

115TH CONGRESS
2D SESSION

H. R. 5592

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2018

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

A BILL

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

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Department of State Authorization Act of 2018”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT OF STATE

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

- Sec. 102. Reorganization authority.
- Sec. 103. Sense of Congress regarding need for congressional authorization prior to USAID reorganization.
- Sec. 104. National diplomacy and development strategy.
- Sec. 105. Office of Global Women's Issues.
- Sec. 106. Office of International Religious Freedom.
- Sec. 107. Bureau of Democracy, Human Rights, and Labor.
- Sec. 108. Assistant Secretary for International Narcotics and Law Enforcement Affairs.
- Sec. 109. Office of International Disability Rights.
- Sec. 110. Bureau of Consular Affairs; Bureau of Population, Refugees, and Migration.
- Sec. 111. Anti-piracy information sharing.
- Sec. 112. Extension of authority to assess passport surcharge.
- Sec. 113. Overseas comparability pay limitation.
- Sec. 114. Recall and reemployment of career members.
- Sec. 115. Director General of the Foreign Service and Director of the Foreign Service Institute.
- Sec. 116. Importance of foreign affairs training to national security.
- Sec. 117. Basic training and evaluation of career candidates to the Foreign Service.
- Sec. 118. Counterintelligence and counterterrorism training for Foreign Service officers.
- Sec. 119. Foreign language training reform.
- Sec. 120. Authorization for receipt of private funding for diplomatic studies and training.
- Sec. 121. Classification and assignment of Foreign Service officers.
- Sec. 122. Cyber diplomacy.
- Sec. 123. Energy diplomacy and security within the Department of State.

TITLE II—EMBASSY CONSTRUCTION

- Sec. 201. Standard design in capital construction.
- Sec. 202. Capital construction transparency.
- Sec. 203. Contractor performance information.
- Sec. 204. Growth projections for new embassies and consulates.
- Sec. 205. Long-range planning process.
- Sec. 206. Value engineering and risk assessment.
- Sec. 207. Business volume.
- Sec. 208. Embassy security requests and deficiencies.
- Sec. 209. Overseas security briefings.

TITLE III—PERSONNEL ISSUES

- Sec. 301. Special appointments.
- Sec. 302. Defense Base Act insurance waivers.
- Sec. 303. Study on Foreign Service allowances.
- Sec. 304. Science and technology fellowships.
- Sec. 305. Travel for separated families.
- Sec. 306. Home leave travel for separated families.
- Sec. 307. Sense of Congress regarding certain fellowship programs.
- Sec. 308. Technical correction.
- Sec. 309. Foreign Service awards.
- Sec. 310. Diplomatic and consular programs.

TITLE IV—DIVERSITY AND VETERAN RECRUITMENT

- Sec. 401. Definitions.
- Sec. 402. Collection, analysis, and dissemination of workforce data.
- Sec. 403. Exit interviews or surveys.
- Sec. 404. Recruitment.
- Sec. 405. Veteran recruitment for the Foreign Service.
- Sec. 406. Payne fellowship authorization.
- Sec. 407. Voluntary participation.

TITLE V—INFORMATION SECURITY

- Sec. 501. Definitions.
- Sec. 502. Information system security.
- Sec. 503. Improving FOIA process.
- Sec. 504. Annual report on security violations.
- Sec. 505. Classified information spillage.
- Sec. 506. Refresher training on the handling of classified information.
- Sec. 507. Prohibition on contracting with certain telecommunications providers.
- Sec. 508. Report on contracts with Kaspersky Labs and Huawei.

TITLE VI—PUBLIC DIPLOMACY

- Sec. 601. Avoiding duplication of programs and efforts.
- Sec. 602. American Spaces review.
- Sec. 603. Improving research and evaluation of public diplomacy.

TITLE VII—COMBATING PUBLIC CORRUPTION

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

TITLE VIII—MISCELLANEOUS

- Sec. 801. Case-Zablocki reform.
- Sec. 802. Reporting on implementation of GAO recommendations.
- Sec. 803. Extension of authority for certain Accountability Review Boards.

TITLE IX—MATTERS RELATING TO INTERNATIONAL SECURITY

Subtitle A—General Provisions

- Sec. 901. Modification of purposes for which military sales by the United States are authorized.
- Sec. 902. Return of defense articles.
- Sec. 903. Requirements relating to exemptions for licensing of defense items.
- Sec. 904. Amendment to general provisions.
- Sec. 905. Technical amendments to Arms Export Control Act.
- Sec. 906. Sense of Congress on licensing under United States arms export control programs.
- Sec. 907. Extension of war reserve stockpile authority.
- Sec. 908. Peacekeeping operations and other national security programs.
- Sec. 909. Other amendments to military assistance authorities.

Subtitle B—Security Sector Reform

- Sec. 921. List of priority countries for security sector assistance.

Sec. 922. Coordinator for security sector assistance in priority countries.
 Sec. 923. Policies and guidance for regional bureaus of the Department.
 Sec. 924. Office for Security Sector Assistance in the Department.
 Sec. 925. Database for security assistance.
 Sec. 926. Definitions.

Subtitle C—Modifications of Authorities That Provide for Rescission of
 Determinations of Countries as State Sponsors of Terrorism

Sec. 931. Modifications of authorities that provide for rescission of determinations of countries as state sponsors of terrorism.

1 **SEC. 2. DEFINITIONS.**

2 Except as otherwise provided, in this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 4 TEES.—The term “appropriate congressional com-
 5 mittees” means—

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

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

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

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

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

17 (3) SECRETARY.—Unless otherwise specified,
 18 the term “Secretary” means the Secretary of State.

1 **TITLE I—ORGANIZATION AND**
2 **OPERATIONS OF THE DE-**
3 **PARTMENT OF STATE**

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

6 It is the sense of Congress that—

7 (1) United States global engagement is key to
8 a stable and prosperous world;

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

12 (3) diplomacy and development are critical tools
13 of national power and full deployment of these tools
14 is vital to United States national security;

15 (4) challenges such as the global refugee and
16 migration crises, terrorism, historic famine and food
17 insecurity, and fragile or repressive societies cannot
18 be addressed without sustained and robust United
19 States diplomatic and development leadership;

20 (5) the United States Government must use all
21 of the instruments of national security and foreign
22 policy at our disposal to protect United States citi-
23 zens, promote United States interests and values,
24 and support global stability and prosperity;

1 (6) United States security and prosperity de-
2 pend on having partners and allies who share our in-
3 terests and values, and these partnerships are nur-
4 tured and our shared interests and values are pro-
5 moted through United States diplomatic engage-
6 ment, security cooperation, economic statecraft, and
7 assistance that helps further economic development,
8 good governance, including the rule of law and
9 democratic institutions, and the development of
10 shared responses to natural and humanitarian disas-
11 ters;

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

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

1 opportunities for women and girls, promoting good
2 governance and democracy, supporting anti-corruption
3 efforts, driving economic development and
4 trade, preventing armed conflicts and humanitarian
5 crises, and creating American jobs and export opportunities;
6

7 (9) the Department and USAID are vital national
8 security agencies, whose work is critical to the
9 projection of American power and leadership world-
10 wide, and without which Americans would be less
11 safe, our economic power would be diminished, and
12 global stability and prosperity would suffer;

13 (10) investing in diplomacy and development
14 before conflicts break out saves American lives while
15 also being cost-effective; and

16 (11) the contributions of personnel working at
17 the Department and USAID are extraordinarily valuable
18 and allow us to maintain United States leadership
19 around the world.

20 **SEC. 102. REORGANIZATION AUTHORITY.**

21 (a) REPORT.—Not later than 60 days after the date
22 of the enactment of this Act, the Secretary, in coordination
23 with the USAID Administrator, shall report to the
24 appropriate congressional committees on the details of any
25 plans for the reorganization of the Department or USAID.

1 (b) ELEMENTS.—The report referred to in subsection
2 (a) may be a brief or a written report and shall, to the
3 extent appropriate, include the following elements:

4 (1) The principles and goals of such reorganiza-
5 tion, including the timeline under which the pro-
6 posed organizational changes will be implemented.

7 (2) The justification for the reorganization, spe-
8 cifically with reference to the bureaus, offices, or po-
9 sitions of the Department or of USAID that would
10 be proposed to be eliminated, created, or altered by
11 such reorganization.

12 (3) An assessment of the projected impact of
13 the reorganization on United States diplomacy and
14 development efforts.

15 (4) Recommendations for any legislative au-
16 thorities required to implement the proposed reorga-
17 nization.

18 (c) TEMPORARY LIMITATION.—The Department and
19 USAID may not implement any aspect of any proposed
20 reorganization under this section until 30 days after the
21 plan with respect to any such reorganization is submitted
22 pursuant to subsection (a).

23 (d) LIMITATION.—Any plan for the reorganization of
24 the Department or USAID shall preserve the status of
25 USAID as an independent establishment within the Exec-

1 utive branch pursuant to section 1413 of the Foreign Af-
2 fairs Reform and Restructuring Act of 1998 (22 U.S.C.
3 6563).

4 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion may be construed as superseding any law that re-
6 quires the establishment of certain bureaus and offices of
7 the Department or USAID.

8 **SEC. 103. SENSE OF CONGRESS REGARDING NEED FOR**
9 **CONGRESSIONAL AUTHORIZATION PRIOR TO**
10 **USAID REORGANIZATION.**

11 It is the sense of Congress that, pursuant to section
12 1413 of the Foreign Affairs Reform and Restructuring
13 Act of 1998 (22 U.S.C. 6563), congressional authorization
14 is a prerequisite to any reorganization of the United
15 States Agency for International Development that would
16 change its current status.

17 **SEC. 104. NATIONAL DIPLOMACY AND DEVELOPMENT**
18 **STRATEGY.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) the latest iteration of the Joint Strategic
22 Plan developed by the Department and USAID does
23 not adequately address the strategic priorities of the
24 United States, identify key threats and opportuni-

1 ties, or offer the rationale for making hard choices
2 with regard to limited resources; and

3 (2) additional requirements to the Joint Stra-
4 tegic Plan are necessary to encourage the develop-
5 ment of a national diplomacy and development strat-
6 egy, elements of which shall be provided to Congress
7 in classified form.

8 (b) ENHANCEMENT OF JOINT STRATEGIC PLAN FOR
9 THE DEPARTMENT AND USAID.—In addition to meeting
10 the requirements described in section 306 of title 5,
11 United States Code, the strategic plan developed by the
12 Department and USAID shall—

13 (1) refer to and support the most recent na-
14 tional security strategy report submitted pursuant to
15 section 108 of the National Security Act of 1947
16 (50 U.S.C. 3043);

17 (2) be integrated and coordinated with other
18 relevant national-level plans and with the strategic
19 plans of other Federal departments and agencies, in-
20 cluding the current National Defense Strategy;

21 (3) prioritize the leading worldwide diplomatic
22 and development interests and objectives of the
23 United States and the leading threats and challenges
24 associated with those interests and objectives;

1 (4) identify the major diplomatic, economic, and
2 assistance approaches designed to support and fur-
3 ther the worldwide interests, goals, commitments,
4 and policies that are vital to the national security of
5 the United States;

6 (5) describe how the diplomatic and develop-
7 ment community will utilize personnel, partnerships,
8 alliances, industry, technology, international and
9 nongovernmental organizations, and other capabili-
10 ties to execute the efforts described in paragraph
11 (4);

12 (6) outline the organizational roles and missions
13 of the elements of the diplomatic and development
14 community as part of an integrated enterprise, and
15 how those elements coordinate and collaborate with
16 other Federal departments and agencies supporting
17 the national security strategy of the United States;

18 (7) include an assessment of each bureau head-
19 ed by an Assistant Secretary of State or an Assist-
20 ant Administrator of USAID regarding its current
21 and anticipated contribution to the overall strategic
22 plan, including analysis of personnel, responsibilities,
23 performance, and chain of management;

24 (8) identify sources of strategic, institutional,
25 programmatic, fiscal, and technological risk;

1 (9) analyze factors that may affect the diplo-
2 matic and development community’s performance in
3 pursuing the approaches described in paragraph (4)
4 during the following 10-year period; and

5 (10) identify extraordinary resources and statu-
6 tory authorities that may be necessary or appro-
7 priate to implement this strategy.

8 (c) FORM.—The plan required under subsection (b)
9 shall be transmitted in both classified and unclassified
10 form, but may include a classified annex.

11 (d) SUBMISSION TO CONGRESS.—Not later than 30
12 days after submission of the strategic plan required under
13 section 306 of title 5, United States Code, the Secretary
14 shall submit to the appropriate congressional committees
15 and to the Committees on Armed Services of the Senate
16 and the House of Representatives any classified annex re-
17 ferred to in subsection (c).

18 **SEC. 105. OFFICE OF GLOBAL WOMEN’S ISSUES.**

19 (a) IN GENERAL.—The Secretary should establish an
20 Office of Global Women’s Issues (referred to in this sec-
21 tion as the “Office”), which may be placed within the or-
22 ganizational structure of the Department at the discretion
23 of the Secretary.

24 (b) PURPOSE.—The Office should coordinate efforts
25 of the United States Government, as directed by the Sec-

1 retary, regarding gender equality and advancing the status
2 of women and girls in United States foreign policy.

3 (c) DUTIES.—The Office should—

4 (1) serve as the principal advisor to the Sec-
5 retary regarding gender equality, women’s and girls’
6 empowerment, and violence against women and girls
7 as a priority of United States foreign policy;

8 (2) represent the United States in diplomatic
9 and multilateral fora on matters relevant to the sta-
10 tus of women and girls;

11 (3) advise the Secretary and provide input on
12 all activities, policies, programs, and funding relat-
13 ing to gender equality and the advancement of
14 women and girls internationally for all bureaus and
15 offices of the Department and in the international
16 programs of all other Federal agencies;

17 (4) work to ensure that efforts to advance gen-
18 der equality and women’s and girls’ empowerment
19 are fully integrated into the programs, structures,
20 processes, and capacities of all bureaus and offices
21 of the Department and in the international pro-
22 grams of other Federal agencies; and

23 (5) conduct regular consultation with civil soci-
24 ety organizations working to advance gender equality
25 and empower women and girls internationally.

1 (d) SUPERVISION.—The Office should be headed by
2 an Ambassador-at-large for Global Women’s Issues who
3 exercises significant authority, reports to the President or
4 Secretary, and is appointed by the President by and with
5 the advice and consent of the Senate.

6 (e) REPORT.—Not later than 180 days after the date
7 of the enactment of this Act, the Secretary shall provide
8 to the appropriate congressional committees a report or
9 briefing on the steps taken to fulfill the duties of the Of-
10 fice specified in subsection (c).

11 **SEC. 106. OFFICE OF INTERNATIONAL RELIGIOUS FREE-**
12 **DOM.**

13 (a) IN GENERAL.—Section 101(c)(4) of the Inter-
14 national Religious Freedom Act of 1998 (22 U.S.C.
15 6411(c)(4)) is amended—

16 (1) in subparagraph (A), by striking “; and”
17 and inserting a semicolon;

18 (2) in subparagraph (B), by striking the period
19 at the end and inserting “; and”; and

20 (3) by adding at the end the following new sub-
21 paragraph:

22 “(C) shall supervise any special envoy, spe-
23 cial representative, or office with responsibility
24 for protecting international religious freedom,

1 protecting religious minorities, or advising the
2 Secretary on matters relating to religion.”.

3 (b) IN GENERAL.—Section 59(a)(2) of the State De-
4 partment Basic Authorities Act of 1956 (22 U.S.C.
5 2731(a)(2)) is amended by adding at the end the following
6 new subparagraph:

7 “(C) OVERSIGHT.—To promote a cohesive
8 and integrated foreign policy regarding inter-
9 national religious freedom, the Special Envoy
10 shall be placed under the supervision of the
11 Ambassador at Large for International Reli-
12 gious Freedom.”.

13 **SEC. 107. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND**
14 **LABOR.**

15 Paragraph (2) of section 1(c) of the State Depart-
16 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a)
17 is amended—

18 (1) in subparagraph (A), by adding at the end
19 the following new sentence: “All special envoys, am-
20 bassadors, and coordinators located within the Bu-
21 reau shall report directly to the Assistant Sec-
22 retary.”; and

23 (2) by adding at the end the following new sub-
24 paragraphs:

1 “(C) AUTHORITIES.—In addition to the
2 duties, functions, and responsibilities specified
3 in section 1(c)(2), the Bureau is authorized
4 to—

5 “(i) promote democracy and actively
6 support human rights throughout the
7 world in accordance with this subtitle;

8 “(ii) promote the rule of law and good
9 governance throughout the world;

10 “(iii) to strengthen civil society pro-
11 grams and organizations;

12 “(iv) produce the annual Country Re-
13 ports on Human Rights Practices, in con-
14 junction with embassies and regional bu-
15 reaus;

16 “(v) implement—

17 “(I) the limitation on assistance
18 to security forces imposed pursuant to
19 section 620M of the Foreign Assist-
20 ance Act of 1961 (22 U.S.C. 2378d;
21 commonly known as the ‘Leahy Law’);
22 and

23 “(II) the Child Soldiers Preven-
24 tion Act of 2008 (22 U.S.C. 2370c et
25 seq.; enacted as title IV of the William

1 Wilberforce Trafficking Victims Pro-
2 tection Reauthorization Act of 2008
3 (Public Law 110–457));

4 “(vi) review and, as appropriate, make
5 recommendations to the Secretary of State
6 regarding the proposed transfer of—

7 “(I) defense articles and services
8 authorized under the Foreign Assist-
9 ance Act of 1961 (22 U.S.C. 2151 et
10 seq.) or the Arms Export Control Act
11 (22 U.S.C. 2751 et seq.); and

12 “(II) military items listed on the
13 600 series of the Commerce Control
14 List contained in Supplement No. 1 to
15 part 774 of subtitle B of title 15,
16 Code of Federal Regulations; and

17 “(vii) coordinate programs and activi-
18 ties that protect and advance the exercise
19 of human rights and internet freedom in
20 cyberspace.

21 “(D) EFFICIENCY.—The Assistant Sec-
22 retary shall take whatever actions may be nec-
23 essary to minimize the duplication of efforts
24 within the Bureau.

1 “(E) LOCAL OVERSIGHT.—United States
 2 missions, to the extent practicable, should assist
 3 in exercising oversight authority and coordinate
 4 with the Bureau to ensure that funds are ap-
 5 propriately used and comply with anti-corrup-
 6 tion practices.”.

7 **SEC. 108. ASSISTANT SECRETARY FOR INTERNATIONAL**
 8 **NARCOTICS AND LAW ENFORCEMENT AF-**
 9 **FAIRS.**

10 (a) IN GENERAL.—Section 1(c) of the State Depart-
 11 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a(c))
 12 is amended—

13 (1) by redesignating paragraph (3) as para-
 14 graph (4); and

15 (2) by inserting after paragraph (2) the fol-
 16 lowing new paragraph:

17 “(3) ASSISTANT SECRETARY FOR INTER-
 18 NATIONAL NARCOTICS AND LAW ENFORCEMENT AF-
 19 FAIRS.—

20 “(A) IN GENERAL.—There shall be in the
 21 Department of State an Assistant Secretary for
 22 International Narcotics and Law Enforcement
 23 Affairs who shall be responsible to the Sec-
 24 retary for all matters, programs, and related
 25 activities pertaining to international narcotics,

1 anti-crime, and law enforcement affairs in the
2 conduct of foreign policy by the Department,
3 including, as appropriate, the coordination of
4 programs carried out by United States Govern-
5 ment agencies abroad, and such other related
6 duties as the Secretary may from time to time
7 designate.

8 “(B) AREAS OF RESPONSIBILITY.—The
9 Assistant Secretary for International Narcotics
10 and Law Enforcement Affairs shall maintain
11 continuous observation and coordination of all
12 matters pertaining to international narcotics
13 and law enforcement affairs in the conduct of
14 foreign policy, including programs carried out
15 by other United States Government agencies
16 when such programs pertain to the following
17 matters:

18 “(i) Combatting international nar-
19 cotics production and trafficking.

20 “(ii) Strengthening foreign justice sys-
21 tems, including judicial and prosecutorial
22 capacity, appeals systems, law enforcement
23 agencies, prison systems, and the sharing
24 of recovered assets.

1 “(iii) Training and equipping foreign
2 security forces, including police, for anti-
3 crime programs, and vetting all foreign
4 personnel who receive such assistance.

5 “(iv) Ensuring the inclusion of human
6 rights issues in law enforcement programs,
7 in consultation with the Assistant Sec-
8 retary for Democracy, Human Rights, and
9 Labor and the heads of appropriate re-
10 gional bureaus.

11 “(v) Combating, in conjunction with
12 other relevant bureaus of the Department,
13 all forms of transnational organized crime,
14 including illicit trafficking, human traf-
15 ficking, arms trafficking, wildlife traf-
16 ficking, trafficking in cultural property,
17 migrant smuggling, money laundering, the
18 illicit smuggling of bulk cash, and other
19 forms of emerging crime.

20 “(vi) Identifying and responding to
21 global corruption, including strengthening
22 the capacity of foreign government institu-
23 tions responsible for addressing financial
24 crimes.

1 “(C) ADDITIONAL DUTIES.—In addition to
2 the responsibilities specified in subparagraph
3 (B), the Assistant Secretary for International
4 Narcotics and Law Enforcement Affairs shall
5 also—

6 “(i) carry out timely and substantive
7 consultation with chiefs of mission and, as
8 appropriate, the heads of other United
9 States Government agencies to ensure ef-
10 fective coordination of all international
11 narcotics and law enforcement programs
12 carried out overseas by the Department
13 and such other agencies;

14 “(ii) coordinate with the Office of Na-
15 tional Drug Control Policy to ensure les-
16 sons learned from other components of the
17 United States Government are utilized by
18 the Bureau of International Narcotics and
19 Law Enforcement Affairs;

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

1 “(iv) in coordination with the Sec-
2 retary of State, annually certify in writing
3 to the Committee on Foreign Affairs of the
4 House of Representatives and the Com-
5 mittee on Foreign Relations of the Senate
6 that United States law enforcement per-
7 sonnel posted abroad whose activities are
8 funded to any extent by the Bureau of
9 International Narcotics and Law Enforce-
10 ment Affairs are complying with section
11 207 of the Foreign Service Act of 1980
12 (22 U.S.C. 3927).”.

13 (b) MODIFICATION OF ANNUAL INTERNATIONAL
14 NARCOTICS CONTROL STRATEGY REPORT.—Subsection
15 (a) of section 489 of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2291h) is amended by adding at the end the
17 following new paragraph:

18 “(9) A separate section that contains an identi-
19 fication of all United States Government vetted
20 units funded by the Bureau of International Nar-
21 cotics and Law Enforcement Affairs and any Bu-
22 reau-funded operations by such units in which
23 United States law enforcement personnel have been
24 physically present.”.

1 **SEC. 109. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

2 (a) ESTABLISHMENT.—There should be established
3 in the Department an Office of International Disability
4 Rights (referred to in this section as the “Office”).

5 (b) DUTIES.—The Office should—

6 (1) seek to ensure that all United States for-
7 eign operations are accessible to, and inclusive of,
8 persons with disabilities;

9 (2) promote the human rights and full partici-
10 pation in international development activities of all
11 persons with disabilities; and

12 (3) promote disability inclusive practices and
13 the training of Department staff on soliciting quality
14 programs that are fully inclusive of people with dis-
15 abilities.

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

17 (1) a senior advisor to the appropriate Assist-
18 ant Secretary; or

19 (2) an officer exercising significant authority
20 who reports to the President or Secretary, appointed
21 by and with the advice and consent of the Senate.

22 (d) CONFORMING AMENDMENT.—Section 579(b) of
23 the Foreign Operations, Export Financing, and Related
24 Programs Appropriations Act, 2005 (division D of Public
25 Law 108–447) is amended by striking subsection (b).

1 **SEC. 110. BUREAU OF CONSULAR AFFAIRS; BUREAU OF**
2 **POPULATION, REFUGEES, AND MIGRATION.**

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

5 (1) by redesignating subsection (g) as sub-
6 section (i); and

7 (2) by inserting after subsection (f) the flowing
8 new subsections:

9 “(g) BUREAU OF CONSULAR AFFAIRS.—There is in
10 the Department of State the Bureau of Consular Affairs,
11 which shall be headed by the Assistant Secretary of State
12 for Consular Affairs.

13 “(h) BUREAU OF POPULATION, REFUGEES, AND MI-
14 GRATION.—There is in the Department of State the Bu-
15 reau of Population, Refugees, and Migration, which shall
16 be headed by the Assistant Secretary of State for Popu-
17 lation, Refugees, and Migration.”.

18 **SEC. 111. ANTI-PIRACY INFORMATION SHARING.**

19 The Secretary is authorized to provide for the partici-
20 pation by the United States in the Information Sharing
21 Centre located in Singapore, as established by the Re-
22 gional Cooperation Agreement on Combating Piracy and
23 Armed Robbery against Ships in Asia (ReCAAP).

1 **SEC. 112. EXTENSION OF AUTHORITY TO ASSESS PASSPORT**
2 **SURCHARGE.**

3 Section 1(b) of the Act of June 4, 1920 (41 Stat.
4 750; chapter 223; 22 U.S.C. 214(b)), is amended—

5 (1) in paragraph (2), by striking “2010” and
6 inserting “2019”; and

7 (2) in paragraph (3), by—

8 (A) striking “2006 and 2007” and insert-
9 ing “2018 and 2019”; and

10 (B) striking “2005” and inserting “2017”.

11 **SEC. 113. OVERSEAS COMPARABILITY PAY LIMITATION.**

12 (a) IN GENERAL.—Subject to such regulations as
13 may be prescribed by the Secretary, including with respect
14 to treatment as basic pay, and notwithstanding any other
15 provision of law, an eligible member of the Foreign Service
16 (as defined in subsection (b)) may be provided a locality-
17 based comparability payment (stated as a percentage) not
18 to exceed two-thirds of the amount of the locality-based
19 comparability payment (stated as a percentage) that
20 would be payable to such member under section 5304 of
21 title 5, United States Code, if such member’s official duty
22 station were in the District of Columbia.

23 (b) LIMITATION.—A member of the Foreign Service
24 shall be eligible for a payment under this section only if
25 the member is designated class 1 or below for purposes
26 of section 403 of the Foreign Service Act of 1980 (22

1 U.S.C. 3963) and the member's official duty station is not
2 in the continental United States or in a non-foreign area,
3 as defined in section 591.205 of title 5, Code of Federal
4 Regulations.

5 (c) FURTHER LIMITATION.—The amount of any lo-
6 cality-based comparability payment that is paid to a mem-
7 ber of the Foreign Service under this section shall be sub-
8 ject to any limitations on pay applicable to locality-based
9 comparability payments under section 5304 of title 5,
10 United States Code.

11 **SEC. 114. RECALL AND REEMPLOYMENT OF CAREER MEM-**
12 **BERS.**

13 Subsection (a) of section 308 of the Foreign Service
14 Act of 1980 (22 U.S.C. 3948) is amended to read as fol-
15 lows:

16 “(a) Whenever the Secretary determines that the
17 needs of the Department so require, the Secretary may
18 recall any retired or voluntarily separated career member
19 of the Service, or any retired or voluntarily separated ca-
20 reer employee of the civil service (within the meaning of
21 section 315.201 of title 5, Code of Federal Regulations
22 (or successor section)), for active duty in the same per-
23 sonnel category as such member or employee was serving
24 at the time of retirement or voluntary separation. A re-
25 called retired or voluntarily separated career member of

1 the Service or retired or voluntarily separated career em-
 2 ployee of the civil service may not be recalled to a salary
 3 class higher than the one in which such member or em-
 4 ployee was serving at the time of retirement or voluntary
 5 separation, unless appointed to such higher class by the
 6 President, by and with the advice and consent of the Sen-
 7 ate.”.

8 **SEC. 115. DIRECTOR GENERAL OF THE FOREIGN SERVICE**
 9 **AND DIRECTOR OF THE FOREIGN SERVICE**
 10 **INSTITUTE.**

11 (a) SENSE OF CONGRESS.—It is the sense of Con-
 12 gress that responsibility for the assignment and training
 13 of Department employees should be unified under the gen-
 14 eral direction of the Director General of the Foreign Serv-
 15 ice or such other single official as the Secretary may des-
 16 ignate.

17 (b) LINES OF AUTHORITY.—The Foreign Service Act
 18 of 1980 is amended—

19 (1) in section 208 (22 U.S.C. 3928), in the sec-
 20 ond sentence, by inserting “, including directing the
 21 formulation and implementation of personnel and
 22 training policies and programs,” after “in the man-
 23 agement of the Service”; and

24 (2) in section 701(a) (22 U.S.C. 4021(a))—

1 (A) in the second sentence, by striking “be
 2 appointed by the Secretary of State” and in-
 3 serting “report to and be under the general su-
 4 pervision of the Director General of the Foreign
 5 Service”; and

6 (B) by inserting a period after “‘George P.
 7 Shultz National Foreign Affairs Training Cen-
 8 ter’”.

9 **SEC. 116. IMPORTANCE OF FOREIGN AFFAIRS TRAINING TO**
 10 **NATIONAL SECURITY.**

11 It is the sense of Congress that—

12 (1) the Department is a crucial national secu-
 13 rity agency, whose employees—both Foreign and
 14 Civil Service—require the best possible training at
 15 every stage of their careers to prepare them to pro-
 16 mote and defend United States national interests
 17 and the health and safety of American citizens
 18 abroad;

19 (2) the Secretary should explore establishing a
 20 “training float” requiring that a certain percentage
 21 of the Foreign Service shall be in long-term training
 22 at any given time;

23 (3) the Department’s Foreign Service Institute
 24 should seek to substantially increase its educational
 25 and training offerings to Department personnel, in-

1 including developing new and innovative educational
2 and training courses, methods, programs and oppor-
3 tunities; and

4 (4) consistent with existing Department gift ac-
5 ceptance authority and other applicable laws, the
6 Department and Foreign Service Institute should
7 seek and accept funds and other resources from
8 foundations, not-for-profit corporations, and other
9 appropriate sources to help the Department and the
10 Institute to accomplish the goals specified in para-
11 graph (3).

12 **SEC. 117. BASIC TRAINING AND EVALUATION OF CAREER**
13 **CANDIDATES TO THE FOREIGN SERVICE.**

14 The Foreign Service Act of 1980 (22 U.S.C. 3901
15 et seq.) is amended—

16 (1) in section 306 (22 U.S.C. 3946), by striking
17 subsections (a), (b), and (c) and inserting the fol-
18 lowing new subsections:

19 “(a) CAREER APPOINTMENTS.—

20 “(1) Before receiving a career appointment and
21 beginning an assignment as described in section
22 502, an individual under a limited appointment shall
23 satisfactorily complete a rigorous Basic Training
24 Course described in section 703.

1 “(2) After the successful completion of the
2 Basic Training Course described in section 703 and
3 before receiving a career appointment in the Service,
4 an individual under a limited appointment shall
5 serve as a career candidate for a trial period of serv-
6 ice prescribed by the Secretary.

7 “(b) DETERMINATION BY SECRETARY.—

8 “(1) During or at the conclusion of the Basic
9 Training Course referred to in subsection (a)(1), the
10 Secretary shall, with respect to a candidate de-
11 scribed in such subsection, decide whether to termi-
12 nate the appointment of the candidate without delay,
13 as authorized in accordance with section 612.

14 “(2) During the trial period of service referred
15 to in subsection (a)(2), the Secretary shall, with re-
16 spect to a candidate described in such subsection,
17 decide whether to—

18 “(A) offer a career appointment under sec-
19 tion 303 to such candidate; or

20 “(B) recommend to the President that
21 such candidate be given a career appointment
22 under section 302.

23 “(c) BASIS.—Determinations by the Secretary under
24 subsection (b) shall be based upon the recommendations
25 of boards, established by the Secretary and composed en-

1 tirely or primarily of career members of the Service, which
 2 shall evaluate the fitness and aptitude of career candidates
 3 for the work of the Service.

4 “(d) FOREIGN SERVICE GRIEVANCE BOARD DECISIONS.—Nothing in this section may be construed to limit
 5 the authority of the Secretary or the Foreign Service
 6 Grievance Board under section 1107.”; and

8 (2) in section 703 (22 U.S.C. 4023)—

9 (A) in subsection (a)—

10 (i) in the first sentence—

11 (I) by inserting “training and”
 12 after “establish a professional”;

13 (II) by inserting “and exhibit”
 14 after “that members of the Service
 15 obtain”; and

16 (III) by striking “the skills and
 17 knowledge” and inserting “the skills,
 18 knowledge, judgment, and integrity”;
 19 and

20 (ii) in the second sentence, by insert-
 21 ing “before and” after “both”;

22 (B) by redesignating subsections (b)
 23 through (e) as subsections (c) through (f), re-
 24 spectively; and

1 (C) by inserting after subsection (a) the
 2 following new subsection:

3 “(b)(1) The Secretary shall ensure that all newly-
 4 hired career candidates successfully complete a rigorous
 5 Basic Training Course before beginning their first domes-
 6 tic or overseas assignment and receiving a career appoint-
 7 ment in the Service. Such Basic Training Course shall
 8 evaluate candidates on the skills, knowledge, judgment,
 9 and integrity necessary to serve effectively as a Foreign
 10 Service officer in accordance with the Foreign Service pre-
 11 cepts prescribed by the Secretary under section 602.”.

12 **SEC. 118. COUNTERINTELLIGENCE AND COUNTERTER-**
 13 **RORISM TRAINING FOR FOREIGN SERVICE**
 14 **OFFICERS.**

15 Section 708 of the Foreign Service Act of 1980 (22
 16 U.S.C. 4028) is amended by adding at the end the fol-
 17 lowing new subsection:

18 “(d) COUNTERINTELLIGENCE AND COUNTERTER-
 19 RORISM TRAINING.—

20 “(1) IN GENERAL.—The Secretary of State,
 21 with the assistance of other relevant officials, shall
 22 establish as part of the standard training provided
 23 after the date of the enactment of this subsection,
 24 for officers of the Service, including chiefs of mis-
 25 sion, instruction in the field of counterintelligence

1 and counterterrorism tradecraft. Such training shall
2 include the following components:

3 “(A) Instruction and practical exercises on
4 the nature of cyber threats and tradecraft to
5 minimize the risk of compromise of both classi-
6 fied and unclassified information.

7 “(B) Instruction and practical exercises on
8 human intelligence collection methods and
9 tradecraft to effectively recognize and counter
10 such methods and tradecraft.

11 “(C) Instruction and practical exercises on
12 physical security and terrorist threats and
13 tradecraft to minimize the risk of such threats
14 and tradecraft.

15 “(2) INCORPORATION.—Training under this
16 subsection shall be—

17 “(A) included in the Basic Officer Train-
18 ing Course attended by all newly hired Foreign
19 Service officers under section 703;

20 “(B) required every seven years for all
21 Foreign Service officers who possess a security
22 clearance; and

23 “(C) included in the courses required of all
24 incoming deputy chiefs of mission and chiefs of
25 mission.”.

1 **SEC. 119. FOREIGN LANGUAGE TRAINING REFORM.**

2 Subsection (a) of section 191 of the Foreign Rela-
3 tions Authorization Act, Fiscal Years 1994 and 1995 (22
4 U.S.C. 3926 note) is amended—

5 (1) by striking paragraph (2); and

6 (2) redesignating paragraphs (3) through (6) as
7 paragraphs (2) through (5), respectively.

8 **SEC. 120. AUTHORIZATION FOR RECEIPT OF PRIVATE**
9 **FUNDING FOR DIPLOMATIC STUDIES AND**
10 **TRAINING.**

11 Section 701 of the Foreign Service Act of 1980 (22
12 U.S.C. 4021) is amended—

13 (1) by redesignating subsection (g) as sub-
14 section (h); and

15 (2) by inserting after subsection (f) the fol-
16 lowing new subsection:

17 “(g)(1) The institution is authorized to receive pri-
18 vate funds from private individuals and organizations to
19 supplement the institution’s funding and expand and en-
20 hance training, including for the following:

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

23 “(B) Curriculum development.

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

1 “(D) Hiring retired Department of State per-
2 sonnel to teach, notwithstanding other hiring limita-
3 tions.

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

6 “(2) Private funding received by the institution pur-
7 suant to this subsection shall be provided at the discretion
8 of the grantor individual or organization, as the case may
9 be, in consultation with the Director of the institution and
10 the Under Secretary of State for Management.

11 “(3) Not less than once annually, and at the request
12 of the Committee on Foreign Affairs or the Committee
13 on Appropriations of the House of Representatives or the
14 Committee on Foreign Relations or the Committee on Ap-
15 propriations of the Senate, the Department shall provide
16 the names of grantors and nature and amounts of any
17 contributions made.”.

18 **SEC. 121. CLASSIFICATION AND ASSIGNMENT OF FOREIGN**
19 **SERVICE OFFICERS.**

20 The Foreign Service Act of 1980 is amended—

21 (1) in section 501 (22 U.S.C. 3981), by insert-
22 ing “If a position designated under this section is
23 unfilled for more than 365 calendar days, such posi-
24 tion shall be filled, as appropriate, on a temporary
25 basis, in accordance with section 309.” after “Posi-

1 tions designated under this section are excepted
2 from the competitive service.”; and

3 (2) in paragraph (2) of section 502(a) (22
4 U.S.C. 3982(a)), by inserting “, or domestically, in
5 a position working on issues relating to a particular
6 country or geographic area,” after “geographic
7 area”.

8 **SEC. 122. CYBER DIPLOMACY.**

9 (a) UNITED STATES INTERNATIONAL CYBERSPACE
10 POLICY.—Congress declares that it is the policy of the
11 United States to work internationally with allies and other
12 partners to promote an open, interoperable, reliable, unfet-
13 tered, and secure internet governed by the multi-stake-
14 holder model which promotes human rights, democracy,
15 and rule of law, including freedom of expression, innova-
16 tion, communication, and economic prosperity, while re-
17 specting privacy and guarding against deception, fraud,
18 and theft.

19 (b) OFFICE OF CYBERSPACE AND THE DIGITAL
20 ECONOMY.—Section 1 of the State Department Basic Au-
21 thorities Act of 1956 (22 U.S.C. 2651a), as amended by
22 section 110 of this Act, is further amended—

23 (1) by redesignating subsection (i) as subsection
24 (j); and

1 (2) by inserting after subsection (h) the fol-
2 lowing new subsection:

3 “(i) OFFICE OF CYBERSPACE AND THE DIGITAL
4 ECONOMY.—

5 “(1) IN GENERAL.—There is established an Of-
6 fice of Cyberspace and the Digital Economy (in this
7 subsection referred to as the ‘Office’). The head of
8 the Office shall have the rank and status of ambas-
9 sador and be appointed by the President, by and
10 with the advice and consent of the Senate.

11 “(2) DUTIES.—

12 “(A) IN GENERAL.—The head of the Of-
13 fice shall perform such duties and exercise such
14 powers as the Secretary of State shall prescribe,
15 including implementing the policy of the United
16 States described in section 122 of the Depart-
17 ment of State Authorization Act, Fiscal Year
18 2018.

19 “(B) DUTIES DESCRIBED.—The principal
20 duties and responsibilities of the head of the
21 Office shall be to—

22 “(i) serve as the principal cyber-policy
23 official within the senior management of
24 the Department of State and advisor to
25 the Secretary of State for cyber issues;

1 “(ii) lead the Department’s diplomatic
2 cyberspace efforts generally, including re-
3 lating to international cybersecurity, inter-
4 net access, internet freedom, digital econ-
5 omy, cybercrime, deterrence, international
6 responses to cyber threats, and other such
7 issues as the Secretary shall assign;

8 “(iii) promote an open, interoperable,
9 reliable, unfettered, and secure information
10 and communications technology infrastruc-
11 ture globally;

12 “(iv) represent the Secretary in inter-
13 agency efforts to develop and advance
14 United States international cyberspace pol-
15 icy;

16 “(v) coordinate cyberspace efforts and
17 other relevant functions within the Depart-
18 ment, and with other components of the
19 United States Government;

20 “(vi) act as liaison to public and pri-
21 vate sector entities on relevant cyberspace
22 issues;

23 “(vii) lead United States Government
24 efforts to establish a global deterrence
25 framework;

1 “(viii) develop and execute key adver-
2 sary specific strategies to influence adver-
3 sary decision-making through the imposi-
4 tion of costs and deterrence strategies;

5 “(ix) advise the Secretary and coordi-
6 nate with foreign governments on external
7 responses to national-security-level cyber
8 incidents;

9 “(x) promote the adoption of national
10 processes and programs that enable threat
11 detection, prevention, and response to ma-
12 licious foreign territorial cyber activity;

13 “(xi) advise on efforts to build foreign
14 capacity to protect the global network with
15 the goal of enabling like-minded participa-
16 tion in deterrence frameworks;

17 “(xii) promote the maintenance of an
18 open and interoperable character of the
19 internet with multi-stakeholder governance,
20 instead of centralized government control;

21 “(xiii) promote an international regu-
22 latory environment for technology invest-
23 ments and the internet that benefits
24 United States economic and national secu-
25 rity interests;

1 “(xiv) promote cross-border flow of
2 data and combat international initiatives
3 which seek to impose restrictive localiza-
4 tion or privacy requirements on United
5 States businesses;

6 “(xv) protect the integrity of United
7 States and international telecommuni-
8 cations infrastructure from foreign-based
9 threats;

10 “(xvi) serve as the interagency coordi-
11 nator for the United States Government on
12 engagement with foreign governments on
13 cyberspace and digital economy issues
14 under this subsection;

15 “(xvii) secure radio frequency spec-
16 trum for United States businesses and na-
17 tional security needs;

18 “(xviii) promote and protect the exer-
19 cise of human rights, including freedom of
20 speech and religion, through the internet;
21 and

22 “(xix) build capacity of United States
23 diplomatic officials to engage on cyber
24 issues.

1 “(3) QUALIFICATIONS.—The head of the Office
2 should be an individual of demonstrated competency
3 in the field of—

4 “(A) cybersecurity and other relevant cyber
5 issues; and

6 “(B) international diplomacy.

7 “(4) ORGANIZATIONAL PLACEMENT.—The head
8 of the Office shall report to the Under Secretary for
9 Political Affairs or other official holding a higher po-
10 sition than the Under Secretary for Political Affairs
11 in the Department of State for a period of not less
12 than four years after the date of enactment of this
13 subsection, after which time the head of the Office
14 shall report to an appropriate Under Secretary or
15 other official holding a higher position than Under
16 Secretary.

17 “(5) RULE OF CONSTRUCTION.—Nothing in
18 this subsection may be construed as precluding—

19 “(A) the Office from being elevated to a
20 Bureau of the Department of State; and

21 “(B) the head of the Office from being ele-
22 vated to an Assistant Secretary, if such an As-
23 sistant Secretary position does not increase the
24 number of Assistant Secretary positions at the

1 Department above the number authorized under
 2 subsection (c)(1).”.

3 (c) SENSE OF CONGRESS.—It is the sense of Con-
 4 gress that the Office of Cyberspace and the Digital Econ-
 5 omy established under section 1(g) of the State Depart-
 6 ment Basic Authorities Act of 1956 (as amended by sub-
 7 section (b) of this section) should be a Bureau of the De-
 8 partment of State headed by an Assistant Secretary, sub-
 9 ject to the rule of construction specified in paragraph
 10 (5)(B) of such section 1(g).

11 **SEC. 123. ENERGY DIPLOMACY AND SECURITY WITHIN THE**
 12 **DEPARTMENT OF STATE.**

13 (a) IN GENERAL.—Subsection (c) of section 1 of the
 14 State Department Basic Authorities Act of 1956 (22
 15 U.S.C. 2651a), as amended by section 108 of this Act,
 16 is further amended—

17 (1) by redesignating paragraph (4) as para-
 18 graph (5); and

19 (2) by inserting after paragraph (3) the fol-
 20 lowing new paragraph:

21 “(4) ENERGY RESOURCES.—

22 “(A) AUTHORIZATION FOR ASSISTANT SEC-
 23 RETARY.—Subject to the numerical limitation
 24 specified in paragraph (1), there is authorized
 25 to be established in the Department of State an

1 Assistant Secretary of State for Energy Re-
2 sources.

3 “(B) PERSONNEL.—The Secretary of
4 State shall ensure that there are sufficient per-
5 sonnel dedicated to energy matters within the
6 Department of State who shall be responsible
7 for—

8 “(i) formulating and implementing
9 international policies aimed at protecting
10 and advancing United States energy secu-
11 rity interests by effectively managing
12 United States bilateral and multilateral re-
13 lations in the fields of petroleum, natural
14 gas, biofuels, renewable energy, nuclear,
15 and other energy resources;

16 “(ii) ensuring that analyses of the na-
17 tional security implications of global en-
18 ergy and environmental developments are
19 reflected in the decision making process
20 within the Department of State;

21 “(iii) incorporating energy security
22 priorities into the activities of the Depart-
23 ment of State;

1 “(iv) coordinating energy activities of
2 the Department of State with relevant
3 Federal agencies;

4 “(v) working internationally to—

5 “(I) support the development of
6 energy resources and the distribution
7 of such resources for the benefit of
8 the United States and United States
9 allies and trading partners for their
10 energy security and economic develop-
11 ment needs;

12 “(II) promote availability of di-
13 versified energy supplies and a well-
14 functioning global market for energy
15 resources, technologies, and expertise
16 for the benefit of the United States
17 and United States allies and trading
18 partners;

19 “(III) resolve international dis-
20 putes regarding the exploration, devel-
21 opment, production, or distribution of
22 energy resources;

23 “(IV) support the economic and
24 commercial interests of United States

1 persons operating in the energy mar-
2 kets of foreign countries; and

3 “(V) support and coordinate
4 international efforts to alleviate en-
5 ergy poverty;

6 “(vi) leading the United States com-
7 mitment to the Extractive Industries
8 Transparency Initiative;

9 “(vii) coordinating within the Depart-
10 ment of State and with relevant Federal
11 departments and agencies on developing
12 and implementing international energy-re-
13 lated sanctions; and

14 “(viii) coordinating energy security
15 and other relevant functions within the De-
16 partment of State currently undertaken
17 by—

18 “(I) the Bureau of Economic and
19 Business Affairs of the Department of
20 State;

21 “(II) the Bureau of Oceans and
22 International Environmental and Sci-
23 entific Affairs of the Department of
24 State; and

1 “(III) other offices within the
2 Department of State.”.

3 (b) CONFORMING AMENDMENT.—Section 931 of the
4 Energy Independence and Security Act of 2007 (42
5 U.S.C. 17371) is amended—

6 (1) by striking subsections (a) and (b); and

7 (2) by redesignating subsections (c) and (d) as
8 subsections (a) and (b), respectively.

9 **TITLE II—EMBASSY**
10 **CONSTRUCTION**

11 **SEC. 201. STANDARD DESIGN IN CAPITAL CONSTRUCTION.**

12 (a) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that the Department’s Bureau of Overseas Building
14 Operations (OBO) or successor office should give appro-
15 priate consideration to Standard Embassy Design, in
16 which each new embassy and consulate starts with a
17 standard design and keeps customization to a minimum.

18 (b) CONSULTATION.—The Secretary shall carry out
19 any new embassy compound or new consulate compound
20 project that is in the design phase or pre-design phase as
21 of the date of the enactment of this Act and that utilizes
22 a non-standard design in consultation with the appropriate
23 congressional committees. The Department shall provide
24 the appropriate congressional committees, for each such
25 project, the following documentation:

1 (1) A comparison of the estimated full lifecycle
2 costs of the project to the estimated full lifecycle
3 costs of the project if it were to use a standard em-
4 bassy design.

5 (2) A comparison of the estimated completion
6 date of the project to the estimated completion date
7 of the project if it were to use a standard embassy
8 design.

9 (3) A comparison of the security of the com-
10 pleted project to the security of the completed
11 project if it were to use a standard embassy design.

12 (4) A justification for the Secretary's selection
13 of a non-standard design over a standard design for
14 the project.

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

19 (c) NON-STANDARD DESIGN DEFINED.—In this sec-
20 tion the term “non-standard design” means a new em-
21 bassy compound or new consulate compound design that
22 does not utilize a standardized design template for the
23 structural, spatial, and security requirements of the com-
24 pound, or a new embassy compound or new consulate com-

1 pound project that does not utilize a design-build delivery
2 method.

3 **SEC. 202. CAPITAL CONSTRUCTION TRANSPARENCY.**

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

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

12 (2) by striking subsections (a) and (b) and in-
13 serting the following new subsections:

14 “(a) IN GENERAL.—Not later than 180 days after
15 the date of the enactment of this subsection and every 90
16 days thereafter, the Secretary shall submit to the appro-
17 priate congressional committees a comprehensive report
18 regarding all ongoing overseas capital construction
19 projects and major embassy security upgrade projects.

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

24 “(1) The initial cost estimate as specified in the
25 proposed allocation of capital construction and main-

1 tenance funds required by the Committees on Appro-
2 priations for Acts making appropriations for the De-
3 partment of State, foreign operations, and related
4 programs.

5 “(2) The current cost estimate.

6 “(3) The value of each request for equitable ad-
7 justment received by the Department of State to
8 date.

9 “(4) The value of each certified claim received
10 by the Department of State to date.

11 “(5) The value of any usage of the project’s
12 contingency fund to date and the value of the re-
13 mainder of the project’s contingency fund.

14 “(6) An enumerated list of each request for ad-
15 justment and certified claim that remains out-
16 standing or unresolved.

17 “(7) An enumerated list of each request for eq-
18 uitable adjustment and certified claim that has been
19 fully adjudicated or that the Department has settled,
20 and the final dollar amount of each adjudication or
21 settlement.

22 “(8) The date of estimated completion specified
23 in the proposed allocation of capital construction
24 and maintenance funds required by the Committees
25 on Appropriations not later than 45 days after the

1 date of the enactment of an Act making appropria-
2 tions for the Department of State, foreign oper-
3 ations, and related programs.

4 “(9) The current date of estimated comple-
5 tion.”.

6 (b) INITIAL REPORT.—The first report required
7 under subsection (a) of section 118 of the Department of
8 State Authorities Act, Fiscal Year 2017 (as amended by
9 this section) shall include an annex regarding all overseas
10 capital construction projects and major embassy security
11 upgrade projects completed during the 10-year period end-
12 ing on December 31, 2018, including, for each such
13 project, the elements specified in subsection (b) of such
14 section 118.

15 **SEC. 203. CONTRACTOR PERFORMANCE INFORMATION.**

16 (a) DEADLINE FOR COMPLETION.—The Secretary
17 shall complete all contractor performance evaluations re-
18 quired by subpart 42.15 of the Federal Acquisition Regu-
19 lation by October 1, 2020.

20 (b) PRIORITIZATION SYSTEM.—

21 (1) IN GENERAL.—Not later than 90 days after
22 the date of the enactment of this Act, the Secretary
23 shall develop a prioritization system for clearing the
24 current backlog of required evaluations.

1 (2) ELEMENTS.—The system required under
2 paragraph (1) should prioritize the evaluations as
3 follows:

4 (A) Project completion evaluations should
5 be prioritized over annual evaluations.

6 (B) Evaluations for relatively large con-
7 tracts should have priority.

8 (C) Evaluations that would be particularly
9 informative for the awarding of government
10 contracts should have priority.

11 (c) BRIEFING.—Not later than 90 days after the date
12 of the enactment of this Act, the Secretary shall brief the
13 appropriate congressional committees on the Depart-
14 ment’s plan for completing all evaluations by October 1,
15 2020, and the prioritization system developed pursuant to
16 this section.

17 (d) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) contractors deciding whether to bid on De-
20 partment contracts would benefit from greater un-
21 derstanding of the Department as a client; and

22 (2) the Department should develop a forum
23 where contractors can rate the Department’s project
24 management performance.

1 **SEC. 204. GROWTH PROJECTIONS FOR NEW EMBASSIES**
2 **AND CONSULATES.**

3 (a) IN GENERAL.—For each new embassy compound
4 (NEC) and new consulate compound project (NCC) in or
5 not yet in the design phase as of the date of the enactment
6 of this Act, the Office of Management Policy, Rightsizing,
7 and Innovation of the Department shall project growth
8 over the estimated life of the facility using all available
9 and relevant data, including—

10 (1) relevant historical trends for Department
11 personnel and personnel from other agencies rep-
12 resented at the NEC or NCC that is to be con-
13 structed;

14 (2) an analysis of the tradeoffs between risk
15 and the needs of United States Government policy
16 conducted as part of the most recent Vital Presence
17 Validation Process, if applicable;

18 (3) reasonable assumptions about the strategic
19 importance of the NEC or NCC, as the case may be,
20 over the life of the building at issue; and

21 (4) any other data that would be helpful in pro-
22 jecting the future growth of NEC or NCC.

23 (b) OTHER AGENCIES.—Other agencies represented
24 at the post shall provide to the Department, upon request,
25 growth projections for their own personnel over the esti-
26 mated life of the facility.

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

4 (d) CONGRESSIONAL NOTIFICATION.—Any congres-
 5 sional notification of site selection for a NEC or NCC sub-
 6 mitted after the date of the enactment of this Act shall
 7 include the growth assumption used pursuant to sub-
 8 section (c).

9 **SEC. 205. LONG-RANGE PLANNING PROCESS.**

10 (a) PLANS REQUIRED.—

11 (1) IN GENERAL.—Not later than 180 days
 12 after the date of the enactment of this Act and an-
 13 nually thereafter for five years, the Secretary shall
 14 develop—

15 (A) a comprehensive 6-year Long-Range
 16 Overseas Buildings Plan (LROBP) docu-
 17 menting the Department’s overseas building
 18 program for the replacement of overseas diplo-
 19 matic facilities taking into account security fac-
 20 tors under the Secure Embassy Construction
 21 and Counterterrorism Act of 1999 and other
 22 relevant statutes and regulations, as well as oc-
 23 cupational safety and health factors pursuant to
 24 the Occupational Safety and Health Act of
 25 1970 and other relevant statutes and regula-

1 tions, including environmental factors such as
2 indoor air quality that impact employee health
3 and safety; and

4 (B) a comprehensive 6-year plan detailing
5 the Department's long-term planning for the
6 maintenance and sustainment of completed fa-
7 cilities, known as a Long-Range Overseas Main-
8 tenance Plan (LROMP), which takes into ac-
9 count security factors under the Secure Em-
10 bassy Construction and Counterterrorism Act of
11 1999 and other relevant statutes and regula-
12 tions, as well as occupational safety and health
13 factors pursuant to the Occupational Safety
14 and Health Act of 1970 and other relevant
15 statutes and regulations, including environ-
16 mental factors such as indoor air quality that
17 impact employee health and safety.

18 (2) INITIAL REPORT.—The first plan developed
19 pursuant to paragraph (1)(A) shall also include a
20 one-time status report on existing small diplomatic
21 posts and a strategy for establishing a physical dip-
22 lomatic presence in countries in which there is no
23 current physical diplomatic presence. Such report,
24 which may include a classified annex, shall include
25 the following:

1 (A) A description of the extent to which
2 each small diplomatic post furthers the national
3 interest of the United States.

4 (B) A description of how each small diplo-
5 matic post provides American Citizen Services,
6 including data on specific services provided and
7 the number of Americans receiving services over
8 the previous year.

9 (C) A description of whether each small
10 diplomatic post meets current security require-
11 ments.

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

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

17 (3) UPDATED INFORMATION.—The annual up-
18 dates of the plans developed pursuant to paragraph
19 (1) shall highlight any changes from the previous
20 year’s plan to the ordering of construction and
21 maintenance projects.

22 (b) REPORTING REQUIREMENTS.—

23 (1) SUBMISSION OF PLANS TO CONGRESS.—Not
24 later than 60 days after the completion of the
25 LROBP and the LROMP, the Secretary shall sub-

1 mit the plans to the appropriate congressional com-
2 mittees.

3 (2) REFERENCE IN BUDGET JUSTIFICATION
4 MATERIALS.—In the budget justification materials
5 submitted to the appropriate congressional commit-
6 tees in support of the Department’s budget for any
7 fiscal year (as submitted with the budget of the
8 President under section 1105(a) of title 31), the
9 plans outlined in the LROBP and LROMP shall be
10 referenced to justify funding requested for building
11 and maintenance projects overseas.

12 (3) FORM OF REPORT.—The report required
13 under paragraph (1) shall be submitted in unclassi-
14 fied form but may include a classified annex.

15 (c) SMALL DIPLOMATIC POST DEFINED.—In this
16 section, the term “small diplomatic post” means any con-
17 sulate that has employed five or fewer United States Gov-
18 ernment employees on average over the 36 months prior
19 to the date of the enactment of this Act.

20 **SEC. 206. VALUE ENGINEERING AND RISK ASSESSMENT.**

21 (a) FINDINGS.—Congress makes the following find-
22 ings:

23 (1) Federal departments and agencies are re-
24 quired to use value engineering (VE) as a manage-
25 ment tool, where appropriate, to reduce program and

1 acquisition costs pursuant to OMB Circular A–131,
2 Value Engineering, dated December 31, 2013.

3 (2) OBO has a Policy Directive and Standard
4 Operation Procedure, dated May 24, 2017, on con-
5 ducting risk management studies on all international
6 construction projects.

7 (b) NOTIFICATION REQUIREMENTS.—

8 (1) SUBMISSION TO AUTHORIZING COMMIT-
9 TEES.—The proposed allocation of capital construc-
10 tion and maintenance funds that is required by the
11 Committees on Appropriations not later than 45
12 days after the date of the enactment of an Act mak-
13 ing appropriations for the Department of State, for-
14 eign operations, and related programs shall also be
15 submitted to the Committee on Foreign Relations of
16 the Senate and the Committee on Foreign Affairs of
17 the House of Representatives.

18 (2) REQUIREMENT TO CONFIRM COMPLETION
19 OF VALUE ENGINEERING AND RISK ASSESSMENT
20 STUDIES.—The notifications required under para-
21 graph (1) shall include confirmation that the De-
22 partment has completed the requisite VE and risk
23 management studies described in subsection (a).

1 (c) REPORTING AND BRIEFING REQUIREMENTS.—

2 The Secretary shall provide to the appropriate congres-
3 sional committees upon request—

4 (1) a description of each recommendation from
5 each study described in subsection (a) and a table
6 detailing which recommendations were accepted and
7 which were rejected; and

8 (2) a report or briefing detailing the rationale
9 for not implementing recommendations made by VE
10 studies that may yield significant cost savings to the
11 Department, if implemented.

12 **SEC. 207. BUSINESS VOLUME.**

13 Section 402(c)(2)(E) of the Omnibus Diplomatic Se-
14 curity and Antiterrorism Act of 1986 (22 U.S.C.
15 4852(c)(2)(E)) is amended by striking “in 3 years” and
16 inserting “cumulatively over 3 years”.

17 **SEC. 208. EMBASSY SECURITY REQUESTS AND DEFICI-
18 CIENCIES.**

19 The Secretary shall provide to the appropriate con-
20 gressional committees upon request information on secu-
21 rity deficiencies at United States diplomatic posts, includ-
22 ing—

23 (1) requests made over the previous year by
24 United States diplomatic posts abroad for security
25 upgrades; and

1 (2) significant security deficiencies at United
2 States diplomatic posts abroad that are not oper-
3 ating out of a new embassy compound or new con-
4 sulate compound.

5 **SEC. 209. OVERSEAS SECURITY BRIEFINGS.**

6 Not later than 90 days after the date of the enact-
7 ment of this Act, the Secretary shall revise the Foreign
8 Affairs Manual to stipulate that the Bureau of Diplomatic
9 Security of the Department shall provide a security brief-
10 ing or written materials with up-to-date information on
11 the current threat environment in writing or orally to all
12 United States Government employees traveling to a for-
13 eign country on official business. To the extent prac-
14 ticable, such briefing or written materials shall be provided
15 to traveling Department employees via teleconference
16 prior to their arrival at a post.

17 **TITLE III—PERSONNEL ISSUES**

18 **SEC. 301. SPECIAL APPOINTMENTS.**

19 (a) REPORT ON POSITIONS.—Not later than 30 days
20 after the date of the enactment of this Act, the Secretary
21 shall submit to the appropriate congressional committees
22 a report including—

23 (1) recommendations regarding whether to
24 maintain in the Department each currently existing
25 Special Envoy, Special Representative, Special Coor-

1 dinator, Special Negotiator, Envoy, Representative,
2 Coordinator, or Special Advisor, including those list-
3 ed in the report submitted by the Secretary to the
4 Committee on Foreign Relations of the Senate on
5 April 14, 2017, pursuant to section 418 of the De-
6 partment of State Authorities Act, Fiscal Year 2017
7 (Public Law 114–323), that is not expressly author-
8 ized by a provision of law enacted by Congress; and
9 (2) the justification supporting each of the Sec-
10 retary’s recommendations made under paragraph
11 (1).

12 (b) ADVICE AND CONSENT.—Not later than 90 days
13 after the report required by subsection (a) is submitted
14 to the appropriate congressional committees, the President
15 shall present each Special Envoy, Special Representative,
16 Special Coordinator, Special Negotiator, Envoy, Rep-
17 resentative, Coordinator, Special Advisor, or other similar
18 position at the Department exercising significant author-
19 ity pursuant to the laws of the United States and that
20 is not expressly authorized by a provision of law enacted
21 by Congress to the Committee on Foreign Relations of the
22 Senate for the advice and consent of the Senate.

23 (c) RULE OF CONSTRUCTION REGARDING ESTAB-
24 LISHMENT OF POSITIONS.—Nothing in this section may
25 be construed as prohibiting the establishment or mainte-

1 nance of any Special Envoy, Special Representative, Spe-
2 cial Coordinator, Special Negotiator, Envoy, Representa-
3 tive, Coordinator, Special Advisor, or other similar posi-
4 tion at the Department exercising significant authority
5 pursuant to the laws of the United States if any such ap-
6 pointee is presented to the Committee on Foreign Rela-
7 tions of the Senate for the advice and consent of the Sen-
8 ate not later than 90 days after the appointment of such
9 appointee.

10 (d) LIMITED EXCEPTION FOR THE TEMPORARY AP-
11 POINTMENT.—The Secretary may maintain or establish a
12 position with the title Special Envoy, Special Representa-
13 tive, Special Coordinator, Special Negotiator, Special Ad-
14 visor, or other similar position for a limited period of not
15 longer than 180 days if the Secretary notifies the appro-
16 priate congressional committees at least 15 days prior to
17 appointment, including—

18 (1) a certification that the position is not ex-
19 pected to demand the exercise of significant author-
20 ity pursuant to the laws of the United States;

21 (2) a description of the duties and purpose of
22 the appointment; and

23 (3) the rationale for assigning the specific title.

24 (e) RENEWAL OF TEMPORARY APPOINTMENT.—
25 Nothing in this section may be construed as prohibiting

1 the Secretary from renewing any position established
2 under subsection (d) so long as the Secretary complies
3 with the notification requirements contained therein.

4 (f) FUNDING RESTRICTIONS.—

5 (1) POSITIONS NOT PRESENTED FOR ADVICE
6 AND CONSENT.—No funds are authorized to be ap-
7 propriated for—

8 (A) any Special Envoy, Special Represent-
9 ative, Special Coordinator, Special Negotiator,
10 Envoy, Representative, Coordinator, Special
11 Advisor, or other similar position at the Depart-
12 ment exercising significant authority pursuant
13 to the laws of the United States who has not
14 been presented to the Committee on Foreign
15 Relations for the advice and consent of the Sen-
16 ate pursuant to subsection (b); or

17 (B) any staff or resources related to such
18 a position until such time as the appointed indi-
19 vidual has been presented to the Committee on
20 Foreign Relations for the advice and consent of
21 the Senate.

22 (2) TEMPORARY POSITIONS.—No funds are au-
23 thorized to be appropriated for any position de-
24 scribed in subsection (d) or for any staff or re-
25 sources related to such position unless the Secretary

1 has complied with the notification provisions con-
2 tained therein.

3 (3) FISCAL YEAR 2018.—The restrictions de-
4 scribed in this subsection shall not apply in fiscal
5 year 2018 to positions or associated staff and re-
6 sources for which funding is expressly provided in an
7 Act making appropriations for the Department of
8 State, foreign operations, and related programs for
9 such fiscal year.

10 (g) CONFIRMATION FOR AUTHORIZED POSITIONS.—

11 (1) IN GENERAL.—No Special Envoy, Special
12 Representative, Special Coordinator, Special Nego-
13 tiator, Envoy, Representative, Coordinator, Special
14 Advisor, or other similar position at the Department
15 exercising significant authority pursuant to the laws
16 of the United States that is authorized by a provi-
17 sion of law enacted by Congress (except the position
18 authorized by section 621 of the Tibetan Policy Act
19 of 2002 (subtitle B of title VI of Public Law 107–
20 228; 22 U.S.C. 6901 note)) may be appointed ab-
21 sent the advice and consent of the Senate.

22 (2) FISCAL YEAR 2018.—The restriction de-
23 scribed in this subsection shall not apply in fiscal
24 year 2018 to positions or associated staff and re-
25 sources for which funding is expressly provided in an

1 Act making appropriations for the Department of
2 State, foreign operations, and related programs for
3 such fiscal year.

4 (h) ELIMINATION OF POSITIONS.—

5 (1) SPECIAL REPRESENTATIVE AND POLICY CO-
6 ORDINATOR FOR BURMA.—

7 (A) FINDINGS.—Congress finds the fol-
8 lowing:

9 (i) Congress established the Special
10 Representative and Policy Coordinator for
11 Burma in July 2008 at a time when the
12 United States did not maintain full diplo-
13 matic relations with Burma and had not
14 appointed an Ambassador to Burma in 18
15 years.

16 (ii) In 2012, the United States re-es-
17 tablished full diplomatic relations with
18 Burma and appointed a United States Am-
19 bassador to Burma who, along with the
20 Secretary of State, Assistant Secretary of
21 State for East Asia and the Pacific, and
22 other United States Government officials,
23 represents the United States interests in
24 Burma.

1 (B) REPEAL.—Section 7 of the Tom Lan-
2 tos Block Burmese Jade Act of 2008 (Public
3 Law 110–286; 50 U.S.C. 1701 note; relating to
4 the establishment of a Special Representative
5 and Policy Coordinator for Burma) is hereby
6 repealed.

7 (2) COORDINATOR FOR AFGHANISTAN ASSIST-
8 ANCE.—Section 104 of the Afghanistan Freedom
9 Support Act of 2002 (22 U.S.C. 7514; Public Law
10 107–327) is amended—

11 (A) by repealing subsections (a) and (b);

12 (B) by redesignating subsections (c) and
13 (d) as subsections (a) and (b), respectively;

14 (C) in subsection (a), as so redesignated,
15 in paragraph (1), by striking “coordinator des-
16 ignated under subsection (a) of this section”
17 and inserting “Secretary of State”; and

18 (D) in subsection (b), as so redesignated—

19 (i) in paragraph (1), by striking “co-
20 ordinator designated under subsection (a)
21 of this section” and inserting “Secretary of
22 State”; and

23 (ii) in paragraph (2), by striking “co-
24 ordinator designated under subsection (a)
25 of this section, under the direction of the

1 Secretary of State,” and inserting “Sec-
2 retary of State”.

3 **SEC. 302. DEFENSE BASE ACT INSURANCE WAIVERS.**

4 (a) APPLICATION FOR WAIVERS.—Not later than 30
5 days after the date of the enactment of this Act, the Sec-
6 retary shall apply to the Department of Labor for a waiver
7 from insurance requirements under the Defense Base Act
8 (42 U.S.C. 1651 et seq.) for all countries with respect to
9 which the requirement was waived prior to January 2017,
10 and for which there is not currently a waiver.

11 (b) CERTIFICATION REQUIREMENT.—Not later than
12 45 days after the date of the enactment of this Act, the
13 Secretary shall certify to the appropriate congressional
14 committees that the requirement in subsection (a) has
15 been met.

16 **SEC. 303. STUDY ON FOREIGN SERVICE ALLOWANCES.**

17 (a) REPORT REQUIRED.—

18 (1) IN GENERAL.—Not later than 270 days
19 after date of the enactment of this Act, and subject
20 to paragraph (2), the Secretary shall submit to the
21 appropriate congressional committees a report de-
22 tailing an empirical analysis on the effect of overseas
23 allowances on the foreign assignment of Foreign
24 Service officers (FSOs), to be conducted by a feder-
25 ally-funded research and development center with

1 appropriate expertise in labor economics and mili-
2 tary compensation.

3 (2) CONTENTS.—The analysis required under
4 paragraph (1) shall—

5 (A) identify all allowances paid to FSOs
6 living at diplomatic posts overseas;

7 (B) examine the efficiency of the Foreign
8 Service bidding system in determining foreign
9 assignments;

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

13 (D) examine the Department's strategy
14 and process for incentivizing FSOs to bid on
15 assignments that are historically in lower de-
16 mand, including with monetary compensation,
17 and whether monetary compensation is nec-
18 essary for assignments in higher demand;

19 (E) make any relevant comparisons to
20 military compensation and allowances;

21 (F) recommend options for restructuring
22 allowances to improve the efficiency of the as-
23 signments system and better align FSO incen-
24 tives with the needs of the Foreign Service, in-

1 including any cost savings associated with such
2 restructuring;

3 (G) recommend any statutory changes nec-
4 essary to implement paragraph (6), such as
5 consolidating existing legal authorities for the
6 provision of hardship and danger pay; and

7 (H) detail any effects of recommendations
8 made pursuant to subparagraphs (F) and (G)
9 on other United States Government depart-
10 ments and agencies with civilian employees as-
11 signed to diplomatic posts, following consulta-
12 tion with such departments and agencies.

13 (b) BRIEFING REQUIREMENT.—Before initiating the
14 analysis required under subsection (a)(1), and not later
15 than 60 days after the date of the enactment of this Act,
16 the Secretary shall provide to the Committee on Foreign
17 Relations of the Senate and the Committee on Foreign
18 Affairs in the House of Representatives a briefing on the
19 implementation of this section that includes—

20 (1) the name of the federally-funded research
21 and development center that will conduct such anal-
22 ysis; and

23 (2) the scope of such analysis and terms of ref-
24 erence for such analysis as specified between the De-

1 partment and such federally-funded research and de-
2 velopment center.

3 (c) AVAILABILITY OF INFORMATION.—

4 (1) IN GENERAL.—The Secretary shall make
5 available to the federally-funded research and devel-
6 opment center carrying out the analysis required
7 under subsection (a)(1) all necessary and relevant
8 information to allow such center to conduct such
9 analysis in a quantitative and analytical manner, in-
10 cluding historical data on the number of bids for
11 each foreign assignment and any survey data col-
12 lected by the Department from eligible bidders on
13 their bid decision-making.

14 (2) COOPERATION.—The Secretary shall work
15 with the heads of other relevant United States Gov-
16 ernment departments and agencies to ensure such
17 departments and agencies provide all necessary and
18 relevant information to the federally-funded research
19 and development center carrying out the analysis re-
20 quired under subsection (a)(1).

21 (d) INTERIM REPORT TO CONGRESS.—The Secretary
22 shall require that the chief executive officer of the feder-
23 ally-funded research and development center that carries
24 out the analysis required under subsection (a)(1) submit
25 to the Committee on Foreign Relations of the Senate and

1 the Committee on Foreign Affairs of the House of Rep-
2 resentatives an interim report on such analysis not later
3 than 120 days after date of the enactment of this Act.

4 **SEC. 304. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

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

8 “(e) GRANTS AND COOPERATIVE AGREEMENTS RE-
9 LATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP
10 PROGRAMS.—

11 “(1) IN GENERAL.—The Secretary is authorized
12 to make grants or enter into cooperative agreements
13 related to Department of State science and tech-
14 nology fellowship programs, including, for assistance
15 in recruiting fellows and the payment of stipends,
16 travel, and other appropriate expenses to fellows.

17 “(2) EXCLUSION FROM CONSIDERATION AS
18 COMPENSATION.—Stipends shall not be considered
19 compensation for purposes of section 209 of title 18,
20 United States Code (18 U.S.C. 209).

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

1 **SEC. 305. TRAVEL FOR SEPARATED FAMILIES.**

2 Section 901(15) of the Foreign Service Act of 1980
3 (22 U.S.C. 4081(15)) is amended—

4 (1) in the matter preceding subparagraph (A),
5 by striking “1 round-trip per year for each child
6 below age 21 of a member of the Service assigned
7 abroad” and inserting “in the case of one or more
8 children below age 21 of a member of the Service as-
9 signed abroad, 1 round-trip per year”;

10 (2) in subparagraph (A)—

11 (A) by inserting “for each child” before
12 “to visit the member abroad”; and

13 (B) by striking “; or” and inserting a
14 comma;

15 (3) in subparagraph (B)—

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

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

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

21 “(C) for one of the child’s parents to visit
22 the child or children abroad if the child or chil-
23 dren do not regularly reside with that parent
24 and that parent is not receiving an education
25 allowance or educational travel allowance for

1 the child or children under section 5924(4) of
 2 title 5,”; and

3 (5) in the matter following subparagraph (C),
 4 as added by paragraph (4) of this section, by strik-
 5 ing “a payment” and inserting “the cost of a round-
 6 trip”.

7 **SEC. 306. HOME LEAVE TRAVEL FOR SEPARATED FAMILIES.**

8 Section 903(b) of the Foreign Service Act of 1980
 9 (22 U.S.C. 4083(b)) is amended by adding at the end the
 10 following new sentence: “In cases in which the member’s
 11 family members reside apart from the member at author-
 12 ized locations outside the United States because they are
 13 prevented by official order from residing with the member
 14 at post, the member may take the leave ordered under this
 15 section where that member’s family members reside, not-
 16 withstanding section 6305 of title 5, United States Code.”.

17 **SEC. 307. SENSE OF CONGRESS REGARDING CERTAIN FEL-**
 18 **LOWSHIP PROGRAMS.**

19 It is the sense of Congress that—

20 (1) Department fellowships that promote the
 21 employment of candidates belonging to under-rep-
 22 resented groups, including the Charles B. Rangel
 23 International Affairs Graduate Fellowship Program,
 24 the Thomas R. Pickering Foreign Affairs Fellowship
 25 Program, and the Donald M. Payne International

1 Development Fellowship Program, represent smart
 2 investments vital for building a strong, capable, and
 3 representative national security workforce; and

4 (2) the Secretary of State and the Adminis-
 5 trator of the United States Agency for International
 6 Development should fulfill their obligations to each
 7 participant in the Fellowship Programs referred to
 8 in paragraph (1), as specified in the original con-
 9 tractual agreements with each such participant.

10 **SEC. 308. TECHNICAL CORRECTION.**

11 Subparagraph (A) of section 601(c)(6) of the Foreign
 12 Service Act of 1980 (22 U.S.C. 4001(c)(6)) is amended
 13 by striking “individual” and inserting “Foreign Service of-
 14 ficer, appointed under section 302(a)(1), who has general
 15 responsibility for carrying out the functions of the Serv-
 16 ice”.

17 **SEC. 309. FOREIGN SERVICE AWARDS.**

18 (a) IN GENERAL.—Section 614 of the Foreign Serv-
 19 ice Act of 1980 (22 U.S.C. 4013) is amended—

20 (1) by amending the section heading to read as
 21 follows: “**DEPARTMENT AWARDS**”; and

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

1 (b) CONFORMING AMENDMENT.—The item relating
2 to section 614 in the table of contents of the Foreign Serv-
3 ice Act of 1980 is amended to read as follows:

“Sec. 614. Department awards.”.

4 **SEC. 310. DIPLOMATIC AND CONSULAR PROGRAMS.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—For
6 “Diplomatic and Consular Programs”, there is authorized
7 to be appropriated \$8,720,411,000 for fiscal year 2019.

8 (b) SENSE OF CONGRESS ON WORKFORCE RECRUIT-
9 MENT.—It is the sense of Congress that the Secretary
10 should continue to hold entry-level classes for Foreign
11 Service officers and specialists and continue to recruit civil
12 servants through programs such as the Presidential Man-
13 agement Fellows Program and Pathways Internship Pro-
14 grams in a manner and at a frequency consistent with
15 prior years and consistent with the need to maintain a
16 pool of experienced personnel effectively distributed across
17 skill codes and ranks. It is further the sense of Congress
18 that absent continuous recruitment and training of For-
19 eign Service officers and civil servants, the Department
20 will lack experienced, qualified personnel in the short, me-
21 dium, and long term.

22 (c) LIMITATION.—The Secretary may not use any
23 amounts made available pursuant to the authorization of
24 appropriations under subsection (a) for any reduction-in-
25 force action under section 3502 or 3595 of title 5, United

1 States Code, or for any incentive payments for early sepa-
2 ration or retirement under any other provision of law un-
3 less—

4 (1) the appropriate congressional committees
5 are notified not less than 15 days in advance of such
6 obligation or expenditure; and

7 (2) the Secretary has provided to the appro-
8 priate congressional committees a detailed report
9 that describes the Department’s strategic staffing
10 plan, including—

11 (A) a justification that describes how any
12 proposed workforce reduction enhances the ef-
13 fectiveness of the Department;

14 (B) a certification that such workforce re-
15 duction is in the national interest of the United
16 States;

17 (C) a comprehensive strategic staffing plan
18 for the Department, including five-year work-
19 force forecasting and a description of the antici-
20 pated impact of any proposed workforce reduc-
21 tion; and

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

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

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

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

(iv) employees hired under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, including their equivalent grade and job skill code and bureau of assignment.

TITLE IV—DIVERSITY AND VETERAN RECRUITMENT

SEC. 401. DEFINITIONS.

In this title:

(1) **APPLICANT FLOW DATA.**—The term “applicant flow data” means data that tracks the rate of applications for job positions among demographic categories.

(2) **DEMOGRAPHIC DATA.**—The term “demographic data” means facts or statistics relating to the demographic categories specified in the Office of Management and Budget statistical policy directive entitled “Standards for Maintaining, Collecting, and

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

3 (3) DIVERSITY.—The term “diversity” means—

4 (A) those classes of persons protected
5 under the Civil Rights Act of 1964 (42 U.S.C.
6 2000a et seq.) and the Americans with Disabil-
7 ities Act of 1990 (42 U.S.C. 12101 et seq.);
8 and

9 (B) veterans (as defined in section 3.1(d)
10 of title 38, Code of Federal Regulations).

11 (4) FOREIGN SERVICE.—The term “Foreign
12 Service” has the meaning given that term in section
13 102 of the Foreign Service Act of 1980 (22 U.S.C.
14 3902).

15 (5) WORKFORCE.—The term “workforce”
16 means all individuals serving in a position in the
17 civil service (as defined in section 2101 of title 5,
18 United States Code).

19 **SEC. 402. COLLECTION, ANALYSIS, AND DISSEMINATION OF**
20 **WORKFORCE DATA.**

21 (a) INITIAL REPORT.—Not later than 180 days after
22 the date of the enactment of this Act, the Secretary shall
23 provide a report to the public that includes disaggregated
24 demographic data and other information regarding the di-
25 versity of the workforce of the Department.

1 (b) DATA.—The report under subsection (a)—

2 (1) shall include disaggregated demographic
3 data—

4 (A) for applicants to the Foreign Service;

5 (B) for applicants to the civil service;

6 (C) by segment of the workforce of the De-
7 partment and grade or rank;

8 (D) by Foreign Service and civil service;

9 (E) for those who have separated from the
10 Department's workforce;

11 (F) for those members of the workforce
12 who have received a promotion in the last 24
13 months;

14 (G) that addresses Department compliance
15 with diversity and inclusion metrics;

16 (H) for those members of the workforce
17 serving on selection boards;

18 (I) on the employment of veterans within
19 the workforce, including—

20 (i) the number hired through direct
21 hires, internships, and fellowship pro-
22 grams;

23 (ii) the number promoted to the Sen-
24 ior Executive Service or in the Senior For-
25 eign Service; and

1 (iii) attrition rates by grade, in the
2 civil service and foreign service, and in the
3 senior positions described in clause (ii);
4 and

5 (J) for mentorship and retention pro-
6 grams;

7 (2) shall include any disaggregated demo-
8 graphic data relating to participants in professional
9 development programs of the Department, and the
10 rate of placement into senior positions for partici-
11 pants in such programs;

12 (3) shall include any disaggregated demo-
13 graphic data relating to the membership of any ex-
14 ternal advisory committee or board to which individ-
15 uals in senior positions in the Department appoint
16 members;

17 (4) shall be organized in terms of real numbers
18 and percentages at all levels; and

19 (5) should be made available in a searchable
20 database format.

21 (c) RECOMMENDATION.—The Secretary may submit
22 a recommendation to the Office of Management and
23 Budget and to the appropriate congressional committees
24 regarding whether the Department should collect more de-
25 tailed data on demographic categories in addition to the

1 race and ethnicity categories specified in the Office of
2 Management and Budget statistical policy directive enti-
3 tled “Standards for Maintaining, Collecting, and Pre-
4 senting Federal Data on Race and Ethnicity” (81 Fed.
5 Reg. 67398).

6 (d) OTHER CONTENTS.—The report under sub-
7 section (a) shall describe the efforts of the Department—

8 (1) to propagate fairness, impartiality, and in-
9 clusion in the work environment domestically and
10 abroad;

11 (2) to ensure that harassment, intolerance, and
12 discrimination are not tolerated;

13 (3) to refrain from engaging in unlawful dis-
14 crimination in any phase of the employment process,
15 including recruitment, hiring, evaluation, assign-
16 ments, promotion, retention, and training;

17 (4) to prevent illegal retaliation against employ-
18 ees for participating in a protected equal employ-
19 ment opportunity activity;

20 (5) to provide reasonable accommodation for
21 qualified employees and applicants with disabilities;

22 (6) to recruit a diverse workforce by—

23 (A) recruiting women, minorities, veterans,
24 and undergraduate and graduate students;

1 (B) recruiting at historically Black colleges
2 and universities, Hispanic serving institutions,
3 women's colleges, and colleges that typically
4 serve majority minority populations;

5 (C) sponsoring and recruiting at job fairs
6 in urban and rural communities;

7 (D) placing job advertisements in news-
8 papers, magazines, and job sites oriented to-
9 ward women and people of color;

10 (E) providing opportunities through the
11 Foreign Service Internship Program and other
12 hiring initiatives;

13 (F) recruiting mid-level and senior-level
14 professionals through programs designed to in-
15 crease minority and veteran representation in
16 international affairs; and

17 (G) offering the Foreign Service written
18 and oral assessment examinations in several lo-
19 cations throughout the United States to reduce
20 the burden of applicants having to travel at
21 their own expense to take either or both of such
22 examinations; and

23 (7) provide opportunities through—

24 (A) the Charles B. Rangel International
25 Affairs Fellowship Program;

1 (B) the Thomas R. Pickering Foreign Af-
2 fairs Fellowship Program; and

3 (C) the Donald M. Payne International
4 Development Fellowship Program.

5 (e) ANNUAL UPDATES.—Not later than one year
6 after the publication of the report under subsection (a)
7 and annually thereafter for the next five years, the Sec-
8 retary shall provide a report to the public and which shall
9 be made available online, which may be included in an-
10 other annual report required under another provision of
11 law, that includes—

12 (1) disaggregated demographic data relating to
13 the workforce and information on the status of di-
14 versity and inclusion efforts of the Department;

15 (2) an analysis of applicant flow data;

16 (3) disaggregated demographic data relating to
17 participants in professional development programs of
18 the Department and the rate of placement into sen-
19 ior positions for participants in such programs; and

20 (4) data related to the employment of minority
21 and service-disabled veterans.

22 **SEC. 403. EXIT INTERVIEWS OR SURVEYS.**

23 (a) RETAINED MEMBERS.—The Director General of
24 the Foreign Service should conduct periodic interviews or

1 surveys with a representative and diverse cross-section of
2 the workforce of the Department—

3 (1) to understand the reasons of the members
4 for remaining in a position in the Department; and
5 (2) to receive feedback on workplace policies,
6 professional development opportunities, and other
7 issues affecting the decision of the members to re-
8 main in the Department.

9 (b) DEPARTING MEMBERS.—The Director General of
10 the Foreign Service shall provide an opportunity for an
11 exit interview or survey to each member of the workforce
12 of the Department who separates from service with the
13 Department to better understand the member’s reasons
14 for leaving such service.

15 (c) USE OF ANALYSIS FROM INTERVIEWS AND SUR-
16 VEYS.—The Director General of the Foreign Service shall
17 analyze demographic data and other information obtained
18 through interviews and surveys under subsections (a) and
19 (b) to determine—

20 (1) if and how the diversity of those partici-
21 pating in such interviews and surveys impacts the
22 results; and

23 (2) whether to implement any policy changes or
24 make any recommendations as part of the reports
25 required under subsection (a) and (e) of section 402.

1 (d) TRACKING DATA.—The Department shall—

2 (1) track demographic data relating to partici-
3 pants in professional development programs and the
4 rate of placement into senior positions for partici-
5 pants in such programs;

6 (2) annually evaluate such data—

7 (A) to identify ways to improve outreach
8 and recruitment for such programs, consistent
9 with merit system principles; and

10 (B) to understand how participation in any
11 program offered or sponsored by the Depart-
12 ment under paragraph (1) differs among the
13 demographic categories of the workforce; and

14 (3) actively encourage participation from a
15 range of demographic categories, especially from cat-
16 egories with consistently low participation.

17 **SEC. 404. RECRUITMENT.**

18 (a) IN GENERAL.—The Secretary should—

19 (1) continue to seek a diverse and talented pool
20 of applicants; and

21 (2) instruct the Director of Human Resources
22 to have a diversity recruitment plan of action, which
23 should include outreach at appropriate colleges, uni-
24 versities, diversity organizations, and professional
25 associations.

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

3 (1) recruiting at historically Black colleges and
4 universities, Hispanic-serving institutions, women’s
5 colleges, and colleges that typically serve majority
6 minority populations, and engaging with affinity
7 groups at colleges and universities;

8 (2) sponsoring and recruiting at job fairs in
9 urban and rural communities;

10 (3) placing job advertisements in newspapers,
11 magazines, and job sites oriented toward diverse
12 groups;

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

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

20 **SEC. 405. VETERAN RECRUITMENT FOR THE FOREIGN**
21 **SERVICE.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that the Department should offer both the Foreign
24 Service written examination and oral assessment in di-
25 verse locations throughout the United States, in addition

1 to the District of Columbia and San Francisco. Doing so
2 would ease the financial burden on potential candidates
3 who do not currently reside in and must travel at their
4 own expense to these two cities, particularly veterans and
5 military members transitioning to civilian life.

6 (b) FOREIGN SERVICE EXAMINATIONS.—Subsection
7 (b) of section 301 of the Foreign Service Act of 1980 (22
8 U.S.C. 3941) is amended—

9 (1) by inserting “(1)” before “The Secretary”;
10 and

11 (2) by adding at the end the following new
12 paragraph:

13 “(2) The Secretary shall ensure that the Board of
14 Examiners for the Foreign Service shall offer the oral as-
15 sessment examinations described in paragraph (1) in at
16 least three of the time zones in the United States in a
17 calendar year to facilitate the participation and examina-
18 tion of a more diverse array of candidates.”.

19 **SEC. 406. PAYNE FELLOWSHIP AUTHORIZATION.**

20 (a) IN GENERAL.—Undergraduate and graduate
21 components of the Donald M. Payne International Devel-
22 opment Fellowship Program may conduct outreach to at-
23 tract outstanding students with an interest in pursuing
24 a Foreign Service career who represent diverse ethnic and
25 socioeconomic backgrounds.

1 (b) REVIEW OF PAST PROGRAMS.—The Secretary
 2 shall review past programs designed to increase minority
 3 representation in international affairs positions.

4 **SEC. 407. VOLUNTARY PARTICIPATION.**

5 (a) IN GENERAL.—Nothing in this title should be
 6 construed so as to compel any employee to participate in
 7 the collection of the data or divulge any personal informa-
 8 tion. Department employees shall be informed that their
 9 participation in the data collection contemplated by this
 10 title is voluntary.

11 (b) PRIVACY PROTECTION.—Any data collected
 12 under this title shall be subject to the relevant privacy pro-
 13 tection statutes and regulations applicable to Federal em-
 14 ployees.

15 **TITLE V—INFORMATION**
 16 **SECURITY**

17 **SEC. 501. DEFINITIONS.**

18 In this title:

19 (1) INFORMATION SYSTEM.—The term “infor-
 20 mation system” has the meaning given such term in
 21 section 3502 of title 44, United States Code.

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

1 (3) RELEVANT CONGRESSIONAL COMMIT-
2 TEES.—The term “relevant congressional commit-
3 tees” means—

4 (A) the appropriate congressional commit-
5 tees;

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

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

10 (4) SECURITY VIOLATION.—The term “security
11 violation” means any knowing, willful, or neg-
12 ligent—

13 (A) disclosure to unauthorized persons of
14 information properly classified;

15 (B) improper classification or continued
16 classification of information; or

17 (C) improper creation or continuation of a
18 special access program.

19 (5) SPILLAGE.—The term “spillage” means a
20 security incident that occurs whenever classified
21 data is disclosed in an unauthorized manner, includ-
22 ing the transfer either onto an unclassified informa-
23 tion system or to an information system with a lower
24 level of classification.

1 **SEC. 502. INFORMATION SYSTEM SECURITY.**

2 (a) DEFINITIONS.—In this section:

3 (1) INCIDENT.—The term “incident” has the
4 meaning given such term in section 3552(b) of title
5 44, United States Code.

6 (2) PENETRATION TEST.—The term “penetra-
7 tion test” means a test methodology in which asses-
8 sors attempt to circumvent or defeat the security
9 features of an information system.

10 (b) CONSULTATIONS PROCESS.—Not later than 60
11 days after the date of the enactment of this Act, the Sec-
12 retary shall establish a process for conducting semiannual
13 consultations with the Secretary of Defense, the Director
14 of National Intelligence, the Secretary of Homeland Secu-
15 rity, and any other department or agency representative
16 that the Secretary determines to be appropriate regarding
17 the security of United States Government and nongovern-
18 mental information systems used or operated by the De-
19 partment, a contractor of the Department, or another or-
20 ganization on behalf of the Department, including any
21 such systems or networks facilitating the use of sensitive
22 or classified information.

23 (c) INDEPENDENT PENETRATION TESTING OF IN-
24 FORMATION SYSTEMS.—In coordination with the consulta-
25 tions under subsection (b), the Secretary shall commission
26 independent, semiannual penetration tests, which shall be

1 carried out by an appropriate Federal agency other than
2 the Department, such as the Department of Homeland Se-
3 curity or the National Security Agency, to ensure that
4 adequate policies and protections are implemented to de-
5 tect and prevent penetrations or compromises of such in-
6 formation systems, including malicious intrusions by any
7 unauthorized individual, state actor, or other entity.

8 (d) WAIVER.—The Secretary may waive the require-
9 ment under subsection (c) for up to 180 days if the Sec-
10 retary—

11 (1) determines that such requirement would
12 have adverse effects on national security or the dip-
13 lomatic mission of the Department; and

14 (2) not later than 30 days after the commence-
15 ment of such a waiver, submits a written justifica-
16 tion to the relevant congressional committees that
17 describes how such penetration tests would under-
18 mine national security or the diplomatic mission of
19 the Department.

20 (e) INCIDENT REPORTING.—Not later than 180 days
21 after the date of the enactment of this Act, and every 180
22 days thereafter for five years, the Secretary, in consulta-
23 tion with the Secretary of Defense, the Director of the
24 National Intelligence, the Secretary of Homeland Security,
25 and any other department or agency representative that

1 the Secretary determines to be appropriate, shall securely
2 submit a classified report to the relevant congressional
3 committees that describes in detail—

4 (1) for the first reporting period, all known and
5 suspected incidents of the information systems speci-
6 fied in subsection (b) that occurred during the 180-
7 day period immediately preceding the date of the en-
8 actment of this Act; and

9 (2) for all subsequent reporting periods, all
10 known and suspected incidents of the information
11 systems specified in subsection (b) that occurred
12 since the submission of the most recent report.

13 (f) CONTENTS.—Each report under subsection (e)
14 shall include, for the relevant reporting period—

15 (1) a description of the relevant information
16 system, as specified in subsection (b), that experi-
17 enced a known or suspected incident;

18 (2) an assessment of the date and time each
19 such incident occurred;

20 (3) an assessment of the duration over which
21 each such incident took place, including whether
22 such incident is ongoing;

23 (4) an assessment of the volume and sensitivity
24 of information accessed, compromised, or potentially
25 compromised by each incident, including any such

1 information contained on information systems
2 owned, operated, managed, or utilized by any other
3 Federal department or agency;

4 (5) an assessment of whether such information
5 system was compromised by a malicious intrusion,
6 including an assessment of—

7 (A) the known or suspected perpetrators,
8 including state actors;

9 (B) the methods used to carry out the inci-
10 dent; and

11 (C) the known or suspected intent of the
12 actors in accessing the information system; and

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

18 (g) INSPECTOR GENERAL OVERSIGHT.—The Sec-
19 retary shall—

20 (1) notify the Inspector General for the Depart-
21 ment of State and the Broadcasting Board of Gov-
22 ernors about all planned penetration tests required
23 under subsection (c); and

24 (2) provide the Inspector General for the De-
25 partment of State and the Broadcasting Board of

1 Governors with any reports, conclusions, or analyses
2 that are a result of such testing.

3 **SEC. 503. IMPROVING FOIA PROCESS.**

4 (a) REFORM PLAN.—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary shall sub-
6 mit to the relevant congressional committees a plan that
7 describes the reforms specified in subsection (b).

8 (b) REFORMS.—The Secretary, in consultation with
9 the Director of National Intelligence, shall develop, imple-
10 ment, and complete by the date that is one year after the
11 date of the enactment of this Act a cost-effective plan for
12 training and maintaining an appropriate number of offi-
13 cials of the Department in—

14 (1) the identification of marked or unmarked
15 classified information in documents or media subject
16 to requests under section 552 of title 5, United
17 States Code (commonly referred to as the “Freedom
18 of Information Act”), including information origi-
19 nating with the intelligence community; and

20 (2) appropriate procedures for coordinating
21 with intelligence officials to ensure that such offi-
22 cials have an opportunity to make a classification
23 determination regarding the classification status and
24 level, if any, of any information potentially origi-
25 nating with the intelligence community.

1 (c) ACCOUNTABILITY.—Not later than 14 months
2 after the date of the enactment of this Act, the Inspector
3 General of the Intelligence Community, in consultation
4 with the Inspector General of the Department of State
5 and the Broadcasting Board of Governors, shall—

6 (1) review the Department’s implementation of
7 the plan required under subsection (a); and

8 (2) submit a report to the relevant congres-
9 sional committees that assesses the extent to which
10 the Department has implemented the reforms re-
11 quired under subsection (b).

12 **SEC. 504. ANNUAL REPORT ON SECURITY VIOLATIONS.**

13 (a) ANNUAL REPORT.—Not later than 180 days after
14 the date of the enactment of this Act and annually there-
15 after for five years, the Secretary shall submit to the rel-
16 evant congressional committees a report, in classified or
17 unclassified format as the Secretary determines appro-
18 priate, that includes information on the security violations
19 issued to Department employees during the most recently
20 completed fiscal year, including the unauthorized transfer
21 of marked or unmarked classified information into docu-
22 ments, electronic media or systems, electronic trans-
23 missions, or other records or storage not certified for the
24 handling, storage, or transmittal of such information.

1 (b) ELEMENTS.—The reporting of security violations
2 submitted under subsection (a) shall include—

3 (1) the total number of security violations
4 issued to Department employees during the current
5 reporting period, including the number of security
6 violations that occurred within each office or bureau
7 of the Department;

8 (2) the number of security violations committed
9 by an employee with a history of one or more prior
10 security violations; and

11 (3) the number and nature of actions taken by
12 the Department in response to security violations,
13 including—

14 (A) disciplinary actions taken or criminal
15 referrals; and

16 (B) the administration of remedial training
17 in response to any security violation or viola-
18 tions.

19 **SEC. 505. CLASSIFIED INFORMATION SPILLAGE.**

20 (a) DETECTION OF CLASSIFIED INFORMATION
21 SPILLAGE.—Not later than 180 days after the date of the
22 enactment of this Act, the Secretary shall brief the rel-
23 evant congressional committees on a plan that describes
24 how the reforms described in subsection (b) will be com-

1 pleted within one year after the date of the enactment of
2 this Act.

3 (b) TRAINING PROGRAM.—The Secretary, in con-
4 sultation with the Director of National Intelligence, shall
5 develop or maintain, as the case may be, a training pro-
6 gram for appropriate officials reporting to the Under Sec-
7 retary of Management of the Department regarding best
8 practices for detecting and recognizing classified informa-
9 tion spillage, including information originating from the
10 intelligence community.

11 (c) RANDOMIZED SAMPLING TO DETECT SPILL-
12 AGE.—The officials receiving the training described in
13 subsection (b) shall, not less frequently than quarterly—

14 (1) collect statistically valid random samples of
15 electronic mail sent by or received from employees of
16 the Department who hold a security clearance grant-
17 ing such employees authorized access to information
18 classified at the level of Secret or above; and

19 (2) use such samples, in a manner provided for
20 in the training described in subsection (b), to detect
21 spillage of data that was classified at the time such
22 electronic mail was sent or received, as part of the
23 Department's program for safeguarding classified
24 information.

1 (d) ACCOUNTABILITY.—Not later than 180 days
2 after the implementation of the training program de-
3 scribed in subsection (b), the Inspector General for the
4 Department of State and the Broadcasting Board of Gov-
5 ernors shall—

6 (1) conduct an audit of the program and activi-
7 ties carried out under this section; and

8 (2) submit a report containing the results of
9 the audit conducted under paragraph (1) to the rel-
10 evant congressional committees.

11 **SEC. 506. REFRESHER TRAINING ON THE HANDLING OF**
12 **CLASSIFIED INFORMATION.**

13 (a) REFRESHER TRAINING.—Except as provided in
14 subsection (d), not later than 180 days after the date of
15 the enactment of this Act, the Secretary shall submit a
16 written certification to the relevant congressional commit-
17 tees that all Department personnel who possess a security
18 clearance have completed refresher training, developed by
19 the Secretary, in consultation with the Director of Na-
20 tional Intelligence, in the rules and procedures governing
21 the appropriate identification and handling of classified in-
22 formation, including information originating from the in-
23 telligence community.

24 (b) CERTIFICATION BY PERSONNEL UNDERGOING
25 TRAINING.—Each employee of the Department who un-

1 dergoes the training required under subsection (a) shall
2 certify in writing that the employee—

3 (1) has received such training;

4 (2) has read and understands the rules and
5 procedures for identifying and handling classified in-
6 formation, including information originating from
7 the intelligence community;

8 (3) understands the legal responsibilities accom-
9 panying access to classified information; and

10 (4) commits to following such rules and proce-
11 dures, under penalty of all applicable laws, regula-
12 tions, and policies of the Department.

13 (c) PRIORITIZATION.—In administering the refresher
14 training required under subsection (a), the Secretary shall
15 prioritize the retraining of employees in the following
16 order:

17 (1) Employees who possess a security clearance
18 at the Top Secret/Sensitive Compartmented Infor-
19 mation level.

20 (2) Employees who possess a security clearance
21 at the Top Secret level.

22 (3) Employees who possess a security clearance
23 at the Secret level.

24 (4) Employees who possess a security clearance
25 at the Confidential Information level.

1 (d) DELAY IN TRAINING.—

2 (1) IN GENERAL.—The Secretary may delay the
3 provision of refresher training required under sub-
4 section (a) for up to 30 days for any specific official
5 or employee of the Department or any group of offi-
6 cials or employees, up to the level of an individual
7 office, if the Secretary considers such delay to be
8 critical to the foreign policy interests of the United
9 States.

10 (2) NOTICE TO CONGRESS.—Not later than 30
11 days after authorizing a delay under paragraph (1),
12 the Secretary shall submit a written notice of such
13 delay, including a justification for the delay, to the
14 relevant congressional committees.

15 **SEC. 507. PROHIBITION ON CONTRACTING WITH CERTAIN**
16 **TELECOMMUNICATIONS PROVIDERS.**

17 (a) LIST OF COVERED CONTRACTORS.—Not later
18 than 30 days after the date of the enactment of this Act,
19 the Secretary, in consultation with the Director of Na-
20 tional Intelligence, shall develop or maintain, as the case
21 may be, a list of covered contractors to be updated as fre-
22 quently as the Secretary determines appropriate.

23 (b) PROHIBITION ON CONTRACTS.—The Secretary
24 may not enter into a contract with a covered contractor
25 on the list described under subsection (a).

1 (c) REMOVAL FROM LIST.—To be removed from the
2 list described in subsection (a), a covered contractor may
3 submit a request to the Secretary in such manner as the
4 Secretary determines appropriate. The Secretary, in con-
5 sultation with the Director of National Intelligence, shall
6 determine a process for removing covered contractors from
7 the list, as appropriate, and publicly disclose such process.

8 (d) WAIVERS.—

9 (1) IN GENERAL.—The President or the Sec-
10 retary may waive the requirements under subsection
11 (b) if the President or the Secretary determines that
12 such waiver is justified for national security reasons.

13 (2) WAIVER FOR OVERSEAS OPERATIONS.—The
14 Secretary may waive the requirements under sub-
15 section (b) for United States diplomatic posts or dip-
16 lomatic personnel overseas if the Secretary, in con-
17 sultation with the Director of National Intelligence,
18 determines that no suitable alternatives are avail-
19 able.

20 (e) COVERED CONTRACTOR DEFINED.—In this sec-
21 tion, the term “covered contractor” means a provider of
22 telecommunications, telecommunications equipment, or in-
23 formation technology equipment, including hardware, soft-
24 ware, or services, that has knowingly assisted or facilitated
25 a cyber attack or conducted surveillance, including passive

1 or active monitoring, carried out against the United States
2 by, or on behalf of, any government, or persons associated
3 with such government, listed as a cyber threat actor in
4 the intelligence community's 2017 assessment of world-
5 wide threats to United States national security or any fol-
6 lowing worldwide threat assessment of the intelligence
7 community.

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

11 **SEC. 508. REPORT ON CONTRACTS WITH KASPERSKY LABS**
12 **AND HUAWEI.**

13 (a) DETERMINATION.—Not later than 90 days after
14 the date of the enactment of this Act, the Secretary shall
15 develop a process and timeframe for determining whether
16 or not the Department purchased software, hardware, or
17 services from Kaspersky Lab, Huawei, ZTE Corporation,
18 or from any affiliates from which Kaspersky Lab, Huawei,
19 or ZTE Corporation equipment, software, or services may
20 be contained, and if so, if any of those products or services
21 are still in use.

22 (b) BRIEFING.—Not later than 180 days after the
23 date of the enactment of this Act, the Secretary shall brief
24 the relevant congressional committees on the findings pur-
25 suant to the review under subsection (a), and shall provide

1 updates every 30 days thereafter until the review is com-
2 plete.

3 **TITLE VI—PUBLIC DIPLOMACY**

4 **SEC. 601. AVOIDING DUPLICATION OF PROGRAMS AND EF-** 5 **FORTS.**

6 (a) IN GENERAL.—The Under Secretary for Public
7 Diplomacy and Public Affairs of the Department shall—

8 (1) identify opportunities for greater efficiency
9 of operations, including through improved coordina-
10 tion of efforts across public diplomacy bureaus and
11 offices of the Department; and

12 (2) maximize shared use of resources between,
13 and within, such public diplomacy bureaus and of-
14 fices in cases in which programs, facilities, or admin-
15 istrative functions are duplicative or substantially
16 overlapping.

17 (b) DEFINITION.—In this section, the term “public
18 diplomacy bureaus and offices” means the Bureau of Edu-
19 cational and Cultural Affairs, the Bureau of Public Af-
20 fairs, the Bureau of International Information Programs,
21 the Office of Policy, Planning, and Resources, and the
22 Global Engagement Center, and the public diplomacy
23 functions within the regional and functional bureaus.

1 **SEC. 602. AMERICAN SPACES REVIEW.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Secretary shall submit a report to
4 the appropriate congressional committees that includes—

5 (1) the full costs incurred by the Department to
6 provide American Spaces, including—

7 (A) American Centers, American Corners,
8 Binational Centers, and Information Resource
9 Centers; and

10 (B) the total costs of all associated—

11 (i) employee salaries, including mem-
12 bers of the Foreign Service, other United
13 States civilian personnel, and locally em-
14 ployed staff;

15 (ii) programming expenses;

16 (iii) operating expenses;

17 (iv) contracting expenses; and

18 (v) security expenses;

19 (2) a breakdown of the total costs described in
20 paragraph (1) by each space and type of space;

21 (3) the total fees collected for entry to, or the
22 use of, American Spaces and related resources, in-
23 cluding a breakdown by the type of fee for each
24 space and type of space;

25 (4) the total usage rates, including by type of
26 service, for each space and type of space; and

1 (5) an assessment of the significance, utility,
2 and benefit of the American Spaces program in pro-
3 moting mutual understanding and the value of
4 American culture.

5 **SEC. 603. IMPROVING RESEARCH AND EVALUATION OF**
6 **PUBLIC DIPLOMACY.**

7 (a) IN GENERAL.—The Secretary shall—

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

14 (2) make the findings of the research and eval-
15 uations conducted under paragraph (1) available to
16 Congress.

17 (b) DIRECTOR OF RESEARCH AND EVALUATION.—

18 (1) APPOINTMENT.—Not later than 90 days
19 after the date of the enactment of this Act, the Sec-
20 retary shall appoint a Director of Research and
21 Evaluation in the Office of Policy, Planning, and
22 Resources for the Under Secretary for Public Diplo-
23 macy and Public Affairs.

24 (2) LIMITATION ON APPOINTMENT.—The ap-
25 pointment of a Director of Research and Evaluation

1 pursuant to paragraph (1) shall not result in an in-
2 crease in the overall full-time equivalent positions
3 within the Department.

4 (3) RESPONSIBILITIES.—The Director of Re-
5 search and Evaluation shall—

6 (A) coordinate and oversee the research
7 and evaluation of public diplomacy programs of
8 the Department—

9 (i) to improve public diplomacy strate-
10 gies and tactics; and

11 (ii) to ensure that programs are in-
12 creasing the knowledge, understanding,
13 and trust of the United States by relevant
14 target audiences;

15 (B) report to the Director of Policy and
16 Planning in the Office of Policy, Planning, and
17 Resources under the Under Secretary for Public
18 Diplomacy and Public Affairs of the Depart-
19 ment;

20 (C) routinely organize and oversee audi-
21 ence research, digital analytics, and impact
22 evaluations across all public diplomacy bureaus
23 and offices of the Department;

24 (D) support embassy public affairs sec-
25 tions;

1 (E) share appropriate public diplomacy re-
2 search and evaluation information within the
3 Department and with other Federal depart-
4 ments and agencies;

5 (F) regularly design and coordinate stand-
6 ardized research questions, methodologies, and
7 procedures to ensure that public diplomacy ac-
8 tivities across all public diplomacy bureaus and
9 offices are designed to meet appropriate foreign
10 policy objectives; and

11 (G) report biannually to the United States
12 Advisory Commission on Public Diplomacy,
13 through the Commission's Subcommittee on Re-
14 search and Evaluation established pursuant to
15 subsection (e), regarding the research and eval-
16 uation of all public diplomacy bureaus and of-
17 fices of the Department.

18 (4) GUIDANCE AND TRAINING.—Not later than
19 one year after the appointment of the Director of
20 Research and Evaluation pursuant to paragraph (1),
21 the Director shall create guidance and training, in-
22 cluding curriculum for use by the Foreign Service
23 Institute, for all public diplomacy officers regarding
24 the reading and interpretation of public diplomacy
25 program evaluation findings to ensure that such

1 findings and lessons learned are implemented in the
2 planning and evaluation of all public diplomacy pro-
3 grams and activities throughout the Department.

4 (c) PRIORITIZING RESEARCH AND EVALUATION.—

5 (1) IN GENERAL.—The Director of Policy,
6 Planning, and Resources shall ensure that research
7 and evaluation, as coordinated and overseen by the
8 Director of Research and Evaluation, supports stra-
9 tegic planning and resource allocation across all pub-
10 lic diplomacy bureaus and offices of the Department.

11 (2) ALLOCATION OF RESOURCES.—Amounts al-
12 located for the purposes of research and evaluation
13 of public diplomacy programs and activities pursu-
14 ant to subsection (a) shall be made available to be
15 disbursed at the direction of the Director of Re-
16 search and Evaluation among the research and eval-
17 uation staff across all public diplomacy bureaus and
18 offices of the Department.

19 (3) SENSE OF CONGRESS.—It is the sense of
20 Congress that the Under Secretary for Public Diplo-
21 macy and Public Affairs of the Department should
22 coordinate the human and financial resources that
23 support the Department’s public diplomacy and pub-
24 lic affairs programs and activities, that proposals or
25 plans related to resource allocations for public diplo-

1 macy bureaus and offices be routed through the Of-
2 fice of the Under Secretary for Public Diplomacy
3 and Public Affairs for review and clearance and that
4 the Department should allocate, for the purposes of
5 research and evaluation of public diplomacy activi-
6 ties and programs pursuant to subsection (a)—

7 (A) 3 to 5 percent of program funds made
8 available under the heading “EDUCATIONAL
9 AND CULTURAL EXCHANGE PROGRAMS”; and

10 (B) 3 to 5 percent of program funds allo-
11 cated for public diplomacy programs under the
12 heading “DIPLOMATIC AND CONSULAR PRO-
13 GRAMS”.

14 (d) LIMITED EXEMPTION.—Chapter 35 of title 44,
15 United States Code (commonly known as the “Paperwork
16 Reduction Act”) shall not apply to collections of informa-
17 tion directed at any individuals conducted by, or on behalf
18 of, the Department for the purpose of audience research,
19 monitoring, and evaluations, and in connection with the
20 Department’s activities conducted pursuant to the United
21 States Information and Educational Exchange Act of
22 1948 (22 U.S.C. 1431 et seq.), the Mutual Educational
23 and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et
24 seq.), section 1287 of the National Defense Authorization
25 Act for Fiscal Year 2017 (Public Law 114–328; 22 U.S.C.

1 2656 note), or the Foreign Assistance Act of 1961 (22
2 U.S.C. 2151 et seq.).

3 (e) LIMITED EXEMPTION TO THE PRIVACY ACT.—

4 The Department shall maintain, collect, use, and dissemi-
5 nate records (as such term is defined in section 552a(a)(4)
6 of title 5, United States Code) for research and data anal-
7 ysis of communications related to public diplomacy efforts
8 intended for foreign audiences. Such research and data
9 analysis shall be reasonably tailored to meet the purposes
10 of this subsection and shall be carried out with due regard
11 for privacy and civil liberties guidance and oversight.

12 (f) ADVISORY COMMISSION ON PUBLIC DIPLO-
13 MACY.—

14 (1) SUBCOMMITTEE FOR RESEARCH AND EVAL-
15 UATION.—The Advisory Commission on Public Di-
16 plomacy shall establish a Subcommittee for Research
17 and Evaluation to monitor and advise on the re-
18 search and evaluation activities of the Department
19 and the Broadcasting Board of Governors.

20 (2) REPORT.—The Subcommittee for Research
21 and Evaluation established pursuant to paragraph
22 (1) shall submit an annual report to Congress in
23 conjunction with the Commission on Public Diplo-
24 macy's Comprehensive Annual Report on the per-
25 formance of the Department and the Broadcasting

1 Board of Governors in carrying out research and
2 evaluations of their respective public diplomacy pro-
3 gramming.

4 (g) DEFINITIONS.—In this section:

5 (1) AUDIENCE RESEARCH.—The term “audi-
6 ence research” means research conducted at the out-
7 set of public diplomacy program or campaign plan-
8 ning and design on specific audience segments to un-
9 derstand the attitudes, interests, knowledge, and be-
10 haviors of such audience segments.

11 (2) DIGITAL ANALYTICS.—The term “digital
12 analytics” means the analysis of qualitative and
13 quantitative data, accumulated in digital format, to
14 indicate the outputs and outcomes of a public diplo-
15 macy program or campaign.

16 (3) IMPACT EVALUATION.—The term “impact
17 evaluation” means an assessment of the changes in
18 the audience targeted by a public diplomacy program
19 or campaign that can be attributed to such program
20 or campaign.

21 (4) PUBLIC DIPLOMACY BUREAUS AND OF-
22 FICES.—The term “public diplomacy bureaus and
23 offices” means the Bureau of Educational and Cul-
24 tural Affairs, the Bureau of Public Affairs, the Bu-
25 reau of International Information Programs, the Of-

1 fice of Policy, Planning, and Resources, and the
2 Global Engagement Center, and the public diplo-
3 macy functions within the regional and functional
4 bureaus.

5 **TITLE VII—COMBATING PUBLIC** 6 **CORRUPTION**

7 **SEC. 701. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

9 (1) it is in the foreign policy interest of the
10 United States to help foreign countries promote
11 good governance and combat public corruption, par-
12 ticularly grand corruption;

13 (2) multiple Federal departments and agencies
14 operate programs that promote good governance in
15 foreign countries and enhance such countries' ability
16 to combat public corruption;

17 (3) the Department should promote coordina-
18 tion among the Federal departments and agencies
19 implementing programs to promote good governance
20 and combat public corruption in foreign countries in
21 order to improve effectiveness and efficiency; and

22 (4) the Department should identify areas in
23 which United States efforts to help other countries
24 promote good governance and combat public corrup-
25 tion could be enhanced.

1 **SEC. 702. ANNUAL ASSESSMENT.**

2 (a) IN GENERAL.—For each of fiscal years 2019
3 through 2025, the Secretary shall assess the capacity and
4 commitment of foreign countries to combat public corrup-
5 tion. Each such assessment shall—

6 (1) utilize independent, third party indicators
7 that measure transparency, accountability, and cor-
8 ruption in the public sector, including the extent to
9 which public power is exercised for private gain, to
10 identify those countries that are most vulnerable to
11 public corruption;

12 (2) consider, to the extent reliable information
13 is available, whether the government of a country
14 identified under paragraph (1)—

15 (A) has adopted measures to prevent pub-
16 lic corruption, such as measures to inform and
17 educate the public, including potential victims,
18 about the causes and consequences of public
19 corruption;

20 (B) has enacted laws and established gov-
21 ernment structures, policies, and practices that
22 prohibit public corruption, including grand cor-
23 ruption and petty corruption;

24 (C) enforces such laws through a fair judi-
25 cial process;

1 (D) vigorously investigates, prosecutes,
2 convicts, and sentences public officials who par-
3 ticipate in or facilitate public corruption, includ-
4 ing nationals of the country who are deployed
5 in foreign military assignments, trade delega-
6 tions abroad, or other similar missions who en-
7 gage in or facilitate public corruption;

8 (E) prescribes appropriate punishment for
9 grand corruption that is commensurate with the
10 punishment prescribed for serious crimes;

11 (F) prescribes appropriate punishment for
12 petty corruption that provides a sufficiently
13 stringent deterrent and adequately reflects the
14 nature of the offense; and

15 (G) convicts and sentences persons respon-
16 sible for such acts that take place wholly or
17 partly within the country of the government, in-
18 cluding, as appropriate, requiring the incarcer-
19 ation of individuals convicted of such acts; and
20 (3) further consider—

21 (A) verifiable measures taken by the gov-
22 ernment of a country identified under para-
23 graph (1) to prohibit government officials from
24 participating in, facilitating, or condoning pub-

1 lic corruption, including the investigation, pros-
2 ecution, and conviction of such officials;

3 (B) the extent to which such government
4 provides access, or, as appropriate, makes ade-
5 quate resources available, to civil society organi-
6 zations and other institutions to combat public
7 corruption, including reporting, investigating,
8 and monitoring;

9 (C) the extent to which an independent ju-
10 diciary or judicial body in such country is re-
11 sponsible for, and effectively capable of, decid-
12 ing public corruption cases impartially, on the
13 basis of facts and in accordance with law, with-
14 out any improper restrictions, influences, in-
15 ducements, pressures, threats, or interferences,
16 whether direct or indirect, from any source or
17 for any reason;

18 (D) the extent to which such govern-
19 ment—

20 (i) is assisting in international inves-
21 tigations of transnational public corruption
22 networks and in other cooperative efforts
23 to combat grand corruption, including co-
24 operating with the governments of other
25 countries to extradite corrupt actors;

1 (ii) recognizes the rights of victims of
2 public corruption, ensures their access to
3 justice, and takes steps to prevent victims
4 from being further victimized or persecuted
5 by corrupt actors, government officials, or
6 others; and

7 (iii) refrains from prosecuting legiti-
8 mate victims of public corruption or whis-
9 tleblowers due to such persons having as-
10 sisted in exposing public corruption, and
11 refrains from other discriminatory treat-
12 ment of such persons; and

13 (E) contain such other information relat-
14 ing to public corruption as the Secretary con-
15 siders appropriate.

16 (b) IDENTIFICATION.—After conducting the assess-
17 ment under subsection (a), the Secretary shall identify the
18 countries described in paragraph (1) of such subsection
19 that are—

20 (1) meeting minimum standards to combat pub-
21 lic corruption;

22 (2) not meeting minimum standards to combat
23 public corruption but making significant efforts to
24 do so; or

1 (3) neither meeting minimum standards to com-
2 bat public corruption nor making significant efforts
3 to do so.

4 (c) REPORT.—Not later than 180 days after the date
5 of the enactment of this Act and annually thereafter
6 through fiscal year 2025, the Secretary shall submit to
7 the appropriate congressional committees and make pub-
8 licly available a report that identifies the countries de-
9 scribed in subsection (a)(1) and paragraphs (2) and (3)
10 of subsection (b), including a description of the method-
11 ology and data utilized in the assessment under subsection
12 (a) and the reasons for such identification.

13 (d) BRIEFING IN LIEU OF REPORT.—The Secretary
14 may waive the requirement to submit and make publicly
15 available a written report under subsection (c) if the Sec-
16 retary—

17 (1) determines that publication of such report
18 would—

19 (A) undermine existing United States anti-
20 corruption efforts in one or more countries; or

21 (B) threaten the national interests of the
22 United States; and

23 (2) provides a briefing to the appropriate con-
24 gressional committees that identifies the countries
25 described in subsection (a)(1) and paragraphs (2)

1 and (3) of subsection (b), including a description of
2 the methodology and data utilized in the assessment
3 under subsection (a) and the reasons for such identi-
4 fication.

5 **SEC. 703. TRANSPARENCY AND ACCOUNTABILITY.**

6 For each country identified under paragraphs (2) and
7 (3) of section 702(b), the Secretary, in coordination with
8 the Administrator of the United States Agency for Inter-
9 national Development, as appropriate, shall—

10 (1) ensure that a corruption risk assessment
11 and mitigation strategy is included in the integrated
12 country strategy for such country; and

13 (2) utilize appropriate mechanisms to combat
14 corruption in such countries, including by ensur-
15 ing—

16 (A) the inclusion of anti-corruption clauses
17 in contracts, grants, and cooperative agree-
18 ments entered into by the Department or the
19 Agency for or in such countries, which allow for
20 the termination of such contracts, grants, or co-
21 operative agreements, as the case may be, with-
22 out penalty if credible indicators of public cor-
23 ruption are discovered;

24 (B) the inclusion of appropriate clawback
25 or flowdown clauses within the procurement in-

1 struments of the Department and the Agency
2 that provide for the recovery of funds misappro-
3 priated through corruption;

4 (C) the appropriate disclosure to the
5 United States Government, in confidential
6 form, if necessary, of the beneficial ownership
7 of contractors, subcontractors, grantees, cooper-
8 ative agreement participants, and other organi-
9 zations implementing programs on behalf of the
10 Department or Agency; and

11 (D) the establishment of mechanisms for
12 investigating allegations of misappropriated re-
13 sources and equipment.

14 **SEC. 704. DESIGNATION OF EMBASSY ANTI-CORRUPTION**
15 **POINTS OF CONTACT.**

16 (a) IN GENERAL.—The Secretary shall annually des-
17 ignate an anti-corruption point of contact at the United
18 States mission to each country identified under para-
19 graphs (2) and (3) of section 702(b), or which the Sec-
20 retary otherwise determines is in need of such a point of
21 contact.

22 (b) RESPONSIBILITIES.—Each designated anti-cor-
23 ruption point of contact shall be responsible for coordi-
24 nating and overseeing implementation of a whole-of-gov-
25 ernment approach among the relevant Federal depart-

1 ments and agencies that operate programs that promote
2 good governance in foreign countries and enhance such
3 countries' ability to combat public corruption in order to
4 accomplish such objectives in the country to which such
5 point of contact is posted, including through the develop-
6 ment and implementation of corruption risk assessment
7 tools and mitigation strategies.

8 (c) TRAINING.—The Secretary shall implement ap-
9 propriate training for designated anti-corruption points of
10 contact.

11 **SEC. 705. REPORTING REQUIREMENTS.**

12 (a) ANNUAL REPORT.—

13 (1) IN GENERAL.—The Secretary shall, for each
14 of fiscal years 2019 through 2025, submit to the ap-
15 propriate congressional committees a report on im-
16 plementation of this title, including a description
17 of—

18 (A) the offices within the Department and
19 the United States Agency for International De-
20 velopment that are engaging in significant anti-
21 corruption activities;

22 (B) the findings and actions of designated
23 anti-corruption points of contact to develop and
24 implement risk mitigation strategies and ensure
25 compliance with section 703;

1 (C) the training implemented under section
2 704(c);

3 (D) management of the whole-of-govern-
4 ment effort referred to in section 701 to combat
5 corruption within the countries identified in sec-
6 tion 702 and efforts to improve coordination
7 across Federal departments and agencies;

8 (E) the risk assessment tools and mitiga-
9 tion strategies utilized by the Department and
10 the Agency; and

11 (F) other information determined by the
12 Secretary to be necessary and appropriate.

13 (2) FORM OF REPORT.—Reports under this
14 subsection shall be submitted in an unclassified for-
15 mat but may include a classified annex.

16 (b) ONLINE PLATFORM.—The Secretary shall con-
17 solidate existing reports with anti-corruption components
18 into one online, public platform, which should—

19 (1) include—

20 (A) the annual Country Reports on
21 Human Rights Practices;

22 (B) the annual Fiscal Transparency Re-
23 port;

24 (C) the annual Investment Climate State-
25 ments;

1 (D) the annual International Narcotics
2 Control Strategy Report;

3 (E) the Country Scorecards of the Millen-
4 nium Challenge Corporation; and

5 (F) any other relevant public reports; and

6 (2) link to third-party indicators and compli-
7 ance mechanisms used by the Federal Government
8 to inform policy and programming, such as—

9 (A) the International Finance Corpora-
10 tion's Doing Business surveys;

11 (B) the International Budget Partnership's
12 Open Budget Index; and

13 (C) multilateral peer review anti-corruption
14 compliance mechanisms, such as the Organiza-
15 tion for Economic Co-operation and Develop-
16 ment's Working Group on Bribery in Inter-
17 national Business Transactions and the United
18 Nations Convention Against Corruption, done
19 at New York October 31, 2003, to further high-
20 light expert international views on country chal-
21 lenges and country efforts.

22 (c) TRAINING.—The Secretary and the Administrator
23 of the United States Agency for International Develop-
24 ment shall incorporate anti-corruption components into

1 existing Foreign Service and Civil Service training courses
2 to—

3 (1) increase the ability of Department and
4 Agency personnel to support anti-corruption as a
5 foreign policy priority; and

6 (2) strengthen the ability of such personnel to
7 design, implement, and evaluate more effective anti-
8 corruption programming around the world, including
9 enhancing skills to better evaluate and mitigate pub-
10 lic corruption risks in assistance programs.

11 **TITLE VIII—MISCELLANEOUS**

12 **SEC. 801. CASE-ZABLOCKI REFORM.**

13 Section 112b(b) of title 1, United States Code, is
14 amended to read as follows:

15 “(b) Each department or agency of the United States
16 Government that enters into any international agreement
17 described in subsection (a) on behalf of the United States,
18 shall designate a Chief International Agreements Officer,
19 who—

20 “(1) shall be a current employee of such depart-
21 ment or agency;

22 “(2) shall serve concurrently as Chief Inter-
23 national Agreements Officer; and

24 “(3) subject to the authority of the head of
25 such department or agency, shall have department-

1 or agency-wide responsibility for efficient and appro-
2 priate compliance with subsection (a) to transmit the
3 text of any international agreement to the Depart-
4 ment of State not later than 20 days after such
5 agreement has been signed.”.

6 **SEC. 802. REPORTING ON IMPLEMENTATION OF GAO REC-**
7 **COMMENDATIONS.**

8 (a) INITIAL REPORT.—Not later than 60 days after
9 the date of the enactment of this Act, the Secretary shall
10 submit a report to the appropriate congressional commit-
11 tees that lists all of the Government Accountability Of-
12 fice’s recommendations relating to the Department that
13 have not been fully implemented.

14 (b) COMPTROLLER GENERAL REPORT.—Not later
15 than 30 days after the Secretary submits the report under
16 subsection (a), the Comptroller General of the United
17 States shall submit a report to the appropriate congres-
18 sional committees that identifies any discrepancies be-
19 tween the list of recommendations included in such report
20 and the Government Accountability Office’s list of out-
21 standing recommendations for the Department.

22 (c) IMPLEMENTATION REPORT.—

23 (1) IN GENERAL.—Not later than 120 days
24 after the date of the enactment of this Act, the Sec-
25 retary shall submit a report to the appropriate con-

1 gressional committees that describes the implemen-
2 tation status of each recommendation from the Gov-
3 ernment Accountability Office included in the report
4 submitted under subsection (a).

5 (2) JUSTIFICATION.—The report under para-
6 graph (1) shall include—

7 (A) a detailed justification for each deci-
8 sion not to fully implement a recommendation
9 or to implement a recommendation in a dif-
10 ferent manner than specified by the Govern-
11 ment Accountability Office;

12 (B) a timeline for the full implementation
13 of any recommendation the Secretary has de-
14 cided to adopt, but has not yet fully imple-
15 mented; and

16 (C) an explanation for any discrepancies
17 included in the Comptroller General report sub-
18 mitted under subsection (b).

19 (d) FORM.—The information required in each report
20 under this section shall be submitted in unclassified form,
21 to the maximum extent practicable, but may be included
22 in a classified annex to the extent necessary.

1 **SEC. 803. EXTENSION OF AUTHORITY FOR CERTAIN AC-**
 2 **COUNTABILITY REVIEW BOARDS.**

3 Paragraph (3) of section 301(a) the Omnibus Diplo-
 4 matic Security and Antiterrorism Act of 1986 (22 U.S.C.
 5 4831(a)) is amended—

6 (1) in the heading, by striking “**AND IRAQ**”;

7 and

8 (2) in subparagraph (A)—

9 (A) in clause (i), by striking “or Iraq”;

10 and

11 (B) in clause (ii), by striking “beginning

12 on October 1, 2005, and ending on September

13 30, 2009” and inserting “beginning on October

14 1, 2018, and ending on September 30, 2021”.

15 **TITLE IX—MATTERS RELATING**
 16 **TO INTERNATIONAL SECURITY**
 17 **Subtitle A—General Provisions**

18 **SEC. 901. MODIFICATION OF PURPOSES FOR WHICH MILI-**
 19 **TARY SALES BY THE UNITED STATES ARE AU-**
 20 **THORIZED.**

21 Section 4 of the Arms Export Control Act (22 U.S.C.
 22 2754) is amended in the first sentence by striking “inter-
 23 nal security” and inserting “legitimate internal security
 24 (including for anti-terrorism purposes)”.

1 **SEC. 902. RETURN OF DEFENSE ARTICLES.**

2 Section 21(m)(1)(B) of the Arms Export Control Act
3 (22 U.S.C. 2761(m)(1)(B)) is amended—

4 (1) by striking “(B) is not” and inserting
5 “(B)(i) is not”;

6 (2) by striking “; and” and inserting “; or”;
7 and

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

9 “(ii) is significant military equipment (as
10 defined in section 47(9) of this Act) and the
11 Secretary of State has provided prior approval
12 of the return of such defense article from the
13 foreign country or international organization;
14 and”.

15 **SEC. 903. REQUIREMENTS RELATING TO EXEMPTIONS FOR**
16 **LICENSING OF DEFENSE ITEMS.**

17 Section 38(j) of the Arms Export Control Act (22
18 U.S.C. 2778(j)) is amended—

19 (1) in the subsection heading—

20 (A) by striking “COUNTRY”; and

21 (B) by striking “TO FOREIGN COUN-
22 TRIES”;

23 (2) in paragraph (1)(A)—

24 (A) in the matter preceding clause (i)—

25 (i) by striking “a foreign country”
26 and inserting “the North Atlantic Treaty

1 Organization, any member country of that
2 Organization, the Republic of Korea, Aus-
3 tralia, New Zealand, Japan, or Israel”;

4 (ii) by inserting “(except that the
5 President may not so exempt such Organi-
6 zation, member country, or other country
7 that is not eligible to acquire defense items
8 under any other provision of law)” after
9 “with respect to exports of defense items”;
10 and

11 (iii) by striking “the foreign country”
12 and inserting “such Organization, member
13 country, or other country”; and

14 (B) in clause (ii)—

15 (i) by striking “the foreign country”
16 and inserting “such Organization, member
17 country, or other country”; and

18 (ii) by striking “under their domestic
19 laws”;

20 (3) in paragraph (2)—

21 (A) in subparagraph (A)—

22 (i) in the matter preceding clause
23 (i)—

24 (I) by striking “, at a min-
25 imum,”;

1 (II) by striking “the foreign
2 country” and inserting “the Organiza-
3 tion, member country, or other coun-
4 try referred to in paragraph (1)”; and

5 (III) by striking “to revise its
6 policies and practices, and promulgate
7 or enact necessary modifications to its
8 laws and regulations”;

9 (ii) in clause (i), by striking “the for-
10 eign country” and inserting “such Organi-
11 zation, member country, or other country”;
12 and

13 (iii) in clause (ii), by striking “re-
14 transfer control commitments, including
15 securing” and inserting “retransfer con-
16 trols that secure”;

17 (B) in subparagraph (B)—

18 (i) in the matter preceding clause
19 (i)—

20 (I) by striking “, at a min-
21 imum,”;

22 (II) by striking “the foreign
23 country” and inserting “the Organiza-
24 tion, member country, or other coun-
25 try referred to in paragraph (1)”; and

1 (III) by striking “to revise its
2 policies and practices, and promulgate
3 or enact necessary modifications to its
4 laws and regulations”; and

5 (ii) in clause (iv), by striking “the for-
6 eign country” and inserting “the member
7 country or other country”;

8 (4) in paragraph (3)—

9 (A) in the matter preceding subparagraph
10 (A), by striking “a foreign country” and insert-
11 ing “the Organization, member country, or
12 other country referred to in paragraph (1)”;

13 (B) in subparagraph (A), by striking “that
14 foreign country” and inserting “such Organiza-
15 tion, member country, or other country”;

16 (C) in subparagraph (B)—

17 (i) by striking “the foreign country”
18 and inserting “such Organization, member
19 country, or other country”; and

20 (ii) by striking “has promulgated or
21 enacted all necessary modifications to its
22 laws and regulations to comply” and in-
23 serting “has taken such actions to com-
24 ply”; and

25 (D) in subparagraph (C)—

1 (i) by striking “a foreign country”
 2 and inserting “such Organization, member
 3 country, or other country”; and

4 (ii) by striking “that country” and in-
 5 serting “such Organization, member coun-
 6 try, or other country”; and

7 (5) in paragraph (4)(A), by adding at the end
 8 before the period the following: “that are not signifi-
 9 cant military equipment, or otherwise classified
 10 under section 121.1 of title 22, Code of Federal
 11 Regulations, or contained on the list of items con-
 12 trolled for reasons of missile technology under sec-
 13 tion 71 of this Act”.

14 **SEC. 904. AMENDMENT TO GENERAL PROVISIONS.**

15 Section 42(a) of the Arms Export Control Act (22
 16 U.S.C. 2791(a)) is amended in the first sentence by insert-
 17 ing “on a competitive basis” after “procurement in the
 18 United States”.

19 **SEC. 905. TECHNICAL AMENDMENTS TO ARMS EXPORT**
 20 **CONTROL ACT.**

21 (a) AMENDMENTS RELATING TO SALES FROM
 22 STOCKS.—Section 21(e)(3) of the Arms Export Control
 23 Act (22 U.S.C. 2761(e)(3)) is amended—

24 (1) in subparagraph (A)—

1 (A) in the matter preceding clause (i), by
2 striking “North Atlantic Treaty Organization
3 (NATO) Support Organization” and inserting
4 “North Atlantic Treaty Organization (NATO)
5 Support and Procurement Organization”; and

6 (B) in clause (i), by striking “support
7 partnership agreement” and inserting “support
8 or procurement partnership agreement”; and

9 (2) in subparagraph (C)(i), in the matter pre-
10 ceding subclause (I)—

11 (A) by striking “North Atlantic Treaty Or-
12 ganization (NATO) Support Organization” and
13 inserting “North Atlantic Treaty Organization
14 (NATO) Support and Procurement Organiza-
15 tion”; and

16 (B) by striking “weapon system partner-
17 ship agreement” and inserting “support or pro-
18 curement partnership agreement”.

19 (b) AMENDMENTS RELATING TO REPORTS.—Section
20 36(b)(6) of the Arms Export Control Act (22 U.S.C.
21 2776(b)(6)) is amended by inserting “the North Atlantic
22 Treaty Organization or” before “a member country”.

1 **SEC. 906. SENSE OF CONGRESS ON LICENSING UNDER**
2 **UNITED STATES ARMS EXPORT CONTROL**
3 **PROGRAMS.**

4 It is the sense of Congress that, in implementing re-
5 forms of United States arms export control programs, the
6 President should prioritize the development of a new
7 framework to improve and streamline licensing under such
8 programs, including by seeking to revise the Special Com-
9 prehensive Export Authorizations for the North Atlantic
10 Treaty Organization, any member country of that Organi-
11 zation, or any other country described in section
12 36(c)(2)(A) of the Arms Export Control Act (22 U.S.C.
13 2776(c)(2)(A)) under section 126.14 of title 15, Code of
14 Federal Regulations (relating to the International Traffic
15 in Arms Regulations).

16 **SEC. 907. EXTENSION OF WAR RESERVE STOCKPILE AU-**
17 **THORITY.**

18 (a) DEPARTMENT OF DEFENSE APPROPRIATIONS
19 ACT, 2005.—Section 12001(d) of the Department of De-
20 fense Appropriations Act, 2005 (Public Law 108–287;
21 118 Stat. 1011) is amended by striking “2018” and in-
22 serting “2019”.

23 (b) STOCKPILING OF DEFENSE ARTICLES FOR FOR-
24 EIGN COUNTRIES.—Section 514(b)(2)(A) of the Foreign
25 Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is

1 amended by striking “and 2018” and inserting “2018,
2 and 2019”.

3 **SEC. 908. PEACEKEEPING OPERATIONS AND OTHER NA-**
4 **TIONAL SECURITY PROGRAMS.**

5 (a) AUTHORITY.—

6 (1) IN GENERAL.—Section 551 of the Foreign
7 Assistance Act of 1961 (22 U.S.C. 2348) is amend-
8 ed—

9 (A) in the first sentence, by striking “The
10 President” and inserting “(a) The President”;
11 and

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

13 “(b) Assistance authorized to be appropriated under
14 this chapter may also be used to provide assistance to en-
15 hance the capacity of foreign civilian security forces, in-
16 cluding gendarmes, to participate in peacekeeping oper-
17 ations.

18 “(c) Assistance authorized to be appropriated under
19 this chapter to provide assistance to friendly countries for
20 purposes other than support for multilateral peacekeeping
21 operations shall be subject to the applicable requirements
22 of the Arms Export Control Act (22 U.S.C. 2751 et
23 seq.).”.

24 (2) DISARMAMENT AND REINTEGRATION.—

1 (A) IN GENERAL.—Notwithstanding any
2 other provision of law, funds authorized to be
3 appropriated under any provision of law for
4 peacekeeping operations may be made available
5 to support programs to disarm, demobilize, and
6 reintegrate into civilian society former members
7 of foreign terrorist organizations.

8 (B) CONSULTATION.—The Secretary shall
9 consult with the appropriate congressional com-
10 mittees prior to obligating or expending funds
11 pursuant to this any provision of law described
12 in subparagraph (A).

13 (C) DEFINITION.—In this paragraph, the
14 term “foreign terrorist organization” means an
15 organization designated as a terrorist organiza-
16 tion under section 219(a) of the Immigration
17 and Nationality Act (8 U.S.C. 1189(a)).

18 (b) NOTIFICATION.—The Secretary shall notify the
19 Committee on Foreign Affairs of the House of Representa-
20 tives and the Committee on Foreign Relations of the Sen-
21 ate at least 15 days prior to obligating or expending funds
22 under any provision of law for peacekeeping operations.

23 (c) CONFORMING AMENDMENT.—The heading for
24 chapter 6 of part II of the Foreign Assistance Act of 1961
25 (22 U.S.C. 2348 et seq.) is amended by adding at the end

1 the following: “AND OTHER NATIONAL SECURITY PRO-
2 GRAMS”.

3 **SEC. 909. OTHER AMENDMENTS TO MILITARY ASSISTANCE**
4 **AUTHORITIES.**

5 The Foreign Assistance Act of 1961 is amended as
6 follows:

7 (1) In section 506(b)(2) (22 U.S.C.
8 2318(b)(2)), by striking “a report” and inserting “a
9 report on an annual basis”.

10 (2) In section 516 (22 U.S.C. 2321j)—

11 (A) in subsection (a), by striking “coun-
12 tries” and inserting “countries, regional organi-
13 zations, and international organizations”;

14 (B) in subsection (b)(1)(E), by striking
15 “countries” and inserting “countries, regional
16 organizations, and international organizations”;

17 (C) in subsection (c)—

18 (i) in paragraph (1), by striking “re-
19 cipient country” and inserting “recipient
20 country or organization”; and

21 (ii) in paragraph (2), by striking
22 “other countries” and inserting “other
23 countries or organizations”;

24 (D) in subsection (f)(2)—

1 (i) in subparagraph (A), by striking
 2 “country” and inserting “country or orga-
 3 nization”; and

4 (ii) in subparagraph (C), by striking
 5 “countries” and inserting “countries or or-
 6 ganizations”; and

7 (E) in subsection (h), by striking “coun-
 8 try” and inserting “country and organization”.

9 (3) In section 622(c) of the Foreign Assistance
 10 Act of 1961 (22 U.S.C. 2382(c)), by inserting “law
 11 enforcement and justice sector assistance,” before
 12 “military assistance,”.

13 (4) In section 656(a)(1) (22 U.S.C.
 14 2416(a)(1)), by striking “January 31” and inserting
 15 “March 1”.

16 **Subtitle B—Security Sector Reform**

17 **SEC. 921. LIST OF PRIORITY COUNTRIES FOR SECURITY** 18 **SECTOR ASSISTANCE.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
 20 gress that United States security sector assistance is a
 21 critically important tool of United States foreign policy
 22 and the Secretary, acting under the direction of the Presi-
 23 dent, should set foreign security sector policy priorities re-
 24 lated to United States security sector assistance.

1 (b) LIST.—The Secretary, in consultation with the
2 Secretary of Defense and the heads of other appropriate
3 Federal departments and agencies, shall include in the an-
4 nual congressional budget justification of the Department
5 a list that—

6 (1) those foreign countries identified by the
7 Secretary as priority countries to receive security
8 sector assistance; and

9 (2) indicates for each country identified under
10 paragraph (1) the policy objectives that the Sec-
11 retary seeks to achieve with respect to the provision
12 of such assistance.

13 **SEC. 922. COORDINATOR FOR SECURITY SECTOR ASSIST-**
14 **ANCE IN PRIORITY COUNTRIES.**

15 (a) IN GENERAL.—The Secretary shall designate an
16 appropriately senior individual or individuals assigned to
17 an appropriate diplomatic or consular post in each foreign
18 country identified on the list required under section
19 921(b) to be responsible for—

20 (1) tracking, reporting on, and coordinating se-
21 curity sector assistance and related policy for the
22 foreign country; and

23 (2) assisting in and ensuring implementation of
24 section 620M of the Foreign Assistance Act of 1961

1 (22 U.S.C. 2378d) and section 362 of title 10,
2 United States Code.

3 (b) TRAINING.—

4 (1) IN GENERAL.—The Secretary shall ensure
5 that each individual designated under subsection (a)
6 receives the specialized training described in para-
7 graph (2) to prepare such individual to carry out the
8 duties described in paragraphs (1) and (2) of sub-
9 section (a).

10 (2) TRAINING DESCRIBED.—The Secretary
11 shall establish curriculum at the George P. Schultz
12 National Foreign Affairs Training Center to provide
13 specialized training for individuals designated under
14 subsection (a) to develop policy expertise relating to
15 security sector assistance, including—

16 (A) awareness of the full range of agencies,
17 offices, personnel, congressional authorities and
18 funds, and programs involved in security sector
19 assistance and the respective decision-making
20 timelines;

21 (B) familiarity with models of military and
22 police security force systems and basic knowl-
23 edge of structures and forces of the region to
24 which the individual is deployed; and

1 (C) familiarity with security sector reform
2 and United States interagency and external re-
3 sources and experts.

4 (3) COORDINATION.—The curriculum estab-
5 lished pursuant to paragraph (2) should be provided
6 in coordination with the Defense Security Coopera-
7 tion Agency’s Defense Institute of Security Coopera-
8 tion Studies.

9 **SEC. 923. POLICIES AND GUIDANCE FOR REGIONAL BU-**
10 **REAUS OF THE DEPARTMENT.**

11 (a) POLICIES AND GUIDANCE.—The Secretary shall
12 establish policies and guidance for each regional bureau
13 of the Department to coordinate security sector assistance
14 and related policy for foreign countries identified on the
15 list required under section 921(b).

16 (b) COORDINATOR FOR REGIONAL BUREAU.—

17 (1) IN GENERAL.—The assistant secretary for
18 each regional bureau of the Department shall des-
19 ignate an individual who is an officer of the regional
20 bureau to be responsible for coordinating security
21 sector assistance and related policy within the re-
22 sponsibilities of such regional bureau, including the
23 integration of the foreign security sector policy pri-
24 orities established by the Secretary, acting under the
25 direction of the President.

1 (2) TRAINING.—The assistant secretary for
2 each regional bureau of the Department shall ensure
3 that each individual designated under paragraph (1)
4 for such regional bureau receives the specialized
5 training described in section 2(b) to prepare such in-
6 dividual to carry out the duties described in para-
7 graph (1).

8 **SEC. 924. OFFICE FOR SECURITY SECTOR ASSISTANCE IN**
9 **THE DEPARTMENT.**

10 (a) DESIGNATION.—The Secretary of State shall des-
11 ignate an office in the Department, to be known as the
12 Office for Security Sector Assistance, to serve as a central
13 coordinating point for security sector assistance.

14 (b) PERSONNEL.—The Office of Security Sector As-
15 sistance should include personnel detailed from within the
16 Department’s relevant functional bureaus and personnel
17 from the United States Agency for International Develop-
18 ment and other relevant Federal departments and agen-
19 cies.

20 (c) DUTIES.—The Office for Security Sector Assist-
21 ance shall—

22 (1) create, respond to, and coordinate security
23 sector assistance strategies and plans, particularly in
24 support of development of interagency country strat-

1 egies by United States embassies and regular plan-
2 ning by regional bureaus of the Department;

3 (2) maintain awareness of security sector as-
4 sistance programs administered by the Department,
5 the United States Agency for International Develop-
6 ment, and other Federal departments and agencies,
7 including managing the Department's review and
8 concurrence process under section 333 of title 10,
9 United States Code;

10 (3) convene appropriate offices and personnel
11 required for working-level interagency coordination;
12 and

13 (4) ensure awareness of and making use of best
14 practices in the design, implementation, monitoring
15 and evaluation of security sector assistance.

16 (d) EXCEPTION.—The requirements of this section
17 shall not apply if the Secretary certifies to the Committee
18 on Foreign Affairs of the House of Representatives and
19 the Committee on Foreign Relations of the Senate that
20 the Department has established an alternative mechanism
21 for the effective coordination of security sector assistance.
22 Such certification shall describe such alternative mecha-
23 nism to achieve the objectives described in this section.

1 **SEC. 925. DATABASE FOR SECURITY ASSISTANCE.**

2 (a) IN GENERAL.—The President should seek to en-
3 sure that the Department, the Department of Defense,
4 and other appropriate Federal agencies are able to share
5 a common database of information that permits the identi-
6 fication of security assistance programs and funding by
7 country.

8 (b) GAO REPORT.—Not later than one year after the
9 date of the enactment of this Act, the Comptroller General
10 of the United States shall submit to the appropriate con-
11 gressional committees a report that assesses existing bar-
12 riers to data sharing and exchanges that would assist in
13 planning, assessing, and tracking security sector assist-
14 ance.

15 **SEC. 926. DEFINITIONS.**

16 In this subtitle:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) means the Committee on Appropria-
21 tions, the Committee on Armed Services, and
22 the Committee on Foreign Affairs of the House
23 of Representatives; and

24 (B) the Committee on Appropriations, the
25 Committee on Armed Services, and the Com-
26 mittee on Foreign Relations of the Senate.

1 (2) SECURITY SECTOR ASSISTANCE.—The term
2 “security sector assistance” means—

3 (A) assistance under chapter 8 (relating to
4 international narcotics control) of part I of the
5 Foreign Assistance Act of 1961;

6 (B) assistance under chapter 2 (military
7 assistance), chapter 5 (international military
8 education and training), chapter 6 (peace-
9 keeping operations), chapter 8 (antiterrorism
10 assistance), and chapter 9 (nonproliferation and
11 export control assistance) of part II of the For-
12 eign Assistance Act of 1961;

13 (C) assistance under section 23 of the
14 Arms Export Control Act (relating to the For-
15 eign Military Financing program); or

16 (D) sales of defense articles or defense
17 services, extensions of credits (including partici-
18 pations in credits), and guaranties of loans
19 under the Arms Export Control Act.

1 **Subtitle C—Modifications of Au-**
2 **thorities That Provide for Re-**
3 **scission of Determinations of**
4 **Countries as State Sponsors of**
5 **Terrorism**

6 **SEC. 931. MODIFICATIONS OF AUTHORITIES THAT PROVIDE**
7 **FOR RESCISSION OF DETERMINATIONS OF**
8 **COUNTRIES AS STATE SPONSORS OF TER-**
9 **RORISM.**

10 (a) PROHIBITION ON ASSISTANCE TO GOVERNMENTS
11 SUPPORTING INTERNATIONAL TERRORISM.—Section
12 620A of the Foreign Assistance Act of 1961 (22 U.S.C.
13 2371) is amended—

14 (1) in subsection (c)(2)—

15 (A) in the matter preceding subparagraph
16 (A), by striking “45 days” and inserting “90
17 days”; and

18 (B) in subparagraph (A), by striking “6-
19 month period” and inserting “24-month pe-
20 riod”;

21 (2) by redesignating subsection (d) as sub-
22 section (e);

23 (3) by inserting after subsection (c) the fol-
24 lowing:

1 “(d) DISAPPROVAL OF RESCISSION.—No rescission
2 under subsection (c)(2) of a determination under sub-
3 section (a) with respect to the government of a country
4 may be made if the Congress, within 90 days after receipt
5 of a report under subsection (c)(2), enacts a joint resolu-
6 tion described in subsection (f)(2) of section 40 of the
7 Arms Export Control Act with respect to a rescission
8 under subsection (f)(1) of such section of a determination
9 under subsection (d) of such section with respect to the
10 government of such country.”;

11 (4) in subsection (e) (as redesignated), in the
12 matter preceding paragraph (1), by striking “may
13 be” and inserting “may, on a case-by-case basis,
14 be”; and

15 (5) by adding at the end the following new sub-
16 section:

17 “(f) NOTIFICATION AND BRIEFING.—Not later
18 than—

19 “(1) ten days after initiating a review of the ac-
20 tivities of the government of the country concerned
21 within the 24-month period referred to in subsection
22 (c)(2)(A), the President, acting through the Sec-
23 retary of State, shall notify the Committee on For-
24 eign Affairs of the House of Representatives and the

1 Committee on Foreign Relations of the Senate of
2 such initiation; and

3 “(2) 20 days after the notification described in
4 paragraph (1), the President, acting through the
5 Secretary of State, shall brief such committees on
6 the status of such review.”.

7 (b) ARMS EXPORT CONTROL ACT.—Section 40 of the
8 Arms Export Control Act (22 U.S.C. 2780) is amended—

9 (1) in subsection (f)—

10 (A) in paragraph (1)(B)—

11 (i) in the matter preceding clause (i),
12 by striking “45 days” and inserting “90
13 days”; and

14 (ii) in clause (i), by striking “6-month
15 period” and inserting “24-month period”;
16 and

17 (B) in paragraph (2)—

18 (i) in subparagraph (A), by striking
19 “45 days” and inserting “90 days”; and

20 (ii) in subparagraph (B), by striking
21 “45-day period” and inserting “90-day pe-
22 riod”;

23 (2) in subsection (g), in the matter preceding
24 paragraph (1), by striking “may waive” and insert-
25 ing “may, on a case-by-case basis, waive”;

1 (3) by redesignating subsection (l) as subsection
2 (m); and

3 (4) by inserting after subsection (k) the fol-
4 lowing new subsection:

5 “(l) NOTIFICATION AND BRIEFING.—Not later
6 than—

7 “(1) ten days after initiating a review of the ac-
8 tivities of the government of the country concerned
9 within the 24-month period referred to in subsection
10 (f)(1)(B)(i), the President, acting through the Sec-
11 retary of State, shall notify the Committee on For-
12 eign Affairs of the House of Representatives and the
13 Committee on Foreign Relations of the Senate of
14 such initiation; and

15 “(2) 20 days after the notification described in
16 paragraph (1), the President, acting through the
17 Secretary of State, shall brief such committees on
18 the status of such review.”.

19 (c) EXPORT ADMINISTRATION ACT OF 1979.—

20 (1) IN GENERAL.—Section 6(j) of the Export
21 Administration Act of 1979 (50 U.S.C. App.
22 2405(j)), as continued in effect under the Inter-
23 national Emergency Economic Powers Act, is
24 amended—

25 (A) in paragraph (4)(B)—

1 (i) in the matter preceding clause (i),
2 by striking “45 days” and inserting “90
3 days”; and

4 (ii) in clause (i), by striking “6-month
5 period” and inserting “24-month period”;

6 (B) by redesignating paragraphs (6) and
7 (7) as paragraphs (7) and (8), respectively; and

8 (C) by inserting after paragraph (4) the
9 following new paragraphs:

10 “(5) DISAPPROVAL OF RESCISSION.—No rescission
11 under paragraph (4)(B) of a determination under para-
12 graph (1)(A) with respect to the government of a country
13 may be made if the Congress, within 90 days after receipt
14 of a report under paragraph (4)(B), enacts a joint resolu-
15 tion described in subsection (f)(2) of section 40 of the
16 Arms Export Control Act with respect to a rescission
17 under subsection (f)(1) of such section of a determination
18 under subsection (d) of such section with respect to the
19 government of such country.

20 “(6) NOTIFICATION AND BRIEFING.—Not later
21 than—

22 “(A) ten days after initiating a review of the
23 activities of the government of the country concerned
24 within the 24-month period referred to in paragraph
25 (4)(B)(i), the President, acting through the Sec-

1 retary and the Secretary of State, shall notify the
2 Committee on Foreign Affairs of the House of Rep-
3 resentatives and the Committee on Foreign Rela-
4 tions of the Senate of such initiation; and

5 “(B) 20 days after the notification described in
6 paragraph (1), the President, acting through the
7 Secretary and the Secretary of State, shall brief
8 such committees on the status of such review.”.

9 (2) REGULATIONS.—The President shall amend
10 the Export Administration Regulations under sub-
11 chapter C of chapter VII of title 15, Code of Federal
12 Regulations, to the extent necessary and appropriate
13 to carry out the amendment made by paragraph (1).

○