with United States*
14 *foreign policy, including national security priorities*
15 *as jointly determined by the Secretary of State, in*
16 *consultation with the Secretary of Defense, to the*
17 *maximum extent feasible.”; and*

18 *(B) by adding at the end the following:*

19 *“(3) SUPPORTING COSTS.—Funds available to*
20 *the Department of State for security assistance may*
21 *be expended for the refurbishment or upgrade of excess*
22 *defense articles transferred under the authority of this*
23 *section and for training of foreign security forces di-*
24 *rectly in relation to excess defense articles transferred*
25 *under the authority of this section, if—*

1 “(A) *such assistance is necessary to advance*
 2 *the national security objectives of the United*
 3 *States in relation to the recipient country or*
 4 *countries; and*

5 “(B) *such costs do not exceed \$10 million in*
 6 *relation to a single transfer of excess defense ar-*
 7 *ticles under this section.”;*

8 (3) *in subsection (f)(1), by striking “\$7,000,000”*
 9 *and inserting “\$25,000,000”; and*
 10 (4) *in subsection (g)(1), by striking*
 11 *“\$500,000,000” and inserting “\$600,000,000”.*

12 **SEC. 822. MODIFICATION OF PURPOSES FOR WHICH MILI-**
 13 **TARY SALES BY THE UNITED STATES ARE AU-**
 14 **THORIZED.**

15 *Section 4 of the Arms Export Control Act (22 U.S.C.*
 16 *2754) is amended in the first sentence by striking “internal*
 17 *security” and inserting “legitimate internal security (in-*
 18 *cluding for anti-terrorism purposes)”.*

19 **SEC. 823. RETURN OF DEFENSE ARTICLES.**

20 *Section 21(m)(1)(B) of the Arms Export Control Act*
 21 *(22 U.S.C. 2761(m)(1)(B)) is amended—*

22 (1) *by striking “(B) is not” and inserting*
 23 *“(B)(i) is not”;*

24 (2) *by striking “; and” and inserting “; or”; and*

25 (3) *by adding at the end the following:*

“(ii) is significant military equipment (as defined in section 47(9) of this Act) and the Secretary of State has provided prior approval of the return of such defense article from the foreign country or international organization; and”.

**SEC. 824. REQUIREMENTS RELATING TO EXEMPTIONS FOR
LICENSING OF DEFENSE ITEMS.**

Section 38(j) of the Arms Export Control Act (22 U.S.C. 2778(j)) is amended—

(1) in the subsection heading—

(A) by striking “COUNTRY”; and

(B) by striking “TO FOREIGN COUNTRIES”;

(2) in paragraph (1)(A)—

(A) in the matter preceding clause (i)—

(i) by striking “a foreign country” and inserting “the North Atlantic Treaty Organization, any member country of that Organization, the Republic of Korea, Australia, New Zealand, Japan, or Israel”;

(ii) by inserting “(except that the President may not so exempt such Organization, member country, or other country that is not eligible to acquire defense items under any other provision of law)” after

1 *“with respect to exports of defense items”;*
2 *and*

3 *(iii) by striking “the foreign country”*
4 *and inserting “such Organization, member*
5 *country, or other country”; and*

6 *(B) in clause (ii)—*

7 *(i) by striking “the foreign country”*
8 *and inserting “such Organization, member*
9 *country, or other country”; and*

10 *(ii) by striking “under their domestic*
11 *laws”;*

12 *(3) in paragraph (2)—*

13 *(A) in subparagraph (A)—*

14 *(i) in the matter preceding clause (i)—*

15 *(I) by striking “, at a min-*
16 *imum,”;*

17 *(II) by striking “the foreign coun-*
18 *try” and inserting “the Organization,*
19 *member country, or other country re-*
20 *ferred to in paragraph (1)”;* and

21 *(III) by striking “to revise its*
22 *policies and practices, and promulgate*
23 *or enact necessary modifications to its*
24 *laws and regulations to establish” and*
25 *inserting “to establish and maintain”;*

1 (ii) in clause (i), by striking “the for-
2 eign country” and inserting “such Organi-
3 zation, member country, or other country”;
4 and

5 (iii) in clause (ii), by striking “re-
6 transfer control commitments, including se-
7 curing” and inserting “retransfer controls
8 that secure”;

9 (B) in subparagraph (B)—

10 (i) in the matter preceding clause (i)—

11 (I) by striking “, at a min-
12 imum,”;

13 (II) by striking “the foreign coun-
14 try” and inserting “the Organization,
15 member country, or other country re-
16 ferred to in paragraph (1)”; and

17 (III) by striking “to revise its
18 policies and practices, and promulgate
19 or enact necessary modifications to its
20 laws and regulations”; and

21 (ii) in clause (iv), by striking “the for-
22 eign country” and inserting “the member
23 country or other country”; and

24 (4) in paragraph (3)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “a foreign country” and insert-
3 ing “the Organization, member country, or other
4 country referred to in paragraph (1)”;

5 (B) in subparagraph (A), by striking “that
6 foreign country” and inserting “such Organiza-
7 tion, member country, or other country”;

8 (C) in subparagraph (B)—

9 (i) by striking “the foreign country”
10 and inserting “such Organization, member
11 country, or other country”; and

12 (ii) by striking “has promulgated or
13 enacted all necessary modifications to its
14 laws and regulations to comply” and insert-
15 ing “has taken such actions to comply”;
16 and

17 (D) in subparagraph (C)—

18 (i) by striking “a foreign country” and
19 inserting “such Organization, member
20 country, or other country”; and

21 (ii) by striking “that country” and in-
22 serting “such Organization, member coun-
23 try, or other country”.

1 **SEC. 825. AMENDMENT TO GENERAL PROVISIONS.**

2 *Section 42(a) of the Arms Export Control Act (22*
3 *U.S.C. 2791(a)) is amended in the first sentence by insert-*
4 *ing “on a competitive basis” after “procurement in the*
5 *United States”.*

6 **SEC. 826. TECHNICAL AMENDMENTS TO ARMS EXPORT CON-**
7 **TROL ACT.**

8 *Section 36(b)(6) of the Arms Export Control Act (22*
9 *U.S.C. 2776(b)(6)) is amended by inserting “the North At-*
10 *lantic Treaty Organization or” before “a member country”.*

11 **SEC. 827. SENSE OF CONGRESS ON LICENSING UNDER**
12 **UNITED STATES ARMS EXPORT CONTROL**
13 **PROGRAMS.**

14 *It is the sense of Congress that, in implementing re-*
15 *forms of United States arms export licensing regimes, the*
16 *President should prioritize the development of a new frame-*
17 *work to improve and streamline licensing, including by*
18 *seeking to revise the Special Comprehensive Export Author-*
19 *izations for exports to the North Atlantic Treaty Organiza-*
20 *tion, any member country of that Organization, Sweden,*
21 *or any other country described in section 36(c)(2)(A) of the*
22 *Arms Export Control Act (22 U.S.C. 2776(c)(2)(A)) under*
23 *section 126.14 of title 15, Code of Federal Regulations (re-*
24 *lating to the International Traffic in Arms Regulations).*

1 **SEC. 828. EXTENSION OF WAR RESERVE STOCKPILE AU-**
 2 **THORITY.**

3 (a) *DEPARTMENT OF DEFENSE APPROPRIATIONS ACT,*
 4 *2005.—Section 12001(d) of the Department of Defense Ap-*
 5 *propriations Act, 2005 (Public Law 108–287; 118 Stat.*
 6 *1011) is amended by striking “2020” and inserting “2021”.*

7 (b) *STOCKPILING OF DEFENSE ARTICLES FOR FOR-*
 8 *EIGN COUNTRIES.—Section 514(b)(2)(A) of the Foreign As-*
 9 *sistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended*
 10 *by striking “and 2020” and inserting “2020, and 2021”.*

11 **SEC. 829. PEACEKEEPING OPERATIONS AND OTHER NA-**
 12 **TIONAL SECURITY PROGRAMS.**

13 (a) *AUTHORITY.—*

14 (1) *IN GENERAL.—Section 551 of the Foreign*
 15 *Assistance Act of 1961 (22 U.S.C. 2348) is amend-*
 16 *ed—*

17 (A) *in the first sentence, by striking “The*
 18 *President” and inserting “(a) The President”;*
 19 *and*

20 (B) *by adding at the end the following:*

21 “(b) *Funds authorized to be appropriated under this*
 22 *chapter may also be used to provide assistance to enhance*
 23 *the capacity of foreign civilian security forces (as such term*
 24 *is defined in section 841(c) of the International Security*
 25 *Assistance Act of 2019) to participate in peacekeeping and*

1 counterterrorism operations, and to promote greater par-
 2 ticipation of women in such peacekeeping operations.

3 “(c) *Funds authorized to be appropriated under this*
 4 *chapter to provide assistance to friendly foreign countries*
 5 *for purposes other than support for multilateral peace-*
 6 *keeping operations shall be subject to the certification re-*
 7 *quirements of section 36 of the Arms Export Control Act*
 8 *(22 U.S.C. 2776).”.*

9 (2) *DISARMAMENT AND REINTEGRATION.*—

10 (A) *IN GENERAL.*—*Notwithstanding any*
 11 *other provision of law, funds authorized to be*
 12 *appropriated under any provision of law for*
 13 *peacekeeping operations may be made available*
 14 *to support programs to disarm, demobilize, and*
 15 *reintegrate into civilian society former members*
 16 *of foreign terrorist organizations, and to promote*
 17 *greater participation of women in such pro-*
 18 *grams.*

19 (B) *CONSULTATION.*—*The Secretary shall*
 20 *consult with the Committee on Foreign Affairs of*
 21 *the House of Representatives and the Committee*
 22 *on Foreign Relations of the Senate prior to obli-*
 23 *gating funds described in subparagraph (A).*

24 (C) *DEFINITION.*—*In this paragraph, the*
 25 *term “foreign terrorist organization” means an*

1 *organization designated as a terrorist organiza-*
 2 *tion under section 219(a) of the Immigration*
 3 *and Nationality Act (8 U.S.C. 1189(a)).*

4 **(b) NOTIFICATION.**—*The Secretary shall notify the*
 5 *Committee on Foreign Affairs of the House of Representa-*
 6 *tives and the Committee on Foreign Relations of the Senate*
 7 *at least 15 days prior to obligating funds under any provi-*
 8 *sion of law for peacekeeping operations.*

9 **(c) CONFORMING AMENDMENT.**—*The heading for chap-*
 10 *ter 6 of part II of the Foreign Assistance Act of 1961 (22*
 11 *U.S.C. 2348 et seq.) is amended by adding at the end the*
 12 *following: “AND OTHER NATIONAL SECURITY PROGRAMS”.*

13 **SEC. 830. OTHER AMENDMENTS TO MILITARY ASSISTANCE**
 14 **AUTHORITIES.**

15 *The Foreign Assistance Act of 1961 is amended as fol-*
 16 *lows:*

17 **(1)** *In section 516 (22 U.S.C. 2321j)—*

18 **(A)** *in subsection (a), by striking “coun-*
 19 *tries” and inserting “countries, regional organi-*
 20 *zations, and international organizations”;*

21 **(B)** *in subsection (b)(5), as redesignated by*
 22 *section 821(a)(1)(B), by striking “countries” and*
 23 *inserting “countries, regional organizations, and*
 24 *international organizations”;*

1 (C) in subsection (c)(1), by striking “recipi-
 2 ent country” and inserting “recipient country or
 3 organization”;

4 (D) in subsection (f)(2)—

5 (i) in subparagraph (A), by striking
 6 “country” each place it appears and insert-
 7 ing “country or organization”; and

8 (ii) in subparagraph (C), by striking
 9 “countries” and inserting “countries or or-
 10 ganizations”; and

11 (E) in subsection (h), by striking “country”
 12 and inserting “country and organization”.

13 (2) In section 620M (22 U.S.C. 2378d)—

14 (A) in subsection (d)(7), by striking “to the
 15 maximum extent practicable” and inserting “un-
 16 less such disclosure would endanger the safety of
 17 human sources or reveal sensitive intelligence
 18 sources and methods”; and

19 (B) by adding at the end the following:

20 “(e) *REPORT*.—

21 “(1) *IN GENERAL*.—Not later than January 31
 22 of each year, the Secretary of State shall submit to the
 23 Committee on Foreign Affairs and the Committee on
 24 Appropriations of the House of Representatives and
 25 the Committee on Foreign Relations and the Com-

1 *mittee on Appropriations of the Senate, a report on*
2 *the vetting process of units of security forces of foreign*
3 *countries established to comply with this section.*

4 “(2) *MATTERS TO BE INCLUDED.*—*The report re-*
5 *quired under paragraph (1) shall include the fol-*
6 *lowing:*

7 “(A) *The total number of units submitted*
8 *for vetting during the prior calendar year, and*
9 *the number of such units that were approved,*
10 *suspended, or rejected for human rights reasons.*

11 “(B) *The name of such units rejected during*
12 *the prior calendar year and a description of the*
13 *steps taken to assist the government of the for-*
14 *ign country in bringing the responsible mem-*
15 *bers of such units to justice, in accordance with*
16 *subsection (c).*

17 “(C) *An updated list of the units with re-*
18 *spect to which no assistance is to be furnished*
19 *pursuant to subsection (a).”.*

20 (3) *In section 622(c) (22 U.S.C. 2382(c)), by in-*
21 *serting “law enforcement and justice sector assist-*
22 *ance,” before “military assistance,”.*

23 (4) *In section 656(a)(1) (22 U.S.C. 2416(a)(1)),*
24 *by striking “January 31” and inserting “March 1”.*

1 **SEC. 831. REPEAL OF REPORTS.**

2 (a) *REPEAL OF ANNUAL REPORT ON WORLD MILITARY*
 3 *EXPENDITURES AND ARMS TRANSFERS.*—Section 404 of
 4 *the Arms Control and Disarmament Act (22 U.S.C. 2593b)*
 5 *is hereby repealed.*

6 (b) *REPEAL OF ANNUAL REPORT RELATING TO THE*
 7 *COMMISSION ON SECURITY AND COOPERATION IN EU-*
 8 *ROPE.*—Section 5 of Public Law 94–304 (22 U.S.C. 3005)
 9 *is hereby repealed.*

10 (c) *REPEAL OF REPORT ON ASSISTANCE RELATING TO*
 11 *INTERNATIONAL TERRORISM.*—Section 502 of the *Inter-*
 12 *national Security and Development Cooperation Act of*
 13 *1985 (22 U.S.C. 2349aa-7) is amended—*

14 (1) *by striking subsection (b); and*

15 (2) *by redesignating subsection (c) as subsection*

16 (b).

17 **SEC. 832. DEFENSE TRADE CONTROLS REGISTRATION FEES.**

18 Section 45 of the *State Department Basic Authorities*
 19 *Act of 1956 (22 U.S.C. 2717) is amended—*

20 (1) *in the first sentence—*

21 (A) *by inserting “defense trade controls”*
 22 *after “100 percent of the”; and*

23 (B) *by striking “the Office of Defense Trade*
 24 *Controls of”; and*

25 (2) *in the second sentence—*

1 (A) in the matter preceding paragraph (1),
2 by inserting “management, licensing, compli-
3 ance, and policy activities in the defense trade
4 controls function, including” after “incurred
5 for”;

6 (B) in paragraph (1), by striking “contract
7 personnel to assist in”;

8 (C) in paragraph (2), by striking “and” at
9 the end;

10 (D) in paragraph (3), by striking the pe-
11 riod at the end and inserting a semicolon; and

12 (E) by adding at the end the following:

13 “(4) the facilitation of defense trade policy devel-
14 opment and implementation, review of commodity ju-
15 risdiction determinations, public outreach to industry
16 and foreign parties, and analysis of scientific and
17 technological developments as they relate to the exer-
18 cise of defense trade control authorities; and

19 “(5) contract personnel to assist in such activi-
20 ties.”.

1 **SEC. 833. WITHHOLDING OF ASSISTANCE TO UNITS OF FOR-**
2 **EIGN SECURITY FORCES THAT ENGAGED IN**
3 **SEXUAL EXPLOITATION OR ABUSE IN PEACE-**
4 **KEEPING OPERATIONS.**

5 *The Foreign Assistance Act of 1961 is amended by in-*
6 *serting after section 554 the following:*

7 **“SEC. 555. WITHHOLDING OF ASSISTANCE TO UNITS OF**
8 **FOREIGN SECURITY FORCES THAT ENGAGED**
9 **IN SEXUAL EXPLOITATION OR ABUSE IN**
10 **PEACEKEEPING OPERATIONS.**

11 *“(a) IN GENERAL.—The Secretary of State should*
12 *withhold assistance to any unit of the security forces of a*
13 *foreign country if the Secretary has credible information*
14 *that such unit has engaged in sexual exploitation or abuse,*
15 *including while serving in a United Nations peacekeeping*
16 *operation, until the Secretary determines that the govern-*
17 *ment of such country is taking effective steps to hold the*
18 *responsible members of such unit accountable and to pre-*
19 *vent future incidents.*

20 *“(b) NOTICE.—The Secretary of State—*

21 *“(1) shall promptly notify the government of*
22 *each country subject to any withholding of assistance*
23 *pursuant to this section; and*

24 *“(2) shall notify the appropriate congressional*
25 *committees of such withholding not later than 10 days*

1 *after a determination to withhold such assistance is*
 2 *made.*

3 “(c) *ASSISTANCE.*—*The Secretary of State shall, to the*
 4 *maximum extent practicable, assist the government of each*
 5 *country subject to any withholding of assistance pursuant*
 6 *to this section in bringing the responsible members of such*
 7 *unit of the security forces of the country to justice.*

8 “(d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 9 *FINED.*—*In this section, the term ‘appropriate congres-*
 10 *sional committees’ means—*

11 “(1) *the Committee on Foreign Affairs and the*
 12 *Committee on Appropriations of the House of Rep-*
 13 *resentatives; and*

14 “(2) *the Committee on Foreign Relations and the*
 15 *Committee on Appropriations of the Senate.”.*

16 **SEC. 834. MODIFICATION TO LIMITATIONS ON ASSISTANCE**
 17 **RELATING TO HUMAN RIGHTS.**

18 “(a) *MODIFICATION TO THE LIMITATION ON ASSIST-*
 19 *ANCE TO SECURITY FORCES.*—*Subsection (a) of section*
 20 *620M of the Foreign Assistance Act of 1961 (22 U.S.C.*
 21 *2378d) is amended—*

22 “(1) *by inserting ‘, including any combined secu-*
 23 *rity activities or operations with any such unit,’*
 24 *after “of a foreign country”; and*

1 (2) *by inserting “, including any act that con-*
 2 *stitutes a war crime, as such term is defined in sec-*
 3 *tion 2441 of title 18, United States Code” after “gross*
 4 *violation of human rights”.*

5 (b) *MODIFICATION TO LIMITATION ON SECURITY AS-*
 6 *SISTANCE.—Subsection (d)(1) of section 502B of the For-*
 7 *ign Assistance Act of 1961 (22 U.S.C. 2304) is amended*
 8 *by inserting “any act that constitutes a war crime, as such*
 9 *term is defined in section 2441 of title 18, United States*
 10 *Code,” after “the abduction and clandestine detention of*
 11 *those persons,”.*

12 ***Subtitle C—Studies on Authorities***
 13 ***and Programs***

14 ***SEC. 841. REQUIREMENT FOR STUDY BY BUREAU OF INTER-***
 15 ***NATIONAL NARCOTICS AND LAW ENFORCE-***
 16 ***MENT AFFAIRS.***

17 (a) *IN GENERAL.—Not later than one year after the*
 18 *date of enactment of this Act, the Assistant Secretary for*
 19 *the Bureau of International Narcotics and Law Enforce-*
 20 *ment, in consultation with the heads of other relevant bu-*
 21 *reaus of the Department, shall submit to the Committee on*
 22 *Foreign Affairs of the House of Representatives and the*
 23 *Committee on Foreign Relations of the Senate a report de-*
 24 *tailing all existing programs, and their statutory authori-*
 25 *ties, that provide training, advice, equipment, and other*

1 *support to eligible foreign civilian security forces and insti-*
2 *tutions.*

3 (b) *MATTERS TO BE INCLUDED.*—*Such a report shall*
4 *assess the following:*

5 (1) *The benefits and costs of consolidating the*
6 *number of such programs and expanding the scope of*
7 *such programs, as appropriate.*

8 (2) *The prospects for improving coordination*
9 *among such programs.*

10 (3) *The impact of repealing section 660 of the*
11 *Foreign Assistance Act of 1961 (22 U.S.C. 2420), in-*
12 *cluding—*

13 (A) *the potential opportunities such repeal*
14 *would create for expanding existing programs or*
15 *establishing new programs to improve the capac-*
16 *ity, capabilities, and professionalism of such ci-*
17 *vilian security forces and institutions, including*
18 *with respect to pay and promotions, benefits,*
19 *leadership, and administration; and*

20 (B) *the required elements necessary to en-*
21 *sure that any such program would enhance rule*
22 *of law and safeguard human rights.*

23 (c) *CIVILIAN SECURITY FORCES.*—*In this section, the*
24 *term “civilian security forces” includes non-military secu-*
25 *rity forces at the national, state, district, or local level that*

1 *are responsible for internal security, do not report to a de-*
2 *fense ministry or similar or related defense or military en-*
3 *tity of a foreign government, and are assigned responsi-*
4 *bility for one or more of the following:*

- 5 (1) *Law enforcement.*
- 6 (2) *Border security.*
- 7 (3) *Maritime and port security.*
- 8 (4) *Customs law enforcement.*
- 9 (5) *Sanctions monitoring and enforcement.*
- 10 (6) *Counterterrorism.*
- 11 (7) *Counter-narcotics.*
- 12 (8) *Counterproliferation.*
- 13 (9) *Counter-transnational organized crime.*
- 14 (10) *Improving the administration of justice.*
- 15 (11) *Promoting respect for human rights.*
- 16 (12) *Promoting the rule of law.*

17 **SEC. 842. REQUIREMENT FOR INDEPENDENT STUDY OF EX-**
18 **ISTING SECURITY ASSISTANCE AUTHORITIES.**

19 (a) *IN GENERAL.*—Not later than 60 days after the
20 *date of the enactment of this Act, the Secretary shall enter*
21 *into a contract with a federally funded research and devel-*
22 *opment center with appropriate expertise and analytical*
23 *capability to carry out the study described in subsection*
24 *(b).*

1 (b) *STUDY.*—*The study required by subsection (a) shall*
2 *provide for a comprehensive examination of—*

3 (1) *the history and evolution of existing security*
4 *assistance authorities and the original intent of such*
5 *authorities;*

6 (2) *areas in which—*

7 (A) *such authorities have deviated from*
8 *such original intent and explanations why; and*

9 (B) *such authorities overlap or compete*
10 *with one another; and*

11 (3) *recommendations for consolidating, replac-*
12 *ing, or otherwise adapting such authorities, as well as*
13 *for establishing new ones, to include recommendations*
14 *for differentiating authorities based on the capacity*
15 *and capabilities they build as opposed to by issue or*
16 *purpose.*

17 (c) *REPORT.*—

18 (1) *TO THE SECRETARY.*—*Not later than one*
19 *year after the date on which , the Secretary enters*
20 *into a contract pursuant to subsection (a), the inde-*
21 *pendent research entity that has entered into a con-*
22 *tract with the Secretary shall submit to the Secretary*
23 *a report containing—*

24 (A) *the results of the study required by sub-*
25 *section (a); and*

1 (B) such recommendations to improve the
2 effectiveness of existing security assistance au-
3 thorities as the entity considers to be appro-
4 priate.

5 (2) *TO CONGRESS.*—Not later than 30 days after
6 receipt of the report under paragraph (1), the Sec-
7 retary shall submit such report, together with any ad-
8 ditional views or recommendations of the Secretary,
9 to the Committee on Foreign Affairs of the House of
10 Representatives and the Committee on Foreign Rela-
11 tions of the Senate.

12 **TITLE IX—MISCELLANEOUS**

13 **SEC. 901. CASE-ZABLOCKI ACT REFORM.**

14 Section 112b of title 1, United States Code, is amend-
15 ed—

16 (1) in subsection (a), by striking “Committee on
17 International Relations” and inserting “Committee
18 on Foreign Affairs”; and

19 (2) by amending subsection (b) to read as fol-
20 lows:

21 “(b) Each department or agency of the United States
22 Government that enters into any international agreement
23 described in subsection (a) on behalf of the United States,
24 shall designate a Chief International Agreements Officer,
25 who—

1 “(1) shall be a current employee of such depart-
2 ment or agency;

3 “(2) shall serve concurrently as Chief Inter-
4 national Agreements Officer; and

5 “(3) subject to the authority of the head of such
6 department or agency, shall have department or agen-
7 cy-wide responsibility for efficient and appropriate
8 compliance with subsection (a) to transmit the text of
9 any international agreement to the Department of
10 State not later than 20 days after such agreement has
11 been signed.”.

12 **SEC. 902. LIMITATION ON ASSISTANCE TO COUNTRIES IN**
13 **DEFAULT.**

14 Section 620(q) of the Foreign Assistance Act of 1961
15 (22 U.S.C. 2370(q)) is amended—

16 (1) by striking “No assistance” and inserting the
17 following:

18 “(1) No assistance”;

19 (2) by inserting “the government of” before “any
20 country”;

21 (3) by inserting “the government of” before “such
22 country” each place it appears;

23 (4) by striking “determines” and all that follows
24 and inserting “determines, after consultation with the
25 Committee on Foreign Affairs and the Committee on

1 *Appropriations of the House of Representatives and*
 2 *the Committee on Foreign Relations and the Com-*
 3 *mittee on Appropriations of the Senate, that assist-*
 4 *ance for such country is in the national interest of the*
 5 *United States.”; and*

6 *(5) by adding at the end the following:*

7 *“(2) No assistance shall be furnished under this*
 8 *Act, the Peace Corps Act, the Millennium Challenge*
 9 *Act of 2003, the African Development Foundation*
 10 *Act, the BUILD Act of 2018, section 504 of the*
 11 *FREEDOM Support Act, or section 23 of the Arms*
 12 *Export Control Act to the government of any country*
 13 *which is in default during a period in excess of 1 cal-*
 14 *endar year in payment to the United States of prin-*
 15 *cipal or interest or any loan made to the government*
 16 *of such country by the United States pursuant to a*
 17 *program for which funds are appropriated under such*
 18 *Act unless the President determines, following con-*
 19 *sultation with the congressional committees specified*
 20 *in paragraph (1), that assistance for such country is*
 21 *in the national interest of the United States.”.*

22 **SEC. 903. PROHIBITION ON ASSISTANCE TO GOVERNMENTS**
 23 **SUPPORTING INTERNATIONAL TERRORISM.**

24 *(a) PROHIBITION.—Subsection (a) of section 620A of*
 25 *the Foreign Assistance Act of 1961 (22 U.S.C. 2371) is*

1 *amended by striking “that the government of that country”*
2 *and all that follows and inserting “that the government of*
3 *that country—*

4 *“(1) has repeatedly provided support for acts of*
5 *international terrorism;*

6 *“(2) grants sanctuary from prosecution to any*
7 *individual or group which has committed an act of*
8 *international terrorism;*

9 *“(3) otherwise supports international terrorism;*
10 *or*

11 *“(4) is controlled by an organization designated*
12 *as a foreign terrorist organization under section 219*
13 *of the Immigration and Nationality Act (8 U.S.C.*
14 *1189).”.*

15 *(b) RESCISSION.—Subsection (c) of such section is*
16 *amended by striking “and the Chairman of the Committee*
17 *on Foreign Relations of the Senate” and inserting “, the*
18 *Committee on Foreign Affairs of the House of Representa-*
19 *tives, the Committee on Foreign Relations of the Senate,*
20 *and the Committees on Appropriations of the House of Rep-*
21 *resentatives and the Senate”.*

22 *(c) WAIVER.—Subsection (d)(2) of such section is*
23 *amended by striking “and the chairman of the Committee*
24 *on Foreign Relations of the Senate” and inserting “, the*
25 *Committee on Foreign Affairs of the House of Representa-*

1 *tives, the Committee on Foreign Relations of the Senate,*
 2 *and the Committees on Appropriations of the House of Rep-*
 3 *resentatives and the Senate”.*

4 (d) *PROHIBITION ON LETHAL MILITARY EQUIPMENT*
 5 *EXPORTS.*—*Such section, as so amended, is further amend-*
 6 *ed by adding at the end the following:*

7 “(e) *PROHIBITION ON LETHAL MILITARY EQUIPMENT*
 8 *EXPORTS.*—

9 “(1) *PROHIBITION.*—

10 “(A) *IN GENERAL.*—*The United States shall*
 11 *not provide any assistance under this Act or sec-*
 12 *tion 23 of the Arms Export Control Act to any*
 13 *foreign government that provides lethal military*
 14 *equipment to a country the government of which*
 15 *the Secretary of State has determined supports*
 16 *international terrorism for purposes of section*
 17 *1754(c) of the Export Control Reform Act of*
 18 *2018.*

19 “(B) *TERMINATION.*—*The prohibition on*
 20 *assistance under subparagraph (A) with respect*
 21 *to a foreign government shall terminate 12*
 22 *months after such government ceases to provide*
 23 *the lethal military equipment described in such*
 24 *subparagraph.*

1 “(C) *APPLICABILITY.*—*This subsection ap-*
2 *plies with respect to lethal military equipment*
3 *provided under a contract entered into after Oc-*
4 *tober 1, 1997.*

5 “(2) *WAIVER.*—*The President may waive the*
6 *prohibition on assistance under paragraph (1) with*
7 *respect to a foreign government if the President deter-*
8 *mines that to do so is important to the national in-*
9 *terest of the United States.*

10 “(3) *REPORT.*—*Upon the exercise of the waiver*
11 *authority pursuant to paragraph (2), the President*
12 *shall submit to the appropriate congressional commit-*
13 *tees a report with respect to the furnishing of assist-*
14 *ance under the waiver authority, including—*

15 “(A) *a detailed explanation of the assistance*
16 *to be provided;*

17 “(B) *the estimated dollar amount of such*
18 *assistance; and*

19 “(C) *an explanation of how the assistance*
20 *furtheres the national interest of the United*
21 *States.*

22 “(4) *APPROPRIATE CONGRESSIONAL COMMITTEES*
23 *DEFINED.*—*In this subsection, the term ‘appropriate*
24 *congressional committees’ means—*

1 “(A) the Committee on Foreign Affairs and
 2 the Committee on Appropriations of the House of
 3 Representatives; and

4 “(B) the Committee on Foreign Relations
 5 and the Committee on Appropriations of the
 6 Senate.”.

7 **SEC. 904. ESTABLISHING A COORDINATOR FOR ISIS DE-**
 8 **TAINEE ISSUES.**

9 (a) *IN GENERAL.*—Not later than 90 days after the
 10 date of the enactment of this Act, the President, acting
 11 through the Secretary, may designate an existing official
 12 within the Department to serve as senior-level coordinator
 13 to coordinate, in conjunction with other relevant Federal
 14 departments and agencies, all matters for the United States
 15 Government relating to the long-term disposition of ISIS
 16 detainees, including all matters in connection with—

17 (1) repatriation, transfer, prosecution, and intel-
 18 ligence-gathering;

19 (2) coordinating a whole-of-government approach
 20 with other countries and international organizations,
 21 including INTERPOL, to ensure secure chains of cus-
 22 tody and locations of ISIS detainees;

23 (3) coordinating the provision of technical and
 24 evidentiary assistance to foreign countries to aid in
 25 the successful prosecution of ISIS detainees; and

1 (4) *all multilateral and international engage-*
 2 *ments led by the Department and other relevant Fed-*
 3 *eral departments and agencies that are related to the*
 4 *current and future handling, detention, or prosecution*
 5 *of ISIS detainees.*

6 (b) *RETENTION OF EXISTING AUTHORITY.*—*The ap-*
 7 *pointment of a senior-level coordinator pursuant to sub-*
 8 *section (a) shall not deprive any Federal department or*
 9 *agency of any existing authority to independently perform*
 10 *the functions of that agency relating to ISIS detainees.*

11 (c) *ISIS DETAINEE DEFINED.*—*In this section, the*
 12 *term “ISIS detainee” means a captured individual—*

13 (1) *who allegedly fought for or supported the Is-*
 14 *lamic State of Iraq and Syria; and*

15 (2) *who is a national of a country other than*
 16 *Iraq or Syria.*

17 **SEC. 905. SEAN AND DAVID GOLDMAN CHILD ABDUCTION**
 18 **PREVENTION AND RETURN ACT OF 2014**
 19 **AMENDMENT.**

20 *Subsection (b) of section 101 of the Sean and David*
 21 *Goldman International Child Abduction Prevention and*
 22 *Return Act of 2014 (22 U.S.C. 9111; Public Law 113–150)*
 23 *is amended—*

24 (1) *in paragraph (2)—*

25 (A) *in subparagraph (A)—*

1 (i) by inserting “, respectively,” after
2 “access cases”; and

3 (ii) by inserting “and the number of
4 children involved” before the semicolon at
5 the end;

6 (B) in subparagraph (D), by inserting “re-
7 spectively, the number of children involved,”
8 after “access cases,”;

9 (2) in paragraph (7), by inserting “, and num-
10 ber of children involved in such cases” before the
11 semicolon at the end;

12 (3) in paragraph (8), by striking “and” after the
13 semicolon at the end;

14 (4) in paragraph (9), by striking the period at
15 the end and inserting “; and”; and

16 (5) by adding at the end the following new para-
17 graph:

18 “(10) the total number of pending cases the De-
19 partment of State has assigned to case officers and
20 number of children involved for each country and as
21 a total for all countries.”.

1 **SEC. 906. MODIFICATION OF AUTHORITIES OF COMMISSION**
 2 **FOR THE PRESERVATION OF AMERICA'S HER-**
 3 **ITAGE ABROAD.**

4 (a) *IN GENERAL.*—Chapter 3123 of title 54, United
 5 States Code, is amended as follows:

6 (1) *In section 312302, by inserting “, and*
 7 *unimpeded access to those sites,” after “and historic*
 8 *buildings”.*

9 (2) *In section 312304(a)—*

10 (A) *in paragraph (2)—*

11 (i) *by striking “and historic buildings”*
 12 *and inserting “and historic buildings, and*
 13 *unimpeded access to those sites”; and*

14 (ii) *by striking “and protected” and*
 15 *inserting “, protected, and made accessible”;*
 16 *and*

17 (B) *in paragraph (3), by striking “and pro-*
 18 *tecting” and inserting “, protecting, and making*
 19 *accessible”.*

20 (3) *In section 312305, by inserting “and to the*
 21 *Committee on Foreign Affairs of the House of Rep-*
 22 *resentatives and the Committee on Foreign Relations*
 23 *of the Senate” after “President”.*

24 (b) *REPORT.*—Not later than 90 days after the date
 25 of the enactment of this Act, the Commission for the Preser-
 26 vation of America's Heritage Abroad shall submit to the

1 *President and to the Committee on Foreign Affairs of the*
2 *House of Representatives and the Committee on Foreign Re-*
3 *lations of the Senate a report that contains an evaluation*
4 *of the extent to which the Commission is prepared to con-*
5 *tinue its activities and accomplishments with respect to the*
6 *foreign heritage of United States citizens from eastern and*
7 *central Europe, were the Commission's duties and powers*
8 *extended to include other regions, including the Middle East*
9 *and North Africa, and any additional resources or per-*
10 *sonnel the Commission would require.*

Union Calendar No. 140

116TH CONGRESS
1ST Session

H. R. 3352

[Report No. 116–181]

A BILL

To provide for certain authorities of the
Department of State, and for other purposes.

JULY 24, 2019

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