

committee on Research and Evaluation to monitor and advise regarding audience research, digital analytics, and impact evaluations carried out by the Department and the United States Agency for Global Media.

(2) Annual report

The Subcommittee on Research and Evaluation established pursuant to paragraph (1) shall submit to the appropriate congressional committees an annual report, in conjunction with the United States Advisory Commission on Public Diplomacy's Comprehensive Annual Report on the performance of the Department and the United States Agency for Global Media, describing all actions taken by the Subcommittee pursuant to paragraph (1) and any findings made as a result of such actions.

(Pub. L. 117-81, div. E, title LVI, § 5603, Dec. 27, 2021, 135 Stat. 2377.)

Editorial Notes

REFERENCES IN TEXT

The Mutual Educational and Cultural Exchange Act of 1961, referred to in subsec. (d)(1), is Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, which is classified principally to chapter 33 (§ 2451 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

The Foreign Assistance Act of 1961, referred to in subsec. (d)(3), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, which is classified principally to chapter 32 (§ 2151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

The Privacy Act, referred to in the heading of subsec. (e), is probably a reference to section 552a of Title 5, Government Organization and Employees. See Short Title note set out under section 552a of Title 5.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “Secretary”, “Department”, and “appropriate congressional committees” as used in this section, see section 5002 of Pub. L. 117-81, set out as a note under section 263c of this title.

For definitions of “audience research”, “digital analytics”, “impact evaluation”, and “public diplomacy bureaus and offices” as used in this section, see section 5607 of Pub. L. 117-81, set out as a note under section 2732a of this title.

§ 2733. Reemployment of annuitants under the Civil Service Retirement System and Federal Employees' Retirement System

(a) Authority

The Secretary of State may waive the application of section 8344 or 8468 of title 5 on a case-by-case basis, for employment of an annuitant in a position in the Department of State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.

(b) Procedures

The Secretary should prescribe procedures for the exercise of any authority under subsection (a), including criteria for any exercise of authority and procedures for a delegation of authority.

(c) Annuitants not treated as employees for purposes of retirement benefits

An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5.

(Aug. 1, 1956, ch. 841, title I, § 61, as added Pub. L. 109-234, title I, § 1602(b)(1), June 15, 2006, 120 Stat. 441; amended Pub. L. 111-32, title XI, § 1115(c)(2), June 24, 2009, 123 Stat. 1905; Pub. L. 114-323, title IV, § 405(b), Dec. 16, 2016, 130 Stat. 1929.)

Editorial Notes

CODIFICATION

Pub. L. 109-234, title I, § 1602(b)(1), June 15, 2006, 120 Stat. 441, which directed that this section be added at the end of title I of the Department of State Basic Authorities Act of 1956, was executed by adding this section at the end of title I of the State Department Basic Authorities Act of 1956, to reflect the probable intent of Congress.

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-323 amended subsec. (a) generally. Prior to amendment, subsec. (a) related to authority of the Secretary of State to waive application of provisions of section 8344 or 8468 of title 5 on a case-by-case basis for employment of certain annuitants to facilitate the assignment of persons to Iraq, Pakistan, and Afghanistan or to posts vacated by members of the Service assigned to Iraq, Pakistan, and Afghanistan and terminated the Secretary's authority as of Oct. 1, 2010.

2009—Subsec. (a)(1). Pub. L. 111-32 inserted “, Pakistan,” after “Iraq” in two places.

Subsec. (a)(2). Pub. L. 111-32 substituted “2010” for “2008”.

Statutory Notes and Related Subsidiaries

EXTENSION OF AUTHORITY

Extensions of the waiver authority of the Secretary of State under former subsec. (a) of this section (see 2016 Amendment note above) were contained in the following acts:

Pub. L. 114-113, div. K, title VII, § 7034(k)(5), Dec. 18, 2015, 129 Stat. 2765.

Pub. L. 113-235, div. J, title VII, § 7034(l)(5), Dec. 16, 2014, 128 Stat. 2625.

Pub. L. 113-76, div. K, title VII, § 7034(m)(5), Jan. 17, 2014, 128 Stat. 515.

Pub. L. 112-74, div. I, title VII, § 7034(m)(5), Dec. 23, 2011, 125 Stat. 1216.

§ 2734. Reconstruction and stabilization

(a) Office of the Coordinator for Reconstruction and Stabilization

(1) Establishment

There is established within the Department of State the Office of the Coordinator for Reconstruction and Stabilization.

(2) Coordinator for Reconstruction and Stabilization

The head of the Office shall be the Coordinator for Reconstruction and Stabilization, who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall report directly to the Secretary.

(3) Functions

The functions of the Office of the Coordinator for Reconstruction and Stabilization shall include the following:

(A) Monitoring, in coordination with relevant bureaus and offices of the Department of State and the United States Agency for International Development (USAID), political and economic instability worldwide to anticipate the need for mobilizing United States and international assistance for the reconstruction and stabilization of a country or region that is at risk of, in, or are¹ in transition from, conflict or civil strife.

(B) Assessing the various types of reconstruction and stabilization crises that could occur and cataloging and monitoring the non-military resources and capabilities of agencies (as such term is defined in section 1603 of the Reconstruction and Stabilization Civilian Management Act of 2008) that are available to address such crises.

(C) Planning, in conjunction with USAID, to address requirements, such as demobilization, disarmament, rebuilding of civil society, policing, human rights monitoring, and public information, that commonly arise in reconstruction and stabilization crises.

(D) Coordinating with relevant agencies to develop interagency contingency plans and procedures to mobilize and deploy civilian personnel and conduct reconstruction and stabilization operations to address the various types of such crises.

(E) Entering into appropriate arrangements with agencies to carry out activities under this section and the Reconstruction and Stabilization Civilian Management Act of 2008.

(F) Identifying personnel in State and local governments and in the private sector who are available to participate in the Civilian Reserve Corps established under subsection (b) or to otherwise participate in or contribute to reconstruction and stabilization activities.

(G) Taking steps to ensure that training and education of civilian personnel to perform such reconstruction and stabilization activities is adequate and is carried out, as appropriate, with other agencies involved with stabilization operations.

(H) Taking steps to ensure that plans for United States reconstruction and stabilization operations are coordinated with and complementary to reconstruction and stabilization activities of other governments and international and nongovernmental organizations, to improve effectiveness and avoid duplication.

(I) Maintaining the capacity to field on short notice an evaluation team consisting of personnel from all relevant agencies to undertake on-site needs assessment.

(b) Response Readiness Corps

(1) Response Readiness Corps

The Secretary, in consultation with the Administrator of the United States Agency for International Development and the heads of other appropriate agencies of the United States Government, may establish and maintain a Response Readiness Corps (referred to

in this section as the “Corps”) to provide assistance in support of reconstruction and stabilization operations in countries or regions that are at risk of, in, or are in transition from, conflict or civil strife. The Corps shall be composed of active and standby components consisting of United States Government personnel, including employees of the Department of State, the United States Agency for International Development, and other agencies who are recruited and trained (and employed in the case of the active component) to provide such assistance when deployed to do so by the Secretary to support the purposes of this Act.

(2) Civilian Reserve Corps

The Secretary, in consultation with the Administrator of the United States Agency for International Development, may establish a Civilian Reserve Corps for which purpose the Secretary is authorized to employ and train individuals who have the skills necessary for carrying out reconstruction and stabilization activities, and who have volunteered for that purpose. The Secretary may deploy members of the Civilian Reserve Corps pursuant to a determination by the President under section 2368 of this title.

(3) Mitigation of domestic impact

The establishment and deployment of any Civilian Reserve Corps shall be undertaken in a manner that will avoid substantively impairing the capacity and readiness of any State and local governments from which Civilian Reserve Corps personnel may be drawn.

(c) Existing training and education programs

The Secretary shall ensure that personnel of the Department, and, in coordination with the Administrator of USAID, that personnel of USAID, make use of the relevant existing training and education programs offered within the Government, such as those at the Center for Stabilization and Reconstruction Studies at the Naval Postgraduate School and the Interagency Training, Education, and After Action Review Program at the National Defense University.

(Aug. 1, 1956, ch. 841, title I, §62, as added Pub. L. 110-417, [div. A], title XVI, §1605, Oct. 14, 2008, 122 Stat. 4654.)

Editorial Notes

REFERENCES IN TEXT

The Reconstruction and Stabilization Civilian Management Act of 2008, referred to in subsec. (a)(3)(B), (E), is Pub. L. 110-417, [div. A], title XVI, Oct. 14, 2008, 122 Stat. 4652, which enacted this section, sections 2368 and 2734a of this title, and provisions set out as notes under sections 2151, 2368, and 2734a of this title. Section 1603 of the Act is set out as a note under section 2734a of this title. For complete classification of this Act to the Code, see Short Title of 2008 Amendment note set out under section 2151 of this title and Tables.

This Act, referred to in subsec. (b)(1), is act Aug. 1, 1956, ch. 841, 70 Stat. 890, known as the State Department Basic Authorities Act of 1956. For complete classification of this Act to the Code, see Short Title note set out under section 2651 of this title and Tables.

¹ So in original. Probably should be “is”.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “Secretary”, “agency”, and “personnel” as used in this section, see section 1603 of Pub. L. 110–417, set out as a note under section 2734a of this title.

§ 2734a. Authorities related to personnel**(a) Extension of certain Foreign Service benefits**

The Secretary, or the head of any agency with respect to personnel of that agency, may extend to any individuals assigned, detailed, or deployed to carry out reconstruction and stabilization activities pursuant to section 2734 of this title (as added by section 1605¹ of this title), the benefits or privileges set forth in sections 3973, 4024, and 4081 of this title to the same extent and manner that such benefits and privileges are extended to members of the Foreign Service.

(b) Authority regarding details

The Secretary is authorized to accept details or assignments of any personnel, and any employee of a State or local government, on a reimbursable or nonreimbursable basis for the purpose of carrying out this title,¹ and the head of any agency is authorized to detail or assign personnel of such agency on a reimbursable or nonreimbursable basis to the Department of State for purposes of section 2734 of this title, as added by section 1605¹ of this title.

(Pub. L. 110–417, [div. A], title XVI, § 1606, Oct. 14, 2008, 122 Stat. 4656.)

Editorial Notes

REFERENCES IN TEXT

Section 1605 of this title, referred to in text, means section 1605 of title XVI of Pub. L. 110–417.

This title, the first time appearing in subsec. (b), means title XVI of Pub. L. 110–417, [div. A], Oct. 14, 2008, 122 Stat. 4652, known as the Reconstruction and Stabilization Civilian Management Act of 2008, which enacted this section, sections 2368 and 2734 of this title, and provisions set out as notes under this section and sections 2151 and 2368 of this title. For complete classification of this title to the Code, see Short Title of 2008 Amendment note set out under section 2151 of this title and Tables.

Statutory Notes and Related Subsidiaries

DEFINITIONS

Pub. L. 110–417, [div. A], title XVI, § 1603, Oct. 14, 2008, 122 Stat. 4653, provided that: “In this title [enacting this section, sections 2368 and 2734 of this title, and provisions set out as notes under sections 2151 and 2368 of this title]:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the United States Agency for International Development.

“(2) AGENCY.—The term ‘agency’ means any entity included in chapter 1 of title 5, United States Code.

“(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

“(4) DEPARTMENT.—Except as otherwise provided in this title, the term ‘Department’ means the Department of State.

¹ See References in Text note below.

“(5) PERSONNEL.—The term ‘personnel’ means individuals serving in any service described in section 2101 of title 5, United States Code, other than in the legislative or judicial branch.

“(6) SECRETARY.—The term ‘Secretary’ means the Secretary of State.”

§ 2734b. Report on diversity recruitment, employment, retention, and promotion**(a) In general**

The Secretary should provide oversight to the employment, retention, and promotion of traditionally underrepresented minority groups.

(b) Additional recruitment and outreach required

The Department should conduct recruitment activities that—

(1) develop and implement effective mechanisms to ensure that the Department is able effectively to recruit and retain highly qualified candidates from a wide diversity of institutions; and

(2) improve and expand recruitment and outreach programs at minority-serving institutions.

(c) Report

Not later than 180 days after December 16, 2016, and quadrennially thereafter, the Secretary shall submit to Congress a comprehensive report that describes the efforts, consistent with existing law, including procedures, effects, and results of the Department since the period covered by the prior such report, to promote equal opportunity and inclusion for all American employees in direct hire and personal service contractors status, particularly employees of the Foreign Service, including equal opportunity for all traditionally underrepresented minority groups.

(Pub. L. 114–323, title IV, § 410, Dec. 16, 2016, 130 Stat. 1931.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “Secretary”, “Department”, and “Foreign Service” as used in this section, see section 2 of Pub. L. 114–323, set out as a note under section 2651 of this title.

§ 2734c. Employee assignment restrictions**(a) Appeal of assignment restriction**

The Secretary shall establish and maintain a right and process for employees to appeal a decision related to an assignment, based on a restriction, review, or preclusion. Such right and process shall ensure that any such employee shall have the same appeal rights as provided by the Department regarding denial or revocation of a security clearance. Any such appeal shall be resolved not later than 60 days after such appeal is filed.

(b) Certification

Upon full implementation of a right and process for employees to appeal an assignment restriction or preclusion under subsection (a), the Secretary shall submit to the appropriate congressional committee¹ a report that—

¹ So in original. Probably should be “committees”.