

119TH CONGRESS
2D SESSION

H. R. 9728

To amend the Foreign Service Act of 1980 to modify the requirements relating to reductions in force for Foreign Service officers and certain other Federal employees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2026

Mr. BERA (for himself, Mr. OLSZEWSKI, Ms. McBRIDE, Ms. NORTON, Ms. ESCOBAR, and Mr. QUIGLEY) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Foreign Service Act of 1980 to modify the requirements relating to reductions in force for Foreign Service officers and certain other Federal employees, 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 “Protecting America’s
5 Diplomatic Workforce Act”.

1 **SEC. 2. IMPROVED TRANSPARENCY AND JUSTIFICATIONS**
2 **FOR SIGNIFICANT REDUCTIONS IN FORCE.**

3 (a) PROHIBITION.—Except as provided in subsection
4 (b), during any 6-month period, a covered agency may not
5 separate more than 50 employees from service pursuant
6 to 1 or more reductions in force.

7 (b) REQUIREMENTS.—A covered agency may sepa-
8 rate more than 50 employees from service pursuant to 1
9 or more reductions in force during a 6-month period only
10 if, before carrying out the reduction in force that would
11 cause the covered agency to violate subsection (a), the cov-
12 ered agency—

13 (1) not later than 20 days before submitting a
14 notice of the reduction in force to affected employ-
15 ees, submits to the appropriate congressional com-
16 mittees of jurisdiction a detailed explanation of the
17 reduction in force that includes—

18 (A) the steps the covered agency has taken
19 to exhaust all other options before carrying out
20 the proposed reduction in force, including
21 whether the covered agency considered reas-
22 signing the employees to an equivalent position;

23 (B) the justification for the reduction in
24 force;

25 (C) an assessment of whether the proposed
26 reduction in force will negatively impact the

covered agency's ability to carry out its mission
and obligations required by statute;

(D) an assessment of how the proposed reduction in force will affect United States diplomatic presence and engagement and the United States ability to compete with adversaries; and

(E) with respect to employees in the civil service, information about how the covered agency has complied with—

(i) subchapter I of chapter 35 of title 5, United States Code; and

(ii) part 351 of title 5, Code of Federal Regulations (or any successor regulation); and

(2) briefs the appropriate congressional committees of jurisdiction on the justification for the reduction in force and the other criteria described in paragraph (1).

SEC. 3. FOREIGN SERVICE REDUCTION IN FORCE PROCEDURES.

(a) IN GENERAL.—Section 611 of the Foreign Service Act of 1980 (22 U.S.C. 4010a) is amended—

(1) by amending subsection (a) to read as follows:

1 “(a) AUTHORIZATION.—The Secretary may conduct
2 reductions in force for the separation of members of the
3 Service holding a career or career candidate appointment
4 under chapter 3 for reasons such as reorganization or
5 shortage of funds.”;

6 (2) by redesignating subsections (b) and (c) (as
7 amended) as subsections (f) and (g), respectively;

8 (3) by inserting after subsection (a) the fol-
9 lowing new subsections:

10 “(b) COMPETITIVE AREA.—The competitive area for
11 a reduction in force shall be worldwide, with employees
12 of the same rank and cone or specialist competing against
13 each other for retention.

14 “(c) CRITERIA.—Reduction in force procedures shall
15 be designed to ensure that determinations are based pri-
16 marily on performance as determined by previous selection
17 board rankings. Tenure of employment, language capabili-
18 ties, and military preference, subject to section 3501(a)(3)
19 of title 5, United States Code, shall also be considered.

20 “(d) REQUIRED NOTICE.—Absent unforeseen cir-
21 cumstances, members of the Service shall be given 120
22 days advance notice of separation. In no case shall mem-
23 bers be given less than 60 days advance notice.

24 “(e) PROTECTIONS.—Members of the Service shall be
25 afforded the same protections afforded to career members

1 of the civil service under section 3503 of title 5, United
2 States Code, in the event of a transfer of function.”; and

3 (4) in subsection (g), as redesignated by para-
4 graph (2), by striking “Grievances under chapter
5 11” through “of this section” and inserting “The
6 Foreign Service Grievances Board shall have the
7 same authority as the Merit Systems Protection
8 Board to adjudicate reduction in force grievances.”.

9 (b) MANAGEMENT RIGHTS.—Section 1005(a)(3) of
10 the Foreign Service Act of 1980 (22 U.S.C. 4105(a)(3))
11 is amended by striking “, and to prescribe regulations for
12 the separation of employees pursuant to such reductions
13 in force conducted under section 611”.

14 **SEC. 4. NOTICE PERIOD REQUIRED FOR REDUCTIONS IN**
15 **FORCE.**

16 The notice period for a reduction in force pursuant
17 to section 3502 of title 5, United States Code, at a covered
18 agency shall be 60 days.

19 **SEC. 5. PRIOR CONSULTATION AND BRIEFING REQUIRE-**
20 **MENTS FOR SIGNIFICANT CHANGES TO THE**
21 **FOREIGN AFFAIRS MANUAL.**

22 Section 5318(c) of the Department of State Author-
23 ization Act of 2021 (22 U.S.C. 2658a(c)) is amended by
24 inserting at the end of the following:

1 “(d) NOTICE; CONSULTATION; BRIEFING.—Before
2 effectuating any significant changes in the Foreign Affairs
3 Manual, the Secretary of State shall—

4 “(1) provide notice to, and consult with, the ap-
5 propriate congressional committees in writing, not
6 later than 30 days before such changes are sched-
7 uled to take effect; and

8 “(2) provide a briefing to the appropriate con-
9 gressional committees regarding the proposed
10 changes.”.

11 **SEC. 6. DEFINITIONS.**

12 In this Act:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means the Committee on Foreign Relations
16 of the Senate and the Committee on Foreign Affairs
17 of the House of Representatives.

18 (2) COVERED AGENCY.—The term “covered
19 agency” means—

20 (A) the Department of State;

21 (B) the United States Agency for Inter-
22 national Development;

23 (C) the Millennium Challenge Corporation;

24 (D) the United States International Devel-
25 opment Finance Corporation;

1 (E) the Peace Corps;

2 (F) the Foreign Agricultural Service within
3 the Department of Agriculture;

4 (G) the Animal and Plant Health Inspec-
5 tion Service within the Department of Agri-
6 culture;

7 (H) the Foreign Commercial Service within
8 the Department of Commerce;

9 (I) the United States Trade and Develop-
10 ment Agency; and

11 (J) the United States Agency for Global
12 Media and its networks.

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