

117TH CONGRESS
2D SESSION

S. 4025

To require additional disclosures with respect to nominees to serve as chiefs of missions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2022

Mr. KAINE (for himself and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require additional disclosures with respect to nominees to serve as chiefs of missions, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ambassador Oversight
5 and Transparency Act”.

6 **SEC. 2. ADDITIONAL DISCLOSURES REQUIRED WITH RE-**
7 **SPECT TO NOMINEES.**

8 Section 304 of the Foreign Service Act of 1980 (22
9 U.S.C. 3944) is amended—

1 (1) in subsection (a)(4), by adding at the end
2 the following: “Each such report shall explain the
3 source and the extent of such nominee’s knowledge
4 of the principal language or dialect of the country,
5 region, or institution in which the nominee has been
6 nominated to serve as chief of mission and the man-
7 ner and extent to which such nominee meets the cri-
8 teria described in paragraph (1), particularly with
9 respect to the source and extent of such individual’s
10 knowledge and understanding of the history, culture,
11 economics, politics, and interests of the people of
12 such country, region, or institution.”; and

13 (2) in subsection (b)—

14 (A) in paragraph (2)—

15 (i) by striking “Each” and inserting
16 the following: “(A) In this paragraph—

17 “(i) the term ‘bundled contribution’ has the
18 meaning given such term in section 304(i)(8)(A) of
19 the Federal Election Campaign Act of 1971 (52
20 U.S.C. 30104(i)(8)(A));

21 “(ii) the term ‘contribution’ has the meaning
22 given such term in section 301(8) of the Federal
23 Election Campaign Act of 1971 (52 U.S.C.
24 30101(8)); and

25 “(iii) the term ‘immediate family’ means—

1 “(I) the spouse of the nominee;

2 “(II) any child, parent, grandparent,
3 brother, or sister of the nominee; and

4 “(III) the spouse of any of the individuals
5 described in subclause (II).

6 “(B) Each”;

7 (ii) in subparagraph (B), as redesign-
8 nated, by striking “fourth calendar year”
9 and inserting “tenth calendar year”;

10 (iii) by striking “The report” and in-
11 sserting the following:

12 “(C) The report shall include the disclosure of all
13 bundled contributions facilitated by the nominee during
14 the period described in subparagraph (B), in accordance
15 with section 304(i)(8) of the Federal Election Campaign
16 Act of 1971 (52 U.S.C. 30104(i)(8)), and”;

17 (iv) by striking “The chairman” and
18 inserting the following:

19 “(D) The chairman”;

20 (v) in subparagraph (D), as redesign-
21 nated, by adding at the end the following:
22 “The Secretary of State shall publish each
23 such report and each ‘Certificate of Com-
24 petency’ issued pursuant to subsection

1 (a)(4)(A) on a publicly available website of
2 the Department of State.”; and

3 (vi) by striking “As used in this para-
4 graph” and all that follows; and

5 (B) by adding at the end the following:

6 “(3) The President shall certify to the Committee on
7 Foreign Relations of the Senate that any contributions
8 made by each individual nominated to be a chief of mission
9 or members of the nominee’s immediate family, whether
10 or not included in the report described in paragraph (2),
11 played no role in such nomination.”.

12 **SEC. 3. MANAGEMENT ASSESSMENTS AT DIPLOMATIC AND**
13 **CONSULAR POSTS.**

14 (a) IN GENERAL.—Beginning not later than 1 year
15 after the date of the enactment of this Act, the Secretary
16 of State shall annually conduct, at each diplomatic and
17 consular post, a universal survey, which shall be completed
18 by all staff assigned to that post who are citizens of the
19 United States (excluding the chief of mission) to assess
20 the management and leadership of that post by the chief
21 of mission.

22 (b) ANONYMITY.—All responses to the survey shall
23 be anonymized before being made available to the relevant
24 regional assistant secretary of the Department of State
25 and the Director General of the Foreign Service.

1 (c) REFERRAL.—If corrective action does not resolve
2 deficiencies in performance by the chief of mission identi-
3 fied by the survey, the Director General of the Foreign
4 Service may refer the matter to the Inspector General of
5 the Department of State, who shall conduct an inspection
6 of the post in accordance with section 209(b) of the For-
7 eign Service Act of 1980 (22 U.S.C. 3929(b)).

8 (d) ANNUAL REPORT.—The Director General of the
9 Foreign Service shall submit an annual report to the Com-
10 mittee on Foreign Relations of the Senate and the Com-
11 mittee on Foreign Affairs of the House of Representatives
12 that—

13 (1) identifies the posts at which corrective ac-
14 tion was taken as a result of responses from a sur-
15 vey described in subsection (a);

16 (2) describes the performance deficiencies iden-
17 tified by the survey and the corrective action taken
18 to remediate such deficiencies; and

19 (3) explains the reasons for not referring the
20 matter to the Inspector General of the Department
21 of State and the Foreign Service.

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