

Calendar No. 585

111TH CONGRESS
2D SESSION**S. 2971****[Report No. 111–301]**

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

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2010

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

SEPTEMBER 23, 2010

Reported by Mr. KERRY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**A BILL**

To authorize certain authorities by 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.**

4 This Act may be cited as the “Foreign Relations Au-
5 thorization Act, Fiscal Years 2010 and 2011”.

1 SEC. 2. TABLE OF CONTENTS.

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

- See: 1. Short title.
- See: 2. Table of contents.
- See: 3. Definitions.

TITLE I—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—General Matters

- See: 101. International Litigation Fund.
- See: 102. Actuarial valuations.
- See: 103. Special agents.
- See: 104. Accountability review boards.
- See: 105. Security enhancements for soft targets.
- See: 106. Enhanced Department of State authority for uniformed security officers.
- See: 107. Local guard contracts abroad under diplomatic security program.
- See: 108. Overseas procurement flexibility.
- See: 109. Renaming of Bureau of Oceans and International Environmental and Scientific Affairs.
- See: 110. Extension of period for reimbursement for seized commercial fishermen.
- See: 111. Authority to issue administrative subpoenas.
- See: 112. Home-to-work transportation.
- See: 113. Technical amendment to Federal Workforce Flexibility Act.
- See: 114. Emergency Refugee and Migration Assistance Account.

Subtitle B—Public Diplomacy

- See: 121. Public diplomacy resource centers.
- See: 122. Employment of non-citizens for international broadcasting.
- See: 123. Radio Free Europe and Radio Liberty pay parity.
- See: 124. Extension of grant authority for Radio Free Asia.
- See: 125. Personal services contracting program for the Broadcasting Board of Governors.
- See: 126. Reauthorization of United States Advisory Commission on Public Diplomacy.
- See: 127. Dissemination of public diplomacy information within the United States.
- See: 128. Science and technology fellowships.
- See: 129. Grants for international documentary exchange programs.

Subtitle C—Consular Services and Related Matters

- See: 131. Reforming refugee processing.
- See: 132. Definition of “use” in passport and visa offenses.
- See: 133. Visa ineligibility for international child abduction.
- See: 134. Vaccination waiver for adopted children.
- See: 135. Signed photograph requirement for visa applications.
- See: 136. Electronic transmission of domestic violence information to visa applicants.
- See: 137. Sibling adoptions.
- See: 138. Passport execution fee.
- See: 139. Fraud prevention and detection fees.

Sec. 140. Technical amendments relating to the Intelligence Reform and Terrorism Prevention Act of 2004.

TITLE H—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Modernizing the Department of State

Sec. 201. Creation of a modern and expeditionary Foreign Service.
Sec. 202. Conflict prevention, mitigation, and resolution training.

Subtitle B—Foreign Services Overseas Pay Equity

Sec. 211. Short title.
Sec. 212. Overseas comparability pay adjustment.

Subtitle C—Other Organization and Personnel Matters

Sec. 221. Death gratuity.
Sec. 222. Expansion and extension of annuitant waiver for response readiness corps.
Sec. 223. Reemployment of annuitants.
Sec. 224. Locally employed staff.
Sec. 225. Repeal of recertification requirement for senior foreign service.
Sec. 226. Foreign relations exchange programs.
Sec. 227. Enhanced personnel authorities for the inspector general of the department of State.
Sec. 228. Personal services contractors.
Sec. 229. Amendment to the Foreign Service Act of 1980.

TITLE III—INTERNATIONAL ORGANIZATIONS

Sec. 301. Promoting assignments to international organizations.
Sec. 302. Synchronization of United States contributions to international organizations.
Sec. 303. Peacekeeping contributions.
Sec. 304. Buying power maintenance, international organizations.
Sec. 305. United States participation in the Inter-Parliamentary Union.
Sec. 306. Provision of living quarters and allowances to the United States representatives to the United Nations.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Limitation on assistance to governments of countries in default.
Sec. 402. Increased authority to provide assistance for law enforcement forces.
Sec. 403. Building public awareness and dialogue.
Sec. 404. Exception to certain multiple award contract requirements.
Sec. 405. Millennium challenge assistance.
Sec. 406. Enhancing the capacity of the Office of the Inspector General for the United States Agency for International Development.
Sec. 407. Prohibitions on foreign assistance for the production of certain agricultural commodities.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

Sec. 501. Authorization of appropriations.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
 4 **TEES.**—The term “appropriate congressional com-
 5 **mittees”** means the Committee on Foreign Relations
 6 of the Senate and the Committee on Foreign Affairs
 7 of the House of Representatives.

8 (2) **SECRETARY.**—Except as otherwise provided,
 9 the term “Secretary” means the Secretary of State.

10 **TITLE I—DEPARTMENT OF**
 11 **STATE AUTHORITIES AND AC-**
 12 **TIVITIES**

13 **Subtitle A—General Matters**

14 **SEC. 101. INTERNATIONAL LITIGATION FUND.**

15 Section 38(d)(3) of the State Department Basic Au-
 16 thorities Act of 1956 (22 U.S.C. 2710(d)(3)) is amended
 17 by striking “from another agency of the United States
 18 Government” and inserting “as a result of a decision of
 19 an international tribunal, from another agency of the
 20 United States Government,”.

21 **SEC. 102. ACTUARIAL VALUATIONS.**

22 (a) **AUTHORITY OF SECRETARY OF STATE TO MAKE**
 23 **ACTUARIAL VALUATIONS.**—Section 818 of the Foreign
 24 Service Act of 1980 (22 U.S.C. 4058) is amended—

1 (1) in the first sentence, by striking “Secretary
2 of the Treasury” and inserting “Secretary of State”;
3 and

4 (2) by amending the second sentence to read as
5 follows: “The Secretary of State may expend such
6 sums as may be necessary to administer the provi-
7 sions of this chapter, including actuarial advice, but
8 only to the extent and in such amounts as are pro-
9 vided in advance in appropriations acts.”.

10 (b) AUTHORITY OF SECRETARY OF STATE TO DE-
11 TERMINE PORTION OF FOREIGN SERVICE RETIREMENT
12 AND DISABILITY FUND AVAILABLE FOR INVESTMENT.—
13 Section 819 of such Act (22 U.S.C. 4059) is amended by
14 striking “Secretary of the Treasury” the second place it
15 appears and inserting “Secretary of State”.

16 (c) AUTHORITY OF SECRETARY OF STATE TO PRE-
17 SCRIBE MORTALITY TABLES.—Section 825(b) of such Act
18 (22 U.S.C. 4065(b)) is amended—

19 (1) by striking “subsection (a) (2), (3), or (4)”
20 and inserting “paragraph (2), (3), or (4) of sub-
21 section (a)”;

22 (2) by striking “Secretary of the Treasury” and
23 inserting “Secretary of State”.

1 (d) **AUTHORITY OF SECRETARY OF STATE TO MAKE**
 2 **PERIODIC VALUATIONS.**—Section 859(e) of the Foreign
 3 Service Act of 1980 (22 U.S.C. 4071h(e)) is amended—

4 (1) by striking “Secretary of the Treasury” and
 5 inserting “Secretary of State”; and

6 (2) by striking “and shall advise the Secretary
 7 of State of (1) the normal cost of the System; (2)
 8 the supplemental liability of the System; and (3) the
 9 amounts necessary to finance the costs of the Sys-
 10 tem.” and inserting the following: “that will pro-
 11 vide—

12 “(1) the normal cost of the System;

13 “(2) the supplemental liability of the System;

14 and

15 “(3) the amounts necessary to finance the costs
 16 of the System.”.

17 **SEC. 103. SPECIAL AGENTS.**

18 Section 37 of the State Department Basic Authorities
 19 Act of 1956 (22 U.S.C. 2709) is amended—

20 (1) in subsection (a), by amending paragraph
 21 (1) to read as follows:

22 “(1) conduct investigations concerning—

23 “(A) illegal passport or visa issuance or
 24 use;

1 “(B) identity theft or document fraud af-
 2 fecting, or relating to, the programs, functions,
 3 or authorities of the Department of State; and

4 “(C) Federal offenses committed within
 5 the special maritime and territorial jurisdiction
 6 of the United States (as such term is defined
 7 in section 7(9) of title 18, United States Code);
 8 except as that jurisdiction relates to the prem-
 9 ises of United States military installations and
 10 related residences;” and

11 (2) by adding at the end the following:

12 “(d) **RULE OF CONSTRUCTION.**—Nothing in sub-
 13 section (a)(1) may be construed to limit the investigative
 14 authority of any other Federal department or agency.”.

15 **SEC. 104. ACCOUNTABILITY REVIEW BOARDS.**

16 Section 301(a)(3) of the Omnibus Diplomatic Secu-
 17 rity and Antiterrorism Act of 1986 (22 U.S.C.
 18 4831(a)(3)) is amended—

19 (1) in the paragraph heading, by striking “AF-
 20 GHANISTAN AND” and inserting “AFGHANISTAN,
 21 PAKISTAN, AND”; and

22 (2) in subparagraph (A)—

23 (A) in clause (i), by striking “Afghanistan
 24 or” and inserting “Afghanistan, Pakistan, or”;
 25 and

1 (B) in clause (ii), by striking “2009” and
 2 inserting “2012”.

3 **SEC. 105. SECURITY ENHANCEMENTS FOR SOFT TARGETS.**

4 Section 29 of the State Department Basic Authorities
 5 Act of 1956 (22 U.S.C. 2701) is amended by inserting
 6 “physical security enhancements and” after “Such assist-
 7 ance may include”.

8 **SEC. 106. ENHANCED DEPARTMENT OF STATE AUTHORITY**
 9 **FOR UNIFORMED SECURITY OFFICERS.**

10 The State Department Basic Authorities Act of 1956
 11 is amended by inserting after section 37 (22 U.S.C. 2709)
 12 the following:

13 **“SEC. 37A. PROTECTION OF BUILDINGS AND AREAS IN THE**
 14 **UNITED STATES BY UNIFORMED GUARDS.**

15 **“(a) ENFORCEMENT AUTHORITIES FOR UNIFORMED**
 16 **GUARDS.—**The Secretary of State may authorize Depart-
 17 ment of State uniformed guards to protect buildings and
 18 areas within the United States for which the Department
 19 of State provides protective services, including duty in
 20 areas outside the property to the extent necessary to pro-
 21 tect the property and persons in that area.

22 **“(b) POWERS OF GUARDS.—**While engaged in the
 23 performance of official duties as a uniformed guard under
 24 subsection (a), a guard may—

1 “(1) enforce Federal laws and regulations for
2 the protection of persons and property;

3 “(2) carry firearms; and

4 “(3) make arrests without warrant for—

5 “(A) any offense against the United States
6 committed in the guard’s presence; or

7 “(B) any felony cognizable under the laws
8 of the United States if the guard has reason-
9 able grounds to believe that the person to be ar-
10 rested has committed, or is committing, such
11 felony in connection with the buildings, areas,
12 or persons, for which the Department of State
13 is providing protective services.

14 “(c) REGULATIONS.—

15 “(1) IN GENERAL.—The Secretary of State, in
16 consultation with the Secretary of Homeland Secu-
17 rity, may prescribe such regulations as may be nec-
18 essary for the administration of buildings and areas
19 within the United States for which the Department
20 of State provides protective services, including rea-
21 sonable penalties for violations of such regulations,
22 within the limits prescribed in subsection (d).

23 “(2) POSTING.—The regulations prescribed
24 under paragraph (1) shall be posted in a con-
25 spicuous place on the property.

1 “(d) **PENALTIES.**—A person violating a regulation
 2 prescribed under subsection (c) shall be fined under title
 3 18, United States Code, imprisoned for not more than 6
 4 months, or both.

5 “(e) **ATTORNEY GENERAL APPROVAL.**—The powers
 6 granted to guards designated under this section shall be
 7 exercised in accordance with guidelines approved by the
 8 Attorney General.

9 “(f) **RELATIONSHIP TO OTHER AUTHORITY.**—Noth-
 10 ing in this section may be construed to affect the authority
 11 of the Secretary of Homeland Security, the Administrator
 12 of General Services, or any Federal law enforcement agen-
 13 cy.”.

14 **SEC. 107. LOCAL GUARD CONTRACTS ABROAD UNDER DIP-**
 15 **LOMATIC SECURITY PROGRAM.**

16 (a) **IN GENERAL.**—Section 136(c)(3) of the Foreign
 17 Relations Authorization Act, Fiscal Years 1990 and 1991
 18 (22 U.S.C. 4864(c)(3)) is amended to read as follows:

19 “(3) in evaluating proposals for such contracts;
 20 award contracts to technically acceptable firms offer-
 21 ing the lowest evaluated price, except that—

22 “(A) the Secretary may award contracts on
 23 the basis of best value (as determined by a cost-
 24 technical tradeoff analysis); and

1 “(B) proposals received from United
 2 States persons and qualified United States joint
 3 venture persons shall be evaluated by reducing
 4 the bid price by 10 percent;”.

5 (b) REPORT.—Not later than 1 year after the date
 6 of the enactment of this Act, the Secretary shall submit
 7 a report to Congress that describes the implementation of
 8 section 136(c)(3) of the Foreign Relations Authorization
 9 Act, Fiscal Years 1990 and 1991, as amended by sub-
 10 section (a).

11 **SEC. 108. OVERSEAS PROCUREMENT FLEXIBILITY.**

12 Section 3 of the State Department Basic Authorities
 13 Act of 1956 (22 U.S.C. 2670) is amended by—

14 (1) in subsection (l), by striking “and” at the
 15 end;

16 (2) in subsection (m), by striking the period at
 17 the end and inserting “; and”; and

18 (3) adding at the end the following:

19 “(n) make and carry out contracts for procurement
 20 outside the United States of goods or services needed for
 21 the operation of United States diplomatic and consular
 22 posts and related facilities outside the United States, pro-
 23 vided that—

24 “(1) laws of the United States relating to the
 25 negotiation, making, contents, or performance of

1 government contracts for goods or services, and ad-
 2 vance payments and indemnification in relation to
 3 such contracts shall apply with respect to such con-
 4 tracts except to the extent that the Secretary deter-
 5 mines (other than for section 27 of the Office of
 6 Federal Procurement Policy Act (41 U.S.C. 423))
 7 that the Secretary could not reasonably meet the
 8 need of a post or facility for such goods and services
 9 by use of authority available to the Secretary under
 10 a law other than this subsection;

11 “(2) the Secretary shall—

12 “(A) issue guidance addressing use of this
 13 authority; and

14 “(B) require written approval to waive spe-
 15 cific laws or procurement regulations under this
 16 authority by the Procurement Executive (with-
 17 out further delegation); and

18 “(3) no individual contract action entered into
 19 under this authority shall exceed \$2,000,000 unless
 20 approved in writing by the Chief Acquisition Officer
 21 of the Department of State (without further delega-
 22 tion).”.

1 **SEC. 109. RENAMING OF BUREAU OF OCEANS AND INTER-**
 2 **NATIONAL ENVIRONMENTAL AND SCIENTIFIC**
 3 **AFFAIRS.**

4 (a) DEPARTMENT OF STATE APPROPRIATIONS AU-
 5 THORIZATION ACT OF 1973.—Section 9(a) of the Depart-
 6 ment of State Appropriations Authorization Act of 1973
 7 (22 U.S.C. 2655a) is amended by striking “Oceans and
 8 International Environmental and Scientific Affairs” each
 9 place it appears and inserting “Oceans, Environment, and
 10 Science”.

11 (b) FOREIGN ASSISTANCE ACT OF 1961.—Section
 12 607(d) of the Foreign Assistance Act of 1961 (22 U.S.C.
 13 2357(d)) is amended by striking “Oceans and Inter-
 14 national Environmental and Scientific Affairs” and insert-
 15 ing “Oceans, Environment, and Science”.

16 (c) CLEAN AIR ACT.—Section 617(a) of the Clean
 17 Air Act (42 U.S.C. 7671p(a)) is amended by striking
 18 “Oceans and International Environmental and Scientific
 19 Affairs” and inserting “Oceans, Environment, and
 20 Science”.

21 **SEC. 110. EXTENSION OF PERIOD FOR REIMBURSEMENT**
 22 **FOR SEIZED COMMERCIAL FISHERMEN.**

23 Section 7(e) of the Fishermen’s Protective Act of
 24 1967 (22 U.S.C. 1977(e)) is amended by striking “2008”
 25 and inserting “2013”.

1 **SEC. 111. AUTHORITY TO ISSUE ADMINISTRATIVE SUB-**
 2 **POENAS.**

3 Section 3486 of title 18, United States Code, is
 4 amended—

5 (1) in subsection (a)—

6 (A) paragraph (1)(A)—

7 (i) in the matter preceding clause (i),
 8 by striking “of” and inserting “to”;

9 (ii) in clause (i)(II), by striking “or”
 10 at the end;

11 (iii) in clause (ii), by striking the
 12 comma at the end and inserting a semi-
 13 colon; and

14 (iv) by inserting after clause (ii) the
 15 following:

16 “(iii) an offense under section 878, or
 17 a threat against a person, foreign mission
 18 or organization authorized to receive pro-
 19 tection by special agents of the Depart-
 20 ment of State and the Foreign Service
 21 under section 37(a)(3) of the State De-
 22 partment Basic Authorities Act of 1956
 23 (22 U.S.C. 2709(a)(3)) if the Assistant
 24 Secretary for Diplomatic Security or the
 25 Director of the Diplomatic Security Service
 26 determines that the threat constituting the

1 offense or threat against the person or
 2 place protected is imminent, the Secretary
 3 of State; or

4 “(iv) an offense under chapter 75, the
 5 Secretary of State,”;

6 (B) by amending paragraph (9) to read as
 7 follows:

8 “(9) A subpoena issued under clause (i)(II), (ii), (iii),
 9 or (iv) of paragraph (1)(A) may require production as
 10 soon as possible, but in no event less than 24 hours after
 11 service of the subpoena.”; and

12 (C) by adding at the end the following:

13 “(11) As soon as practicable following the issuance
 14 of a subpoena under paragraph (1)(A)(iii), the Secretary
 15 of State shall notify the Attorney General of such
 16 issuance.”; and

17 (2) in subsection (e)(1), by adding at the end
 18 the following: “This subsection shall only apply to
 19 administrative subpoenas issued under subsection
 20 (a)(1)(A)(i).”.

21 **SEC. 112. HOME-TO-WORK TRANSPORTATION.**

22 Section 1344(b)(4) of title 31, United States Code,
 23 is amended by inserting “the Deputy Secretary of State,
 24 the Deputy Secretary of State for Management and Re-
 25 sources,” before “principal diplomatic”.

1 **SEC. 113. TECHNICAL AMENDMENT TO FEDERAL WORK-**
 2 **FORCE FLEXIBILITY ACT.**

3 Chapter 57 of title 5, United States Code, is amend-
 4 ed—

5 (1) in section 5753(a)(2)(A), by inserting “, ex-
 6 cluding members of the Foreign Service other than
 7 chiefs of mission, ambassadors at large, and other
 8 members of the Foreign Service subject to examina-
 9 tions under section 302(b) of the Foreign Service
 10 Act of 1980 (22 U.S.C. 3941(b))” before the semi-
 11 colon at the end; and

12 (2) in section 5754(a)(2)(A), by inserting “, ex-
 13 cluding members of the Foreign Service other chiefs
 14 of mission, ambassadors at large, and other mem-
 15 bers of the Foreign Service subject to examinations
 16 under section 302(b) of the Foreign Service Act of
 17 1980 (22 U.S.C. 3941(b))” before the semicolon at
 18 the end.

19 **SEC. 114. EMERGENCY REFUGEE AND MIGRATION ASSIST-**
 20 **ANCE ACCOUNT.**

21 Section 2(c)(2) of the Migration and Refugee Assist-
 22 ance Act of 1962 (22 U.S.C. 2601(c)(2)) is amended by
 23 striking “\$100,000,000” and inserting “\$200,000,000”.

24 **Subtitle B—Public Diplomacy**

25 **SEC. 121. PUBLIC DIPLOMACY RESOURCE CENTERS.**

26 (a) FINDINGS.—Congress finds that—

1 ~~(1)~~ of the 177 information resource centers op-
 2 erated by the Department of State as of February
 3 2009—

4 ~~(A)~~ 87 ~~(49 percent)~~ operated on a “by ap-
 5 pointment only” basis; and

6 ~~(B)~~ 18 ~~(11 percent)~~ did not permit any
 7 public access;

8 ~~(2)~~ information resource centers located outside
 9 United States embassy compounds receive signifi-
 10 cantly more visitors than the centers located inside
 11 such compounds, including—

12 ~~(A)~~ twice the number of visitors in Africa;

13 ~~(B)~~ 6 times more visitors in the Middle
 14 East; and

15 ~~(C)~~ 22 times more visitors in Asia; and

16 ~~(3)~~ Iran has increased the number of similar
 17 Iranian facilities, known as Iranian Cultural Cen-
 18 ters, to about 60 throughout the world.

19 ~~(b)~~ SENSE OF CONGRESS.—It is the sense of the
 20 Congress that—

21 ~~(1)~~ the Secretary of State should initiate a re-
 22 examination of the public diplomacy platform strat-
 23 egy of the United States with a goal of reestab-
 24 lishing publicly accessible American Centers;

1 (2) after taking into account relevant security
 2 considerations, the Secretary of State should con-
 3 sider placing United States public diplomacy facili-
 4 ties at locations conducive to maximizing their use,
 5 consistent with the authority given to the Secretary
 6 under section 606(a)(2)(B) of the Secure Embassy
 7 Construction and Counterterrorism Act of 1999 (22
 8 U.S.C. 4865(a)(2)(B)) to waive certain requirements
 9 of that Act.

10 **SEC. 122. EMPLOYMENT OF NON-CITIZENS FOR INTER-**
 11 **NATIONAL BROADCASTING.**

12 Section 804(1) of the United States Information and
 13 Educational Exchange Act of 1948 (22 U.S.C. 1474(1))
 14 is amended by striking “suitably qualified United States
 15 citizens” and inserting “United States citizens applicants
 16 who are equally or better qualified than non-United States
 17 citizen applicants”.

18 **SEC. 123. RADIO FREE EUROPE AND RADIO LIBERTY PAY**
 19 **PARITY.**

20 Section 308(h)(1) of the United States International
 21 Broadcasting Act of 1994 (22 U.S.C. 6207(h)(1)) is
 22 amended—

23 (1) in subparagraph (A)—

24 (A) by striking “or (C)”; and

(B) by inserting “(or level II of the Executive Schedule under section 5313 of such title; if the Board certifies that the employees are covered by a performance appraisal system meeting the certification criteria under section 5307(d) of such title)” before the period at the end; and

(2) by striking subparagraph (C).

**SEC. 124. EXTENSION OF GRANT AUTHORITY FOR RADIO
FREE ASIA.**

Section 309(f) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208(f)) is amended by striking “September 30, 2010” and inserting “September 30, 2011”.

**SEC. 125. PERSONAL SERVICES CONTRACTING PROGRAM
FOR THE BROADCASTING BOARD OF GOVERNORS.**

Section 504 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 6206 note) is amended—

(1) in the section heading, by striking “PILOT”;

(2) in subsection (a)—

(A) by striking “pilot”;

1 (B) by striking “, without regard to Civil
2 Service and classification laws,”; and

3 (C) by adding at the end the following: “A
4 personal services contractor hired pursuant to
5 this section shall not be considered a Federal
6 employee (as defined under section 2105 of title
7 5, United States Code) for any purpose.”;

8 (3) in subsection (b), by adding at the end the
9 following:

10 “(5) The annual salary rate for personal serv-
11 ices contractors may not exceed the rate for level IV
12 of the Executive Schedule under section 5315 of title
13 5, United States Code.”; and

14 (4) in subsection (c)—

15 (A) by striking “the pilot program author-
16 ized by this section” and inserting “the pro-
17 gram”; and

18 (B) by striking “December 31, 2009” and
19 inserting “December 31, 2011”.

20 **SEC. 126. REAUTHORIZATION OF UNITED STATES ADVI-**
21 **SORY COMMISSION ON PUBLIC DIPLOMACY.**

22 Section 1334 of the Foreign Affairs Reform and Re-
23 structuring Act of 1998 (22 U.S.C. 6553) is amended by
24 striking “October 1, 2010” and inserting “October 1,
25 2011”.

1 **SEC. 127. DISSEMINATION OF PUBLIC DIPLOMACY INFOR-**
2 **MATION WITHIN THE UNITED STATES.**

3 Section 501(b) of the United States Information and
4 Educational Exchange Act of 1948 (22 U.S.C. 1461) is
5 amended—

6 (1) in paragraph (1), by striking “Director of
7 the United States Information Agency” and insert-
8 ing “Secretary of State”;

9 (2) by redesignating paragraphs (2) and (3) as
10 paragraphs (3) and (4), respectively;

11 (3) by inserting after paragraph (1) the fol-
12 lowing:

13 “(2) The Broadcasting Board of Governors may
14 make available to the Archivist of the United States, for
15 domestic distribution, motion pictures, films, videotape,
16 and other material prepared by the Broadcasting Board
17 of Governors for dissemination abroad 2 years after the
18 initial dissemination of the material abroad, or in the case
19 of such material not disseminated abroad, 2 years after
20 the preparation of the material.”; and

21 (4) by amending paragraph (3), as redesign-
22 ated, to read as follows:

23 “(3) The Secretary of State and the Broadcasting
24 Board of Governors shall be reimbursed for any attendant
25 expenses. Any reimbursement to the Secretary or the
26 Broadcasting Board of Governors under this paragraph

1 shall be credited to the applicable appropriation of the De-
 2 partment of State or the Broadcasting Board of Gov-
 3 ernors.”.

4 **SEC. 128. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

5 (a) IN GENERAL.—Under the authority, direction,
 6 and control of the President, the Secretary of State, in
 7 accordance with the Mutual Educational and Cultural Ex-
 8 change Act of 1961 (22 U.S.C. 2451 et seq.), may in-
 9 crease the number of educational and cultural exchange
 10 activities involving persons from scientific, medicine, re-
 11 search, and academic sectors by—

- 12 (1) establishing new programs under such Act;
- 13 and
- 14 (2) expanding the coverage of existing programs
- 15 under such Act.

16 (b) SCIENCE ENVOY PROGRAM.—Section 504 of the
 17 Foreign Relations Authorization Act, Fiscal Year 1979
 18 (22 U.S.C. 2656d), is amended by adding at the end the
 19 following:

20 “(e)(1) The Secretary may award grants and enter
 21 into cooperative agreements related to science and tech-
 22 nology fellowship programs of the Department of State,
 23 including for assistance in recruiting fellows and the pay-
 24 ment of stipends, travel, and other appropriate expenses
 25 to fellows.

1 “(2) Grants awarded under this subsection may be—

2 “(A) part of the United States Science Envoy
3 program; and

4 “(B) used to select our Nation’s preeminent sci-
5 entists, Nobel laureates, and leaders in technology
6 who will travel overseas to represent the commit-
7 ment of the United States to collaborate with other
8 countries to promote the advancement of science and
9 technology throughout the world based on issues of
10 common interest and expertise.

11 “(3) Stipends awarded under this subsection shall not
12 be considered compensation for purposes of section 209
13 of title 18, United States Code.

14 “(4) The total amount of grants awarded under this
15 subsection shall not exceed \$2,000,000 in any fiscal
16 year.”.

17 **SEC. 129. GRANTS FOR INTERNATIONAL DOCUMENTARY**
18 **EXCHANGE PROGRAMS.**

19 (a) ASSISTANCE.—The Secretary of State may award
20 grants, on such terms and conditions as the Secretary may
21 determine, to United States film makers and nongovern-
22 mental organizations that use independently produced
23 documentary films to promote better understanding of—

24 (1) the United States among individuals in
25 other countries; and

1 (2) global perspectives and other countries
2 among individuals in the United States.

3 (b) ~~USE OF GRANT FUNDS.~~—Grants awarded under
4 subsection (a) shall, to the maximum extent practicable,
5 be used—

6 (1) to fund, distribute, and promote documen-
7 tary films that—

8 (A) convey a diversity of views about life in
9 the United States to foreign audiences; and

10 (B) bring insightful foreign perspectives to
11 United States audiences;

12 (2) to support—

13 (A) the production of documentaries de-
14 scribed in paragraph (1) that are made by inde-
15 pendent foreign and domestic producers; se-
16 lected through a peer review process; and

17 (B) the distribution and screening of such
18 documentaries in diverse locations throughout
19 the United States;

20 (3) to develop a network of overseas partners to
21 produce, distribute, and broadcast such documen-
22 taries according to the allowable rights of each pro-
23 gram; and

24 (4) to help distribute foreign documentaries in
25 the United States.

1 (c) PREFERENCE FACTORS.—In awarding grants
2 under this section, the Secretary shall give preference to
3 nongovernmental organizations that—

4 (1) are as cost effective as possible; and

5 (2) have experience supporting independently
6 produced documentary films.

7 (d) REPORT.—Not later than 2 years after the date
8 of the enactment of this Act, the Secretary shall submit
9 a report to Congress that describes in detail the implemen-
10 tation of this section.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—Of the
12 amounts authorized to be appropriated for Educational
13 and Cultural Exchange Programs under section 101(6),
14 there is authorized to be appropriated to the Secretary of
15 State such sums as may be necessary for each of fiscal
16 years 2010 and 2011 to carry out this section.

17 **Subtitle C—Consular Services and** 18 **Related Matters**

19 **SEC. 131. REFORMING REFUGEE PROCESSING.**

20 (a) FAMILY REUNIFICATION.—

21 (1) MULTIPLE FORMS OF RELIEF.—Section
22 207(c)(1) of the Immigration and Nationality Act (8
23 U.S.C. 1157(c)(1)) is amended by adding at the end
24 “Applicants for admission as refugees under this
25 section may simultaneously pursue admission under

1 any visa category for which such applicants may be
2 eligible.”.

3 ~~(2) SEPARATED CHILDREN.—~~Section 207(c)(2)
4 of the Immigration and Nationality Act (8 U.S.C.
5 1157(c)(2)) is amended—

6 (A) in subparagraph (A), by striking the
7 last sentence;

8 (B) by redesignating subparagraph (B) as
9 subparagraph (D); and

10 (C) by inserting after subparagraph (A)
11 the following:

12 “~~(B)~~ A child who is younger than 18 years of age
13 on the date of the child’s application for admission as a
14 refugee shall be admitted as a refugee if not otherwise en-
15 titled to such admission if—

16 “(i) such child is an orphan because of the
17 death or disappearance of, abandonment or deser-
18 tion by, or separation or loss from, both parents; or
19 for whom the sole or surviving parent is incapable
20 of providing the proper care and has relinquished
21 physical custody of the child;

22 “(ii) such child is in the physical custody of,
23 and living under the care of, an alien approved for
24 admission to the United States as a refugee under
25 paragraph (1);

1 “(iii) it is in the best interest of such child to
2 be placed with the alien described in clause (ii);

3 ~~“(iv) such child is not a person described in the~~
4 ~~second sentence of section 101(a)(42); and~~

5 ~~“(v) such child is otherwise admissible under~~
6 ~~paragraph (3).”.~~

7 ~~(3) CHILDREN OF REFUGEE SPOUSES.—~~

8 ~~(A) REFUGEES.—Section 207(e) of the~~
9 ~~Immigration and Nationality Act (8 U.S.C.~~
10 ~~1157(c)) is amended—~~

11 ~~(i) in paragraph (2)—~~

12 ~~(I) by inserting after subpara-~~
13 ~~graph (B), as added by paragraph~~
14 ~~(2), the following:~~

15 ~~“(C) If a person granted refugee status under sub-~~
16 ~~paragraph (A) proves that he or she is the birth parent~~
17 ~~or adoptive parent of a child and such child was under~~
18 ~~the age of 21 on the date the parent was granted such~~
19 ~~status, such child shall be eligible for admission as a ref-~~
20 ~~ugee if the child—~~

21 ~~“(i) is accompanying or following to join such~~
22 ~~parent;~~

23 ~~“(ii) is not a person described in the second~~
24 ~~sentence of section 101(a)(42); and~~

1 “(iii) is admissible (except as otherwise pro-
2 vided under paragraph (3)).”; and

3 (H) by adding at the end the fol-
4 lowing:

5 “(E) The admission of a person as a refugee under
6 this paragraph shall be charged against the numerical lim-
7 itation established in accordance with the appropriate sub-
8 section under which the principal refugee’s admission is
9 charged.”; and

10 (ii) in paragraph (4), by inserting “or
11 the spouse’s child” after “of the alien”.

12 (B) ASYLEES.—Section 208(b)(3) of the
13 Immigration and Nationality Act (8 U.S.C.
14 1158(b)(3)) is amended—

15 (i) by redesignating subparagraph (B)
16 as subparagraph (C); and

17 (ii) by inserting after subparagraph
18 (A) the following:

19 “(B) ELIGIBILITY OF CHILD TO JOIN PAR-
20 ENT.—If an alien who qualifies for asylee sta-
21 tus under subparagraph (A) as the spouse of an
22 alien who has been granted asylum under this
23 subsection proves that he or she is the birth
24 parent or adoptive parent of a child and such
25 child was under the age of 21 on the date the

1 parent was granted such status, such child shall
 2 be granted asylee status if the child—

3 “(i) is accompanying or following to
 4 join such parent; and

5 “(ii) is otherwise admissible.”.

6 (b) ADJUSTMENTS OF STATUS OF REFUGEES.—Sec-
 7 tion 209 of the Immigration and Nationality Act (8 U.S.C.
 8 1159) is amended—

9 (1) by amending subsection (a) to read as fol-
 10 lows:

11 “(a) REQUIREMENTS FOR ADJUSTMENT OF STATUS
 12 OF REFUGEE.—

13 “(1) IN GENERAL.—The Secretary of Homeland
 14 Security or the Attorney General, in the discretion
 15 of the Secretary or the Attorney General and under
 16 such regulations as the Secretary or the Attorney
 17 General may prescribe, may adjust the status of any
 18 alien admitted as a refugee under section 207 to the
 19 status of an alien lawfully admitted for permanent
 20 residence if the alien—

21 “(A) applies for such adjustment;

22 “(B) has been physically present in the
 23 United States for at least 1 year after being ad-
 24 mitted as a refugee;

1 “(C) is not firmly resettled in any foreign
2 country;

3 “(D) has not had his or her refugee status
4 terminated by the Secretary of Homeland Secu-
5 rity under section 207(e)(4);

6 “(E) is not, as of the date of application
7 for adjustment, the subject of a procedure to
8 terminate refugee status, pursuant to such reg-
9 ulations as the Secretary of Homeland Security
10 may prescribe; and

11 “(F) is admissible (except as otherwise
12 provided under subsection (e)) as an immigrant
13 under this Act at the time of examination for
14 adjustment of such alien.

15 “(2) RECORD.—Notwithstanding any numerical
16 limitation under this Act, the Secretary of Homeland
17 Security or the Attorney General shall, upon the ap-
18 proval of an application under paragraph (1), estab-
19 lish a record of the alien’s admission for lawful per-
20 manent residence as of—

21 “(A) the date of such alien’s admission as
22 a refugee, if the alien applies for adjustment
23 not later than 2 years after the date of admis-
24 sion as a refugee; or

1 “(B) the date of the application for adjust-
2 ment in all other cases.”; and

3 ~~(2) in subsection (c), by adding at the end “An~~
4 application for adjustment under this section may be
5 filed up to 3 months before the date on which the
6 applicant would first otherwise be eligible for adjust-
7 ment under this section.”.

8 ~~(c) EFFECTIVE DATE.—~~The amendments made by
9 subsection ~~(a)~~ shall take effect on the first day of the first
10 fiscal year that begins after the date of the enactment of
11 this Act.

12 **SEC. 132. DEFINITION OF “USE” IN PASSPORT AND VISA OF-**
13 **FENSES.**

14 Chapter 75 of title 18, United States Code, is amend-
15 ed—

16 ~~(1) in the table of sections, by inserting before~~
17 the item relating to section 1541 the following:

 “1540. Meaning of ‘use’ and ‘uses’.”;

18 and

19 ~~(2) by inserting before section 1541 the fol-~~
20 lowing:

21 **“§ 1540. Meaning of ‘use’ and ‘uses’**

22 “For purposes of this chapter, the terms ‘use’ and
23 ‘uses’ shall be given their plain meaning, including use for
24 identification purposes.”.

1 **SEC. 133. VISA INELIGIBILITY FOR INTERNATIONAL CHILD**
 2 **ABDUCTION.**

3 Section 212(a)(10)(C)(iii) of the Immigration and
 4 Nationality Act (8 U.S.C. 1182(a)(10)(C)(iii)) is amend-
 5 ed—

- 6 (1) in subclause (I), by adding “or” at the end;
 7 (2) in subclause (II), by striking “; or” at the
 8 end and inserting a period; and
 9 (3) by striking subclause (III).

10 **SEC. 134. VACCINATION WAIVER FOR ADOPTED CHILDREN.**

11 Section 212(a)(1)(C)(ii) of the Immigration and Na-
 12 tionality Act (8 U.S.C. 1182(a)(1)(C)(ii)) is amended by
 13 striking “section 101(b)(1)(F),” and inserting “subpara-
 14 graph (F) or (G) of section 101(b)(1);”.

15 **SEC. 135. SIGNED PHOTOGRAPH REQUIREMENT FOR VISA**
 16 **APPLICATIONS.**

17 Section 221(b) of the Immigration and Nationality
 18 Act (8 U.S.C. 1201(b)) is amended by striking “signed
 19 by him”.

20 **SEC. 136. ELECTRONIC TRANSMISSION OF DOMESTIC VIO-**
 21 **LENCE INFORMATION TO VISA APPLICANTS.**

22 Section 833(a)(5)(A) of the Violence Against Women
 23 and Department of Justice Reauthorization Act of 2005
 24 (8 U.S.C. 1375a(a)(5)(A)) is amended by adding at the
 25 end the following:

1 “(iv) Subject to such regulations as
 2 the Secretary of State may prescribe, mail-
 3 ings required under this subsection may be
 4 transmitted by electronic means if an ap-
 5 plicant consents to electronic service.”.

6 **SEC. 137. SIBLING ADOPTIONS.**

7 Section 101(b)(1)(G) of the Immigration and Nation-
 8 ality Act (8 U.S.C. 1101(b)(1)(G)) is amended—

9 (1) by redesignating clause (ii) as subclause
 10 (VI);

11 (2) by striking “25 years of age” and all that
 12 follows through “if—” and inserting “25 years of
 13 age, if—”;

14 (3) by striking “a child under the age of six-
 15 teen” and inserting the following “a child who—

16 “(i) is younger than 16 years of age”;

17 (4) in subclause (VI), as redesignated, by strik-
 18 ing the period at the end and inserting “; or”; and

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

20 “(ii) subject to the same conditions as
 21 in clause (i), except with respect to the age
 22 of the child—

23 “(I) is a natural sibling of a child
 24 described in clause (i), subparagraph
 25 (E)(i), or subparagraph (F)(i);

1 “(H) has been adopted abroad;
 2 or is coming to the United States for
 3 adoption, by the adoptive parent (or
 4 prospective adoptive parent) or par-
 5 ents of the sibling described in clause
 6 (i), subparagraph (E)(i), or subpara-
 7 graph (F)(i); and

8 “(III) is younger than 18 years
 9 of at the time a petition is filed in his
 10 or her behalf to accord a classification
 11 as an immediate relative under section
 12 201(b).”.

13 **SEC. 138. PASSPORT EXECUTION FEE.**

14 Section 1(a) of the Act of June 4, 1920 (22 U.S.C.
 15 214(a)) is amended by striking “and a fee, prescribed by
 16 the Secretary of State by regulation, for executing each
 17 such application except that the” and inserting “: There
 18 shall also be collected a fee, prescribed by the Secretary
 19 of State by regulation, for executing each such application;
 20 which, for applications filed at passport facilities opened
 21 after October 1, 2008, shall be deposited as an offsetting
 22 collection to the appropriate Department of State appro-
 23 priation, to remain available until expended to recover the
 24 costs of passport processing. The”.

1 **SEC. 139. FRAUD PREVENTION AND DETECTION FEES.**

2 Section 286(v)(2)(A) of the Immigration and Nation-
3 ality Act (8 U.S.C. 1356(v)(2)(A)) is amended—

4 (1) in the matter preceding clause (i), by strik-
5 ing “at United States embassies and consulates
6 abroad”;

7 (2) in clause (ii)—

8 (A) by striking “primarily”; and

9 (B) by striking “or pursuant to the terms
10 of a memorandum of understanding or other
11 agreement between the Secretary of State and
12 the Secretary of Homeland Security; and” and
13 inserting “; as appropriate”;

14 (3) by redesignating clause (iii) as clause (iv);
15 and

16 (4) by inserting after clause (ii) the following:
17 “(iii) to purchase, lease, construct,
18 and operate facilities for the processing of
19 visas described in subparagraph (H)(i),
20 (H)(ii), or (L) of section 101(a)(15); and”.

21 **SEC. 140. TECHNICAL AMENDMENTS RELATING TO THE IN-**
22 **TELLIGENCE REFORM AND TERRORISM PRE-**
23 **VENTION ACT OF 2004.**

24 Title VII of the Intelligence Reform and Terrorism
25 Prevention Act of 2004 (Public Law 108–458) is amend-
26 ed—

(1) in section 7201(c)(1), by inserting “and the Department of State” after “used by the Department of Homeland Security”; and

(2) in section 7209(d) (8 U.S.C. 1185 note), by striking “the Secretary, in conjunction with the Secretary of Homeland Security” and inserting “the Secretary of Homeland Security, in consultation with the Secretary of State”.

TITLE II—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Modernizing the Department of State

SEC. 201. CREATION OF A MODERN AND EXPEDITIONARY FOREIGN SERVICE.

(a) TARGETED EXPANSION OF FOREIGN SERVICE.—

The Secretary of State shall expand the Foreign Service to—

(1) fill vacancies, particularly overseas vacancies that are critical to key United States foreign policy and national security interests, to prevent crises from emerging;

(2) increase the capacity of the Department of State to assign and deploy Foreign Service officers and other personnel to prevent, mitigate, and re-

1 spond to international crises and instability in for-
 2 eign countries that threaten key United States for-
 3 eign policy and national security interests; and

4 (3) ensure that members of the Foreign Serv-
 5 ice, before beginning assignments that require addi-
 6 tional or improved skills—

7 (A) receive language, security, area, and
 8 other training that is necessary to successfully
 9 execute their responsibilities in their new as-
 10 signments; and

11 (B) have the opportunity to obtain ad-
 12 vanced and other education that will increase
 13 the capacity of the Foreign Service to complete
 14 its mission.

15 (b) AUTHORIZED PERSONNEL INCREASES.—

16 (1) DEPARTMENT OF STATE.—The Secretary of
 17 State is authorized to increase the number of mem-
 18 bers of the Foreign Service—

19 (A) by 750 above attrition during fiscal
 20 year 2010; and

21 (B) by an additional 750 above attrition
 22 during fiscal year 2011.

23 (2) USAID.—In addition to the personnel in-
 24 creases authorized under paragraph (1), the Admin-
 25 istrator of the United States Agency for Inter-

1 national Development (USAID) is authorized to in-
 2 crease the number of members of the Foreign Serv-
 3 ice employed by USAID—

4 (A) by 350 above attrition during fiscal
 5 year 2010; and

6 (B) by an additional 350 above attrition
 7 during fiscal year 2011.

8 (3) RULE OF CONSTRUCTION.—Nothing in this
 9 subsection may be construed to limit the authority
 10 of the Secretary of State or the Administrator of the
 11 United States Agency for International Development
 12 to hire personnel.

13 (c) TRAINING.—Section 708 of the Foreign Service
 14 Act of 1980 (22 U.S.C. 4028) is amended by adding at
 15 the end the following:

16 “(d) The Secretary of State shall ensure that mem-
 17 bers of the Service, before receiving assignments that re-
 18 quire new and improved skills—

19 “(1) receive language, security, area, and other
 20 training that is necessary to successfully execute
 21 their responsibilities in their new assignments; and

22 “(2) have opportunities during their careers to
 23 obtain advanced education and training in academic
 24 and other relevant institutions in the United States

1 and in other countries to increase the capacity of the
2 Service to fulfill its mission.”.

3 **SEC. 202. CONFLICT PREVENTION, MITIGATION, AND RESO-**
4 **LUTION TRAINING.**

5 (a) IN GENERAL.—Section 708 of the Foreign Serv-
6 ice Act of 1980, as amended by section 301(d), is further
7 amended by adding at the end the following:

8 “(e) The Secretary of State shall ensure that relevant
9 officers of the Foreign Service deploying to areas under-
10 going significant conflict or considered to be at risk of sig-
11 nificant conflict receive appropriate advanced training in
12 conflict prevention, mitigation, and resolution, including
13 an understanding of—

14 “(1) peace processes, negotiations, and decision-
15 making;

16 “(2) patterns of escalation;

17 “(3) country and region-specific issues, includ-
18 ing resource allocation, as contributing factors to
19 peace or conflict; and

20 “(4) how to function successfully when—

21 “(A) public order has been undermined by
22 instability; or

23 “(B) there is no civil authority that can ef-
24 fectively provide public safety.”.

(b) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that describes the efforts made by the Department of State to further expand and facilitate conflict prevention, mitigation, and resolution training.

Subtitle B—Foreign Services Overseas Pay Equity

SEC. 211. SHORT TITLE.

This subtitle may be cited as the “Foreign Service Overseas Pay Equity Act of 2009”.

SEC. 212. OVERSEAS COMPARABILITY PAY ADJUSTMENT.

(a) **OVERSEAS COMPARABILITY PAY ADJUSTMENT.**—

(1) **IN GENERAL.**—Chapter 4 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3961 et seq.) is amended by adding at the end the following:

“SEC. 415. OVERSEAS COMPARABILITY PAY ADJUSTMENT.

“(a) IN GENERAL.—A member of the Service who is designated class 1 or below for purposes of section 403 and whose official duty station is neither in the continental United States nor in a nonforeign area shall receive, in accordance with the phase-in schedule set forth in subsection (c), a locality-based comparability payment (stated as a percentage) equal to the locality-based comparability payment (stated as a percentage) that would be provided

1 under section 5304 of title 5, United States Code, if such
 2 member's official duty station were in the District of Co-
 3 lumbia.

4 “(b) TREATMENT AS BASIC PAY.—The amount of
 5 any locality-based comparability payment, which is pay-
 6 able to a member of the Service under this section—

7 “(1) shall be considered a part of the basic pay
 8 of such member for the purposes described in—

9 “(A) section 5304(e)(2)(A) of title 5,
 10 United States Code; and

11 “(B) chapter 8 of this Act; and

12 “(2) shall be subject to any limitations on pay
 13 applicable to locality-based comparability payments
 14 under section 5304 of title 5, United States Code.

15 “(c) PHASE-IN.—The locality-based comparability
 16 payment payable to a member of the Service under this
 17 section—

18 “(1) during the period beginning on the first
 19 day of the first full pay period that is 90 days after
 20 the date of the enactment of this subsection, and
 21 ending on the last day of the last pay period in fiscal
 22 year 2009, shall be up to 33.33 percent of the pay-
 23 ment which would otherwise apply under subsection
 24 (a);

1 “(2) during the period beginning on the first
 2 day of the first pay period in fiscal year 2010 and
 3 ending on the last day of the last pay period in fiscal
 4 year 2010, shall be up to 66.67 percent of the pay-
 5 ment which would otherwise apply under subsection
 6 (a); and

7 “(3) beginning on the first day of the first pay
 8 period in fiscal year 2011, shall be equal to the pay-
 9 ment determined under subsection (a).

10 “(d) NONFOREIGN AREA DEFINED.—In this section,
 11 the term ‘nonforeign area’ means 1 of the areas listed in
 12 section 591.205 of title 5, Code of Federal Regulations.”.

13 (2) CONFORMING AMENDMENT.—The table of
 14 contents under section 2 of the Foreign Service Act
 15 of 1980 (22 U.S.C. 3901 et seq.) is amended by in-
 16 serting after the item relating to section 414 the fol-
 17 lowing:

“Sec. 415. Overseas comparability pay adjustment.”.

18 (b) CONFORMING AMENDMENTS RELATING TO THE
 19 FOREIGN SERVICE RETIREMENT SYSTEMS.—

20 (1) CONTRIBUTIONS TO THE FUND.—

21 (A) IN GENERAL.—Section 805(a) of the
 22 Foreign Service Act of 1980 (22 U.S.C.
 23 4045(a)) is amended—

24 (i) in paragraph (1)—

1 (I) by striking “7.25 percent”
2 and inserting “7 percent”; and

3 (II) by striking “The contribu-
4 tion by the employing agency” and all
5 that follows through “and shall be
6 made” and inserting “An equal
7 amount shall be contributed by the
8 employing agency”;

9 (ii) in paragraph (2)—

10 (I) in subparagraph (A), by strik-
11 ing “; plus an amount equal to .25
12 percent of basic pay”; and

13 (II) in subparagraph (B), by
14 striking “; plus an amount equal to
15 .25 percent of basic pay”; and

16 (iii) in paragraph (3), by striking “;
17 plus .25 percent”.

18 (B) EFFECTIVE DATE.—The amendments
19 made by subparagraph (A) shall take effect on
20 the first day of the first pay period beginning
21 on or after October 1, 2011 (or during any por-
22 tion of such pay period).

23 (2) COMPUTATION OF ANNUITIES.—Section
24 806(a)(9) of the Foreign Service Act of 1980 (22
25 U.S.C. 4046(a)(9)) is amended by striking “is out-

side the continental United States shall” and inserting “was outside the continental United States during the period beginning on December 29, 2002, and ending on the day before the first day of the first pay period beginning on or after October 1, 2010, shall, to the extent that such computation is based on the basic salary or basic pay of such member while the member was outside the United States,”.

(3) ENTITLEMENT TO ANNUITY.—Section 855(a)(3) of the Foreign Service Act of 1980 (22 U.S.C. 4071d(a)(3)) is amended—

(A) by striking “section 8414” and inserting “section 8415”; and

(B) by striking “is outside the continental United States shall” and inserting “was outside the continental United States during the period beginning on December 29, 2002, and ending on the day before the first day of the first pay period beginning on or after October 1, 2011 (or during any portion of such pay period), shall, to the extent that such computation is based on the basic salary or basic pay of such member while the member was outside the United States,”.

1 (4) DEDUCTIONS AND WITHHOLDINGS FROM
 2 PAY.—Section 856(a)(2) of such Act (22 U.S.C.
 3 4071e(a)(2)) is amended to read as follows:
 4 “(2) The applicable percentage specified in this para-
 5 graph shall be as follows:

| Percentage | Time Period |
|------------|--|
| 7.5 | Before January 1, 1999. |
| 7.75 | January 1, 1999, to December 31, 1999. |
| 7.9 | January 1, 2000, to December 31, 2000. |
| 7.55 | January 11, 2003, to the day before the first day of the first pay period beginning on or after October 1, 2011. |
| 7.5 | Beginning on the first day of the first pay period beginning on or after October 1, 2011.”. |

6 (c) REPORTING REQUIREMENT.—Not later than Oc-
 7 tober 1, 2011, the Secretary of State shall submit a report
 8 to the Committee on Foreign Relations of the Senate, the
 9 Committee on Homeland Security and Governmental Af-
 10 fairs of the Senate, the Committee on Foreign Affairs of
 11 the House of Representatives, and Committee on Over-
 12 sight and Government Reform of the House of Represent-
 13 atives that includes—

14 (1) an assessment of all allowances provided to
 15 members of the Foreign Service under—

16 (A) the Foreign Service Act of 1980; or
 17 (B) title 5, United States Code; and

1 (2) an explanation of how such allowances have
 2 been, or will be, affected by the amendments to the
 3 Foreign Service Act of 1980 made under this Act.

4 **Subtitle C—Other Organization**
 5 **and Personnel Matters**

6 **SEC. 221. DEATH GRATUITY.**

7 Section 413(a) of the Foreign Service Act of 1980
 8 (~~22 U.S.C. 3973(a)~~) is amended by striking “at the time
 9 of death.” and inserting “at level II of the Executive
 10 Schedule under section 5313 of title 5, United States
 11 Code, at the time of death except that for employees com-
 12 pensated under a local compensation plan established
 13 under section 408, the amount of such gratuity shall be
 14 equal to the greater of 1 year’s salary at the time of death
 15 or 1 year’s basic salary at the highest step of the highest
 16 grade on the local compensation plan from which the em-
 17 ployee was being paid at the time of death.”.

18 **SEC. 222. EXPANSION AND EXTENSION OF ANNUITANT**

19 **WAIVER FOR RESPONSE READINESS CORPS.**

20 (a) **AMENDMENTS TO STATE DEPARTMENT BASIC**
 21 **AUTHORITIES ACT OF 1956.**—Section 61(a) of the State
 22 Department Basic Authorities Act of 1956 (~~22 U.S.C.~~
 23 ~~2733(a)~~) is amended—

1 (1) in paragraph (1), by striking “or to posts
2 vacated” and inserting “, to positions in the Re-
3 sponse Readiness Corps, or to posts vacated”; and
4 (2) in paragraph (2), by striking “2010” and
5 inserting “2012”.

6 (b) AMENDMENTS TO FOREIGN ASSISTANCE ACT OF
7 1961.—Section 625(j)(1) of the Foreign Assistance Act
8 of 1961 (22 U.S.C. 2385(j)(1)) is amended—

9 (1) in subparagraph (A), by striking “or to
10 posts vacated” and inserting “, to positions in the
11 Response Readiness Corps, or to posts vacated”; and
12 (2) in subparagraph (B), by striking “2010”
13 and inserting “2012”.

14 **SEC. 223. REEMPLOYMENT OF ANNUITANTS.**

15 Section 824(g) of the Foreign Service Act of 1980
16 (22 U.S.C. 4064(g)) is amended—

17 (1) in paragraph (1)(B), by striking “to facili-
18 tate the assignment of persons to Iraq and Afghani-
19 stan or to posts vacated by members of the Service
20 assigned to Iraq and Afghanistan”;
21 (2) by striking paragraph (2); and
22 (3) by redesignating paragraph (3) as para-
23 graph (2).

1 **SEC. 224. LOCALLY EMPLOYED STAFF.**

2 (a) FINDINGS.—Based on information obtained from
3 the April 2009 report from the Office of the Inspector
4 General of the Department of State and the Broadcasting
5 Board of Governors, entitled “Review of Locally Employed
6 Staff Compensation Issues” (Report Number ISP-I-09-
7 44), Congress makes the following findings:

8 (1) U.S. embassies and consulates worldwide
9 retain over 51,000 locally employed (LE) staff under
10 local compensation plans (LCPs) in about 170 over-
11 seas missions. A report by the Office of the Inspee-
12 tor General of the Department of State and the
13 Broadcasting Board of Governors, entitled “Review
14 of Locally Employed Staff Compensation Issues”
15 (Report Number ISP-I-09-44), stated that: “The
16 U.S. is falling behind in providing a competitive
17 compensation package for LE staff that is commen-
18 surate with their experience, technical skills, and re-
19 sponsibilities”.

20 (2) The ability of United States overseas mis-
21 sions to retain LE staff and to recruit new, qualified
22 staff is vital to the success of those missions.

23 (3) To addresses differences in the skill levels
24 required for different categories of LE staff posi-
25 tions, the Inspector General’s report recommended

1 that “separate data and separate scales should be
2 established for certain types of employees”.

3 ~~(4) The current LE staff compensation review~~
4 ~~process requires improvement, including increasing~~
5 ~~transparency and interagency involvement, reducing~~
6 ~~disparities between the salary and budget cycles, and~~
7 ~~improving the use of outmoded and cumbersome~~
8 ~~communication technology.~~

9 ~~(b) REVIEW.—~~

10 ~~(1) IN GENERAL.—Not later than 180 days~~
11 ~~after date of the enactment of this Act, and not less~~
12 ~~than every 5 years thereafter, the Secretary of State~~
13 ~~shall—~~

14 ~~(A) review salary and compensation guide-~~
15 ~~lines for overseas, locally employed staff of the~~
16 ~~Department of State;~~

17 ~~(B) review—~~

18 ~~(i) whether the United States is fall-~~
19 ~~ing behind in providing a competitive com-~~
20 ~~pensation package for locally employed~~
21 ~~staff that is commensurate with their expe-~~
22 ~~rience, technical skills, and responsibilities;~~
23 ~~and~~

1 (ii) the implications for providing av-
 2 erage salary increases that are approxi-
 3 mately 60 percent of prevailing practice;

4 (C) provide recommendations on how to re-
 5 cruit new, qualified staff; and

6 (D) provide recommendations for separate
 7 data and a separate pay scale for highly skilled
 8 and trained professional positions.

9 ~~(2) COMPENSATION DATABASE.—~~Not later than
 10 180 days after the date of the enactment of this Act,
 11 the Secretary of State shall establish a comprehen-
 12 sive database for salary and compensation informa-
 13 tion for such staff, as recommended by the Office of
 14 Inspector General in a April 2009 report entitled
 15 “Review of Locally Employed Staff Compensation
 16 Issues” (Report Number ISP-I-09-44).

17 ~~(3) PAY SCALES FOR LOCALLY EMPLOYED PRO-~~
 18 ~~FESSIONALS.—~~The review under paragraph (1)(A)
 19 shall include a summary of efforts to address pay
 20 scales for locally employed staff to ensure adequate
 21 compensation for professional level positions, such as
 22 medical officers, laboratory management, public
 23 health information technology positions, and other
 24 highly skilled positions.

1 (c) **GUIDELINES.**—Not later than 90 days after en-
 2 actment of this Act, the Secretary of State shall consult
 3 with appropriate congressional committees on proposed
 4 guidelines for awards, pay scales, and compensation of
 5 overseas, locally employed staff of the Department of
 6 State, including for loss of life while on duty.

7 (d) **LOCALLY EMPLOYED STAFF DEFINED.**—In this
 8 section, the term “locally employed staff” means employ-
 9 ees compensated under local compensation plans estab-
 10 lished under section 408 of the Foreign Service Act of
 11 1980 (22 U.S.C. 3968).

12 **SEC. 225. REPEAL OF RECERTIFICATION REQUIREMENT**
 13 **FOR SENIOR FOREIGN SERVICE.**

14 Section 305 of the Foreign Service Act of 1980 (22
 15 U.S.C. 3945) is amended by striking subsection (d).

16 **SEC. 226. FOREIGN RELATIONS EXCHANGE PROGRAMS.**

17 Title I of the State Department Basic Authorities Act
 18 of 1956 (22 U.S.C. 2651a et seq.) is amended by adding
 19 at the end the following:

20 **“SEC. 63. FOREIGN RELATIONS EXCHANGE PROGRAMS.**

21 “(a) **IN GENERAL.**—The Secretary may establish ex-
 22 change programs under which officers or employees of the
 23 Department of State, including individuals appointed
 24 under title 5, United States Code, and members of the
 25 Foreign Service may be assigned, for a period not to ex-

1 exceed 1 year, to a position with any foreign government
 2 or international entity that permits an employee to be as-
 3 signed to a position with the Department of State.

4 “(b) SALARY AND BENEFITS.—

5 “(1) FOREIGN SERVICE MEMBERS.—During a
 6 period in which a member of the Foreign Service is
 7 participating in an exchange program authorized
 8 under subsection (a), such member shall be entitled
 9 to the salary and benefits to which such member
 10 would be entitled if such member were assigned to
 11 an agency, international organization, or other body
 12 under section 503 of the Foreign Service Act of
 13 1980 (22 U.S.C. 3983).

14 “(2) DETAILEES.—An employee of the Depart-
 15 ment of State (other than a member of the Foreign
 16 Service participating in an exchange program au-
 17 thorized under subsection (a)) shall be treated in all
 18 respects as if detailed to an international organiza-
 19 tion under section 3343(b) of title 5, United States
 20 Code. The salary of such employee shall be the high-
 21 er of the salary that the employee would receive but
 22 for the assignment under this section or the salary
 23 of the position to which the employee is assigned.

24 “(3) PAYMENT.—The salary and benefits of an
 25 employee of a foreign government or international

1 entity participating in a program established under
 2 this section shall be paid by such government or en-
 3 tity during the period in which such employee is par-
 4 ticipating in the program, and shall not be reim-
 5 bursed by the Department of State.

6 “(c) ~~NONRECIPROCAL ASSIGNMENTS.~~—The Sec-
 7 retary may authorize a nonreciprocal assignment of per-
 8 sonnel pursuant to this section, with or without reimburse-
 9 ment from the foreign government or international entity
 10 for all or part of the salary and other expenses payable
 11 during the assignment, if such assignment is in the inter-
 12 ests of the United States.

13 “(d) ~~RULE OF CONSTRUCTION.~~—Nothing in this sec-
 14 tion may be construed to authorize the appointment as
 15 an officer or employee of the United States of—

16 “(1) an individual whose allegiance is to any
 17 country, government, or foreign or international en-
 18 tity other than to the United States; or

19 “(2) an individual who has not met the require-
 20 ments of sections 3331, 3332, 3333, and 7311 of
 21 title 5, United States Code, and any other provision
 22 of law concerning eligibility for appointment, and
 23 continuation of employment, as an officer or em-
 24 ployee of the United States.”.

1 **SEC. 227. ENHANCED PERSONNEL AUTHORITIES FOR THE**
 2 **INSPECTOR GENERAL OF THE DEPARTMENT**
 3 **OF STATE.**

4 (a) DEFINITIONS.—In this section:

5 (1) ANNUITANT.—The term “annuitant” means
 6 an individual who, based on the service of such indi-
 7 vidual, is entitled to benefits under a retirement sys-
 8 tem for Government employees.

9 (2) GOVERNMENT EMPLOYEE.—The term
 10 “Government employee” has the meaning given the
 11 term “employee” in section 2105(a) of title 5,
 12 United States Code.

13 (3) INSPECTOR GENERAL.—The term “Inspec-
 14 tor General” means the Inspector General of the De-
 15 partment of State.

16 (4) OFFICE.—The term “Office” means the Of-
 17 fice of Inspector General of the Department of
 18 State.

19 (b) PROVISIONS RELATING TO REEMPLOYED ANNU-
 20 ITANTS.—

21 (1) WAIVER AUTHORITY.—Subject to the condi-
 22 tions set forth in paragraph (3), the Inspector Gen-
 23 eral may waive the application of any provision of
 24 law set forth in paragraph (2) on behalf of any re-
 25 employed annuitant serving in a position within the
 26 Office.

(2) PROVISIONS.—The provisions of law set forth in this paragraph are—

(A) subsections (a) through (d) of section 8344 of title 5, United States Code;

(B) subsections (a) through (e) of section 8468 of title 5, United States Code;

(C) subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064); and

(D) any other similar provision of law, as identified by the Inspector General in regulations.

(3) CONDITIONS.—Waiver authority under this subsection may be exercised only—

(A) on a case-by-case basis; and

(B) if, and for so long as, such waiver—

(i) is necessary due to—

(I) difficulty in the recruitment or retention of a qualified employee for the position involved; or

(II) a temporary emergency hiring need; and

(ii) does not cause the number of employees within the Office who are exempted from 1 or more of the provisions of law set

1 forth in paragraph (2) (whether pursuant
 2 to a waiver under this subsection or other-
 3 wise) to exceed, as of any given date, 35
 4 percent of the total workforce of the Of-
 5 fice, determined on a full-time equivalent
 6 basis.

7 (4) RULE OF CONSTRUCTION.—Nothing in this
 8 subsection may be construed to permit or require
 9 that any reemployed annuitant benefitting from a
 10 waiver of a provision of law set forth in paragraph
 11 (2) be treated as a Government employee for pur-
 12 poses of the retirement system to which such provi-
 13 sion relates.

14 (c) PROVISIONS RELATING TO CONTRACTS FOR PER-
 15 SONAL SERVICES.—

16 (1) IN GENERAL.—The Inspector General may
 17 contract with United States citizens for personal
 18 services to facilitate and support the Office's over-
 19 sight of programs and operations. Such citizens shall
 20 not, by virtue of any such contract, be considered to
 21 be Government employees for purposes of any law
 22 administered, in whole or in part, by the Office of
 23 Personnel Management.

24 (2) RELATION TO OTHER LAWS.—Except as
 25 provided in paragraph (2), this subsection shall not

1 affect any determination as to whether an individual
 2 performing services pursuant to any contract under
 3 this subsection is a Government employee for pur-
 4 poses of any law of the United States. The Secretary
 5 of State may determine the applicability, with re-
 6 spect to any such individual, of any law adminis-
 7 tered, in whole or in part, by the Secretary.

8 (3) CONDITIONS.—The Inspector General may
 9 not enter into a personal services contract under this
 10 subsection unless—

11 (A) in the judgment of the Inspector Gen-
 12 eral, personnel resources of the Office would
 13 otherwise be insufficient;

14 (B) the contract is for a term of 2 years
 15 or less, unless the Inspector General determines
 16 that exceptional circumstances justify an exten-
 17 sion of not longer than 1 additional year; and

18 (C) not more than 20 percent of the work-
 19 force of the Office, as of any given date, con-
 20 sists of individuals serving under personal serv-
 21 ices contracts (whether entered into under this
 22 subsection or otherwise), determined on a full-
 23 time equivalent basis.

24 (4) OTHER AUTHORITIES NOT AFFECTED.—The
 25 authority under this subsection is in addition to any

1 other authority available to the Inspector General to
 2 engage individuals under a personal services con-
 3 tract.

4 (d) REPORT.—In the Office of the Inspector Gen-
 5 eral's semiannual report to Congress, the Inspector Gen-
 6 eral shall include information on the usage and rationale
 7 related to annuitants hired under this section.

8 **SEC. 228. PERSONAL SERVICES CONTRACTORS.**

9 (a) IN GENERAL.—In addition to other authorities
 10 that may be available, the Secretary of State may establish
 11 a pilot program (referred to in this section as the “Pro-
 12 gram”) to respond to new or emerging needs or to aug-
 13 ment existing services by contracting with United States
 14 nationals and aliens lawfully admitted for permanent resi-
 15 dence to provide personal services in the United States
 16 or in the United States and outside the United States.

17 (b) CONDITIONS.—The Program authorized under
 18 subsection (a) may be established if—

19 (1) the Secretary determines that existing per-
 20 sonnel resources are insufficient;

21 (2) the length of each contract, including op-
 22 tions, is not greater than 2 years, unless the Sec-
 23 retary determines that exceptional circumstances
 24 justify an extension of up to 1 additional year;

1 ~~(3)~~ not more than 200 people are employed at
 2 any time as personal services contractors under this
 3 section; and

4 ~~(4)~~ the Program is only used to obtain special-
 5 ized skills or experience or to respond to urgent
 6 needs.

7 ~~(c)~~ STATUS OF PERSONAL SERVICE CONTRAC-
 8 TORS.—

9 ~~(1)~~ OFFICE OF PERSONNEL MANAGEMENT.—An
 10 individual entering into a personal services contract
 11 under the Program shall not, by virtue of such hir-
 12 ing, be considered to be an employee of the United
 13 States Government for purposes of any law adminis-
 14 tered by the Office of Personnel Management. The
 15 Secretary may determine the applicability to such in-
 16 dividuals of section 2(f) of the State Department
 17 Basic Authorities Act (22 U.S.C. 2669(f)) and of
 18 any other law administered by the Secretary con-
 19 cerning the employment of such individuals.

20 ~~(2)~~ FEDERAL EMPLOYMENT STATUS.—Except
 21 as provided in paragraph (1), this section shall not
 22 affect the determination as to whether an individual
 23 entering into a personal services contract under the
 24 Program is an employee of the United States Gov-
 25 ernment for purposes of any Federal law.

1 ~~(d) TERMINATION OF AUTHORITY.—~~

2 ~~(1) IN GENERAL.—The authority to award per-~~
 3 ~~sonal services contracts under the Program shall ter-~~
 4 ~~minate on September 30, 2014.~~

5 ~~(2) EFFECT ON EXISTING CONTRACTS.—Any~~
 6 ~~contract entered into before the termination date set~~
 7 ~~forth in paragraph (1) may remain in effect until~~
 8 ~~the expiration date set forth in such contract.~~

9 **SEC. 229. AMENDMENT TO THE FOREIGN SERVICE ACT OF**
 10 **1980.**

11 Section 209 of the Foreign Service Act of 1980 (~~22~~
 12 ~~U.S.C. 3929~~) is amended—

13 ~~(1) in subsection (c), by striking paragraph (5);~~
 14 ~~and~~

15 ~~(2) in subsection (d)(2)—~~

16 ~~(A) in subparagraph (D), by adding “and”~~
 17 ~~at the end;~~

18 ~~(B) in subparagraph (E), by striking “;~~
 19 ~~and” and inserting a period; and~~

20 ~~(C) by striking subparagraph (F).~~

TITLE III—INTERNATIONAL ORGANIZATIONS

SEC. 301. PROMOTING ASSIGNMENTS TO INTERNATIONAL ORGANIZATIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should—

(1) ensure that the Department of State is able to appropriately staff United States missions both within the United States and abroad that are dedicated to representing the United States to international organizations and multilateral institutions, including missions in New York, Brussels, Geneva, Rome, Montreal, Nairobi, Vienna, and Paris;

(2) develop persons with specialized skills necessary to become experts in multilateral diplomacy given the large number of positions in the United States and abroad that are dedicated to this specialty; and

(3) consider as a factor for promotions whether a member of the Foreign Service has served in a position whose primary responsibility is to formulate policy toward, or represent the United States at, an international organization, a multilateral institution, or a broad-based multilateral negotiation of an international instrument.

1 **SEC. 302. SYNCHRONIZATION OF UNITED STATES CON-**
 2 **TRIBUTIONS TO INTERNATIONAL ORGANIZA-**
 3 **TIONS.**

4 In accordance with section 404 of the Foreign Rela-
 5 tions Authorization Act of 2003 (Public Law 107-228;
 6 116 Stat. 1389), there are authorized to be appropriated
 7 such sums as may be necessary for the synchronization
 8 of United States contributions to international organiza-
 9 tions.

10 **SEC. 303. PEACEKEEPING CONTRIBUTIONS.**

11 Section 404(b)(2)(B) of the Foreign Relations Au-
 12 thorization Act, Fiscal Years 1994 and 1995 (Public Law
 13 103-236; 22 U.S.C. 287e note) is amended by adding at
 14 the end the following:

15 “(vi) For assessments made during
 16 calendar year 2010 and thereafter, 27.5
 17 percent.”.

18 **SEC. 304. BUYING POWER MAINTENANCE, INTERNATIONAL**
 19 **ORGANIZATIONS.**

20 Title I of the State Department Basic Authorities Act
 21 of 1956 (22 U.S.C. 2651a et seq.), as amended by section
 22 328, is further amended by adding at the end the fol-
 23 lowing:

1 **“SEC. 64. BUYING POWER MAINTENANCE, INTERNATIONAL**
2 **ORGANIZATIONS.**

3 “(a) **ESTABLISHMENT OF ACCOUNT.**—There is estab-
4 lished in the Treasury of the United States the ‘Buying
5 Power Maintenance, International Organizations account’
6 (referred to in this section as the ‘account’) to offset flue-
7 tuations in foreign currency exchange rates that adversely
8 affect United States contributions to international organi-
9 zations.

10 “(b) **AUTHORITY TO TRANSFER AMOUNTS TO AC-**
11 **COUNT.**—The Secretary of State may transfer to, and
12 merge with, the account such amounts appropriated or
13 otherwise made available for the Contributions to Inter-
14 national Organizations account as the Secretary deter-
15 mines are beyond the needs of activities funded from that
16 account because of fluctuations in foreign currency ex-
17 change rates.

18 “(c) **AUTHORITY TO TRANSFER AMOUNTS FROM AC-**
19 **COUNT.**—In order to offset adverse fluctuations in foreign
20 currency exchange rates, the Secretary of State may
21 transfer to, and merge with, the Contributions to Inter-
22 national Organizations account such amounts from the ac-
23 count as the Secretary determines are necessary to provide
24 for the activities funded under that account.

25 “(d) **TRANSFER OF UNOBLIGATED AMOUNTS.**—

1 “(1) IN GENERAL.—Subject to the limitations
 2 under this subsection, not later than the last day of
 3 the fifth fiscal year after the fiscal year for which
 4 amounts are appropriated or otherwise made avail-
 5 able for the Contributions to International Organiza-
 6 tions account, the Secretary of State may transfer
 7 any unobligated balance of such amounts to the ac-
 8 count.

9 “(2) LIMITATION.—The balance of the account
 10 may not exceed \$100,000,000 as a result of any
 11 amounts transferred under this subsection.

12 “(3) REPROGRAMMING.—Any transfer under
 13 this subsection—

14 “(A) shall be treated as a reprogramming
 15 of funds under section 34; and

16 “(B) shall only be available for obligation
 17 or expenditure in accordance with the proce-
 18 dures established under such section.

19 “(4) SCOPE.—The authority under this section
 20 may only be exercised with respect to amounts ap-
 21 propriated or otherwise made available after Sep-
 22 tember 30, 2009.

23 “(e) AVAILABILITY OF AMOUNTS.—Amounts trans-
 24 ferred to the account under this section shall remain avail-
 25 able until expended.

1 “(f) OTHER AUTHORITIES NOT AFFECTED.—The
 2 authority to transfer amounts under this section is in ad-
 3 dition to transfer authority otherwise available to the Sec-
 4 retary of State under any other provision of law.”.

5 **SEC. 305. UNITED STATES PARTICIPATION IN THE INTER-**
 6 **PARLIAMENTARY UNION.**

7 (a) IN GENERAL.—Notwithstanding section 2503 of
 8 the Foreign Affairs Reform and Restructuring Act of
 9 1998 (division G of Public Law 105–277; 22 U.S.C. 276
 10 note), the Secretary of State is authorized—

11 (1) to facilitate the readmission and participa-
 12 tion of the United States in the Inter-Parliamentary
 13 Union; and

14 (2) to pay expenses to meet the annual obliga-
 15 tions of membership in the Inter-Parliamentary
 16 Union, in accordance with the assessments deter-
 17 mined by the Governing Council.

18 (b) REPRESENTATION.—Notwithstanding section
 19 2503 of the Foreign Affairs Reform and Restructuring
 20 Act of 1998 (division G of Public Law 105–277; 22 U.S.C.
 21 276 note), the majority leader of the Senate, in consulta-
 22 tion with the minority leader of the Senate, and the Speak-
 23 er of the House of Representatives, in consultation with
 24 the minority leader of the House of Representatives, are
 25 authorized to designate Members of Congress to serve as

1 delegates to the Assembly of the Inter-Parliamentary
2 Union.

3 **SEC. 306. PROVISION OF LIVING QUARTERS AND ALLOW-**
4 **ANCES TO THE UNITED STATES REPRESENT-**
5 **ATIVES TO THE UNITED NATIONS.**

6 Section 9(2) of the United Nations Participation Act
7 of 1945 (22 U.S.C. 287e-1(2)) is amended by striking
8 “30” and inserting “35”.

9 **TITLE IV—MISCELLANEOUS**
10 **PROVISIONS**

11 **SEC. 401. LIMITATION ON ASSISTANCE TO GOVERNMENTS**
12 **OF COUNTRIES IN DEFAULT.**

13 (a) FOREIGN ASSISTANCE ACT OF 1961.—Section
14 620(q) of the Foreign Assistance Act of 1961 (22 U.S.C.
15 2370(q)) is amended—

16 (1) by striking “any country” and inserting
17 “the government of any country”;

18 (2) by striking “such country” each place it ap-
19 pears and inserting “such government”; and

20 (3) by striking “six calendar months” and in-
21 serting “1 year”.

22 (b) ARMS EXPORT CONTROL ACT.—Chapter 4 of the
23 Arms Export Control Act (22 U.S.C. 2791 et seq.), is
24 amended—

1 (1) by redesignating section 47 as section 48;
2 and

3 (2) by inserting after section 46 the following:

4 **“SEC. 47. LIMITATION ON ASSISTANCE TO GOVERNMENTS**
5 **OF COUNTRIES IN DEFAULT.**

6 “No assistance may be furnished under section 23
7 of this Act to the government of any country which is in
8 default, during a period exceeding 1 year, in payment to
9 the United States of principal or interest on any loan
10 made to the government of such country under this Act,
11 unless—

12 “(1) such government meets its obligations
13 under the loan; or

14 “(2) the President—

15 “(A) determines that assistance to such
16 country is in the national interest of the United
17 States; and

18 “(B) notifies the Speaker of the House of
19 Representatives and the Committee on Foreign
20 Relations of the Senate of such determina-
21 tion.”.

22 **SEC. 402. INCREASED AUTHORITY TO PROVIDE ASSIST-**
23 **ANCE FOR LAW ENFORCEMENT FORCES.**

24 (a) **POLICE TRAINING.**—Section 660 of the Foreign
25 Assistance Act of 1961 (22 U.S.C. 2420) is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (4), by striking “or” at
3 the end;

4 (B) in paragraph (6), by striking “, and
5 the provision of professional” and all that fol-
6 lows through the semicolon at the end and in-
7 serting “, including any regional, district, mu-
8 nicipal, or other subnational entity emerging
9 from instability;”;

10 (C) in paragraph (7), by striking the pe-
11 riod at the end and inserting a semicolon; and

12 (D) by adding at the end the following:

13 “(8) with respect to the provision of profes-
14 sional training, including training in internationally
15 recognized standards of human rights and the rule
16 of law;

17 “(9) with respect to assistance to foster civilian
18 police roles that support democratic governance and
19 foster improved police-community relations;

20 “(10) with respect to assistance to combat traf-
21 ficking in persons, address sexual and gender-based
22 violence, reduce corruption, prevent conflict, and re-
23 spond to disasters;

24 “(11) with respect to assistance to address in-
25 humane conditions in prisons and other detention fa-

1 facilities administered by foreign governments that are
 2 making efforts to address the health, sanitation, nu-
 3 trition, and other basic needs of prisoners;

4 “(12) with respect to assistance provided for
 5 prisoners for humanitarian or development purposes;
 6 or

7 “(13) with respect to assistance to support hu-
 8 manitarian operations and activities.”; and

9 (2) by amending subsection (d) to read as fol-
 10 lows:

11 “(d) Assistance under chapter 4 of part II that is
 12 otherwise prohibited under subsection (a) may be provided
 13 to a country if the Secretary determines and certifies to
 14 the Committee on Foreign Relations of the Senate and
 15 the Committee on Foreign Affairs of the House of Rep-
 16 resentatives that such assistance is in the national interest
 17 of the United States.”.

18 (b) ADMINISTRATION OF JUSTICE.—Section 534 of
 19 the Foreign Assistance Act of 1961 (22 U.S.C. 2346c) is
 20 amended—

21 (1) in subsection (a), by striking “in countries
 22 in Latin America and the Caribbean”;

23 (2) in subsection (b)(3)—

24 (A) in subparagraph (C), by striking
 25 “and” at the end;

1 ~~(B)~~ in subparagraph ~~(D)~~, by inserting
 2 “and” after the semicolon; and

3 ~~(C)~~ by adding at the end the following:

4 “~~(E)~~ programs to enhance the protection
 5 of participants in judicial cases;”;

6 ~~(3)~~ by striking subsection ~~(e)~~;

7 ~~(4)~~ in subsection ~~(e)~~, by striking the second and
 8 third sentences; and

9 ~~(5)~~ by redesignating subsections ~~(d)~~ and ~~(e)~~ as
 10 subsections ~~(e)~~ and ~~(d)~~, respectively.

11 **SEC. 403. BUILDING PUBLIC AWARENESS AND DIALOGUE.**

12 Section 122 of the Foreign Assistance Act of 1961
 13 (~~22 U.S.C. 2151t~~) is amended by inserting at the end the
 14 following:

15 “~~(f)(1)~~ The Administrator of the United States Agen-
 16 cy for International Development is authorized—

17 “~~(A)~~ to encourage the people of the United
 18 States to further dialogue and understanding of de-
 19 velopment, humanitarian assistance, and foreign as-
 20 sistance programs; and

21 “~~(B)~~ to facilitate widespread public discussion,
 22 analysis, and review of the issues addressed in the
 23 final report of the Helping to Enhance the Liveli-
 24 hood of People Around the Globe Commission
 25 (HELP Commission), issued in December 2007,

1 with special regard to the HELP Commission's call
 2 to encourage Executive agencies to more fully ex-
 3 plain United States development activities to the
 4 American people in order to raise the American peo-
 5 ple's understanding about and support for foreign
 6 assistance.

7 “(2) Not to exceed \$1,000,000 of the amounts made
 8 available each fiscal year for the purposes of this chapter
 9 may be used to ensure effective engagement with the
 10 American people in understanding and promoting public
 11 understanding of development, humanitarian assistance,
 12 and foreign assistance programs, in addition to funds oth-
 13 erwise available for such purposes.”.

14 **SEC. 404. EXCEPTION TO CERTAIN MULTIPLE AWARD CON-**
 15 **TRACT REQUIREMENTS.**

16 Chapter 1 of part III of the Foreign Assistance Act
 17 of 1961, as amended by section 705, is further amended
 18 by adding at the end the following new section:

19 **“SEC. 620P. USAID EXCEPTION TO CERTAIN MULTIPLE**
 20 **AWARD CONTRACT REQUIREMENTS.**

21 “In entering into any multiple award task order or
 22 indefinite delivery or indefinite quantity contract, the Ad-
 23 ministrator of the United States Agency for International
 24 Development may provide an exception to the fair oppor-
 25 tunity process for placing task orders under such contracts

1 when the order is placed with any category of small or
 2 small disadvantaged business.”.

3 **SEC. 405. MILLENNIUM CHALLENGE ASSISTANCE.**

4 (a) **EXTENSION OF COMPACTS.**—Section 609(j) of
 5 the Millennium Challenge Act of 2003 (22 U.S.C. 7708(j))
 6 is amended to read as follows:

7 “(j) **EXTENSION OF COMPACT.**—

8 “(1) **IN GENERAL.**—Except as provided under
 9 paragraph (2), the duration of a Compact shall not
 10 exceed 5 years.

11 “(2) **EXCEPTION.**—The duration of a Compact
 12 may be extended beyond 5 years if the Board—

13 “(A) determines that a project included in
 14 the Compact cannot be completed in 5 years or
 15 less; and

16 “(B) approves an extension of the Compact
 17 that does not extend the total duration of the
 18 Compact beyond 7 years.

19 “(3) **CONGRESSIONAL NOTIFICATION.**—Not
 20 later than 15 days before the date on which the
 21 Board approves the extension of a Compact beyond
 22 5 years pursuant to paragraph (2), the Board, act-
 23 ing through the Chief Executive Officer, shall—

24 “(A) notify the Committee on Foreign Re-
 25 lations of the Senate and the Committee on

Foreign Affairs of the House of Representatives
of its intent to approve such extension; and

“(B) provide the committees referred to in
subparagraph (A) with a detailed explanation
for the determination and approval described in
paragraph (2).”.

(b) CONCURRENT AND SUBSEQUENT COMPACTS.—

Section 609(k) such Act (22 U.S.C. 7708(k)) is amended
to read as follows:

“(k) CONCURRENT AND SUBSEQUENT COMPACTS.—

“(1) IN GENERAL.—Subject to paragraph (2),
and in accordance with the requirements of this
title, an eligible country and the United States—

“(A) may enter into and have in effect
more than 1 Compact, but not more than 3
Compacts, at any given time; and

“(B) may enter into subsequent Compacts
after the expiration of existing Compacts.

“(2) REQUIREMENTS.—

“(A) CONCURRENT COMPACTS.—An eligi-
ble country and the United States may not
enter into a concurrent Compact unless the
Board determines that such country is making
considerable and demonstrable progress in im-
plementing the terms of its existing Compact

1 and supplementary agreements to such Com-
2 pact.

3 “(B) SUBSEQUENT COMPACTS.—An eligi-
4 ble country and the United States may not
5 enter into a subsequent Compact unless the
6 Board determines that—

7 “(i) such country has substantially
8 met the objectives of prior Compacts be-
9 tween the country and the United States
10 and supplementary agreements to such
11 Compacts; or

12 “(ii) the country has demonstrated
13 sufficient capacity to perform successfully
14 on the subsequent Compact.”.

15 (c) APPLICABILITY.—The amendments made by sub-
16 sections (a) and (b) shall apply with respect to Compacts
17 entered into between the United States and an eligible
18 country under the Millennium Challenge Act of 2003 (22
19 U.S.C. 7701 et seq.) before, on, or after the date of the
20 enactment of this Act.

21 (d) MAINTAINING CANDIDATE STATUS FOR PUR-
22 POSES OF INCOME CATEGORY.—Section 606 of the Mil-
23 lennium Challenge Act of 2003 (22 U.S.C. 7705) is
24 amended by adding at the end the following:

1 “(d) MAINTAINING CANDIDATE STATUS.—A can-
 2 didate country transitioning out of 1 of the income cat-
 3 egories identified in subsections (a) and (b) shall be al-
 4 lowed to retain its candidacy at the lower income category
 5 for the year of its transition and for 1 subsequent fiscal
 6 year.”.

7 **SEC. 406. ENHANCING THE CAPACITY OF THE OFFICE OF**
 8 **THE INSPECTOR GENERAL FOR THE UNITED**
 9 **STATES AGENCY FOR INTERNATIONAL DE-**
 10 **VELOPMENT.**

11 (a) REEMPLOYMENT OF ANNUITANTS.—To facilitate
 12 the assignment of persons to positions in Iraq, Pakistan,
 13 and Afghanistan, or to positions vacated by members of
 14 the Foreign Service assigned to Iraq, Pakistan, and Af-
 15 ghanistan, the Inspector General of the United States
 16 Agency for International Development may waive the ap-
 17 plication of the provisions of section 8344 or 8468 of title
 18 5, United States Code, on a case-by-case basis, for employ-
 19 ment of an annuitant in a position in the Office of Inspec-
 20 tor General for which there is—

21 (1) difficulty in recruiting or retaining a quali-
 22 fied employee; or

23 (2) a temporary emergency hiring need.

24 (b) SUNSET.—

1 (1) IN GENERAL.—Subsection (a) is repealed on
2 October 1, 2011.

3 (2) EFFECT OF REPEAL.—An annuitant reem-
4 ployed pursuant to the waiver under subsection (a)
5 before October 1, 2011 may continue such employ-
6 ment until not later than September 30, 2012.

7 (c) NOT CONSIDERED EMPLOYEES.—An employee
8 reemployed pursuant to the waiver under subsection (a)
9 shall not be considered an employee for purposes of sub-
10 chapter III of chapter 83 of title 5, United States Code,
11 or chapter 84 of such title.

12 **SEC. 407. PROHIBITIONS ON FOREIGN ASSISTANCE FOR**
13 **THE PRODUCTION OF CERTAIN AGRICUL-**
14 **TURAL COMMODITIES.**

15 Section 620 of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2370) is amended by inserting after subsection
17 (f) the following new subsection:

18 “(m) PROHIBITIONS ON ASSISTANCE FOR THE PRO-
19 DUCTION OF AGRICULTURAL COMMODITIES AVAILABLE
20 IN SURPLUS QUANTITIES.—(1) No assistance shall be fur-
21 nished under chapter 1 of part I of this Act to a country
22 to build or expand the capacity of producers in the country
23 to produce an agricultural commodity if the President de-
24 termines that—

1 “(A) the agricultural commodity is likely to be
2 available in surplus quantities on the world market
3 when the building or expansion of such capacity is
4 complete; and

5 “(B) the production or expanded production of
6 the agricultural commodity by producers in that
7 country would cause substantial injury to producers
8 in the United States that produce that agricultural
9 commodity or a similar or competing agricultural
10 commodity.

11 “(2) Paragraph (1) shall not apply with respect to
12 assistance to a country that—

13 “(A)(i) is eligible for assistance from the Inter-
14 national Development Association;

15 “(ii) is not eligible for assistance from the
16 International Bank for Reconstruction and Develop-
17 ment; and

18 “(iii) does not export on a consistent basis the
19 agricultural commodity with respect to which assist-
20 ance is furnished; or

21 “(B) the President determines is recovering
22 from widespread conflict, a humanitarian crisis, or a
23 complex emergency.

24 “(n) RESTRICTION ON ASSISTANCE FOR THE PRO-
25 DUCTION AND EXPORTATION OF CERTAIN AGRICULTURAL

1 COMMODITIES.—(1) No assistance shall be furnished
 2 under chapter 1 of part I of this Act to a country to carry
 3 out any testing, breeding feasibility studies, variety im-
 4 provement efforts, introduction efforts, consulting, publi-
 5 cations, conferences, or training with respect to the pro-
 6 duction of an agricultural commodity in that country if
 7 the President determines that—

8 “(A) the agricultural commodity is or will be
 9 produced to be exported from that country; and

10 “(B) the exportation of the agricultural com-
 11 modity from that country will result in increased
 12 competition for that agricultural commodity, or a
 13 similar or competing agricultural commodity, pro-
 14 duced in the United States.

15 “(2) Paragraph (1) shall not apply with respect to
 16 assistance furnished—

17 “(A) to a developing country to carry out an ac-
 18 tivity involving the production of an agricultural
 19 commodity that is designed to increase food security
 20 in that country if the President determines that the
 21 activity will not have a significant impact on the ex-
 22 portation of that agricultural commodity from the
 23 United States; or

24 “(B) to a country that—

1 “(i)(I) is eligible for assistance from the
2 International Development Association;

3 “(II) is not eligible for assistance from the
4 International Bank for Reconstruction and De-
5 velopment; and

6 “(III) does not export on a consistent basis
7 the agricultural commodity with respect to
8 which assistance is furnished; or

9 “(ii) the President determines is recovering
10 from widespread conflict, a humanitarian crisis,
11 or a complex emergency.”.

12 **TITLE V—AUTHORIZATION OF** 13 **APPROPRIATIONS**

14 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated for each of
16 the fiscal years 2010 and 2011 such sums as may be nec-
17 essary to carry out this Act.

18 **SECTION 1. SHORT TITLE.**

19 *This Act may be cited as the “Foreign Relations Au-*
20 *thorization Act, Fiscal Years 2010 and 2011”.*

21 **SEC. 2. TABLE OF CONTENTS.**

22 *The table of contents for this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

TITLE I—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—General Matters

- Sec. 101. International Litigation Fund.*
- Sec. 102. Actuarial valuations.*
- Sec. 103. Special agents.*
- Sec. 104. Accountability review boards.*
- Sec. 105. Security enhancements for soft targets.*
- Sec. 106. Enhanced Department of State authority for uniformed security officers.*
- Sec. 107. Local guard contracts abroad under diplomatic security program.*
- Sec. 108. Overseas procurement flexibility.*
- Sec. 109. Renaming of Bureau of Oceans and International Environmental and Scientific Affairs.*
- Sec. 110. Extension of period for reimbursement for seized commercial fishermen.*
- Sec. 111. Authority to issue administrative subpoenas.*
- Sec. 112. Home-to-work transportation.*
- Sec. 113. Technical amendment to Federal Workforce Flexibility Act.*
- Sec. 114. Emergency Refugee and Migration Assistance Account.*
- Sec. 115. Annual report on international religious freedom.*
- Sec. 116. Assistant Secretary for International Information Programs.*
- Sec. 117. Reimbursement for use of Government vehicles overseas.*

Subtitle B—Public Diplomacy

- Sec. 121. Public diplomacy resource centers.*
- Sec. 122. Employment of noncitizens for international broadcasting.*
- Sec. 123. Radio Free Europe and Radio Liberty pay parity.*
- Sec. 124. Radio Free Asia.*
- Sec. 125. Personal services contracting program for the Broadcasting Board of Governors.*
- Sec. 126. United States Advisory Commission on Public Diplomacy.*
- Sec. 127. Dissemination of public diplomacy information within the United States.*
- Sec. 128. Science and technology fellowships.*
- Sec. 129. Grants for international documentary exchange programs.*
- Sec. 130. Transfer of the Vietnam Education Foundation to the Department of State.*
- Sec. 131. Broadcasting Board of Governors.*
- Sec. 132. Statement of policy regarding citizen diplomacy.*
- Sec. 133. Performance-based measurement reporting requirements for international exchange programs.*
- Sec. 134. Sense of Congress on international broadcasting in Iran.*

Subtitle C—Consular Services and Related Matters

- Sec. 141. Reforming refugee processing.*
- Sec. 142. Definition of “use” in passport and visa offenses.*
- Sec. 143. Visa ineligibility for international child abduction.*
- Sec. 144. Vaccination waiver for adopted children.*
- Sec. 145. Signed photograph requirement for visa applications.*
- Sec. 146. Electronic transmission of domestic violence information to visa applicants.*
- Sec. 147. Sibling adoptions.*

Sec. 148. Technical amendments relating to the Intelligence Reform and Terrorism Prevention Act of 2004.

Sec. 149. Videoconference interviews.

TITLE II—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Modernizing the Department of State

Sec. 201. Creation of a modern and expeditionary Foreign Service.

Sec. 202. Conflict prevention, mitigation, and resolution training.

Sec. 203. Mass atrocities.

Sec. 204. Crisis response.

Subtitle B—Foreign Services Overseas Pay Equity

Sec. 211. Short title.

Sec. 212. Overseas comparability pay adjustment.

Subtitle C—Other Organization and Personnel Matters

Sec. 221. Death gratuity.

Sec. 222. Expansion and extension of annuitant waiver for response readiness corps.

Sec. 223. Reemployment of annuitants.

Sec. 224. Locally employed staff.

Sec. 225. Repeal of recertification requirement for senior foreign service.

Sec. 226. Foreign relations exchange programs.

Sec. 227. Enhanced personnel authorities for the Inspector General of the Department of State.

Sec. 228. Personal services contractors.

Sec. 229. Amendment to the Foreign Service Act of 1980.

Sec. 230. Office for Global Women's Issues.

Sec. 231. Home leave.

Sec. 232. Training support services.

Sec. 233. Employment of minorities and women.

TITLE III—INTERNATIONAL ORGANIZATIONS

Sec. 301. Promoting assignments to international organizations.

Sec. 302. Synchronization of United States contributions to international organizations.

Sec. 303. Peacekeeping contributions.

Sec. 304. Buying power maintenance, international organizations.

Sec. 305. United States participation in the Inter-Parliamentary Union.

Sec. 306. Provision of living quarters and allowances to the United States Representatives to the United Nations.

Sec. 307. Recruitment and retention of United States citizens in international organizations.

Sec. 308. United States membership in the International Renewable Energy Agency.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Limitation on assistance to governments of countries in default.

Sec. 402. Increased authority to provide assistance for law enforcement forces.

Sec. 403. Building public awareness and dialogue.

Sec. 404. Exception to certain multiple award contract requirements.

- Sec. 405. Millennium challenge assistance.*
Sec. 406. Enhancing the capacity of the Office of the Inspector General for the United States Agency for International Development.
Sec. 407. Prohibitions on foreign assistance for the production of certain agricultural commodities.
Sec. 408. Sense of Congress relating to transparency for extractive industries.
Sec. 409. Sense of Congress regarding Central Asia.
Sec. 410. Sense of Congress on global Internet freedom.
Sec. 411. Global Health Initiative.
Sec. 412. Discrimination related to sexual orientation.

TITLE V—PEACE CORPS IMPROVEMENT AND EXPANSION

- Sec. 501. Short title.*
Sec. 502. Findings.
Sec. 503. Assessment and strategic plan for improving and expanding Peace Corps.
Sec. 504. Sense of Congress on number of Presidential appointments under Peace Corps Act.

TITLE VI—AUTHORIZATION OF APPROPRIATIONS

Subtitle A—Department of State

- Sec. 601. Administration of foreign affairs.*
Sec. 602. International organizations and conferences.
Sec. 603. International commissions.
Sec. 604. Migration and refugee assistance.
Sec. 605. Centers and foundations.

Subtitle B—United States International Broadcasting Activities

- Sec. 611. Authorization of appropriations.*

Subtitle C—Peace Corps

- Sec. 621. Authorization of appropriations.*

1 SEC. 3. DEFINITIONS.

2 *In this Act:*

3 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 4 *TEES.—The term “appropriate congressional commit-*
 5 *tees” means the Committee on Foreign Relations of*
 6 *the Senate and the Committee on Foreign Affairs of*
 7 *the House of Representatives.*

8 (2) *SECRETARY.—Except as otherwise provided,*
 9 *the term “Secretary” means the Secretary of State.*

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

4 **Subtitle A—General Matters**

5 **SEC. 101. INTERNATIONAL LITIGATION FUND.**

6 *Section 38(d)(3) of the State Department Basic Au-*
 7 *thorities Act of 1956 (22 U.S.C. 2710(d)(3)) is amended by*
 8 *striking “from another agency of the United States Govern-*
 9 *ment” and inserting “as a result of a decision of an inter-*
 10 *national tribunal, from another agency of the United States*
 11 *Government,”.*

12 **SEC. 102. ACTUARIAL VALUATIONS.**

13 *(a) AUTHORITY OF SECRETARY OF STATE TO MAKE*
 14 *ACTUARIAL VALUATIONS.—Section 818 of the Foreign Serv-*
 15 *ice Act of 1980 (22 U.S.C. 4058) is amended—*

16 *(1) in the first sentence, by striking “Secretary*
 17 *of the Treasury” and inserting “Secretary of State”;*
 18 *and*

19 *(2) by amending the second sentence to read as*
 20 *follows: “The Secretary of State may expend such*
 21 *sums as may be necessary to administer the provi-*
 22 *sions of this chapter, including actuarial advice, but*
 23 *only to the extent and in such amounts as are pro-*
 24 *vided in advance in appropriations acts.”.*

1 (b) *AUTHORITY OF SECRETARY OF STATE TO DETER-*
 2 *MINE PORTION OF FOREIGN SERVICE RETIREMENT AND*
 3 *DISABILITY FUND AVAILABLE FOR INVESTMENT.*—Section
 4 819 of such Act (22 U.S.C. 4059) is amended by striking
 5 “Secretary of the Treasury” the second place it appears and
 6 inserting “Secretary of State”.

7 (c) *AUTHORITY OF SECRETARY OF STATE TO PRE-*
 8 *SCRIBE MORTALITY TABLES.*—Section 825(b) of such Act
 9 (22 U.S.C. 4065(b)) is amended—

10 (1) by striking “subsection (a) (2), (3), or (4)”
 11 and inserting “paragraph (2), (3), or (4) of sub-
 12 section (a)”; and

13 (2) by striking “Secretary of the Treasury” and
 14 inserting “Secretary of State”.

15 (d) *AUTHORITY OF SECRETARY OF STATE TO MAKE*
 16 *PERIODIC VALUATIONS.*—Section 859(c) of the Foreign
 17 Service Act of 1980 (22 U.S.C. 4071h(c)) is amended—

18 (1) by striking “Secretary of the Treasury” and
 19 inserting “Secretary of State”; and

20 (2) by striking “and shall advise the Secretary
 21 of State of (1) the normal cost of the System, (2) the
 22 supplemental liability of the System, and (3) the
 23 amounts necessary to finance the costs of the System.”
 24 and inserting the following: “that will provide—

25 “(1) the normal cost of the System;

1 “(2) *the supplemental liability of the System;*
2 *and*
3 “(3) *the amounts necessary to finance the costs*
4 *of the System.*”.

5 **SEC. 103. SPECIAL AGENTS.**

6 *Section 37 of the State Department Basic Authorities*
7 *Act of 1956 (22 U.S.C. 2709) is amended—*

8 *(1) in subsection (a), by amending paragraph*
9 *(1) to read as follows:*

10 “(1) *conduct investigations concerning—*

11 “(A) *illegal passport or visa issuance or*
12 *use;*

13 “(B) *identity theft or document fraud af-*
14 *fecting, or relating to, the programs, functions,*
15 *or authorities of the Department of State; and*

16 “(C) *Federal offenses committed within the*
17 *special maritime and territorial jurisdiction of*
18 *the United States (as such term is defined in sec-*
19 *tion 7(9) of title 18, United States Code), except*
20 *as that jurisdiction relates to the premises of*
21 *United States military installations and related*
22 *residences;”;* and
23 *(2) by adding at the end the following:*

1 “(d) *RULE OF CONSTRUCTION.*—Nothing in subsection
 2 (a)(1) may be construed to limit the investigative authority
 3 of any other Federal department or agency.”.

4 **SEC. 104. ACCOUNTABILITY REVIEW BOARDS.**

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

8 (1) in the paragraph heading, by striking “AF-
 9 GHANISTAN AND” and inserting “AFGHANISTAN, PAKI-
 10 STAN, AND”; and

11 (2) in subparagraph (A)—

12 (A) in clause (i), by striking “Afghanistan
 13 or” and inserting “Afghanistan, Pakistan, or”;
 14 and

15 (B) in clause (ii), by striking “2009” and
 16 inserting “2012”.

17 **SEC. 105. SECURITY ENHANCEMENTS FOR SOFT TARGETS.**

18 Section 29 of the State Department Basic Authorities
 19 Act of 1956 (22 U.S.C. 2701) is amended by inserting
 20 “physical security enhancements and” after “Such assist-
 21 ance may include”.

1 **SEC. 106. ENHANCED DEPARTMENT OF STATE AUTHORITY**
 2 **FOR UNIFORMED SECURITY OFFICERS.**

3 *The State Department Basic Authorities Act of 1956*
 4 *is amended by inserting after section 37 (22 U.S.C. 2709)*
 5 *the following:*

6 **“SEC. 37A. PROTECTION OF BUILDINGS AND AREAS IN THE**
 7 **UNITED STATES BY UNIFORMED GUARDS.**

8 *“(a) ENFORCEMENT AUTHORITIES FOR UNIFORMED*
 9 *GUARDS.—The Secretary of State may authorize Depart-*
 10 *ment of State uniformed guards to protect buildings and*
 11 *areas within the United States for which the Department*
 12 *of State provides protective services, including duty in*
 13 *areas outside the property to the extent necessary to protect*
 14 *the property and persons in that area.*

15 *“(b) POWERS OF GUARDS.—While engaged in the per-*
 16 *formance of official duties as a uniformed guard under sub-*
 17 *section (a), a guard may—*

18 *“(1) enforce Federal laws and regulations for the*
 19 *protection of persons and property;*

20 *“(2) carry firearms; and*

21 *“(3) make arrests without warrant for—*

22 *“(A) any offense against the United States*
 23 *committed in the guard’s presence; or*

24 *“(B) any felony cognizable under the laws*
 25 *of the United States if the guard has reasonable*
 26 *grounds to believe that the person to be arrested*

1 *has committed, or is committing, such felony in*
2 *connection with the buildings, areas, or persons,*
3 *for which the Department of State is providing*
4 *protective services.*

5 “(c) *REGULATIONS.*—

6 “(1) *IN GENERAL.*—*The Secretary of State, in*
7 *consultation with the Secretary of Homeland Secu-*
8 *urity, may prescribe such regulations as may be nec-*
9 *essary for the administration of buildings and areas*
10 *within the United States for which the Department of*
11 *State provides protective services, including reason-*
12 *able penalties for violations of such regulations, with-*
13 *in the limits prescribed in subsection (d).*

14 “(2) *POSTING.*—*The regulations prescribed*
15 *under paragraph (1) shall be posted in a conspicuous*
16 *place on the property.*

17 “(d) *PENALTIES.*—*A person violating a regulation*
18 *prescribed under subsection (c) shall be fined under title*
19 *18, United States Code, imprisoned for not more than 6*
20 *months, or both.*

21 “(e) *ATTORNEY GENERAL APPROVAL.*—*The powers*
22 *granted to guards designated under this section shall be ex-*
23 *ercised in accordance with guidelines approved by the At-*
24 *torney General.*

1 “(f) *RELATIONSHIP TO OTHER AUTHORITY.*—Nothing
 2 in this section may be construed to affect the authority of
 3 the Secretary of Homeland Security, the Administrator of
 4 General Services, or any Federal law enforcement agency.”.

5 **SEC. 107. LOCAL GUARD CONTRACTS ABROAD UNDER DIP-**
 6 **LOMATIC SECURITY PROGRAM.**

7 (a) *IN GENERAL.*—Section 136(c)(3) of the Foreign
 8 Relations Authorization Act, Fiscal Years 1990 and 1991
 9 (22 U.S.C. 4864(c)(3)) is amended to read as follows:

10 “(3) in evaluating proposals for such contracts,
 11 award contracts to technically acceptable firms offer-
 12 ing the lowest evaluated price, except that—

13 “(A) the Secretary may award contracts on
 14 the basis of best value (as determined by a cost-
 15 technical tradeoff analysis); and

16 “(B) proposals received from United States
 17 persons and qualified United States joint ven-
 18 ture persons shall be evaluated by reducing the
 19 bid price by 10 percent;”.

20 (b) *REPORT.*—Not later than 1 year after the date of
 21 the enactment of this Act, the Secretary shall submit a re-
 22 port to Congress that describes the implementation of sec-
 23 tion 136(c)(3) of the Foreign Relations Authorization Act,
 24 Fiscal Years 1990 and 1991, as amended by subsection (a).

1 **SEC. 108. OVERSEAS PROCUREMENT FLEXIBILITY.**

2 *Section 3 of the State Department Basic Authorities*
3 *Act of 1956 (22 U.S.C. 2670) is amended by—*

4 *(1) in subsection (l), by striking “and” at the*
5 *end;*

6 *(2) in subsection (m), by striking the period at*
7 *the end and inserting “; and”; and*

8 *(3) adding at the end the following:*

9 *“(n) make and carry out contracts for procurement*
10 *outside the United States of goods or services needed for the*
11 *operation of United States diplomatic and consular posts*
12 *and related facilities outside the United States, provided*
13 *that—*

14 *“(1) laws of the United States relating to the ne-*
15 *gotiation, making, contents, or performance of govern-*
16 *ment contracts for goods or services, and advance*
17 *payments and indemnification in relation to such*
18 *contracts shall apply with respect to such contracts*
19 *except to the extent that the Secretary determines*
20 *(other than for section 27 of the Office of Federal Pro-*
21 *curement Policy Act (41 U.S.C. 423)) that the Sec-*
22 *retary could not reasonably meet the need of a post*
23 *or facility for such goods and services by use of au-*
24 *thority available to the Secretary under a law other*
25 *than this subsection;*

26 *“(2) the Secretary shall—*

1 “(A) issue guidance addressing use of this
2 authority; and

3 “(B) require written approval to waive spe-
4 cific laws or procurement regulations under this
5 authority by the Procurement Executive (without
6 further delegation); and

7 “(3) no individual contract action entered into
8 under this authority shall exceed \$2,000,000 unless
9 approved in writing by the Chief Acquisition Officer
10 of the Department of State (without further delega-
11 tion).”.

12 **SEC. 109. RENAMING OF BUREAU OF OCEANS AND INTER-**
13 **NATIONAL ENVIRONMENTAL AND SCIENTIFIC**
14 **AFFAIRS.**

15 (a) *DEPARTMENT OF STATE APPROPRIATIONS AU-*
16 *THORIZATION ACT OF 1973.*—Section 9(a) of the *Depart-*
17 *ment of State Appropriations Authorization Act of 1973*
18 *(22 U.S.C. 2655a)* is amended by striking “Oceans and
19 *International Environmental and Scientific Affairs*” each
20 *place it appears and inserting “Oceans, Environment, and*
21 *Science”.*

22 (b) *FOREIGN ASSISTANCE ACT OF 1961.*—Section
23 *607(d) of the Foreign Assistance Act of 1961 (22 U.S.C.*
24 *2357(d))* is amended by striking “Oceans and International

1 *Environmental and Scientific Affairs*” and inserting
 2 *“Oceans, Environment, and Science”*.

3 (c) *CLEAN AIR ACT*.—Section 617(a) of the Clean Air
 4 Act (42 U.S.C. 7671p(a)) is amended by striking *“Oceans*
 5 *and International Environmental and Scientific Affairs”*
 6 and inserting *“Oceans, Environment, and Science”*.

7 **SEC. 110. EXTENSION OF PERIOD FOR REIMBURSEMENT**
 8 **FOR SEIZED COMMERCIAL FISHERMEN.**

9 Section 7(e) of the Fishermen’s Protective Act of 1967
 10 (22 U.S.C. 1977(e)) is amended by striking *“2008”* and in-
 11 serting *“2013”*.

12 **SEC. 111. AUTHORITY TO ISSUE ADMINISTRATIVE SUB-**
 13 **POENAS.**

14 Section 3486 of title 18, United States Code, is amend-
 15 ed—

16 (1) in subsection (a)—

17 (A) paragraph (1)(A)—

18 (i) in the matter preceding clause (i),
 19 by striking *“of”* and inserting *“to”*;

20 (ii) in clause (i)(II), by striking *“or”*
 21 at the end;

22 (iii) in clause (ii), by striking the
 23 comma at the end and inserting a semi-
 24 colon; and

1 (iv) by inserting after clause (ii) the
2 following:

3 “(iii) an offense under section 878, or
4 a threat against a person, foreign mission
5 or organization authorized to receive protec-
6 tion by special agents of the Department of
7 State and the Foreign Service under section
8 37(a)(3) of the State Department Basic Au-
9 thorities Act of 1956 (22 U.S.C. 2709(a)(3))
10 if the Assistant Secretary for Diplomatic
11 Security or the Director of the Diplomatic
12 Security Service determines that the threat
13 constituting the offense or threat against the
14 person or place protected is imminent, the
15 Secretary of State; or

16 “(iv) an offense under chapter 75, the
17 Secretary of State,”;

18 (B) by amending paragraph (9) to read as
19 follows:

20 “(9) A subpoena issued under clause (i)(II), (ii), (iii),
21 or (iv) of paragraph (1)(A) may require production as soon
22 as possible, but in no event less than 24 hours after service
23 of the subpoena.”; and

24 (C) by adding at the end the following:

1 “(11) *As soon as practicable following the issuance of*
 2 *a subpoena under paragraph (1)(A)(iii), the Secretary of*
 3 *State shall notify the Attorney General of such issuance.*”;
 4 *and*

5 *(2) in subsection (e)(1), by adding at the end the*
 6 *following: “This subsection shall only apply to ad-*
 7 *ministrative subpoenas issued under subsection*
 8 *(a)(1)(A)(i).”.*

9 **SEC. 112. HOME-TO-WORK TRANSPORTATION.**

10 *Section 1344(b)(4) of title 31, United States Code, is*
 11 *amended by inserting “the Deputy Secretary of State, the*
 12 *Deputy Secretary of State for Management and Resources,”*
 13 *before “principal diplomatic”.*

14 **SEC. 113. TECHNICAL AMENDMENT TO FEDERAL WORK-**
 15 **FORCE FLEXIBILITY ACT.**

16 *Chapter 57 of title 5, United States Code, is amend-*
 17 *ed—*

18 *(1) in section 5753(a)(2)(A), by inserting “, ex-*
 19 *cluding members of the Foreign Service other than*
 20 *chiefs of mission, ambassadors at large, and other*
 21 *members of the Foreign Service subject to examina-*
 22 *tions under section 302(b) of the Foreign Service Act*
 23 *of 1980 (22 U.S.C. 3941(b))” before the semicolon at*
 24 *the end; and*

1 (2) in section 5754(a)(2)(A), by inserting “, ex-
 2 cluding members of the Foreign Service other chiefs of
 3 mission, ambassadors at large, and other members of
 4 the Foreign Service subject to examinations under sec-
 5 tion 302(b) of the Foreign Service Act of 1980 (22
 6 U.S.C. 3941(b))” before the semicolon at the end.

7 **SEC. 114. EMERGENCY REFUGEE AND MIGRATION ASSIST-**
 8 **ANCE ACCOUNT.**

9 Section 2(c)(2) of the Migration and Refugee Assist-
 10 ance Act of 1962 (22 U.S.C. 2601(c)(2)) is amended by
 11 striking “\$100,000,000” and inserting “\$200,000,000”.

12 **SEC. 115. ANNUAL REPORT ON INTERNATIONAL RELIGIOUS**
 13 **FREEDOM.**

14 Section 102(b)(1) of the International Religious Free-
 15 dom Act of 1998 (22 U.S.C. 6412(b)(1)) is amended by
 16 striking “September 1” and inserting “April 1”.

17 **SEC. 116. ASSISTANT SECRETARY FOR INTERNATIONAL IN-**
 18 **FORMATION PROGRAMS.**

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

21 (1) in paragraph (1), by striking “24” and in-
 22 serting “25”;

23 (2) by redesignating paragraph (3) as para-
 24 graph (4); and

1 (3) by inserting after paragraph (2) the fol-
 2 lowing:

3 “(3) ASSISTANT SECRETARY FOR INTERNATIONAL
 4 INFORMATION PROGRAMS.—There shall be in the De-
 5 partment of State an Assistant Secretary for Inter-
 6 national Information Programs, who—

7 “(A) shall oversee the Bureau of Inter-
 8 national Information Programs; and

9 “(B) shall be responsible to the Secretary of
 10 State for matters pertaining to the engagement
 11 of international audiences on issues of United
 12 States policy, society, and values to help create
 13 an environment that is receptive to the interests
 14 of the United States.”.

15 **SEC. 117. REIMBURSEMENT FOR USE OF GOVERNMENT VE-**
 16 **HICLES OVERSEAS.**

17 Section 28 of the State Department Basic Authorities
 18 Act of 1956 (22 U.S.C. 2700) is amended—

19 (1) by inserting “(a)” before “The Secretary”;
 20 and

21 (2) by adding at the end the following:

22 “(b) Funds received by the Department of State in con-
 23 nection with the use of vehicles owned or leased by the Gov-
 24 ernment under subsection (a)—

“(1) may be credited to the appropriate account of the Department of State; and

“(2) if so credited, shall be available only for expenses related to the purchase, lease, maintenance, or operation of such vehicles.”.

Subtitle B—Public Diplomacy

SEC. 121. PUBLIC DIPLOMACY RESOURCE CENTERS.

(a) *FINDINGS.*—Congress finds that—

(1) of the 177 information resource centers operated by the Department of State as of February 2009—

(A) 87 (49 percent) operated on a “by appointment only” basis; and

(B) 18 (11 percent) did not permit any public access;

(2) information resource centers located outside United States embassy compounds receive significantly more visitors than the centers located inside such compounds, including—

(A) twice the number of visitors in Africa;

(B) 6 times more visitors in the Middle East; and

(C) 22 times more visitors in Asia; and

1 (3) *Iran has increased the number of similar*
 2 *Iranian facilities, known as Iranian Cultural Cen-*
 3 *ters, to about 60 throughout the world.*

4 (b) *SENSE OF CONGRESS.—It is the sense of the Con-*
 5 *gress that—*

6 (1) *the Secretary of State should initiate a reex-*
 7 *amination of the public diplomacy platform strategy*
 8 *of the United States with a goal of reestablishing pub-*
 9 *licly accessible American Centers;*

10 (2) *after taking into account relevant security*
 11 *considerations, the Secretary of State should consider*
 12 *placing United States public diplomacy facilities at*
 13 *locations conducive to maximizing their use, con-*
 14 *sistent with the authority given to the Secretary*
 15 *under section 606(a)(2)(B) of the Secure Embassy*
 16 *Construction and Counterterrorism Act of 1999 (22*
 17 *U.S.C. 4865(a)(2)(B)) to waive certain requirements*
 18 *of that Act.*

19 **SEC. 122. EMPLOYMENT OF NONCITIZENS FOR INTER-**
 20 **NATIONAL BROADCASTING.**

21 *Section 804(1) of the United States Information and*
 22 *Educational Exchange Act of 1948 (22 U.S.C. 1474(1)) is*
 23 *amended by striking “suitably qualified United States citi-*
 24 *zens” and inserting “United States citizens applicants who*

1 *are equally or better qualified than non-United States cit-*
 2 *izen applicants”.*

3 **SEC. 123. RADIO FREE EUROPE AND RADIO LIBERTY PAY**
 4 **PARITY.**

5 *Section 308(h)(1) of the United States International*
 6 *Broadcasting Act of 1994 (22 U.S.C. 6207(h)(1)) is amend-*
 7 *ed—*

8 *(1) in subparagraph (A)—*

9 *(A) by striking “or (C)”;* and

10 *(B) by inserting “(or level II of the Execu-*
 11 *tive Schedule under section 5313 of such title, if*
 12 *the Board certifies that the employees are covered*
 13 *by a performance appraisal system meeting the*
 14 *certification criteria under section 5307(d) of*
 15 *such title)” before the period at the end; and*

16 *(2) by striking subparagraph (C).*

17 **SEC. 124. RADIO FREE ASIA.**

18 *Section 309 of the United States International Broad-*
 19 *casting Act of 1994 (22 U.S.C. 6208) is amended—*

20 *(1) in subsection (c)(2), by striking “‘, and shall*
 21 *further specify that funds to carry out the activities*
 22 *of Radio Free Asia may not be available after Sep-*
 23 *tember 30, 2010’”;*

24 *(2) by striking subsection (f);*

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

3 (4) in subsection (f), as redesignated—

4 (A) by striking “‘The Board’” and insert-
5 ing the following: “(1) NOTIFICATION.—The
6 Board”;

7 (B) by striking “‘before entering’” and in-
8 serting the following: “before—

9 “(A) entering”;

10 (C) by striking “Radio Free Asia.” and in-
11 serting the following: “Radio Free Asia; or

12 “(B) entering into any agreements in re-
13 gard to the utilization of Radio Free Asia trans-
14 mitters, equipment, or other resources that will
15 significantly reduce the broadcasting activities of
16 Radio Free Asia.”;

17 (D) by striking “The Chairman” and in-
18 serting the following:

19 “(2) CONSULTATION.—The Chairman”; and

20 (E) by inserting “or Radio Free Asia
21 broadcasting activities” before the period at the
22 end.

1 **SEC. 125. PERSONAL SERVICES CONTRACTING PROGRAM**
 2 **FOR THE BROADCASTING BOARD OF GOV-**
 3 **ERNORS.**

4 *Section 504 of the Foreign Relations Authorization*
 5 *Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C.*
 6 *6206 note) is amended—*

7 *(1) in the section heading, by striking “PILOT”;*

8 *(2) in subsection (a)—*

9 *(A) by striking “pilot”;*

10 *(B) by striking “, without regard to Civil*
 11 *Service and classification laws,”; and*

12 *(C) by adding at the end the following: “A*
 13 *personal services contractor hired pursuant to*
 14 *this section shall not be considered a Federal em-*
 15 *ployee (as defined under section 2105 of title 5,*
 16 *United States Code) for any purpose.”;*

17 *(3) in subsection (b), by adding at the end the*
 18 *following:*

19 *“(5) The annual salary rate for personal services*
 20 *contractors may not exceed the rate for level IV of the*
 21 *Executive Schedule under section 5315 of title 5,*
 22 *United States Code.”; and*

23 *(4) in subsection (c)—*

24 *(A) by striking “the pilot program author-*
 25 *ized by this section” and inserting “the pro-*
 26 *gram”;* and

1 (B) by striking “December 31, 2009” and
 2 inserting “December 31, 2011”.

3 **SEC. 126. UNITED STATES ADVISORY COMMISSION ON PUB-**
 4 **LIC DIPLOMACY.**

5 (a) *REAUTHORIZATION*.—Section 1334 of the Foreign
 6 Affairs Reform and Restructuring Act of 1998 (22 U.S.C.
 7 6553) is amended by striking October 1, 2010 and inserting
 8 “October 1, 2011”.

9 (b) *STUDY AND REPORT*.—Section 604(c)(2) of the
 10 United States Information and Educational Exchange Act
 11 of 1948 (22 U.S.C. 1469(c)(2)) is amended to read as fol-
 12 lows:

13 “(2)(A) Not less frequently than once every 2 years,
 14 the Commission shall—

15 “(i) conduct an in-depth study of United States
 16 public diplomacy programs, policies, and activities;

17 “(ii) assess the effectiveness of the various mecha-
 18 nisms of public diplomacy conducted by the United
 19 States Government in light of public and media atti-
 20 tudes around the world toward the United States, its
 21 people, and United States foreign policy; and

22 “(iii) develop appropriate recommendations.

23 “(B) The Commission is authorized to use amounts in
 24 its allotted budget to award grants to assist in carrying
 25 out its duties under this paragraph.

1 “(C) *The Commission shall submit a comprehensive re-*
 2 *port of each study required under subparagraph (A) to the*
 3 *Secretary, the Committee on Foreign Relations of the Sen-*
 4 *ate, and the Committee on Foreign Affairs of the House of*
 5 *Representatives.*

6 “(D) *Upon the request of the Commission, the Sec-*
 7 *retary, the Chair of the Broadcasting Board of Governors,*
 8 *and the head of any other Federal agency that conducts*
 9 *public diplomacy or strategic communications activities*
 10 *shall provide information to the Commission, as appro-*
 11 *priate, to assist the Commission in carrying out its duties*
 12 *under this paragraph.”.*

13 (c) *ENHANCING THE EXPERTISE OF THE UNITED*
 14 *STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—*

15 (1) *QUALIFICATION OF MEMBERS.—Section*
 16 *604(a)(2) of the United States Information and Edu-*
 17 *cational Exchange Act of 1948 (22 U.S.C. 1469(a)(2))*
 18 *is amended—*

19 (A) *by redesignating paragraphs (3), (4),*
 20 *and (5) as paragraphs (4), (5), and (6), respec-*
 21 *tively; and*

22 (B) *in paragraph (2), by striking “The*
 23 *members” and inserting the following:*

24 “(3) *The members”; and*

(C) in paragraph (3), as designated by subparagraph (B), by adding at the end the following: “At least 4 members shall have substantial experience in the conduct or evaluation of public diplomacy or comparable activities in the private or public sector. No member may be an officer or employee of the United States.”.

(2) *APPLICABILITY.*—The amendment made by paragraph (1)(C) shall not apply to individuals who are current or former members of the United States Advisory Commission on Public Diplomacy as of the date of the enactment of this Act.

SEC. 127. DISSEMINATION OF PUBLIC DIPLOMACY INFORMATION WITHIN THE UNITED STATES.

Section 501(b) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) is amended—

(1) in paragraph (1), by striking “Director of the United States Information Agency” and inserting “Secretary of State”;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following:

1 “(2) *The Broadcasting Board of Governors may make*
 2 *available to the Archivist of the United States, for domestic*
 3 *distribution, motion pictures, films, videotape, and other*
 4 *material prepared by the Broadcasting Board of Governors*
 5 *for dissemination abroad 2 years after the initial dissemi-*
 6 *nation of the material abroad, or in the case of such mate-*
 7 *rial not disseminated abroad, 2 years after the preparation*
 8 *of the material.*”; and

9 (4) *by amending paragraph (3), as redesignated,*
 10 *to read as follows:*

11 “(3) *The Secretary of State and the Broadcasting*
 12 *Board of Governors shall be reimbursed for any attendant*
 13 *expenses. Any reimbursement to the Secretary or the Broad-*
 14 *casting Board of Governors under this paragraph shall be*
 15 *credited to the applicable appropriation of the Department*
 16 *of State or the Broadcasting Board of Governors.*”.

17 **SEC. 128. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

18 (a) *IN GENERAL.*—*Under the authority, direction, and*
 19 *control of the President, the Secretary of State, in accord-*
 20 *ance with the Mutual Educational and Cultural Exchange*
 21 *Act of 1961 (22 U.S.C. 2451 et seq.), may increase the num-*
 22 *ber of educational and cultural exchange activities involv-*
 23 *ing persons from scientific, medicine, research, and aca-*
 24 *demic sectors by—*

1 (1) *establishing new programs under such Act;*
2 *and*

3 (2) *expanding the coverage of existing programs*
4 *under such Act.*

5 (b) *SCIENCE ENVOY PROGRAM.*—Section 504 of the
6 *Foreign Relations Authorization Act, Fiscal Year 1979 (22*
7 *U.S.C. 2656d), is amended by adding at the end the fol-*
8 *lowing:*

9 “(e)(1) *The Secretary may award grants and enter*
10 *into cooperative agreements related to science and tech-*
11 *nology fellowship programs of the Department of State, in-*
12 *cluding for assistance in recruiting fellows and the payment*
13 *of stipends, travel, and other appropriate expenses to fel-*
14 *lows.*

15 “(2) *Grants awarded under this subsection may be—*

16 “(A) *part of the United States Science Envoy*
17 *program; and*

18 “(B) *used to select our Nation’s preeminent sci-*
19 *entists, Nobel laureates, and leaders in technology who*
20 *will travel overseas to represent the commitment of*
21 *the United States to collaborate with other countries*
22 *to promote the advancement of science and technology*
23 *throughout the world based on issues of common in-*
24 *terest and expertise.*

1 “(3) *Stipends awarded under this subsection shall not*
 2 *be considered compensation for purposes of section 209 of*
 3 *title 18, United States Code.*

4 “(4) *The total amount of grants awarded under this*
 5 *subsection shall not exceed \$2,000,000 in any fiscal year.*”.

6 **SEC. 129. GRANTS FOR INTERNATIONAL DOCUMENTARY EX-**
 7 **CHANGE PROGRAMS.**

8 (a) *ASSISTANCE.*—*The Secretary of State may award*
 9 *grants, on such terms and conditions as the Secretary may*
 10 *determine, to United States film makers and nongovern-*
 11 *mental organizations that use independently produced doc-*
 12 *umentary films to promote better understanding of the*
 13 *United States among individuals in other countries.*

14 (b) *USE OF GRANT FUNDS.*—*Grants awarded under*
 15 *subsection (a) shall, to the maximum extent practicable, be*
 16 *used—*

17 (1) *to fund, distribute, and promote documen-*
 18 *tary films that convey a diversity of views about life*
 19 *in the United States to foreign audiences;*

20 (2) *to support the production of documentaries*
 21 *described in paragraph (1) that are made by inde-*
 22 *pendent foreign and domestic producers, selected*
 23 *through a peer review process; and*

1 (3) *to develop a network of overseas partners to*
 2 *produce, distribute, and broadcast such documentaries*
 3 *according to the allowable rights of each program.*

4 (c) *PREFERENCE FACTORS.—In awarding grants*
 5 *under this section, the Secretary shall give preference to*
 6 *nongovernmental organizations that—*

7 (1) *are as cost effective as possible; and*

8 (2) *have experience supporting independently*
 9 *produced documentary films.*

10 (d) *REPORT.—Not later than 2 years after the date*
 11 *of the enactment of this Act, the Secretary shall submit a*
 12 *report to Congress that describes in detail the implementa-*
 13 *tion of this section.*

14 (e) *AUTHORIZATION OF APPROPRIATIONS.—Of the*
 15 *amounts authorized to be appropriated for Educational and*
 16 *Cultural Exchange Programs under section 101(6), there is*
 17 *authorized to be appropriated to the Secretary of State such*
 18 *sums as may be necessary for each of fiscal years 2010 and*
 19 *2011 to carry out this section.*

20 **SEC. 130. TRANSFER OF THE VIETNAM EDUCATION FOUN-**
 21 **DATION TO THE DEPARTMENT OF STATE.**

22 (a) *PURPOSES.—Section 202 of the Vietnam Edu-*
 23 *cation Foundation Act of 2000 (title II of division B of*
 24 *Public Law 106–554) is amended by adding at the end the*
 25 *following:*

1 “(3) *To support the development of 1 or more*
 2 *academic institutions in Vietnam by financing the*
 3 *participation of United States institutions of higher*
 4 *education in the governance, management, and aca-*
 5 *ademic activities of such academic institutions in Viet-*
 6 *nam.*”.

7 (b) *ESTABLISHMENT.*—Section 204 of the Vietnam
 8 *Education Foundation Act of 2000 is amended to read as*
 9 *follows:*

10 **“SEC. 204. ESTABLISHMENT.**

11 *“There is established, within the Bureau of Edu-*
 12 *cational and Cultural Affairs of the Department of State,*
 13 *the Vietnam Education Foundation (referred to in this title*
 14 *as the ‘Foundation’).*”.

15 (c) *REPLACEMENT OF BOARD OF DIRECTORS WITH*
 16 *ADVISORY COMMITTEE.*—Section 205 of the Vietnam Edu-
 17 *cation Foundation Act of 2000 is amended to read as fol-*
 18 *lows:*

19 **“SEC. 205. VIETNAM EDUCATION FOUNDATION ADVISORY**
 20 **COMMITTEE.**

21 “(a) *ESTABLISHMENT.*—

22 “(1) *IN GENERAL.*—There shall be established a
 23 *Vietnam Education Foundation Advisory Committee*
 24 *(referred to in this section as the ‘Advisory Com-*
 25 *mittee’), which shall provide advice to the Secretary*

1 *and the Assistant Secretary for Educational and Cul-*
 2 *tural Affairs regarding the Foundation's activities.*

3 “(2) *MEMBERSHIP.—The Advisory Committee*
 4 *shall be composed of 7 members, of whom—*

5 “(A) *3 shall be appointed by the Secretary;*

6 “(B) *1 shall be appointed by the majority*
 7 *leader of the Senate;*

8 “(C) *1 shall be appointed by the minority*
 9 *leader of the Senate;*

10 “(D) *1 shall be appointed by the Speaker of*
 11 *the House of Representatives; and*

12 “(E) *1 shall be appointed by the minority*
 13 *leader of the House of Representatives.*

14 “(3) *APPOINTMENT OF INCUMBENT MEMBERS OF*
 15 *BOARD OF DIRECTORS.—Members appointed to the*
 16 *Advisory Committee may include individuals who*
 17 *were members of the Board of Directors of the Foun-*
 18 *dation on the date immediately preceding the date of*
 19 *the enactment of the Foreign Relations Authorization*
 20 *Act, Fiscal Years 2010 and 2011.*

21 “(b) *SUPERVISION.—The Foundation shall be subject*
 22 *to the supervision and direction of the Secretary, working*
 23 *through the Assistant Secretary for Educational and Cul-*
 24 *tural Affairs, and in consultation with the Advisory Com-*
 25 *mittee.”.*

1 (d) *FELLOWSHIP PROGRAM*.—Section 206(a)(1)(A) of
 2 the Vietnam Education Foundation Act of 2000 is amended
 3 by striking “technology, and computer sciences” and insert-
 4 ing “academic computer science, public policy, and aca-
 5 demic and public management”.

6 (e) *APPOINTMENT OF EXECUTIVE DIRECTOR*.—Section
 7 208(a) of the Vietnam Education Foundation Act of 2000
 8 is amended—

9 (1) in the first sentence, by striking “shall be ap-
 10 pointed” and inserting “may be appointed”;

11 (2) in the second sentence, by inserting “, serve
 12 the Advisory Committee,” after “Executive Officer of
 13 the Foundation”; and

14 (3) by striking the last sentence.

15 (f) *CONFORMING AMENDMENTS*.—The Vietnam Edu-
 16 cation Foundation Act of 2000 is amended—

17 (1) in section 203—

18 (A) by striking paragraph (1);

19 (B) by redesignating paragraphs (2) and
 20 (3) as paragraphs (1) and (2), respectively; and

21 (C) by inserting after paragraph (2), as re-
 22 designated, the following:

23 “(3) *SECRETARY*.—The term ‘Secretary’ means
 24 the Secretary of State.”;

25 (2) in section 208—

1 (A) in subsection (a)—

2 (i) in the subsection heading, by strik-
3 ing “BOARD” and inserting “SECRETARY”;
4 and

5 (ii) by striking “Board” each place it
6 appears and inserting “Secretary”; and

7 (B) in subsection (d), by striking “Board”
8 and inserting “Secretary”; and

9 (3) in section 209(b), by striking “Board” and
10 inserting “Secretary”.

11 (g) *MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE*
12 *ACT OF 1961*.—Section 112(a) of the *Mutual Educational*
13 *and Cultural Exchange Act of 1961* (22 U.S.C. 2460(a))
14 is amended—

15 (1) in paragraph (8), by striking “and” at the
16 end;

17 (2) in paragraph (9), by striking the period at
18 the end and inserting “; and”; and

19 (3) by adding at the end the following:

20 “(10) programs administered by the Vietnam
21 Education Foundation.”.

22 (h) *TRANSFER OF FUNCTIONS*.—

23 (1) *IN GENERAL*.—All functions and assets of the
24 Vietnam Education Foundation, as of the day before
25 the date of the enactment of this Act, are transferred

1 *to the Bureau of Educational and Cultural Affairs of*
 2 *the Department of State.*

3 (2) *PERSONNEL.—The Assistant Secretary for*
 4 *Educational and Cultural Affairs may hire—*

5 (A) *personnel who were employed by the*
 6 *Vietnam Education Foundation on the day be-*
 7 *fore the date of the enactment of this Act; and*

8 (B) *such other personnel as may be nec-*
 9 *essary to support the Foundation, in accordance*
 10 *with part III of title 5, United States Code.*

11 (i) *SUPPORT FOR INSTITUTIONAL DEVELOPMENT IN*
 12 *VIETNAM.—*

13 (1) *GRANTS AUTHORIZED.—The Secretary of*
 14 *State, acting through the Assistant Secretary for Edu-*
 15 *cational and Cultural Affairs, may award 1 or more*
 16 *grants to institutions of higher education (as defined*
 17 *in section 101(a) of the Higher Education Act of 1965*
 18 *(20 U.S.C. 1001(a))).*

19 (2) *USE OF FUNDS.—Grant funds awarded*
 20 *under paragraph (1) shall be used to implement grad-*
 21 *uate-level academic and public policy management*
 22 *leadership programs in Vietnam that—*

23 (A) *support the equitable and sustainable*
 24 *socioeconomic development of Vietnam;*

1 (B) *feature teaching and research compo-*
 2 *nents;*

3 (C) *promote the development of institutional*
 4 *capacity in Vietnam;*

5 (D) *operate according to core principles of*
 6 *good governance; and*

7 (E) *enjoy autonomy from the Government*
 8 *of Vietnam.*

9 (3) *APPLICATION.—*

10 (A) *IN GENERAL.—Each institution of high-*
 11 *er education desiring a grant under this section*
 12 *shall submit an application to the Secretary of*
 13 *State at such time, in such manner, and accom-*
 14 *panied by such information as the Secretary*
 15 *may reasonably require.*

16 (B) *COMPETITIVE BASIS.—Each grant au-*
 17 *thorized under paragraph (1) shall be awarded*
 18 *under the Mutual Educational and Cultural Ex-*
 19 *change Act of 1961 (22 U.S.C. 2451 et seq.), and*
 20 *established Federal assistance award procedures*
 21 *of the Bureau of Educational and Cultural Af-*
 22 *airs of the Department of State.*

23 (4) *SOURCE OF GRANT FUNDS.—The Secretary of*
 24 *State may use amounts made available to the Viet-*
 25 *nam Education Foundation under section 207(c) of*

1 *the Vietnam Education Foundation Act of 2000 (22*
 2 *U.S.C. 2452 note) for grants authorized under this*
 3 *section.*

4 *(j) EFFECTIVE DATE.—This section, and the amend-*
 5 *ments made by this section, shall take effect on the date*
 6 *that is 90 days after the date of the enactment of this Act.*

7 **SEC. 131. BROADCASTING BOARD OF GOVERNORS.**

8 *(a) ELIMINATION OF EDITORIALS AS BROADCASTING*
 9 *PRINCIPLE OF UNITED STATES GOVERNMENT.—Section*
 10 *303(b)(3) of the United States International Broadcasting*
 11 *Act of 1994 (22 U.S.C. 6202(b)(3)) is amended by striking*
 12 *“, including editorials,”.*

13 *(b) EXTENSION OF IMMUNITY FROM CIVIL LIABILITY*
 14 *TO MEMBERS OF BROADCASTING BOARD OF GOVERNORS*
 15 *ACTING IN CAPACITY AS BOARD MEMBERS OF MIDDLE*
 16 *EAST BROADCASTING NETWORKS, INC.—Section 304(g) of*
 17 *the United States International Broadcasting Act of 1994*
 18 *(22 U.S.C. 6203(g)) is amended by striking “RFE/RL In-*
 19 *corporated and” and inserting “RFE/RL Incorporated,*
 20 *Middle East Broadcasting Networks, Inc., and”.*

21 **SEC. 132. STATEMENT OF POLICY REGARDING CITIZEN DI-**
 22 **PLOMACY.**

23 *It shall be the policy of the United States —*

24 *(1) to recognize the valuable work done by citizen*
 25 *diplomacy organizations and individual citizen dip-*

1 *lomat volunteers, who address critical human needs,*
2 *build bridges across cultures, and promote mutual un-*
3 *derstanding between Americans and the rest of the*
4 *world;*

5 *(2) to encourage more Americans to engage with*
6 *citizens from other countries through a variety of op-*
7 *portunities, including studying abroad, hosting for-*
8 *eign students, and participating in international vol-*
9 *unteer programs;*

10 *(3) to collaborate with nongovernmental organi-*
11 *zations, academic institutions, businesses, and faith-*
12 *based organizations to find ways to further empower*
13 *and enable United States citizens to engage in inter-*
14 *national volunteer and study opportunities;*

15 *(4) to encourage citizen diplomacy programs at*
16 *the Department of State and in the private sector as*
17 *part of the public diplomacy and development mis-*
18 *sions of the United States Government; and*

19 *(5) to continue to support, expand, and improve*
20 *existing United States Government programs that fos-*
21 *ter citizen diplomacy and international volunteerism*
22 *in development work, including the Fulbright Pro-*
23 *gram, Volunteers for Prosperity, and the Peace Corps.*

1 **SEC. 133. PERFORMANCE-BASED MEASUREMENT REPORT-**
 2 **ING REQUIREMENTS FOR INTERNATIONAL**
 3 **EXCHANGE PROGRAMS.**

4 *Section 112 of the Mutual Educational and Cultural*
 5 *Exchange Act of 1961 (22 U.S.C. 2460) is amended by add-*
 6 *ing at the end the following:*

7 *“(h) REPORT ON SECONDARY SCHOOL ACADEMIC*
 8 *YEAR EXCHANGE PROGRAMS.—Not later than 90 days after*
 9 *the date of the enactment of the Foreign Relations Author-*
 10 *ization Act, Fiscal Years 2010 and 2011, and annually*
 11 *thereafter, the President shall submit a report to the Speak-*
 12 *er of the House of Representatives and the Chairman of the*
 13 *Committee on Foreign Relations of the Senate that describes*
 14 *the performance of the secondary school programs for inter-*
 15 *national students of the Bureau, including—*

16 *“(1) information for each exchange program sup-*
 17 *ported by the United States on the objectives of such*
 18 *exchange;*

19 *“(2) the number of exchange participants sup-*
 20 *ported;*

21 *“(3) the types of exchange activities conducted;*

22 *“(4) the total amount of Federal expenditures for*
 23 *such exchanges;*

24 *“(5) the extent to which such exchanges are du-*
 25 *plicative;*

1 “(6) the number of sponsor organizations that
2 are designated by the Department of State to run
3 international secondary school exchange programs;

4 “(7) the types and number of incidents reported
5 to the Bureau’s Office of Private Sector Exchange in-
6 volving an international student;

7 “(8) the average number of incidents per spon-
8 soring organization that the Office of Private Sector
9 Exchange has been made aware of, including serious
10 problems or controversies such as the death of a stu-
11 dent, an accident, an arrest, or reports of sexual
12 abuse;

13 “(9) the average number of complaints reported
14 to the Office of Private Sector Exchange by a student,
15 host family, natural parent, or an interested citizen
16 regarding the performance by a sponsor of its respon-
17 sibilities in the conduct of its designated exchange vis-
18 itor program as set forth in the Exchange Visitor Pro-
19 gram Regulations;

20 “(10) the number of visa designation compliance
21 auditing site visits made by United States Govern-
22 ment officials to sponsoring organizations running or
23 participating in international exchange programs, ex-
24 cluding routine contacts between staff and officials of

1 *the Bureau and sponsoring organizations as part of*
 2 *program management activities;*

3 *“(11) an analysis of the satisfaction of inter-*
 4 *national secondary school academic year participants*
 5 *with their program experience;*

6 *“(12) the average cost per international sec-*
 7 *ondary school academic year participant;*

8 *“(13) the numbers of hours program staff mem-*
 9 *bers and volunteers of the exchange program des-*
 10 *ignated organizations are trained in secondary school*
 11 *academic year youth exchange oversight and moni-*
 12 *toring and J–visa compliance, and by what type of*
 13 *resource; and*

14 *“(14) an analysis of best practices in the areas*
 15 *of recruitment and selection of host parents, program*
 16 *management of sponsor organizations, and other re-*
 17 *lated issues used to run these international exchange*
 18 *programs.”.*

19 **SEC. 134. SENSE OF CONGRESS ON INTERNATIONAL**
 20 **BROADCASTING IN IRAN.**

21 *It is the sense of Congress that the Broadcasting Board*
 22 *of Governors should expand international broadcasting in*
 23 *Iran, including through increased Farsi language news pro-*
 24 *gramming, counter-jamming and Internet censorship cir-*
 25 *cumvention measures, and other means which provide for*

1 *the dissemination of accurate and independent information*
 2 *to the people of Iran through radio, television, Internet, mo-*
 3 *bile devices, and other forms of connective technology.*

4 ***Subtitle C—Consular Services and***
 5 ***Related Matters***

6 ***SEC. 141. REFORMING REFUGEE PROCESSING.***

7 *(a) ADJUSTMENTS OF STATUS OF REFUGEES.—Sec-*
 8 *tion 209(a)(1) of the Immigration and Nationality Act (8*
 9 *U.S.C. 1159) is amended, in the matter following subpara-*
 10 *graph (C)—*

11 *(1) by striking “or be returned to the custody of”*
 12 *and inserting “to”; and*

13 *(2) by striking “for inspection and examination”*
 14 *and inserting “to be inspected and examined”.*

15 *(b) EFFECTIVE DATE.—The amendments made by sub-*
 16 *section (a) shall take effect on the date of the enactment*
 17 *of this Act.*

18 ***SEC. 142. DEFINITION OF “USE” IN PASSPORT AND VISA OF-***
 19 ***FENSES.***

20 *Chapter 75 of title 18, United States Code, is amend-*
 21 *ed—*

22 *(1) in the table of sections, by inserting before*
 23 *the item relating to section 1541 the following:*

“1540. Meaning of ‘use’ and ‘uses’.”;

24 *and*

25 *(2) by inserting before section 1541 the following:*

1 **“§ 1540. Meaning of ‘use’ and ‘uses’**

2 *“For purposes of this chapter, the terms ‘use’ and ‘uses’*
 3 *shall be given their plain meaning, including use for identi-*
 4 *fication purposes.”.*

5 **SEC. 143. VISA INELIGIBILITY FOR INTERNATIONAL CHILD**
 6 **ABDUCTION.**

7 *Section 212(a)(10)(C)(iii) of the Immigration and Na-*
 8 *tionality Act (8 U.S.C. 1182(a)(10)(C)(iii)) is amended—*
 9 *(1) in subclause (I), by adding “or” at the end;*
 10 *(2) in subclause (II), by striking “; or” at the*
 11 *end and inserting a period; and*
 12 *(3) by striking subclause (III).*

13 **SEC. 144. VACCINATION WAIVER FOR ADOPTED CHILDREN.**

14 *Section 212(a)(1)(C)(ii) of the Immigration and Na-*
 15 *tionality Act (8 U.S.C. 1182(a)(1)(C)(ii)) is amended by*
 16 *striking “section 101(b)(1)(F),” and inserting “subpara-*
 17 *graph (F) or (G) of section 101(b)(1);”.*

18 **SEC. 145. SIGNED PHOTOGRAPH REQUIREMENT FOR VISA**
 19 **APPLICATIONS.**

20 *Section 221(b) of the Immigration and Nationality*
 21 *Act (8 U.S.C. 1201(b)) is amended by striking “signed by*
 22 *him”.*

23 **SEC. 146. ELECTRONIC TRANSMISSION OF DOMESTIC VIO-**
 24 **LENCE INFORMATION TO VISA APPLICANTS.**

25 *Section 833(a)(5)(A) of the Violence Against Women*
 26 *and Department of Justice Reauthorization Act of 2005 (8*

1 *U.S.C. 1375a(a)(5)(A)) is amended by adding at the end*
 2 *the following:*

3 “(iv) Subject to such regulations as the
 4 Secretary of State may prescribe, mailings
 5 required under this subsection may be
 6 transmitted by electronic means if an appli-
 7 cant consents to electronic service.”.

8 **SEC. 147. SIBLING ADOPTIONS.**

9 Section 101(b)(1)(G) of the Immigration and Nation-
 10 ality Act (8 U.S.C. 1101(b)(1)(G)) is amended—

11 (1) by redesignating clause (ii) as subclause
 12 (VI);

13 (2) by striking “25 years of age” and all that
 14 follows through “if—” and inserting “25 years of age,
 15 if—”;

16 (3) by striking “a child under the age of sixteen”
 17 and inserting the following “a child who—

18 “(i) is younger than 16 years of age”;

19 (4) in subclause (VI), as redesignated, by strik-
 20 ing the period at the end and inserting “; or”; and

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

22 “(ii) subject to the same conditions as
 23 in clause (i), except with respect to the age
 24 of the child—

1 “(I) is a natural sibling of a child
2 described in clause (i), subparagraph
3 (E)(i), or subparagraph (F)(i);

4 “(II) has been adopted abroad, or
5 is coming to the United States for
6 adoption, by the adoptive parent (or
7 prospective adoptive parent) or parents
8 of the sibling described in clause (i),
9 subparagraph (E)(i), or subparagraph
10 (F)(i); and

11 “(III) is younger than 18 years of
12 at the time a petition is filed in his or
13 her behalf to accord a classification as
14 an immediate relative under section
15 201(b).”.

16 **SEC. 148. TECHNICAL AMENDMENTS RELATING TO THE IN-**
17 **TELLIGENCE REFORM AND TERRORISM PRE-**
18 **VENTION ACT OF 2004.**

19 *Title VII of the Intelligence Reform and Terrorism*
20 *Prevention Act of 2004 (Public Law 108–458) is amend-*
21 *ed—*

22 (1) in section 7201(c)(1), by inserting “and the
23 Department of State” after “used by the Department
24 of Homeland Security”; and

1 (2) *in section 7209(d) (8 U.S.C. 1185 note), by*
 2 *striking “the Secretary, in conjunction with the Sec-*
 3 *retary of Homeland Security” and inserting “the Sec-*
 4 *retary of Homeland Security, in consultation with*
 5 *the Secretary of State”.*

6 **SEC. 149. VIDEOCONFERENCE INTERVIEWS.**

7 (a) *PILOT PROGRAM.*—*The Secretary of State may de-*
 8 *velop and conduct a 2-year pilot program for the processing*
 9 *of tourist visas using secure remote videoconferencing tech-*
 10 *nology as a method for conducting visa interviews of appli-*
 11 *cants. In developing the pilot program, the Secretary of*
 12 *State shall work with other Federal agencies that use such*
 13 *secure communications to help ensure security of the*
 14 *videoconferencing transmission and encryption.*

15 (b) *REPORT.*—

16 (1) *IN GENERAL.*—*Not later than 1 year after*
 17 *initiating the pilot program under subsection (a) and*
 18 *not later than 3 months after the end of the 2-year*
 19 *period referred to in subsection (a), the Secretary of*
 20 *State shall submit a report on such pilot program to*
 21 *the appropriate congressional committees.*

22 (2) *CONTENTS.*—*Each report submitted under*
 23 *this subsection shall—*

24 (A) *assess the efficacy and security of using*
 25 *secure remote videoconferencing technology as a*

method for conducting visa interviews of applicants, including any effect such method may have on an interviewer's ability to determine an applicant's credibility and uncover fraud; and

(B) include recommendations on whether or not the pilot program should be continued, broadened, or modified.

TITLE II—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Modernizing the Department of State

SEC. 201. CREATION OF A MODERN AND EXPEDITIONARY FOREIGN SERVICE.

(a) TARGETED EXPANSION OF FOREIGN SERVICE.—

The Secretary of State shall expand the Foreign Service to—

(1) fill vacancies, particularly overseas vacancies that are critical to key United States foreign policy and national security interests, to prevent crises from emerging;

(2) increase the capacity of the Department of State to assign and deploy Foreign Service officers and other personnel to prevent, mitigate, and respond to international crises and instability in foreign

1 *countries that threaten key United States foreign pol-*
 2 *icy and national security interests; and*

3 *(3) ensure that members of the Foreign Service,*
 4 *before beginning assignments that require additional*
 5 *or improved skills—*

6 *(A) receive language, security, area, and*
 7 *other training that is necessary to successfully*
 8 *execute their responsibilities in their new assign-*
 9 *ments; and*

10 *(B) have the opportunity to obtain ad-*
 11 *vanced and other education that will increase the*
 12 *capacity of the Foreign Service to complete its*
 13 *mission.*

14 *(b) AUTHORIZED PERSONNEL INCREASES.—*

15 *(1) DEPARTMENT OF STATE.—The Secretary of*
 16 *State is authorized to increase the number of members*
 17 *of the Foreign Service—*

18 *(A) by 750 above attrition during fiscal*
 19 *year 2010; and*

20 *(B) by an additional 750 above attrition*
 21 *during fiscal year 2011.*

22 *(2) USAID.—In addition to the personnel in-*
 23 *creases authorized under paragraph (1), the Adminis-*
 24 *trator of the United States Agency for International*
 25 *Development (USAID) is authorized to increase the*

1 *number of members of the Foreign Service employed*
2 *by USAID—*

3 *(A) by 350 above attrition during fiscal*
4 *year 2010; and*

5 *(B) by an additional 350 above attrition*
6 *during fiscal year 2011.*

7 *(3) RULE OF CONSTRUCTION.—Nothing in this*
8 *subsection may be construed to limit the authority of*
9 *the Secretary of State or the Administrator of the*
10 *United States Agency for International Development*
11 *to hire personnel.*

12 *(c) TRAINING.—Section 708 of the Foreign Service Act*
13 *of 1980 (22 U.S.C. 4028) is amended by adding at the end*
14 *the following:*

15 *“(d) The Secretary of State shall ensure that members*
16 *of the Service, before receiving assignments that require new*
17 *and improved skills—*

18 *“(1) receive language, security, area, civilian-*
19 *military roles, and other training that is necessary to*
20 *successfully execute their responsibilities in their new*
21 *assignments; and*

22 *“(2) have opportunities during their careers to*
23 *obtain advanced education and training in academic*
24 *and other relevant institutions in the United States*

1 *and in other countries to increase the capacity of the*
 2 *Service to fulfill its mission.”.*

3 **SEC. 202. CONFLICT PREVENTION, MITIGATION, AND RESO-**
 4 **LUTION TRAINING.**

5 *(a) IN GENERAL.—Section 708 of the Foreign Service*
 6 *Act of 1980, as amended by section 301(d), is further*
 7 *amended by adding at the end the following:*

8 *“(e) The Secretary of State shall ensure that relevant*
 9 *officers of the Foreign Service deploying to areas under-*
 10 *going significant conflict or considered to be at risk of sig-*
 11 *nificant conflict receive appropriate advanced training in*
 12 *conflict prevention, mitigation, and resolution, including*
 13 *an understanding of—*

14 *“(1) peace processes, negotiations, and decision-*
 15 *making;*

16 *“(2) patterns of escalation;*

17 *“(3) country and region-specific issues, including*
 18 *resource allocation, as contributing factors to peace or*
 19 *conflict;*

20 *“(4) related civilian-military coordination and*
 21 *planning; and*

22 *“(5) how to function successfully when—*

23 *“(A) public order has been undermined by*
 24 *instability; or*

1 “(B) there is no civil authority that can ef-
2 fectively provide public safety.”.

3 (b) *REPORT*.—Not later than 1 year after the date of
4 the enactment of this Act, the Secretary shall submit a re-
5 port to the appropriate congressional committees that de-
6 scribes the efforts made by the Department of State to fur-
7 ther expand and facilitate conflict prevention, mitigation,
8 and resolution training.

9 **SEC. 203. MASS ATROCITIES.**

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

12 (1) the maintenance of global peace and secu-
13 rity—

14 (A) is in the interest of the United States;
15 and

16 (B) is threatened by acts of genocide and
17 other mass atrocities against civilians;

18 (2) several studies, including “Preventing Geno-
19 cide: A Blueprint for U.S. Policymakers”, published
20 in December 2008 by the Genocide Prevention Task
21 Force, which was co-chaired by former Secretary of
22 State Madeleine Albright and former Secretary of De-
23 fense William Cohen, offer recommendations to im-
24 prove United States capabilities to predict, detect, re-
25 spond to, and prevent mass atrocities; and

1 (3) *the enhanced capacity to prevent and address*
 2 *such mass atrocities is in the humanitarian and stra-*
 3 *tegic interests of the United States.*

4 (b) *EARLY WARNING ASSESSMENT.*—*Not later than 1*
 5 *year after the date of the enactment of this Act, the Sec-*
 6 *retary of State shall submit, to the appropriate congres-*
 7 *sional committees, an assessment of—*

8 (1) *current methods to monitor indicators of po-*
 9 *tential mass atrocities; and*

10 (2) *capabilities to provide early warnings to rel-*
 11 *evant agencies and appropriate congressional commit-*
 12 *tees to reduce the risk of mass atrocities against civil-*
 13 *ians.*

14 **SEC. 204. CRISIS RESPONSE.**

15 *Section 1603(5) of the Reconstruction and Stabiliza-*
 16 *tion Civilian Management Act of 2008 (title XVI of Public*
 17 *Law 110–417; 22 U.S.C. 2734a note) is amended to read*
 18 *as follows:*

19 “(5) **PERSONNEL.**—*The term ‘personnel’*
 20 *means—*

21 “(A) *individuals serving in any service de-*
 22 *scribed in section 2101 of title 5, United States*
 23 *Code, other than in the legislative or judicial*
 24 *branch;*

“(B) individuals employed by personal services contract, including individuals employed pursuant to—

“(i) section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)); or

“(ii) section 636(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(a)(3));

“(C) individuals appointed under section 303 of the Foreign Service Act of 1980 (22 U.S.C. 3943); and

“(D) Locally employed staff who are employed by participating agencies.”.

Subtitle B—Foreign Services Overseas Pay Equity

SEC. 211. SHORT TITLE.

This subtitle may be cited as the “Foreign Service Overseas Pay Equity Act of 2009”.

SEC. 212. OVERSEAS COMPARABILITY PAY ADJUSTMENT.

(a) OVERSEAS COMPARABILITY PAY ADJUSTMENT.—

(1) IN GENERAL.—Chapter 4 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3961 et seq.) is amended by adding at the end the following:

1 **“SEC. 415. OVERSEAS COMPARABILITY PAY ADJUSTMENT.**

2 “(a) *IN GENERAL.*—A member of the Service who is
 3 designated class 1 or below for purposes of section 403 and
 4 whose official duty station is neither in the continental
 5 United States nor in a nonforeign area shall receive, in ac-
 6 cordance with the phase-in schedule set forth in subsection
 7 (c), a locality-based comparability payment (stated as a
 8 percentage) equal to the locality-based comparability pay-
 9 ment (stated as a percentage) that would be provided under
 10 section 5304 of title 5, United States Code, if such member’s
 11 official duty station were in the District of Columbia.

12 “(b) *TREATMENT AS BASIC PAY.*—The amount of any
 13 locality-based comparability payment, which is payable to
 14 a member of the Service under this section—

15 “(1) shall be considered a part of the basic pay
 16 of such member for the purposes described in—

17 “(A) section 5304(c)(2)(A) of title 5, United
 18 States Code; and

19 “(B) chapter 8 of this Act; and

20 “(2) shall be subject to any limitations on pay
 21 applicable to locality-based comparability payments
 22 under section 5304 of title 5, United States Code.

23 “(c) *PHASE-IN.*—The locality-based comparability
 24 payment payable to a member of the Service under this sec-
 25 tion—

1 “(1) during the period beginning on the first day
 2 of the first full pay period that is 90 days after the
 3 date of the enactment of this subsection, and ending
 4 on the last day of the last pay period in fiscal year
 5 2009, shall be up to 33.33 percent of the payment
 6 which would otherwise apply under subsection (a);

7 “(2) during the period beginning on the first day
 8 of the first pay period in fiscal year 2010 and ending
 9 on the last day of the last pay period in fiscal year
 10 2010, shall be up to 66.67 percent of the payment
 11 which would otherwise apply under subsection (a);
 12 and

13 “(3) beginning on the first day of the first pay
 14 period in fiscal year 2011, shall be equal to the pay-
 15 ment determined under subsection (a).

16 “(d) *NONFOREIGN AREA DEFINED.*—In this section,
 17 the term ‘nonforeign area’ means 1 of the areas listed in
 18 section 591.205 of title 5, Code of Federal Regulations.”.

19 (2) *CONFORMING AMENDMENT.*—The table of
 20 contents under section 2 of the Foreign Service Act of
 21 1980 (22 U.S.C. 3901 et seq.) is amended by inserting
 22 after the item relating to section 414 the following:

 “Sec. 415. Overseas comparability pay adjustment.”.

23 (b) *CONFORMING AMENDMENTS RELATING TO THE*
 24 *FOREIGN SERVICE RETIREMENT SYSTEMS.*—

25 (1) *CONTRIBUTIONS TO THE FUND.*—

1 (A) *IN GENERAL.*—Section 805(a) of the
 2 *Foreign Service Act of 1980 (22 U.S.C. 4045(a))*
 3 *is amended—*

4 (i) *in paragraph (1)—*

5 (I) *by striking “7.25 percent” and*
 6 *inserting “7 percent”; and*

7 (II) *by striking “The contribution*
 8 *by the employing agency” and all that*
 9 *follows through “and shall be made”*
 10 *and inserting “An equal amount shall*
 11 *be contributed by the employing agen-*
 12 *cy”;*

13 (ii) *in paragraph (2)—*

14 (I) *in subparagraph (A), by strik-*
 15 *ing “, plus an amount equal to .25*
 16 *percent of basic pay”; and*

17 (II) *in subparagraph (B), by*
 18 *striking “, plus an amount equal to .25*
 19 *percent of basic pay”; and*

20 (iii) *in paragraph (3), by striking “,*
 21 *plus .25 percent”.*

22 (B) *EFFECTIVE DATE.*—*The amendments*
 23 *made by subparagraph (A) shall take effect on*
 24 *the first day of the first pay period beginning on*

1 *or after October 1, 2011 (or during any portion*
 2 *of such pay period).*

3 (2) *COMPUTATION OF ANNUITIES.—Section*
 4 *806(a)(9) of the Foreign Service Act of 1980 (22*
 5 *U.S.C. 4046(a)(9)) is amended by striking “is outside*
 6 *the continental United States shall” and inserting*
 7 *“was outside the continental United States during the*
 8 *period beginning on December 29, 2002, and ending*
 9 *on the day before the first day of the first pay period*
 10 *beginning on or after October 1, 2010, shall, to the ex-*
 11 *tent that such computation is based on the basic sal-*
 12 *ary or basic pay of such member while the member*
 13 *was outside the United States,”.*

14 (3) *ENTITLEMENT TO ANNUITY.—Section*
 15 *855(a)(3) of the Foreign Service Act of 1980 (22*
 16 *U.S.C. 4071d(a)(3)) is amended—*

17 (A) *by striking “section 8414” and insert-*
 18 *ing “section 8415”; and*

19 (B) *by striking “is outside the continental*
 20 *United States shall” and inserting “was outside*
 21 *the continental United States during the period*
 22 *beginning on December 29, 2002, and ending on*
 23 *the day before the first day of the first pay pe-*
 24 *riod beginning on or after October 1, 2011 (or*
 25 *during any portion of such pay period), shall, to*

1 *the extent that such computation is based on the*
 2 *basic salary or basic pay of such member while*
 3 *the member was outside the United States,”.*

4 (4) *DEDUCTIONS AND WITHHOLDINGS FROM*
 5 *PAY.—Section 856(a)(2) of such Act (22 U.S.C.*
 6 *4071e(a)(2)) is amended to read as follows:*

7 “(2) *The applicable percentage specified in this para-*
 8 *graph shall be as follows:*

| <i>“Percentage</i> | <i>Time Period</i> |
|--------------------|---|
| 7.5 | <i>Before January 1, 1999.</i> |
| 7.75 | <i>January 1, 1999, to December 31, 1999.</i> |
| 7.9 | <i>January 1, 2000, to December 31, 2000.</i> |
| 7.55 | <i>January 11, 2003, to the day before the first day of the first pay period beginning on or after October 1, 2011.</i> |
| 7.5 | <i>Beginning on the first day of the first pay period beginning on or after October 1, 2011.”.</i> |

9 (c) *REPORTING REQUIREMENT.—Not later than Octo-*
 10 *ber 1, 2011, the Secretary of State shall submit a report*
 11 *to the Committee on Foreign Relations of the Senate, the*
 12 *Committee on Homeland Security and Governmental Af-*
 13 *fairs of the Senate, the Committee on Foreign Affairs of*
 14 *the House of Representatives, and Committee on Oversight*
 15 *and Government Reform of the House of Representatives*
 16 *that includes—*

17 (1) *an assessment of all allowances provided to*
 18 *members of the Foreign Service under—*

1 (A) the Foreign Service Act of 1980; or

2 (B) title 5, United States Code; and

3 (2) an explanation of how such allowances have
4 been, or will be, affected by the amendments to the
5 Foreign Service Act of 1980 made under this Act.

6 ***Subtitle C—Other Organization***
7 ***and Personnel Matters***

8 ***SEC. 221. DEATH GRATUITY.***

9 Section 413(a) of the Foreign Service Act of 1980 (22
10 U.S.C. 3973(a)) is amended by striking “at the time of
11 death.” and inserting “at level II of the Executive Schedule
12 under section 5313 of title 5, United States Code, at the
13 time of death except that for employees compensated under
14 a local compensation plan established under section 408,
15 the amount of such gratuity shall be equal to the greater
16 of 1 year’s salary at the time of death or 1 year’s basic
17 salary at the highest step of the highest grade on the local
18 compensation plan from which the employee was being paid
19 at the time of death.”.

20 ***SEC. 222. EXPANSION AND EXTENSION OF ANNUITANT***
21 ***WAIVER FOR RESPONSE READINESS CORPS.***

22 (a) AMENDMENTS TO STATE DEPARTMENT BASIC AU-
23 THORITIES ACT OF 1956.—Section 61(a) of the State De-
24 partment Basic Authorities Act of 1956 (22 U.S.C. 2733(a))
25 is amended—

1 (1) in paragraph (1), by striking “or to posts
2 *vacated*” and inserting “, to positions in the Response
3 *Readiness Corps, or to posts vacated*”; and

4 (2) in paragraph (2), by striking “2010” and in-
5 serting “2012”.

6 (b) *AMENDMENTS TO FOREIGN ASSISTANCE ACT OF*
7 1961.—Section 625(j)(1) of the Foreign Assistance Act of
8 1961 (22 U.S.C. 2385(j)(1)) is amended—

9 (1) in subparagraph (A), by striking “or to posts
10 *vacated*” and inserting “, to positions in the Response
11 *Readiness Corps, or to posts vacated*”; and

12 (2) in subparagraph (B), by striking “2010” and
13 inserting “2012”.

14 **SEC. 223. REEMPLOYMENT OF ANNUITANTS.**

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

17 (1) in paragraph (1)(B), by striking “to facili-
18 tate the assignment of persons to Iraq and Afghani-
19 stan or to posts vacated by members of the Service as-
20 signed to Iraq and Afghanistan”;

21 (2) by striking paragraph (2); and

22 (3) by redesignating paragraph (3) as para-
23 graph (2).

1 **SEC. 224. LOCALLY EMPLOYED STAFF.**

2 (a) *FINDINGS.*—Based on information obtained from
3 the April 2009 report from the Office of the Inspector Gen-
4 eral of the Department of State and the Broadcasting Board
5 of Governors, entitled “Review of Locally Employed Staff
6 Compensation Issues” (Report Number ISP–I–09–44), Con-
7 gress makes the following findings:

8 (1) *United States embassies and consulates*
9 *worldwide retain over 51,000 locally employed staff*
10 *under local compensation plans in about 170 overseas*
11 *missions. A report by the Office of the Inspector Gen-*
12 *eral of the Department of State and the Broadcasting*
13 *Board of Governors, entitled “Review of Locally Em-*
14 *ployed Staff Compensation Issues” (Report Number*
15 *ISP–I–09–44), stated: “The U.S. is falling behind in*
16 *providing a competitive compensation package for lo-*
17 *cally employed staff that is commensurate with their*
18 *experience, technical skills, and responsibilities.”.*

19 (2) *The ability of United States overseas mis-*
20 *sions to retain locally employed staff and to recruit*
21 *new, qualified staff is vital to the success of those mis-*
22 *sions.*

23 (3) *To addresses differences in the skill levels re-*
24 *quired for different categories of locally employed staff*
25 *positions, the Inspector General’s report recommended*

1 that “separate data and separate scales should be es-
2 tablished for certain types of employees”.

3 (4) *The current locally employed staff compensa-*
4 *tion review process requires improvement, including*
5 *increasing transparency and interagency involve-*
6 *ment, reducing disparities between the salary and*
7 *budget cycles, and improving the use of outmoded and*
8 *cumbersome communication technology.*

9 (b) *REVIEW.—*

10 (1) *IN GENERAL.—Not later than 180 days after*
11 *date of the enactment of this Act, and not less than*
12 *every 5 years thereafter, the Secretary of State shall—*

13 (A) *review salary and compensation guide-*
14 *lines for overseas, locally employed staff of the*
15 *Department of State;*

16 (B) *review—*

17 (i) *whether the United States is falling*
18 *behind in providing a competitive com-*
19 *penetration package for locally employed staff*
20 *that is commensurate with their experience,*
21 *technical skills, and responsibilities; and*

22 (ii) *the implications for providing av-*
23 *erage salary increases that are approxi-*
24 *mately 60 percent of prevailing practice;*

1 (C) provide recommendations on how to re-
2 cruit new, qualified staff; and

3 (D) provide recommendations for separate
4 data and a separate pay scale for highly skilled
5 and trained professional positions.

6 (2) *COMPENSATION DATABASE.*—Not later than
7 180 days after the date of the enactment of this Act,
8 the Secretary of State shall establish a comprehensive
9 database for salary and compensation information for
10 such staff, as recommended by the Office of Inspector
11 General in a April 2009 report entitled “Review of
12 Locally Employed Staff Compensation Issues” (Re-
13 port Number ISP–I–09–44).

14 (3) *PAY SCALES FOR LOCALLY EMPLOYED PRO-*
15 *FESSIONALS.*—The review under paragraph (1)(A)
16 shall include a summary of efforts to address pay
17 scales for locally employed staff to ensure adequate
18 compensation for professional level positions, such as
19 medical officers, laboratory management, public
20 health information technology positions, and other
21 highly skilled positions.

22 (c) *GUIDELINES.*—Not later than 90 days after enact-
23 ment of this Act, the Secretary of State shall consult with
24 appropriate congressional committees on proposed guide-
25 lines for awards, pay scales, and compensation of overseas,

1 *locally employed staff of the Department of State, including*
 2 *for loss of life while on duty.*

3 (d) *LOCALLY EMPLOYED STAFF DEFINED.*—*In this*
 4 *section, the term “locally employed staff” means employees*
 5 *compensated under local compensation plans established*
 6 *under section 408 of the Foreign Service Act of 1980 (22*
 7 *U.S.C. 3968).*

8 **SEC. 225. REPEAL OF RECERTIFICATION REQUIREMENT**
 9 **FOR SENIOR FOREIGN SERVICE.**

10 *Section 305 of the Foreign Service Act of 1980 (22*
 11 *U.S.C. 3945) is amended by striking subsection (d).*

12 **SEC. 226. FOREIGN RELATIONS EXCHANGE PROGRAMS.**

13 *Title I of the State Department Basic Authorities Act*
 14 *of 1956 (22 U.S.C. 2651a et seq.) is amended by adding*
 15 *at the end the following:*

16 **“SEC. 63. FOREIGN RELATIONS EXCHANGE PROGRAMS.**

17 *“(a) IN GENERAL.—The Secretary may establish ex-*
 18 *change programs under which officers or employees of the*
 19 *Department of State, including individuals appointed*
 20 *under title 5, United States Code, and members of the For-*
 21 *eign Service may be assigned, for a period not to exceed*
 22 *1 year, to a position with any foreign government or inter-*
 23 *national entity that permits an employee to be assigned to*
 24 *a position with the Department of State.*

25 *“(b) SALARY AND BENEFITS.—*

1 “(1) *FOREIGN SERVICE MEMBERS.*—During a
2 period in which a member of the Foreign Service is
3 participating in an exchange program authorized
4 under subsection (a), such member shall be entitled to
5 the salary and benefits to which such member would
6 be entitled if such member were assigned to an agen-
7 cy, international organization, or other body under
8 section 503 of the Foreign Service Act of 1980 (22
9 U.S.C. 3983).

10 “(2) *DETAILEES.*—An employee of the Depart-
11 ment of State (other than a member of the Foreign
12 Service participating in an exchange program au-
13 thorized under subsection (a)) shall be treated in all
14 respects as if detailed to an international organiza-
15 tion under section 3343(b) of title 5, United States
16 Code. The salary of such employee shall be the higher
17 of the salary that the employee would receive but for
18 the assignment under this section or the salary of the
19 position to which the employee is assigned.

20 “(3) *PAYMENT.*—The salary and benefits of an
21 employee of a foreign government or international en-
22 tity participating in a program established under
23 this section shall be paid by such government or enti-
24 ty during the period in which such employee is par-

1 *ticipating in the program, and shall not be reim-*
 2 *bursed by the Department of State.*

3 “(c) *NONRECIPROCAL ASSIGNMENTS.—The Secretary*
 4 *may authorize a nonreciprocal assignment of personnel*
 5 *pursuant to this section, with or without reimbursement*
 6 *from the foreign government or international entity for all*
 7 *or part of the salary and other expenses payable during*
 8 *the assignment, if such assignment is in the interests of the*
 9 *United States.*

10 “(d) *RULE OF CONSTRUCTION.—Nothing in this sec-*
 11 *tion may be construed to authorize the appointment as an*
 12 *officer or employee of the United States of—*

13 “(1) *an individual whose allegiance is to any*
 14 *country, government, or foreign or international enti-*
 15 *ty other than to the United States; or*

16 “(2) *an individual who has not met the require-*
 17 *ments of sections 3331, 3332, 3333, and 7311 of title*
 18 *5, United States Code, and any other provision of law*
 19 *concerning eligibility for appointment, and continu-*
 20 *ation of employment, as an officer or employee of the*
 21 *United States.”.*

22 **SEC. 227. ENHANCED PERSONNEL AUTHORITIES FOR THE**
 23 **INSPECTOR GENERAL OF THE DEPARTMENT**
 24 **OF STATE.**

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

1 (1) *ANNUITANT.*—*The term “annuitant” means*
 2 *an individual who, based on the service of such indi-*
 3 *vidual, is entitled to benefits under a retirement sys-*
 4 *tem for Government employees.*

5 (2) *GOVERNMENT EMPLOYEE.*—*The term “Gov-*
 6 *ernment employee” has the meaning given the term*
 7 *“employee” in section 2105(a) of title 5, United*
 8 *States Code.*

9 (3) *INSPECTOR GENERAL.*—*The term “Inspector*
 10 *General” means the Inspector General of the Depart-*
 11 *ment of State.*

12 (4) *OFFICE.*—*The term “Office” means the Office*
 13 *of Inspector General of the Department of State.*

14 (b) *PROVISIONS RELATING TO REEMPLOYED ANNU-*
 15 *ITANTS.*—

16 (1) *WAIVER AUTHORITY.*—*Subject to the condi-*
 17 *tions set forth in paragraph (3), the Inspector Gen-*
 18 *eral may waive the application of any provision of*
 19 *law set forth in paragraph (2) on behalf of any reem-*
 20 *ployed annuitant serving in a position within the Of-*
 21 *fice.*

22 (2) *PROVISIONS.*—*The provisions of law set forth*
 23 *in this paragraph are—*

24 (A) *subsections (a) through (d) of section*
 25 *8344 of title 5, United States Code;*

1 (B) subsections (a) through (e) of section
2 8468 of title 5, United States Code;

3 (C) subsections (a) through (d) of section
4 824 of the Foreign Service Act of 1980 (22
5 U.S.C. 4064); and

6 (D) any other similar provision of law, as
7 identified by the Inspector General in regula-
8 tions.

9 (3) *CONDITIONS.*—Waiver authority under this
10 subsection may be exercised only—

11 (A) on a case-by-case basis; and

12 (B) if, and for so long as, such waiver—

13 (i) is necessary due to—

14 (I) difficulty in the recruitment or
15 retention of a qualified employee for
16 the position involved; or

17 (II) a temporary emergency hir-
18 ing need; and

19 (ii) does not cause the number of em-
20 ployees within the Office who are exempted
21 from 1 or more of the provisions of law set
22 forth in paragraph (2) (whether pursuant
23 to a waiver under this subsection or other-
24 wise) to exceed, as of any given date, 25

1 percent of the total workforce of the Office,
 2 determined on a full-time equivalent basis.

3 (4) *OTHER AUTHORITIES NOT AFFECTED.*—The
 4 authority under this subsection is in addition to any
 5 other authority available to the Inspector General to
 6 engage individuals as reemployed annuitants.

7 (5) *RULE OF CONSTRUCTION.*—Nothing in this
 8 subsection may be construed to permit or require that
 9 any reemployed annuitant benefitting from a waiver
 10 of a provision of law set forth in paragraph (2) be
 11 treated as a Government employee for purposes of the
 12 retirement system to which such provision relates.

13 (c) *PROVISIONS RELATING TO CONTRACTS FOR PER-*
 14 SONAL SERVICES.—

15 (1) *IN GENERAL.*—The Inspector General may
 16 contract with United States citizens for personal serv-
 17 ices to facilitate and support the Office’s oversight of
 18 programs and operations. Such citizens shall not, by
 19 virtue of any such contract, be considered to be Gov-
 20 ernment employees for purposes of any law adminis-
 21 tered, in whole or in part, by the Office of Personnel
 22 Management.

23 (2) *RELATION TO OTHER LAWS.*—Except as pro-
 24 vided in paragraph (2), this subsection shall not af-
 25 fect any determination as to whether an individual

1 *performing services pursuant to any contract under*
 2 *this subsection is a Government employee for purposes*
 3 *of any law of the United States. The Secretary of*
 4 *State may determine the applicability, with respect to*
 5 *any such individual, of any law administered, in*
 6 *whole or in part, by the Secretary.*

7 (3) *CONDITIONS.—The Inspector General may*
 8 *not enter into a personal services contract under this*
 9 *subsection unless—*

10 (A) *in the judgment of the Inspector Gen-*
 11 *eral, personnel resources of the Office would oth-*
 12 *erwise be insufficient;*

13 (B) *the contract is for a term of 2 years or*
 14 *less, unless the Inspector General determines that*
 15 *exceptional circumstances justify an extension of*
 16 *not longer than 1 additional year; and*

17 (C) *not more than 15 percent of the work-*
 18 *force of the Office, as of any given date, consists*
 19 *of individuals serving under personal services*
 20 *contracts (whether entered into under this sub-*
 21 *section or otherwise), determined on a full-time*
 22 *equivalent basis.*

23 (4) *OTHER AUTHORITIES NOT AFFECTED.—The*
 24 *authority under this subsection is in addition to any*

1 *other authority available to the Inspector General to*
2 *engage individuals under a personal services contract.*

3 *(d) REPORT.—In the Office of the Inspector General’s*
4 *semiannual report to Congress, the Inspector General shall*
5 *include information on the usage and rationale related to*
6 *annuitants hired under this section.*

7 **SEC. 228. PERSONAL SERVICES CONTRACTORS.**

8 *(a) IN GENERAL.—In addition to other authorities*
9 *that may be available, the Secretary of State may establish*
10 *a pilot program (referred to in this section as the “Pro-*
11 *gram”) to respond to new or emerging needs or to augment*
12 *existing services by contracting with United States nation-*
13 *als and aliens lawfully admitted for permanent residence*
14 *to provide personal services in the United States or in the*
15 *United States and outside the United States.*

16 *(b) CONDITIONS.—The Program authorized under sub-*
17 *section (a) may be established if—*

18 *(1) the Secretary determines that existing per-*
19 *sonnel resources are insufficient;*

20 *(2) the length of each contract, including options,*
21 *is not greater than 2 years, unless the Secretary de-*
22 *termines that exceptional circumstances justify an ex-*
23 *tension of up to 1 additional year;*

1 (3) *not more than 200 people are employed at*
 2 *any time as personal services contractors under this*
 3 *section; and*

4 (4) *the Program is only used to obtain special-*
 5 *ized skills or experience or to respond to urgent needs.*

6 (c) *STATUS OF PERSONAL SERVICE CONTRACTORS.—*

7 (1) *OFFICE OF PERSONNEL MANAGEMENT.—An*
 8 *individual entering into a personal services contract*
 9 *under the Program shall not, by virtue of such hiring,*
 10 *be considered to be an employee of the United States*
 11 *Government for purposes of any law administered by*
 12 *the Office of Personnel Management. The Secretary*
 13 *may determine the applicability to such individuals*
 14 *of section 2(f) of the State Department Basic Authori-*
 15 *ties Act (22 U.S.C. 2669(f)) and of any other law ad-*
 16 *ministered by the Secretary concerning the employ-*
 17 *ment of such individuals.*

18 (2) *FEDERAL EMPLOYMENT STATUS.—Except as*
 19 *provided in paragraph (1), this section shall not af-*
 20 *fect the determination as to whether an individual en-*
 21 *tering into a personal services contract under the Pro-*
 22 *gram is an employee of the United States Government*
 23 *for purposes of any Federal law.*

24 (d) *TERMINATION OF AUTHORITY.—*

1 (1) *IN GENERAL.*—*The authority to award per-*
 2 *sonal services contracts under the Program shall ter-*
 3 *minate on September 30, 2014.*

4 (2) *EFFECT ON EXISTING CONTRACTS.*—*Any con-*
 5 *tract entered into before the termination date set forth*
 6 *in paragraph (1) may remain in effect until the expi-*
 7 *ration date set forth in such contract.*

8 **SEC. 229. AMENDMENT TO THE FOREIGN SERVICE ACT OF**
 9 **1980.**

10 *Section 209 of the Foreign Service Act of 1980 (22*
 11 *U.S.C. 3929) is amended—*

12 (1) *in subsection (c), by striking paragraph (5);*
 13 *and*

14 (2) *in subsection (d)(2)—*

15 (A) *in subparagraph (D), by adding “and”*
 16 *at the end;*

17 (B) *in subparagraph (E), by striking “;*
 18 *and” and inserting a period; and*

19 (C) *by striking subparagraph (F).*

20 **SEC. 230. OFFICE FOR GLOBAL WOMEN’S ISSUES.**

21 (a) *ESTABLISHMENT.*—

22 (1) *IN GENERAL.*—*There is established, in the*
 23 *Office of the Secretary of State, the Office for Global*
 24 *Women’s Issues (referred to in this section as the “Of-*
 25 *fice”).*

1 (2) *STAFF.*—*The Secretary of State may assign*
 2 *appropriate staff with relevant technical and oper-*
 3 *ational expertise to the Office to carry out the pur-*
 4 *poses of this section.*

5 (b) *AMBASSADOR-AT-LARGE FOR GLOBAL WOMEN’S*
 6 *ISSUES.*—*The Office shall be headed by an Ambassador-at-*
 7 *Large for Global Women’s Issues (referred to in this section*
 8 *as the “Ambassador”), who—*

9 (1) *shall be appointed by the President, by and*
 10 *with the advice and consent of the Senate;*

11 (2) *shall report directly to the Secretary of State;*
 12 *and*

13 (3) *shall have the rank and status of Amba-*
 14 *sador-at-Large.*

15 (c) *DUTIES.*—

16 (1) *IN GENERAL.*—*The Ambassador is authorized*
 17 *to—*

18 (A) *coordinate and advise on activities,*
 19 *policies, programs, and funding of relevant bu-*
 20 *reaus and offices of the Department of State,*
 21 *which relate to—*

22 (i) *gender integration;*

23 (ii) *women’s and girls’ economic, so-*
 24 *cial, and legal development, protection, and*

1 *improvement in role and status in societies;*
2 *and*

3 (iii) *prevention and response to vio-*
4 *lence against women and girls, including*
5 *child marriage and forced marriage;*

6 (B) *promote and advance the full integra-*
7 *tion of gender analysis into the programs, struc-*
8 *tures, processes, and capacities of the Depart-*
9 *ment of State and other Federal Government*
10 *agencies conducting international programs;*

11 (C) *work with relevant offices of the Depart-*
12 *ment of State to promote the collection, reten-*
13 *tion, and analysis of data on programs and ac-*
14 *tivities of the Department—*

15 (i) *to integrate gender into its policies*
16 *and programs;*

17 (ii) *regarding the protection and eco-*
18 *nomi c, social, and legal development of*
19 *women and girls;*

20 (iii) *to improve the role and status of*
21 *women and girls in societies; and*

22 (iv) *to prevent and respond to violence*
23 *against women and girls, including child*
24 *marriage and forced marriage; and*

1 (D) design, support, and implement rel-
2 evant activities and programs regarding inter-
3 national girls' and women's issues, in coordina-
4 tion with relevant bureaus and offices of the De-
5 partment of State;

6 (2) COORDINATING ROLE.—The Ambassador is
7 authorized to—

8 (A) advise and coordinate with relevant Ex-
9 ecutive Branch agencies engaged in international
10 women's policies and programs, including the
11 Department of Justice, the Department of Labor,
12 the Department of Education, the Department of
13 Health and Human Services, the Department of
14 Agriculture, the Department of Defense, the De-
15 partment of Commerce, the United States Agency
16 for International Development, and the Millen-
17 nium Challenge Corporation, on policies, pro-
18 grams, and funding of such agencies relating to
19 women's issues in their international programs
20 and policies; and

21 (B) work with the relevant Executive
22 Branch agencies described in subparagraph (A)
23 to compile and make public comprehensive infor-
24 mation about international programs of the
25 United States Government relating to—

- 1 (i) *the economic, social, and legal de-*
- 2 *velopment of women and girls;*
- 3 (ii) *the protection of women and girls;*
- 4 (iii) *the improvement of the role and*
- 5 *status of women and girls in societies;*
- 6 (iv) *the prevention of, and response to,*
- 7 *violence against women and girls, including*
- 8 *child marriage and forced marriage; and*
- 9 (v) *the outcomes and effectiveness of*
- 10 *such programs.*

11 (3) *DIPLOMATIC REPRESENTATION.*—*Subject to*
 12 *the direction of the President and the Secretary of*
 13 *State, the Ambassador is authorized to represent the*
 14 *United States in matters relevant to the status of*
 15 *women internationally.*

16 (d) *INTERAGENCY COOPERATION.*—

17 (1) *AUTHORIZATION.*—*The Ambassador is au-*
 18 *thorized—*

19 (A) *to provide advice and guidance, as ap-*
 20 *propriate, to the Federal Government agencies*
 21 *described in subsection (c)(2)(A); and*

22 (B) *on behalf of the Secretary of State, to*
 23 *convene periodic meetings with other Federal*
 24 *Government agencies to enhance and ensure ef-*
 25 *fective coordination of policies, programs, and*

1 resources regarding critical issues related to
2 international women's status and development.

3 (2) *SENSE OF THE SENATE.*—*It is the sense of*
4 *the Senate that the heads of the relevant Federal Gov-*
5 *ernment agencies described in subsection (c)(2)(A)*
6 *should ensure effective implementation and coordina-*
7 *tion of all international women's policies and pro-*
8 *grams by sharing information with the Office on pro-*
9 *grams described in subsection (c)(2)(B) on an annual*
10 *basis.*

11 (e) *CONGRESSIONAL BRIEFINGS.*—*Not later than 6*
12 *months after the date of the enactment of this Act, and an-*
13 *nually thereafter, the Ambassador shall brief Congress on*
14 *the integration of gender considerations into its strategies,*
15 *programming, and associated outcomes, and interagency*
16 *cooperation.*

17 (f) *RELATIONSHIP TO OTHER LAWS REGARDING*
18 *ABORTION.*—*Nothing in this Act shall be construed as af-*
19 *fecting in any way existing statutory prohibitions related*
20 *to abortion or existing statutory prohibitions on the use of*
21 *funds to lobby for or against abortion.*

22 (g) *STATEMENT OF POLICY.*—*The United States Gov-*
23 *ernment remains committed to programs that seek to elimi-*
24 *nate sex-selective abortion, coercive abortion, and involun-*
25 *tary sterilization.*

1 (h) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 2 *authorized to be appropriated such sums as may be nec-*
 3 *essary for each of the fiscal years 2011 through 2015 to*
 4 *carry out the activities authorized under this section.*

5 **SEC. 231. HOME LEAVE.**

6 (a) *HOME LEAVE TRAVEL FOR FAMILY MEMBERS.*—
 7 *Section 901(2) of the Foreign Service Act of 1980 (22*
 8 *U.S.C. 4081(2)) is amended to read as follows:*

9 “(2) *authorized or required home leave, includ-*
 10 *ing optional home leave travel, in an amount that*
 11 *does not exceed the cost, per person, of the member of*
 12 *the Service, by—*

13 “(A) *family members residing at the em-*
 14 *ployee’s post of assignment; and*

15 “(B) *family members residing at other au-*
 16 *thorized locations because they are prevented by*
 17 *official order from residing at post;”.*

18 (b) *HOME LEAVE TECHNICAL AMENDMENT.*—*Section*
 19 *903(a) of the Foreign Service Act of 1980 (22 U.S.C.*
 20 *4083(a)) is amended by striking “18 months of continuous*
 21 *service abroad” and inserting “12 months of continuous*
 22 *service abroad (or after a shorter period of such service if*
 23 *the member’s assignment is terminated for the convenience*
 24 *of the Service)”.*

1 **SEC. 232. TRAINING SUPPORT SERVICES.**

2 *Section 704(a)(4)(B) of the Foreign Service Act of*
 3 *1980 (22 U.S.C. 4024(a)(4)(B)) is amended—*

4 *(a) by inserting “education and training specialists,*
 5 *including” after “to serve as”; and*

6 *(b) by striking “other academic and training special-*
 7 *ists” and inserting “other specialists who perform work di-*
 8 *rectly relating to the design, delivery, oversight, or coordi-*
 9 *nation of training delivered by the institution”.*

10 **SEC. 233. EMPLOYMENT OF MINORITIES AND WOMEN.**

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

13 *(1) the United States Government should support*
 14 *programs that promote the participation of minori-*
 15 *ties and women in the Foreign Service;*

16 *(2) members of the Foreign Service should reflect*
 17 *the diversity of American society and the wide-rang-*
 18 *ing talents and background of its people;*

19 *(3) the participation of minorities and women*
 20 *in the Foreign Service would help promote and ad-*
 21 *vance the goals of United States foreign policy.*

22 *(b) REPORT CONCERNING THE EMPLOYMENT OF MI-*
 23 *NORITIES AND WOMEN.—*

24 *(1) IN GENERAL.—Not later than April 1, 2011,*
 25 *and April 1, 2012, the Secretary shall submit a com-*
 26 *prehensive report to Congress, with respect to the pre-*

1 *ceding calendar year, concerning the employment of*
 2 *members of minority groups and women at the De-*
 3 *partment of State, including the Civil Service and the*
 4 *Foreign Service.*

5 (2) *CONTENTS.*—*The report submitted under*
 6 *paragraph (1) shall be organized in terms of real*
 7 *numbers and percentages, instead of ratios, and shall*
 8 *report—*

9 (A) *for the last preceding Foreign Service*
 10 *examination and promotion cycles for which*
 11 *such information is available, the numbers and*
 12 *percentages of—*

13 (i) *members of all minority groups and*
 14 *women taking the written Foreign Service*
 15 *examination;*

16 (ii) *members of all minority groups*
 17 *and women successfully completing and*
 18 *passing the written Foreign Service exam-*
 19 *ination;*

20 (iii) *members of all minority groups*
 21 *and women successfully completing and*
 22 *passing the oral Foreign Service examina-*
 23 *tion;*

1 (iv) members of all minority groups
2 and women entering the junior officer class
3 of the Foreign Service;

4 (v) members of all minority groups
5 and women who are Foreign Service officers
6 at each grade; and

7 (vi) members of all minority groups
8 and women promoted to each grade of the
9 Foreign Service; and

10 (B) for the last preceding year for Civil
11 Service employment at the Department of State
12 for which such information is available, the
13 numbers and percentages of—

14 (i) members of all minority groups and
15 women entering the Civil Service;

16 (ii) members of all minority groups
17 and women who are Civil Service employees
18 at each grade of the Civil Service; and

19 (iii) members of all minority groups
20 and women promoted at each grade of the
21 Civil Service.

22 (c) RECRUITMENT OF MINORITY GROUPS AND
23 WOMEN.—

24 (1) AUTHORIZATION OF APPROPRIATIONS.—

25 There are authorized to be appropriated such sums as

1 *may be necessary for the fiscal years 2010 and 2011,*
 2 *for the recruitment of members of minority groups*
 3 *and women for careers in the Foreign Service and*
 4 *international affairs.*

5 (2) *CONDUCT OF RECRUITMENT ACTIVITIES.—*

6 (A) *IN GENERAL.—**Amounts appropriated*
 7 *pursuant to paragraph (1) may only be used for*
 8 *activities directly related to the recruitment of*
 9 *minorities and women, such as—*

10 (i) *creating recruitment materials de-*
 11 *signed to target members of minority groups*
 12 *and women; and*

13 (ii) *travel expenses of recruitment trips*
 14 *to colleges, universities, and other institu-*
 15 *tions or locations.*

16 (B) *LIMITATION.—**Amounts appropriated*
 17 *pursuant to paragraph (1) may not be used to*
 18 *pay the salaries of Department of State employ-*
 19 *ees.*

20 ***TITLE III—INTERNATIONAL***
 21 ***ORGANIZATIONS***

22 ***SEC. 301. PROMOTING ASSIGNMENTS TO INTERNATIONAL***
 23 ***ORGANIZATIONS.***

24 (a) *SENSE OF CONGRESS.—**It is the sense of Congress*
 25 *that the Secretary should—*

1 (1) *ensure that the Department of State is able*
 2 *to appropriately staff United States missions both*
 3 *within the United States and abroad that are dedi-*
 4 *cated to representing the United States to inter-*
 5 *national organizations and multilateral institutions,*
 6 *including missions in New York, Brussels, Geneva,*
 7 *Rome, Montreal, Nairobi, Vienna, and Paris;*

8 (2) *develop persons with specialized skills nec-*
 9 *essary to become experts in multilateral diplomacy*
 10 *given the large number of positions in the United*
 11 *States and abroad that are dedicated to this specialty;*
 12 *and*

13 (3) *consider as a factor for promotions whether*
 14 *a member of the Foreign Service has served in a posi-*
 15 *tion whose primary responsibility is to formulate pol-*
 16 *icy toward, or represent the United States at, an*
 17 *international organization, a multilateral institution,*
 18 *or a broad-based multilateral negotiation of an inter-*
 19 *national instrument.*

20 **SEC. 302. SYNCHRONIZATION OF UNITED STATES CON-**
 21 **TRIBUTIONS TO INTERNATIONAL ORGANIZA-**
 22 **TIONS.**

23 *In accordance with section 404 of the Foreign Rela-*
 24 *tions Authorization Act of 2003 (Public Law 107–228; 116*
 25 *Stat. 1389), there are authorized to be appropriated such*

1 *sums as may be necessary for the synchronization of United*
 2 *States contributions to international organizations.*

3 **SEC. 303. PEACEKEEPING CONTRIBUTIONS.**

4 *Section 404(b)(2)(B) of the Foreign Relations Author-*
 5 *ization Act, Fiscal Years 1994 and 1995 (Public Law 103–*
 6 *236; 22 U.S.C. 287e note) is amended by adding at the end*
 7 *the following:*

8 *“(vi) For assessments made during cal-*
 9 *endar year 2010 and thereafter, 27.5 per-*
 10 *cent.”.*

11 **SEC. 304. BUYING POWER MAINTENANCE, INTERNATIONAL**
 12 **ORGANIZATIONS.**

13 *Title I of the State Department Basic Authorities Act*
 14 *of 1956 (22 U.S.C. 2651a et seq.), as amended by section*
 15 *328, is further amended by adding at the end the following:*

16 **“SEC. 64. BUYING POWER MAINTENANCE, INTERNATIONAL**
 17 **ORGANIZATIONS.**

18 *“(a) ESTABLISHMENT OF ACCOUNT.—There is estab-*
 19 *lished in the Treasury of the United States the ‘Buying*
 20 *Power Maintenance, International Organizations account’*
 21 *(referred to in this section as the ‘account’) to offset fluctua-*
 22 *tions in foreign currency exchange rates that adversely af-*
 23 *fect United States contributions to international organiza-*
 24 *tions.*

1 “(b) *AUTHORITY TO TRANSFER AMOUNTS TO AC-*
 2 *COUNT.—The Secretary of State may transfer to, and merge*
 3 *with, the account such amounts appropriated or otherwise*
 4 *made available for the Contributions to International Orga-*
 5 *nizations account as the Secretary determines are beyond*
 6 *the needs of activities funded from that account because of*
 7 *fluctuations in foreign currency exchange rates.*

8 “(c) *AUTHORITY TO TRANSFER AMOUNTS FROM AC-*
 9 *COUNT.—In order to offset adverse fluctuations in foreign*
 10 *currency exchange rates, the Secretary of State may trans-*
 11 *fer to, and merge with, the Contributions to International*
 12 *Organizations account such amounts from the account as*
 13 *the Secretary determines are necessary to provide for the*
 14 *activities funded under that account.*

15 “(d) *TRANSFER OF UNOBLIGATED AMOUNTS.—*

16 “(1) *IN GENERAL.—Subject to the limitations*
 17 *under this subsection, not later than the last day of*
 18 *the fifth fiscal year after the fiscal year for which*
 19 *amounts are appropriated or otherwise made avail-*
 20 *able for the Contributions to International Organiza-*
 21 *tions account, the Secretary of State may transfer*
 22 *any unobligated balance of such amounts to the ac-*
 23 *count.*

1 “(2) *LIMITATION.*—*The balance of the account*
 2 *may not exceed \$100,000,000 as a result of any*
 3 *amounts transferred under this subsection.*

4 “(3) *REPROGRAMMING.*—*Any transfer under this*
 5 *subsection—*

6 “(A) *shall be treated as a reprogramming of*
 7 *funds under section 34; and*

8 “(B) *shall only be available for obligation*
 9 *or expenditure in accordance with the procedures*
 10 *established under such section.*

11 “(4) *SCOPE.*—*The authority under this section*
 12 *may only be exercised with respect to amounts appro-*
 13 *priated or otherwise made available after September*
 14 *30, 2009.*

15 “(e) *AVAILABILITY OF AMOUNTS.*—*Amounts trans-*
 16 *ferred to the account under this section shall remain avail-*
 17 *able until expended.*

18 “(f) *OTHER AUTHORITIES NOT AFFECTED.*—*The au-*
 19 *thority to transfer amounts under this section is in addition*
 20 *to transfer authority otherwise available to the Secretary*
 21 *of State under any other provision of law.”.*

22 **SEC. 305. UNITED STATES PARTICIPATION IN THE INTER-**
 23 **PARLIAMENTARY UNION.**

24 (a) *IN GENERAL.*—*Notwithstanding section 2503 of*
 25 *the Foreign Affairs Reform and Restructuring Act of 1998*

1 *(division G of Public Law 105–277; 22 U.S.C. 276 note),*
 2 *the Secretary of State is authorized—*

3 *(1) to facilitate the readmission and participa-*
 4 *tion of the United States in the Inter-Parliamentary*
 5 *Union; and*

6 *(2) to pay expenses to meet the annual obliga-*
 7 *tions of membership in the Inter-Parliamentary*
 8 *Union, in accordance with the assessments determined*
 9 *by the Governing Council.*

10 *(b) REPRESENTATION.—Notwithstanding section 2503*
 11 *of the Foreign Affairs Reform and Restructuring Act of*
 12 *1998 (division G of Public Law 105–277; 22 U.S.C. 276*
 13 *note), the majority leader of the Senate, in consultation*
 14 *with the minority leader of the Senate, and the Speaker*
 15 *of the House of Representatives, in consultation with the*
 16 *minority leader of the House of Representatives, are author-*
 17 *ized to designate Members of Congress to serve as delegates*
 18 *to the Assembly of the Inter-Parliamentary Union.*

19 **SEC. 306. PROVISION OF LIVING QUARTERS AND ALLOW-**
 20 **ANCES TO THE UNITED STATES REPRESENTA-**
 21 **TIVES TO THE UNITED NATIONS.**

22 *Section 9 of the United Nations Participation Act of*
 23 *1945 (22 U.S.C. 287e–1) is amended to read as follows:*

24 *“SEC. 9. (a) The Secretary of State, under such regula-*
 25 *tions as the Secretary shall prescribe, and notwithstanding*

1 subsections (a) and (b) of section 3324 of title 31, United
 2 States Code, and section 5536 of title 5, United States Code,
 3 may—

4 “(1) make available, to the Permanent Rep-
 5 resentative of the United States to the United Nations
 6 and the Deputy Permanent Representative of the
 7 United States to the United Nations—

8 “(A) living quarters leased or rented by the
 9 United States for a period not longer than 10
 10 years; and

11 “(B) allowances for unusual expenses inci-
 12 dent to the operation and maintenance of such
 13 living quarters that are similar to expenses au-
 14 thorized under section 5913 of title 5, United
 15 States Code; and

16 “(2) make available living quarters in New York
 17 leased or rented by the United States for—

18 “(A) a period not longer than 10 years to
 19 other United States representatives to the United
 20 Nations and to not more than 2 employees who
 21 serve at the pleasure of the Permanent Rep-
 22 resentative of the United States to the United
 23 Nations; and

24 “(B) a period not longer than 5 years to not
 25 more than 35 members of the Foreign Service as-

1 *signed to the United States Mission to the*
2 *United Nations; and*

3 “(3) *provide an allowance, as the Secretary con-*
4 *siders appropriate, to each Delegate and Alternate*
5 *Delegate of the United States to any session of the*
6 *General Assembly of the United Nations who is not*
7 *a permanent member of the staff of the United States*
8 *Mission to the United Nations, in order to compensate*
9 *each such Delegate or Alternate Delegate for necessary*
10 *housing and subsistence expenses with respect to at-*
11 *tending any such session.*

12 “(b) *The Secretary of State may not make available*
13 *living quarters or allowances under subsection (a) to an em-*
14 *ployee who is occupying living quarters that are owned by*
15 *such employee.*

16 “(c) *Living quarters and allowances provided under*
17 *subsection (a) shall be considered for all purposes as author-*
18 *ized under—*

19 “(1) *chapter 9 of title I of the Foreign Service*
20 *Act of 1980 (22 U.S.C. 4081 et seq.); and*

21 “(2) *section 5913 of title 5, United States Code.*

22 “(d) *The Inspector General of the Department of State*
23 *shall—*

24 “(1) *periodically review the administration of*
25 *this section to achieve cost savings; and*

1 “(2) develop appropriate recommendations for
 2 the Secretary of State regarding the administration of
 3 this section.”.

4 **SEC. 307. RECRUITMENT AND RETENTION OF UNITED**
 5 **STATES CITIZENS IN INTERNATIONAL ORGA-**
 6 **NIZATIONS.**

7 (a) *IN GENERAL.*—The Secretary shall continue efforts
 8 to increase the number of qualified United States citizens
 9 employed by the United Nations and by other international
 10 organizations.

11 (b) *DUTIES OF THE SECRETARY.*—Not later than 90
 12 days after date of the enactment of this Act, the Secretary—

13 (1) shall develop, recruit, and maintain a roster
 14 of qualified United States candidates for professional
 15 positions and senior positions at the United Nations
 16 and other international organizations, including those
 17 related to United Nations peacekeeping operations;

18 (2) shall designate an employee of the Depart-
 19 ment of State—

20 (A) to closely monitor job openings at the
 21 United Nations and other international organi-
 22 zations; and

23 (B) to connect those job openings with
 24 United States citizens listed on the roster de-

1 scribed in paragraph (1) or through other mech-
2 anisms;

3 (3) should establish a program that sponsors
4 *Junior Professional Officers and Associate Expert po-*
5 *sitions, similar to the support provided to such posi-*
6 *tions by Austria, Canada, Switzerland, and the*
7 *United Kingdom; and*

8 (4) shall update, as appropriate, reports to the
9 appropriate congressional committees that describe
10 the measures being taken by the Department of State
11 to facilitate the recruitment of qualified United States
12 citizens for employment at the United Nations and
13 other international organizations.

14 (c) *DUTIES OF THE SECRETARY OF THE TREASURY.—*
15 *Not later than 90 days after the date of the enactment of*
16 *this Act, the Secretary of the Treasury, in consultation with*
17 *the Secretary of State, shall—*

18 (1) *develop, recruit, and maintain a roster of*
19 *qualified United States candidates for professional*
20 *positions and senior positions at international finan-*
21 *cial institutions (referred to in this subsection as*
22 *“IFIs”), including the World Bank, the International*
23 *Monetary Fund, and other regional development*
24 *banks;*

(2) designate an employee of the Department of Treasury or the Department of State—

(A) to closely monitor job openings at IFIs;

(B) to provide public notice of these openings, to the extent possible; and

(C) to connect such job openings with United States citizens who are listed on the roster described in paragraph (1) or who are otherwise eligible;

(3) update, as appropriate, reports to the appropriate congressional committees that describes the measures being taken by the Department of Treasury and the Department of State to facilitate the recruitment of qualified United States citizens for employment at IFIs; and

(4) coordinate with the employee designated in paragraph (2) to facilitate awareness of openings at international organizations and IFIs.

SEC. 308. UNITED STATES MEMBERSHIP IN THE INTERNATIONAL RENEWABLE ENERGY AGENCY.

(a) *IN GENERAL.*—The President is authorized—

(1) to accept the terms and conditions of the Statute of the International Renewable Energy Agency (referred to in this section as the “Agency”); and

1 (2) *to maintain membership of the United States*
 2 *in the Agency.*

3 (b) *PAYMENTS OF ASSESSED CONTRIBUTIONS.—For*
 4 *fiscal year 2011 and each fiscal year thereafter, United*
 5 *States assessed contributions to the Agency may be paid*
 6 *from amounts appropriated under the heading “Contribu-*
 7 *tions to International Organizations”.*

8 ***TITLE IV—MISCELLANEOUS***
 9 ***PROVISIONS***

10 ***SEC. 401. LIMITATION ON ASSISTANCE TO GOVERNMENTS***
 11 ***OF COUNTRIES IN DEFAULT.***

12 (a) *FOREIGN ASSISTANCE ACT OF 1961.—Section*
 13 *620(q) of the Foreign Assistance Act of 1961 (22 U.S.C.*
 14 *2370(q)) is amended—*

15 (1) *by striking “any country” and inserting “the*
 16 *government of any country”;*

17 (2) *by striking “such country” each place it ap-*
 18 *pears and inserting “such government”; and*

19 (3) *by striking “six calendar months” and in-*
 20 *serting “1 year”.*

21 (b) *ARMS EXPORT CONTROL ACT.—Chapter 4 of the*
 22 *Arms Export Control Act (22 U.S.C. 2791 et seq.), is*
 23 *amended—*

24 (1) *by redesignating section 47 as section 48;*
 25 *and*

1 (2) *by inserting after section 46 the following:*

2 **“SEC. 47. LIMITATION ON ASSISTANCE TO GOVERNMENTS**
 3 **OF COUNTRIES IN DEFAULT.**

4 *“No assistance may be furnished under section 23 of*
 5 *this Act to the government of any country which is in de-*
 6 *fault, during a period exceeding 1 year, in payment to the*
 7 *United States of principal or interest on any loan made*
 8 *to the government of such country under this Act, unless—*

9 *“(1) such government meets its obligations under*
 10 *the loan; or*

11 *“(2) the President—*

12 *“(A) determines that assistance to such*
 13 *country is in the national interest of the United*
 14 *States; and*

15 *“(B) notifies the Speaker of the House of*
 16 *Representatives and the Committee on Foreign*
 17 *Relations of the Senate of such determination.”.*

18 **SEC. 402. INCREASED AUTHORITY TO PROVIDE ASSISTANCE**
 19 **FOR LAW ENFORCEMENT FORCES.**

20 *(a) POLICE TRAINING.—Section 660 of the Foreign As-*
 21 *sistance Act of 1961 (22 U.S.C. 2420) is amended—*

22 *(1) in subsection (b)—*

23 *(A) in paragraph (4), by striking “or” at*
 24 *the end;*

1 (B) in paragraph (6), by striking “, and
 2 the provision of professional” and all that fol-
 3 lows through the semicolon at the end and insert-
 4 ing “, including any regional, district, munic-
 5 ipal, or other subnational entity emerging from
 6 instability;”;

7 (C) in paragraph (7), by striking the period
 8 at the end and inserting a semicolon; and

9 (D) by adding at the end the following:

10 “(8) with respect to the provision of professional
 11 training, including training in internationally recog-
 12 nized standards of human rights and the rule of law;

13 “(9) with respect to assistance to foster civilian
 14 police roles that support democratic governance and
 15 foster improved police-community relations;

16 “(10) with respect to assistance to combat traf-
 17 ficking in persons, address sexual and gender-based
 18 violence, reduce corruption, prevent conflict, and re-
 19 spond to disasters;

20 “(11) with respect to assistance to address inhu-
 21 mane conditions in prisons and other detention facili-
 22 ties administered by foreign governments that are
 23 making efforts to address the health, sanitation, nu-
 24 trition, and other basic needs of prisoners;

1 “(12) with respect to assistance provided for
2 prisoners for humanitarian or development purposes;
3 or

4 “(13) with respect to assistance to support hu-
5 manitarian operations and activities.”; and

6 (2) by amending subsection (d) to read as fol-
7 lows:

8 “(d) Assistance under chapter 4 of part II that is oth-
9 erwise prohibited under subsection (a) may be provided to
10 a country if the Secretary determines and certifies to the
11 Committee on Foreign Relations of the Senate and the Com-
12 mittee on Foreign Affairs of the House of Representatives
13 that such assistance is in the national interest of the United
14 States.”.

15 (b) ADMINISTRATION OF JUSTICE.—Section 534 of the
16 Foreign Assistance Act of 1961 (22 U.S.C. 2346c) is amend-
17 ed—

18 (1) in subsection (a), by striking “in countries
19 in Latin America and the Caribbean”;

20 (2) in subsection (b)(3)—

21 (A) in subparagraph (C), by striking “and”
22 at the end;

23 (B) in subparagraph (D), by inserting
24 “and” after the semicolon; and

25 (C) by adding at the end the following:

1 “(E) programs to enhance the protection of
 2 participants in judicial cases;”;
 3 (3) by striking subsection (c);
 4 (4) in subsection (e), by striking the second and
 5 third sentences; and
 6 (5) by redesignating subsections (d) and (e) as
 7 subsections (c) and (d), respectively.

8 **SEC. 403. BUILDING PUBLIC AWARENESS AND DIALOGUE.**

9 Section 122 of the Foreign Assistance Act of 1961 (22
 10 U.S.C. 2151t) is amended by inserting at the end the fol-
 11 lowing:

12 “(f)(1) The Administrator of the United States Agency
 13 for International Development is authorized—

14 “(A) to encourage the people of the United States
 15 to further dialogue and understanding of development,
 16 humanitarian assistance, and foreign assistance pro-
 17 grams; and

18 “(B) to facilitate widespread public discussion,
 19 analysis, and review of the issues addressed in the
 20 final report of the Helping to Enhance the Livelihood
 21 of People Around the Globe Commission (HELP
 22 Commission), issued in December 2007, with special
 23 regard to the HELP Commission’s call to encourage
 24 Executive agencies to more fully explain United
 25 States development activities to the American people

1 *in order to raise the American people's understanding*
 2 *about and support for foreign assistance.*

3 “(2) Not to exceed \$1,000,000 of the amounts made
 4 available each fiscal year for the purposes of this chapter
 5 may be used to ensure effective engagement with the Amer-
 6 ican people in understanding and promoting public under-
 7 standing of development, humanitarian assistance, and for-
 8 eign assistance programs, in addition to funds otherwise
 9 available for such purposes.”.

10 **SEC. 404. EXCEPTION TO CERTAIN MULTIPLE AWARD CON-**
 11 **TRACT REQUIREMENTS.**

12 *Chapter 1 of part III of the Foreign Assistance Act*
 13 *of 1961, as amended by section 705, is further amended by*
 14 *adding at the end the following new section:*

15 **“SEC. 620P. USAID EXCEPTION TO CERTAIN MULTIPLE**
 16 **AWARD CONTRACT REQUIREMENTS.**

17 *“In entering into any multiple award task order or*
 18 *indefinite delivery or indefinite quality contract, the Ad-*
 19 *ministrator of the United States Agency for International*
 20 *Development may provide an exception to the fair oppor-*
 21 *tunity process for placing task orders under such contracts*
 22 *when the order is placed with any category of small or*
 23 *small disadvantaged business.”.*

1 **SEC. 405. MILLENNIUM CHALLENGE ASSISTANCE.**

2 (a) *EXTENSION OF COMPACTS.*—Section 609(j) of the
3 *Millennium Challenge Act of 2003* (22 U.S.C. 7708(j)) is
4 amended to read as follows:

5 “(j) *EXTENSION OF COMPACT.*—

6 “(1) *IN GENERAL.*—Except as provided under
7 paragraph (2), the duration of a Compact shall not
8 exceed 5 years.

9 “(2) *EXCEPTION.*—The duration of a Compact
10 may be extended beyond 5 years if the Board—

11 “(A) determines that a project included in
12 the Compact cannot be completed in 5 years or
13 less; and

14 “(B) approves an extension of the Compact
15 that does not extend the total duration of the
16 Compact beyond 7 years.

17 “(3) *CONGRESSIONAL NOTIFICATION.*—Not later
18 than 15 days before the date on which the Board is
19 scheduled to vote on the extension of a Compact be-
20 yond 5 years pursuant to paragraph (2), the Board,
21 acting through the Chief Executive Officer, shall—

22 “(A) notify the Committee on Foreign Rela-
23 tions of the Senate and the Committee on For-
24 eign Affairs of the House of Representatives of its
25 intent to approve such extension; and

1 “(B) provide the committees referred to in
 2 subparagraph (A) with a detailed explanation
 3 for the determination and approval described in
 4 paragraph (2).”.

5 (b) *CONCURRENT AND SUBSEQUENT COMPACTS.*—Sec-
 6 tion 609(k) such Act (22 U.S.C. 7708(k)) is amended to
 7 read as follows:

8 “(k) *CONCURRENT AND SUBSEQUENT COMPACTS.*—

9 “(1) *IN GENERAL.*—Subject to paragraph (2),
 10 and in accordance with the requirements of this title,
 11 an eligible country and the United States—

12 “(A) may enter into and have in effect more
 13 than 1 Compact at any given time; and

14 “(B) may enter into subsequent Compacts
 15 after the expiration of existing Compacts.

16 “(2) *REQUIREMENTS.*—

17 “(A) *CONCURRENT COMPACTS.*—An eligible
 18 country and the United States may not enter
 19 into a concurrent Compact unless the Board de-
 20 termines that such country is making consider-
 21 able and demonstrable progress in implementing
 22 the terms of its existing Compact and supple-
 23 mentary agreements to such Compact.

24 “(B) *SUBSEQUENT COMPACTS.*—An eligible
 25 country and the United States may not enter

1 *into a subsequent Compact unless the Board de-*
 2 *termines that—*

3 *“(i) such country has substantially met*
 4 *the objectives of prior Compacts between the*
 5 *country and the United States and supple-*
 6 *mentary agreements to such Compacts; or*

7 *“(ii) the country has demonstrated suf-*
 8 *ficient capacity to perform successfully on*
 9 *the subsequent Compact.”.*

10 (c) *APPLICABILITY.—The amendments made by sub-*
 11 *sections (a) and (b) shall apply with respect to Compacts*
 12 *entered into between the United States and an eligible coun-*
 13 *try under the Millennium Challenge Act of 2003 (22 U.S.C.*
 14 *7701 et seq.) before, on, or after the date of the enactment*
 15 *of this Act.*

16 (d) *MAINTAINING CANDIDATE STATUS FOR PURPOSES*
 17 *OF INCOME CATEGORY.—Section 606 of the Millennium*
 18 *Challenge Act of 2003 (22 U.S.C. 7705) is amended—*

19 *(1) in subsection (a)—*

20 *(A) in paragraph (1)—*

21 *(i) by amending the paragraph head-*
 22 *ing to read as follows:*

23 *“(1) IN GENERAL.—”;*

(ii) in the matter preceding subparagraph (A), by striking “fiscal year 2004” and inserting “any fiscal year”;

(iii) by amending subparagraph (A) to read as follows:

“(A) the country—

“(i) has a per capita income that is not greater than the World Bank’s lower middle income country threshold for such fiscal year; and

“(ii) is among the 75 lowest per capita income countries, as identified by the World Bank; and”;

(iv) in subparagraph (B), by striking “subject to paragraph (3)” and inserting “subject to paragraph (2)”;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “for fiscal year 2006 or a subsequent fiscal year” and inserting “for any fiscal year”; and

1 (ii) by striking subparagraphs (A) and
2 (B) and inserting the following:

3 “(A) has a per capita income that is not
4 greater than the World Bank’s lower middle in-
5 come country threshold for such fiscal year;

6 “(B) is not among the 75 lowest per capita
7 income countries as identified by the World
8 Bank; and

9 “(C) meets the requirements under sub-
10 section (a)(1)(B).”; and

11 (B) in paragraph (2)—

12 (i) by striking “for fiscal year 2006 or
13 any subsequent fiscal year” and inserting
14 “for any fiscal year”; and

15 (ii) by striking “for fiscal year 2006 or
16 the subsequent fiscal year, as the case may
17 be” and inserting “for such fiscal year”;

18 (3) by redesignating subsection (c) as subsection
19 (d); and

20 (4) by inserting after subsection (b) the fol-
21 lowing:

22 “(c) *MAINTAINING CANDIDATE STATUS*.—A candidate
23 country transitioning between the income categories identi-
24 fied in subsections (a) and (b) may retain its candidacy

1 *at the former income category for the year of such transition*
 2 *and for the 2 subsequent fiscal years.”.*

3 **SEC. 406. ENHANCING THE CAPACITY OF THE OFFICE OF**
 4 **THE INSPECTOR GENERAL FOR THE UNITED**
 5 **STATES AGENCY FOR INTERNATIONAL DE-**
 6 **VELOPMENT.**

7 *(a) PROVISIONS RELATING TO REEMPLOYED ANNU-*
 8 *ITANTS.—*

9 *(1) WAIVER AUTHORITY.—To facilitate the as-*
 10 *signment of persons to positions in Iraq, Pakistan,*
 11 *and Afghanistan, or to positions vacated by members*
 12 *of the Foreign Service assigned to Iraq, Pakistan, and*
 13 *Afghanistan, the Inspector General of the United*
 14 *States Agency for International Development (referred*
 15 *to in this section as the “Inspector General”) may,*
 16 *subject to paragraph (3), waive the application of the*
 17 *provisions of law set forth in paragraph (2) on behalf*
 18 *of any reemployed annuitant serving in a position*
 19 *within the Office of Inspector General.*

20 *(2) PROVISIONS.—The provisions of law set forth*
 21 *in this paragraph are—*

22 *(A) subsections (a) through (d) of section*
 23 *8344 of title 5, United States Code;*

24 *(B) subsections (a) through (e) of section*
 25 *8468 of such title; and*

1 (C) subsections (a) through (d) of section
 2 824 of the Foreign Service Act of 1980 (22
 3 U.S.C. 4064).

4 (3) *CONDITIONS.*—Waiver authority under this
 5 subsection may be exercised only—

6 (A) on a case-by-case basis; and

7 (B) if, and for so long as, such waiver is
 8 necessary due to—

9 (i) difficulty in the recruitment or re-
 10 tention of a qualified employee for the posi-
 11 tion involved; or

12 (ii) a temporary emergency hiring
 13 need.

14 (4) *SUNSET.*—

15 (A) *IN GENERAL.*—This subsection is re-
 16 pealed on October 1, 2012.

17 (B) *EFFECT OF REPEAL.*—An annuitant re-
 18 employed before October 1, 2012, pursuant to the
 19 waiver under paragraph (1), may continue such
 20 employment until not later than September 30,
 21 2013.

22 (b) *PROVISIONS RELATING TO CONTRACTS FOR PER-*
 23 *SONAL SERVICES.*—

24 (1) *IN GENERAL.*—The Inspector General may
 25 contract with United States citizens for personal serv-

1 *ices to facilitate and support the Office's oversight of*
 2 *programs and operations. Such citizens shall not, by*
 3 *virtue of any such contract, be considered to be em-*
 4 *ployees of the Federal Government for purposes of any*
 5 *law administered, in whole or in part, by the Office*
 6 *Personnel Management.*

7 (2) *RELATION TO OTHER LAWS.—Nothing in this*
 8 *subsection may be construed to affect any determina-*
 9 *tion as to whether an individual performing services*
 10 *pursuant to any contract under this subsection is a*
 11 *Government employee for purposes of any law of the*
 12 *United States. The Administrator of the United*
 13 *States Agency for International Development may de-*
 14 *termine the applicability, with respect to any such*
 15 *individual, of any law administered, in whole or in*
 16 *part, by the Administrator.*

17 (3) *CONDITIONS.—The Inspector General may*
 18 *not enter into a personal services contract under this*
 19 *subsection unless—*

20 (A) *the Inspector General determines that*
 21 *the personnel resources of the Office would other-*
 22 *wise be insufficient;*

23 (B) *the contract is for a term of 2 years or*
 24 *less, unless the Inspector General determines that*

1 *exceptional circumstances justify an extension of*
 2 *up to 1 additional year; and*

3 (C) *not more than 5 percent of the per-*
 4 *sonnel of the Office (determined on a full time*
 5 *equivalent basis), as of any given date, consists*
 6 *of individuals serving under personal services*
 7 *contracts.*

8 (4) *OTHER AUTHORITIES NOT AFFECTED.—The*
 9 *authority under this subsection is in addition to any*
 10 *other authority available to the Inspector General to*
 11 *enter into personal services contracts with individ-*
 12 *uals.*

13 (c) *NOT CONSIDERED EMPLOYEES.—An employee re-*
 14 *employed pursuant to the waiver under subsection (a) shall*
 15 *not be considered an employee for purposes of subchapter*
 16 *III of chapter 83 of title 5, United States Code, or chapter*
 17 *84 of such title.*

18 (d) *REPORT.—In the Office of the Inspector General's*
 19 *semiannual report to Congress, the Inspector General shall*
 20 *include information on the usage and rationale related to*
 21 *annuitants hired under this section.*

22 (e) *PAY PARITY FOR FOREIGN SERVICE OFFICER IN-*
 23 *VESTIGATORS.—Section 5541(2)(C)(xiv) of title 5, United*
 24 *States Code, is amended to read as follows:*

1 “(xiv) a Foreign Service officer, except
 2 that Foreign Service officers serving as
 3 criminal investigators in the Office of In-
 4 specter General of the United States Agency
 5 for International Development shall be eligi-
 6 ble for and receive availability pay on the
 7 same terms as criminal investigators (as de-
 8 fined in section 5545a).”.

9 **SEC. 407. PROHIBITIONS ON FOREIGN ASSISTANCE FOR**
 10 **THE PRODUCTION OF CERTAIN AGRICUL-**
 11 **TURAL COMMODITIES.**

12 Section 620 of the Foreign Assistance Act of 1961 (22
 13 U.S.C. 2370) is amended by inserting after subsection (l)
 14 the following new subsection:

15 “(m) PROHIBITIONS ON ASSISTANCE FOR THE PRO-
 16 DUCTION OF AGRICULTURAL COMMODITIES AVAILABLE IN
 17 SURPLUS QUANTITIES.—(1) No assistance shall be fur-
 18 nished under chapter 1 of part I of this Act to a country
 19 to build or expand the capacity of producers in the country
 20 to produce an agricultural commodity if the President de-
 21 termines that—

22 “(A) the agricultural commodity is likely to be
 23 available in surplus quantities on the world market
 24 when the building or expansion of such capacity is
 25 complete; and

1 “(B) the production or expanded production of
 2 the agricultural commodity by producers in that
 3 country would cause substantial injury to producers
 4 in the United States that produce that agricultural
 5 commodity or a similar or competing agricultural
 6 commodity.

7 “(2) Paragraph (1) shall not apply with respect to as-
 8 sistance to a country that—

9 “(A)(i) is eligible for assistance from the Inter-
 10 national Development Association;

11 “(ii) is not eligible for assistance from the Inter-
 12 national Bank for Reconstruction and Development;
 13 and

14 “(iii) does not export on a consistent basis the
 15 agricultural commodity with respect to which assist-
 16 ance is furnished; or

17 “(B) the President determines is recovering from
 18 widespread conflict, a humanitarian crisis, or a com-
 19 plex emergency.

20 “(n) RESTRICTION ON ASSISTANCE FOR THE PRODUC-
 21 TION AND EXPORTATION OF CERTAIN AGRICULTURAL COM-
 22 MODITIES.—(1) No assistance shall be furnished under
 23 chapter 1 of part I of this Act to a country to carry out
 24 any testing, breeding feasibility studies, variety improve-
 25 ment efforts, introduction efforts, consulting, publications,

1 *conferences, or training with respect to the production of*
2 *an agricultural commodity in that country if the President*
3 *determines that—*

4 “(A) *the agricultural commodity is or will be*
5 *produced to be exported from that country; and*

6 “(B) *the exportation of the agricultural com-*
7 *modity from that country will result in increased*
8 *competition for that agricultural commodity, or a*
9 *similar or competing agricultural commodity, pro-*
10 *duced in the United States.*

11 “(2) *Paragraph (1) shall not apply with respect to as-*
12 *sistance furnished—*

13 “(A) *to a developing country to carry out an ac-*
14 *tivity involving the production of an agricultural*
15 *commodity that is designed to increase food security*
16 *in that country if the President determines that the*
17 *activity will not have a significant impact on the ex-*
18 *portation of that agricultural commodity from the*
19 *United States; or*

20 “(B) *to a country that—*

21 “(i) *(I) is eligible for assistance from the*
22 *International Development Association;*

23 “(II) *is not eligible for assistance from the*
24 *International Bank for Reconstruction and De-*
25 *velopment; and*

1 “(III) does not export on a consistent basis
2 the agricultural commodity with respect to which
3 assistance is furnished; or

4 “(ii) the President determines is recovering
5 from widespread conflict, a humanitarian crisis,
6 or a complex emergency.”.

7 **SEC. 408. SENSE OF CONGRESS RELATING TO TRANS-**
8 **PARENCY FOR EXTRACTIVE INDUSTRIES.**

9 *It is the sense of Congress that—*

10 (1) *the President should work with foreign gov-*
11 *ernments, including members of the Group of 8 and*
12 *the Group of 20, to establish domestic requirements*
13 *that companies under the jurisdiction of each govern-*
14 *ment publicly disclose any payments made to a gov-*
15 *ernment relating to the commercial development of*
16 *oil, natural gas, and minerals;*

17 (2) *the United States Government should commit*
18 *to global leadership of transparency in extractive in-*
19 *dustries by supporting—*

20 (A) *multilateral pro-transparency efforts,*
21 *such as the Extractive Industries Transparency*
22 *Initiative, in revenue collection, budgeting, ex-*
23 *penditure, and wealth management;*

1 (B) bilateral efforts to promote good govern-
 2 ance in the extractive industries through United
 3 States missions and activities abroad;

4 (C) the implementation of extractive indus-
 5 tries reporting requirements for companies under
 6 the jurisdiction of the United States; and

7 (D) efforts to persuade other members of the
 8 Organization for Economic Cooperation and De-
 9 velopment and Asia-Pacific Economic Coopera-
 10 tion to adopt uniform legislation to ensure a co-
 11 ordinated regulatory approach; and

12 (3) the President should commit the United
 13 States to become a Candidate Country of the Extrac-
 14 tive Industry Transparency Initiative.

15 **SEC. 409. SENSE OF CONGRESS REGARDING CENTRAL ASIA.**

16 *It is the Sense of Congress that—*

17 (1) the countries of Central Asia, which include
 18 Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan,
 19 and Uzbekistan—

20 (A) provide vital support to coalition efforts
 21 in Afghanistan;

22 (B) sit at the crossroads between Europe
 23 and Asia; and

24 (C) have the potential to link global mar-
 25 kets;

1 (2) *because of Central Asia’s strategic impor-*
2 *tance, the United States should invest resources in the*
3 *region to improve relations and promote shared objec-*
4 *tives;*

5 (3) *it is critical for the United States to continue*
6 *to engage with the countries of Central Asia to further*
7 *democracy, human rights, and economic prosperity,*
8 *including engaging in regional economic integration*
9 *efforts with Afghanistan and South Asia;*

10 (4) *the United States should engage proactively*
11 *in efforts to promote and facilitate the development of*
12 *road transportation linkages across Central Asia and*
13 *Afghanistan, which are key to stimulating economic*
14 *opportunity and trade in the region; and*

15 (5) *upon determination by the President that*
16 *Kazakhstan and Tajikistan are complying with ap-*
17 *plicable freedom of emigration requirements, Congress*
18 *should take steps to terminate the applicability of*
19 *title IV of the Trade Act of 1974 (19 U.S.C. 2431 et*
20 *seq.), also known as the “Jackson-Vanik amendment”,*
21 *for such countries because of—*

22 (A) *their compliance with the law’s provi-*
23 *sions; and*

24 (B) *their record of cooperation with the*
25 *United States in key areas.*

1 **SEC. 410. SENSE OF CONGRESS ON GLOBAL INTERNET**
2 **FREEDOM.**

3 *It is the Sense of Congress that—*

4 *(1) Internet access and freedom are foreign pol-*
5 *icy priorities of the United States;*

6 *(2) in places where the Internet and other forms*
7 *of connective technology are limited, censored, re-*
8 *stricted, monitored, distorted, or otherwise denied to*
9 *the people, the United States Government, through di-*
10 *plomacy and assistance programs, should help to ex-*
11 *pand Internet access, develop effective personal and*
12 *organizational digital safety and information security*
13 *tools, and support freedom of expression, online edu-*
14 *cation and networking, and the free flow of informa-*
15 *tion over the Internet and other forms of connective*
16 *technology worldwide, especially in countries which*
17 *impose online limitations, censorship, monitoring,*
18 *distortion, and other restrictions on the Internet and*
19 *other forms of media, including through the develop-*
20 *ment of Internet censorship circumvention tools and*
21 *technology.*

22 **SEC. 411. GLOBAL HEALTH INITIATIVE.**

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

25 *(1) the Global Health Initiative presents an op-*
26 *portunity to build upon current successes and to pro-*

1 *mote further advances in global health, in accordance*
 2 *with the Tom Lantos and Henry J. Hyde United*
 3 *States Global Leadership Against HIV/AIDS, Tuber-*
 4 *culosis, and Malaria Reauthorization Act of 2008;*
 5 *and*

6 *(2) in order to promote effective coordination*
 7 *and management in the field of global health, a full-*
 8 *time country level coordinator with management ex-*
 9 *perience should head the interagency country team for*
 10 *United States missions in each Global Health Initia-*
 11 *tive Plus country.*

12 *(b) REPORT.—Not later than 2 years after the date*
 13 *of the enactment of this Act, the President shall submit a*
 14 *report to the appropriate congressional committees that de-*
 15 *scribes the implementation of the Global Health Initiative,*
 16 *including—*

17 *(1) an assessment of the progress made toward—*

18 *(A) implementing a woman- and girl-cen-*
 19 *tered approach;*

20 *(B) increasing the impact of health pro-*
 21 *grams through strategic coordination and inte-*
 22 *gration;*

23 *(C) leveraging and strengthening relation-*
 24 *ships with key multilateral organizations, global*
 25 *health partnerships, and private sector investors;*

1 (D) encouraging country ownership and in-
2 vestment in country-led plans;

3 (E) building sustainable health systems;

4 (F) making improvements in metrics, moni-
5 toring, and evaluation; and

6 (G) promoting research and innovation;

7 (2) a detailed description of Global Health Ini-
8 tiative programs and practices in each of the Global
9 Health Initiative Plus countries;

10 (3) an aggregated assessment of progress made
11 toward the declared targets of the Global Health Ini-
12 tiative; and

13 (4) a discussion of metrics to be used to measure
14 progress toward achievement of objectives in the areas
15 of—

16 (A) HIV/AIDS;

17 (B) tuberculosis;

18 (C) malaria;

19 (D) maternal health;

20 (E) child health;

21 (F) nutrition;

22 (G) family planning;

23 (H) neglected tropical diseases; and

24 (I) health system strengthening.

1 **SEC. 412. DISCRIMINATION RELATED TO SEXUAL ORIENTA-**
 2 **TION.**

3 (a) *TRACKING VIOLENCE OR CRIMINALIZATION RE-*
 4 *LATED TO SEXUAL ORIENTATION.*—*The Assistant Secretary*
 5 *for Democracy, Human Rights and Labor should designate*
 6 *a Bureau-based officer or officers who shall be responsible*
 7 *for tracking violence, criminalization, and restrictions on*
 8 *the enjoyment of fundamental freedoms, consistent with*
 9 *United States law, in foreign countries based on actual or*
 10 *perceived sexual orientation and gender identity.*

11 (b) *INTERNATIONAL EFFORTS TO REVISE LAWS CRIM-*
 12 *INALIZING HOMOSEXUALITY.*—*The Secretary of State shall*
 13 *work through appropriate United States Government em-*
 14 *ployees at United States diplomatic and consular missions*
 15 *to encourage the governments of other countries to reform*
 16 *or repeal laws of such countries criminalizing homosex-*
 17 *uality or consensual homosexual conduct, or restricting the*
 18 *enjoyment of fundamental freedoms, consistent with United*
 19 *States law, by homosexual individuals or organizations.*

20 (c) *ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS*
 21 *PRACTICES.*—*The Foreign Assistance Act of 1961 is amend-*
 22 *ed—*

23 (1) *in section 116(d) (22 U.S.C. 2151n(d))—*

24 (A) *in paragraph (10), by striking “and”*
 25 *at the end;*

1 (B) in paragraph (11), by striking the pe-
 2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following new
 4 paragraph:

5 “(12) wherever applicable, violence or discrimi-
 6 nation that affects the fundamental freedoms, con-
 7 sistent with United States law, of an individual in
 8 foreign countries that is based on actual or perceived
 9 sexual orientation and gender identity.”; and

10 (2) in section 502B(b) (22 U.S.C. 2304(b)), by
 11 inserting after the eighth sentence the following new
 12 sentence: “Wherever applicable, violence or discrimi-
 13 nation that affects the fundamental freedoms, con-
 14 sistent with United States law, of an individual in
 15 foreign countries that is based on actual or perceived
 16 sexual orientation and gender identity.”.

17 (d) *TRAINING FOR FOREIGN SERVICE OFFICERS.*—
 18 Section 708(a) of the Foreign Service Act of 1980 (22
 19 U.S.C. 4028(a)) is amended—

20 (1) in the matter preceding paragraph (1), by
 21 inserting “the Secretary for Democracy, Human
 22 Rights and Labor,” before “the Ambassador at
 23 Large”;

24 (2) in paragraph (2), by striking “and” at the
 25 end;

(3) in paragraph (3), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following new paragraph:

“(4) instruction, in courses covering human rights reporting and advocacy work, on identifying violence or discrimination that affects the fundamental freedoms, consistent with United States law, of an individual that is based on actual or perceived sexual orientation and gender identity.”.

TITLE V—PEACE CORPS IMPROVEMENT AND EXPANSION

SEC. 501. SHORT TITLE.

This title may be cited as the “Peace Corps Improvement and Expansion Act of 2010”.

SEC. 502. FINDINGS.

Congress makes the following findings:

(1) *Firmly established beliefs of the Peace Corps include the following:*

(A) *The act of volunteering has inherent value.*

(B) *The foreign policy goals of the United States are advanced by—*

(i) *contributing to the reduction of poverty; and*

1 (ii) fostering international under-
2 standing.

3 (2) More than 195,000 volunteers have ably
4 served in the Peace Corps in 139 countries by—

5 (A) working towards economic and social
6 development; and

7 (B) promoting a better understanding of—

8 (i) the people of the United States on
9 the part of the peoples served; and

10 (ii) other peoples on the part of the
11 people of the United States.

12 (3) Today, the importance and necessity is great-
13 er than ever for the Peace Corps—

14 (A) to promote global economic and social
15 development;

16 (B) to promote understanding and friend-
17 ship; and

18 (C) to foster collaboration with inter-
19 national nongovernmental organizations.

20 (4) Since 1961, a bipartisan succession of Presi-
21 dents and Congresses have endorsed the expansion of
22 the Peace Corps in order—

23 (A) to meet requests from countries to in-
24 crease the size of the Peace Corps programs in
25 their countries;

1 (B) to initiate Peace Corps programs in
2 countries where the Peace Corps does not cur-
3 rently operate;

4 (C) to provide more opportunities for the
5 people of the United States to engage in volun-
6 teer service abroad; and

7 (D) to renew dormant Peace Corps pro-
8 grams.

9 (5) The purpose of the Peace Corps, as declared
10 by section 2(a) of the Peace Corps Act (22 U.S.C.
11 2501(a)), is to promote world peace and friendship by
12 helping—

13 (A) the people of interested countries in
14 meeting their needs for trained men and women,
15 particularly in meeting the basic needs of those
16 living in the poorest areas of such countries;

17 (B) to promote a better understanding of
18 people of the United States on the part of the
19 peoples served; and

20 (C) to promote a better understanding of
21 other peoples on the part of the people of the
22 United States.

23 (6) As the Peace Corps reaches its 50th anniver-
24 sary in 2011, a new forward-looking strategy should
25 be developed to improve the effectiveness and effi-

1 *ciency of the Peace Corps in pursuing the goals de-*
 2 *scribed in paragraph (5) by analyzing and account-*
 3 *ing for the strengths and weaknesses of—*

4 *(A) the program model of the Peace Corps;*

5 *(B) the current and planned distribution of*
 6 *Peace Corps volunteers throughout the world;*

7 *(C) partnership opportunities and oper-*
 8 *ations of the Peace Corps; and*

9 *(D) recruitment and management practices*
 10 *of the Peace Corps with respect to the diversity*
 11 *of Peace Corps volunteers and staff.*

12 **SEC. 503. ASSESSMENT AND STRATEGIC PLAN FOR IMPROV-**
 13 **ING AND EXPANDING PEACE CORPS.**

14 *(a) ASSESSMENT.—*

15 *(1) IN GENERAL.—Not later than 180 days after*
 16 *the date of the enactment of this Act, the Director of*
 17 *the Peace Corps shall complete the assessment de-*
 18 *scribed in paragraph (2) to determine how best—*

19 *(A) to strengthen the management capabili-*
 20 *ties and program effectiveness of the Peace*
 21 *Corps;*

22 *(B) to expand opportunities for Peace Corps*
 23 *volunteers; and*

24 *(C) to increase the size of the Peace Corps.*

1 (2) *ASSESSMENT DESCRIBED.*—*The assessment*
2 *described in this paragraph means an assessment*
3 *of—*

4 (A) *how the purpose of the Peace Corps de-*
5 *clared under section 2(a) of the Peace Corps Act*
6 *(22 U.S.C. 2501(a)) translates into tangible stra-*
7 *tegic plans for the Peace Corps;*

8 (B) *the distribution of Peace Corps volun-*
9 *teers in country programs, including how and*
10 *why volunteers are assigned to various countries*
11 *and jurisdictions of within countries;*

12 (C) *the most effective and efficient methods*
13 *of improving and strengthening activities relat-*
14 *ing to the Peace Corps' goal of promoting a bet-*
15 *ter understanding of other peoples on the part of*
16 *the people of the United States, including en-*
17 *hanced funding to implement, scale, and rep-*
18 *licate such activities;*

19 (D) *the prospects for partnerships with*
20 *international and host country nongovernmental*
21 *organizations and other entities to achieve the*
22 *goals of the Peace Corps through development*
23 *projects;*

24 (E) *the adequacy of the current program*
25 *model of the Peace Corps and the feasibility of*

1 *program models such as the Peace Corps Re-*
 2 *sponse Program;*

3 *(F) the effectiveness and efficiency of volun-*
 4 *teer recruitment strategies, including strategies*
 5 *for recruitment at graduate schools, methods,*
 6 *and resource allocations used by the Peace Corps;*

7 *(G) the effectiveness of the Peace Corps in*
 8 *recruiting ethnically, socio-economically, and*
 9 *geographically diverse volunteers with wide-*
 10 *ranging skills and interests;*

11 *(H) the skills and interests of current Peace*
 12 *Corps volunteers;*

13 *(I) options for diversification of the skills*
 14 *and interests of Peace Corps volunteers, includ-*
 15 *ing volunteers with skills and interests that re-*
 16 *late to public health, information technology,*
 17 *urban planning, social services, communications,*
 18 *and community organizing;*

19 *(J) the Peace Corps volunteer training pro-*
 20 *grams;*

21 *(K) the options available to volunteers to*
 22 *suspend payment of student loans while serving*
 23 *in the Peace Corps;*

24 *(L) the medical care received by volunteers*
 25 *while serving in the Peace Corps;*

1 (M) the procedures of the Peace Corps for
2 mandatory medical separation of volunteers serv-
3 ing in the Peace Corps;

4 (N) the medical screening process for volun-
5 teers entering service in the Peace Corps, includ-
6 ing—

7 (i) the cost to the Peace Corps of pro-
8 viding full reimbursement for medical tests
9 under taken by volunteers applying for or
10 entering service in the Peace Corps;

11 (ii) expanded information for appli-
12 cants including potentially disqualifying
13 medical conditions; and

14 (iii) the cost of extending the medical
15 care provided by the Peace Corps to volun-
16 teers serving in the Peace Corps to include
17 the 5-month period beginning on the date
18 on which a volunteer completes service in
19 the Peace Corps;

20 (O) the causes of the early termination of
21 service in the Peace Corps, using the cohort and
22 other statistically appropriate methods and the
23 reasons cited by volunteers terminating their
24 service in the Peace Corps early;

1 (P) *how the Peace Corps can utilize infor-*
 2 *mation technology to improve—*

3 (i) *program efficiency, effectiveness,*
 4 *and coordination; and*

5 (ii) *communication among volunteers;*

6 (Q) *mechanisms for soliciting the views of*
 7 *volunteers serving in the Peace Corps, on a con-*
 8 *fidential basis, regarding—*

9 (i) *the support provided to such volun-*
 10 *teers by senior staff of the Peace Corps; and*

11 (ii) *the operations of the Peace Corps,*
 12 *including—*

13 (I) *staffing decisions;*

14 (II) *site selection;*

15 (III) *language training;*

16 (IV) *country programs; and*

17 (V) *dialogue with host country*
 18 *partners and ministries;*

19 (R) *mechanisms for incorporating the views*
 20 *of volunteers referred to in subparagraph (Q)*
 21 *into programming and management decisions of*
 22 *the Peace Corps; and*

23 (S) *the adequacy of various post-service*
 24 *benefits for volunteers and the potential impact*

1 *of such benefits on increasing, diversifying, and*
 2 *improving the pool of Peace Corps applicants.*

3 (3) *METHOD.*—*The assessment required under*
 4 *this subsection shall—*

5 (A) *be built on a review of past experiences*
 6 *and studies; and*

7 (B) *draw on the knowledge of—*

8 (i) *current Peace Corps volunteers and*
 9 *staff, at all levels of seniority;*

10 (ii) *returned Peace Corps volunteers*
 11 *and staff; and*

12 (iii) *host country nationals and offi-*
 13 *cials who have worked closely with Peace*
 14 *Corps volunteers.*

15 (b) *STRATEGIC PLAN.*—

16 (1) *IN GENERAL.*—*Not later than 180 days after*
 17 *the date of the enactment of this Act, the Director of*
 18 *the Peace Corps shall develop, based on the assessment*
 19 *required under subsection (a), a strategic plan for the*
 20 *Peace Corps that—*

21 (A) *encompasses the findings of the Director*
 22 *with respect to such assessment; and*

23 (B) *includes the matters described in para-*
 24 *graph (2).*

1 (2) *MATTERS DESCRIBED.*—*The matters de-*
2 *scribed in this paragraph are—*

3 (A) *1-year and 5-year goals and bench-*
4 *marks for the Peace Corps that address—*

5 (i) *each matter included in the assess-*
6 *ment required under subsection (a); and*

7 (ii) *such other matters as the Director*
8 *considers appropriate; and*

9 (B) *strategies for—*

10 (i) *distributing volunteers to countries*
11 *in which they have maximum value-added*
12 *for the host country, for the United States,*
13 *and for the volunteers themselves;*

14 (ii) *identifying countries with strategic*
15 *value to Peace Corps goals, currently not*
16 *served or dormant, and proposals for start-*
17 *ing new country programs or re-activating*
18 *dormant programs, as well as countries*
19 *with less strategic relevance to Peace Corps*
20 *goals, including proposals for reducing or*
21 *closing such country programs;*

22 (iii) *balancing the Peace Corps' inde-*
23 *pendence with its need to remain relevant*
24 *to broader United States foreign goals; and*

1 (iv) ensuring that Peace Corps oper-
 2 ations and goals are not adversely affected
 3 in situations where the bilateral relation-
 4 ship between the host country and the
 5 United States is problematic.

6 (c) *REPORT.*—

7 (1) *IN GENERAL.*—Not later than 180 days after
 8 the date of the enactment of this Act, the Director of
 9 the Peace Corps shall submit a report to the appro-
 10 priate congressional committees that includes—

11 (A) the findings of the Director with respect
 12 to the assessment required under subsection (a);
 13 and

14 (B) the strategic plan developed under sub-
 15 section (b).

16 (2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
 17 *DEFINED.*—In this subsection, the term “appropriate
 18 congressional committees” means—

19 (A) the Committee on Foreign Relations of
 20 the Senate;

21 (B) the Committee on Appropriations of the
 22 Senate;

23 (C) the Committee on Foreign Affairs of the
 24 House of Representatives; and

1 (D) the Committee on Appropriations of the
2 House of Representatives.

3 **SEC. 504. SENSE OF CONGRESS ON NUMBER OF PRESI-**
4 **DENTIAL APPOINTMENTS UNDER PEACE**
5 **CORPS ACT.**

6 *It is the sense of Congress that, except for appoint-*
7 *ments made under section 12 of the Peace Corps Act (22*
8 *U.S.C. 2511), the President should not make more than 15*
9 *concurrent appointments under such Act (22 U.S.C. 2501*
10 *et seq.).*

11 **TITLE VI—AUTHORIZATION OF**
12 **APPROPRIATIONS**

13 **Subtitle A—Department of State**

14 **SEC. 601. ADMINISTRATION OF FOREIGN AFFAIRS.**

15 (a) *IN GENERAL.*—*The following amounts are author-*
16 *ized to be appropriated under “Administration of Foreign*
17 *Affairs” for the Department of State to carry out the au-*
18 *thorities, functions, duties, and responsibilities in the con-*
19 *duct of foreign affairs of the United States, and for other*
20 *purposes authorized by law:*

21 (b) *DIPLOMATIC AND CONSULAR PROGRAMS.*—

22 (1) *IN GENERAL.*—*There is authorized to be ap-*
23 *propriated for fiscal year 2011, for “Diplomatic and*
24 *Consular Programs”, \$9,545,221,000, of which—*

1 (A) \$1,560,700,000 is authorized to be ap-
 2 propriated for worldwide security protection;
 3 and

4 (B) \$567,570,000 is authorized to be appro-
 5 priated for public diplomacy.

6 (2) *TRANSFERS.*—

7 (A) *TO EMERGENCIES ACCOUNT.*—Of the
 8 amounts authorized to be appropriated under
 9 paragraph (1), up to \$10,000,000 may be trans-
 10 ferred to, and merged with amounts in, the
 11 “Emergencies in the Diplomatic and Consular
 12 Service Account”.

13 (B) *FROM EMERGENCIES ACCOUNT.*—Of the
 14 amounts authorized to be appropriated for fiscal
 15 year 2011 for the “Emergencies in the Diplo-
 16 matic and Consular Service Account,” up to
 17 \$1,000,000 may be transferred to, and merged
 18 with amounts in, the “Repatriation Loans Pro-
 19 gram Account”.

20 (c) *CAPITAL INVESTMENT FUND.*—There is authorized
 21 to be appropriated \$144,100,000 for fiscal year 2011 for
 22 “Capital Investment Fund”, .

23 (d) *EMBASSY SECURITY, CONSTRUCTION, AND MAIN-*
 24 *TENANCE.*—There is authorized to be appropriated for fiscal
 25 year 2011—

1 (1) \$857,300,000 for ongoing operations; and

2 (2) \$824,200,000 for worldwide security up-
3 grades.

4 (e) *CIVILIAN STABILIZATION INITIATIVE*.—There is au-
5 thorized to be appropriated \$184,000,000 for fiscal year
6 2011, for “Civilian Stabilization Initiative”.

7 (f) *EDUCATIONAL AND CULTURAL EXCHANGE PRO-*
8 *GRAMS*.—There is authorized to be appropriated for fiscal
9 year 2011, for “Educational and Cultural Exchange Pro-
10 grams”, \$633,200,000, of which—

11 (1) \$750,000 may be used to carry out the Ti-
12 betan scholarship program established under section
13 103(b)(1) of the Human Rights, Refugee, and Other
14 Foreign Relations Provisions Act of 1996 (Public
15 Law 104–319); and

16 (2) \$650,000 may be used for the “Ngawang
17 Choepel Exchange Programs” (formerly known as
18 “programs of educational and cultural exchange be-
19 tween the United States and the people of Tibet”)
20 under section 103(a) of such Act.

21 (g) *REPRESENTATION ALLOWANCES*.—There is author-
22 ized to be appropriated \$8,175,000 for fiscal year 2011 for
23 “Representation Allowances”.

24 (h) *PROTECTION OF FOREIGN MISSIONS AND OFFI-*
25 *CIALS*.—There is authorized to be appropriated \$27,200,000

1 *for fiscal year 2011 for “Protection of Foreign Missions and*
 2 *Officials”.*

3 *(i) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*
 4 *SERVICE.—There is authorized to be appropriated*
 5 *\$11,000,000 for fiscal year 2011 for “Emergencies in the*
 6 *Diplomatic and Consular Service”.*

7 *(j) REPATRIATION LOANS.—There is authorized to be*
 8 *appropriated \$1,450,000 for fiscal year 2011, for “Repatri-*
 9 *ation Loans”.*

10 *(k) PAYMENT TO THE AMERICAN INSTITUTE IN TAI-*
 11 *WAN.—There is authorized to be appropriated \$21,420,000*
 12 *for fiscal year 2011 for “Payment to the American Institute*
 13 *in Taiwan”.*

14 *(l) OFFICE OF THE INSPECTOR GENERAL.—There is*
 15 *authorized to be appropriated for fiscal year 2011, for “Of-*
 16 *fice of the Inspector General”, \$120,152,000, of which—*

17 *(1) \$22,125 ,000 is authorized to be appro-*
 18 *priated for the Special Inspector General for Iraq Re-*
 19 *construction; and*

20 *(2) \$35,287,000 is authorized to be appropriated*
 21 *for the Special Inspector General for Afghanistan Re-*
 22 *construction.*

1 **SEC. 602. INTERNATIONAL ORGANIZATIONS AND CON-**
 2 **FERENCES.**

3 (a) *ASSESSED CONTRIBUTIONS TO INTERNATIONAL*
 4 *ORGANIZATIONS.*—*There is authorized to be appropriated*
 5 *to the Department of State for fiscal year 2011, for “Con-*
 6 *tributions to International Organizations”, \$1,595,430,000*
 7 *to carry out—*

8 (1) *the authorities, functions, duties, and respon-*
 9 *sibilities in the conduct of the foreign affairs of the*
 10 *United States with respect to international organiza-*
 11 *tions; and*

12 (2) *other authorized activities relating to such*
 13 *purposes.*

14 (b) *CONTRIBUTIONS FOR INTERNATIONAL PEACE-*
 15 *KEEPING ACTIVITIES.*—*There is authorized to be appro-*
 16 *priated to the Department of State for fiscal year 2011, for*
 17 *“Contributions for International Peacekeeping Activities”,*
 18 *\$2,182,300,000, which—*

19 (1) *shall be used to carry out—*

20 (A) *the authorities, functions, duties, and*
 21 *responsibilities of the United States with respect*
 22 *to international peacekeeping activities; and*

23 (B) *other authorized activities relating to*
 24 *such purposes; and*

25 (2) *shall remain available until expended.*

26 (c) *FOREIGN CURRENCY EXCHANGE RATE.*—

1 (1) *IN GENERAL.*—*In addition to amounts au-*
 2 *thorized to be appropriated under this section, there*
 3 *are authorized to be appropriated such sums as may*
 4 *be necessary for fiscal year 2011 to offset adverse fluc-*
 5 *tuations in foreign currency exchange rates.*

6 (2) *LIMITATION.*—*Amounts appropriated pursu-*
 7 *ant to this subsection shall be available for obligation*
 8 *and expenditure only to the extent that the Director*
 9 *of the Office of Management and Budget determines*
 10 *and certifies to Congress that such amounts are nec-*
 11 *essary due to the fluctuations described in paragraph*
 12 *(1).*

13 **SEC. 603. INTERNATIONAL COMMISSIONS.**

14 (a) *IN GENERAL.*—*The following amounts are author-*
 15 *ized to be appropriated under “International Commissions”*
 16 *for the Department of State to carry out the authorities,*
 17 *functions, duties, and responsibilities in the conduct of the*
 18 *foreign affairs of the United States with respect to inter-*
 19 *national commissions and for other purposes authorized by*
 20 *law:*

21 (b) *INTERNATIONAL BOUNDARY AND WATER COMMIS-*
 22 *SION, UNITED STATES AND MEXICO.*—*There are authorized*
 23 *to be appropriated for fiscal year 2011, for “International*
 24 *Boundary and Water Commission, United States and Mex-*
 25 *ico”*—

1 (1) \$47,431,000 for “Salaries and Expenses”;
2 *and*

3 (2) \$26,900,000 for “Construction”.

4 (c) *INTERNATIONAL BOUNDARY COMMISSION, UNITED*
5 *STATES AND CANADA.*—*There is authorized to be appro-*
6 *priated \$2,422,000 for fiscal year 2011 for “International*
7 *Boundary Commission, United States and Canada”.*

8 (d) *INTERNATIONAL JOINT COMMISSION.*—*There is au-*
9 *thorized to be appropriated \$7,631,000 for fiscal year 2011*
10 *for “International Joint Commission”.*

11 (e) *INTERNATIONAL FISHERIES COMMISSIONS.*—

12 (1) *IN GENERAL.*—*There is authorized to be ap-*
13 *propriated \$43,600,000 for fiscal year 2011 for*
14 *“International Fisheries Commissions”.*

15 (2) *PACIFIC SALMON TREATY.*—*Of the amounts*
16 *authorized to be appropriated for fiscal year 2011 for*
17 *“International Fisheries Commissions”, up to*
18 *\$15,000,000 may be used in each fiscal year to make*
19 *such payments to Canada as may be necessary to ful-*
20 *fill United States obligations under the Pacific Salm-*
21 *on Treaty.*

22 **SEC. 604. MIGRATION AND REFUGEE ASSISTANCE.**

23 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
24 *authorized to be appropriated for fiscal year 2011, for au-*

1 *thorized activities for “Migration and Refugee Assistance”,*
 2 *\$1,605,400,000—*

3 *(1) of which \$25,000,000 may be used for the re-*
 4 *settlement of humanitarian migrants to Israel; and*
 5 *(2) which shall remain available until expended.*

6 *(b) EMERGENCY REFUGEE AND MIGRATION ASSIST-*
 7 *ANCE ACCOUNT.—Section 2(c)(2) of the Migration and Ref-*
 8 *ugee Assistance Act of 1962 (22 U.S.C. 2601(c)(2)) is*
 9 *amended by striking “\$100,000,000” and inserting*
 10 *“\$200,000,000.”.*

11 **SEC. 605. CENTERS AND FOUNDATIONS.**

12 *(a) ASIA FOUNDATION.—There is authorized to be ap-*
 13 *propriated \$15,690,000 for fiscal year 2011 to carry out*
 14 *authorized activities for “The Asia Foundation”.*

15 *(b) NATIONAL ENDOWMENT FOR DEMOCRACY.—There*
 16 *is authorized to be appropriated \$105,000,000 for fiscal*
 17 *year 2011 to carry out authorized activities for “National*
 18 *Endowment for Democracy”.*

19 *(c) CENTER FOR CULTURAL AND TECHNICAL INTER-*
 20 *CHANGE BETWEEN EAST AND WEST.—There is authorized*
 21 *to be appropriated \$11,400,000 for fiscal year 2011 to carry*
 22 *out authorized activities for “Center for Cultural and Tech-*
 23 *nical Interchange Between East and West”.*

1 ***Subtitle B—United States Inter-***
 2 ***national Broadcasting Activities***

3 ***SEC. 611. AUTHORIZATION OF APPROPRIATIONS.***

4 *There are authorized to be appropriated to carry out*
 5 *United States Government international broadcasting ac-*
 6 *tivities under the United States Information and Edu-*
 7 *cational Exchange Act of 1948, the Radio Broadcasting to*
 8 *Cuba Act, the Television Broadcasting to Cuba Act, the*
 9 *United States International Broadcasting Act of 1994, and*
 10 *the Foreign Affairs Reform and Restructuring Act of 1998,*
 11 *and to carry out other authorities in law related to such*
 12 *purposes—*

13 *(1) \$755,143,000 for fiscal year 2011 for “Inter-*
 14 *national Broadcasting Operations”; and*

15 *(2) \$13,635,000 for the fiscal year 2011 for*
 16 *“Broadcasting Capital Improvements”.*

17 ***Subtitle C—Peace Corps***

18 ***SEC. 621. AUTHORIZATION OF APPROPRIATIONS.***

19 *Section 3(b)(1) of the Peace Corps Act (22 U.S.C.*
 20 *2502(b)(1)) is amended to read as follows:*

21 *“(1) There is authorized to be appropriated*
 22 *\$446,150,000 for fiscal year 2011 to carry out the*
 23 *purposes of this chapter.”.*

Calendar No. 585

11TH CONGRESS
2^D Session

S. 2971

[Report No. 111-301]

A BILL

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

SEPTEMBER 23, 2010

Reported with an amendment