

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.

S. 2971

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

Mr. KERRY Referred to the Committee on and ordered to
be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. TABLE OF CONTENTS.**

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

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

TITLE I—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—General Matters

2

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

Subtitle B—Public Diplomacy

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

Subtitle C—Consular Services and Related Matters

- Sec. 141. Reforming refugee processing.
- Sec. 142. Definition of “use” in passport and visa offenses.
- Sec. 143. Visa ineligibility for international child abduction.
- Sec. 144. Vaccination waiver for adopted children.
- Sec. 145. Signed photograph requirement for visa applications.
- Sec. 146. Electronic transmission of domestic violence information to visa applicants.
- Sec. 147. Sibling adoptions.
- Sec. 148. Technical amendments relating to the Intelligence Reform and Terrorism Prevention Act of 2004.
- Sec. 149. Videoconference interviews.

3

TITLE II—ORGANIZATION AND PERSONNEL OF THE
DEPARTMENT OF STATE

Subtitle A—Modernizing the Department of State

- Sec. 201. Creation of a modern and expeditionary Foreign Service.
- Sec. 202. Conflict prevention, mitigation, and resolution training.
- Sec. 203. Mass atrocities.
- Sec. 204. Crisis response.

Subtitle B—Foreign Services Overseas Pay Equity

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

Subtitle C—Other Organization and Personnel Matters

- Sec. 221. Death gratuity.
- Sec. 222. Expansion and extension of annuitant waiver for response readiness corps.
- Sec. 223. Reemployment of annuitants.
- Sec. 224. Locally employed staff.
- Sec. 225. Repeal of recertification requirement for senior foreign service.
- Sec. 226. Foreign relations exchange programs.
- Sec. 227. Enhanced personnel authorities for the Inspector General of the Department of State.
- Sec. 228. Personal services contractors.
- Sec. 229. Amendment to the Foreign Service Act of 1980.
- Sec. 230. Office for Global Women’s Issues.
- Sec. 231. Home leave.
- Sec. 232. Training support services.

TITLE III—INTERNATIONAL ORGANIZATIONS

- Sec. 301. Promoting assignments to international organizations.
- Sec. 302. Synchronization of United States contributions to international organizations.
- Sec. 303. Peacekeeping contributions.
- Sec. 304. Buying power maintenance, international organizations.
- Sec. 305. United States participation in the Inter-Parliamentary Union.
- Sec. 306. Provision of living quarters and allowances to the United States Representatives to the United Nations.
- Sec. 307. Recruitment and retention of United States citizens in international organizations.
- Sec. 308. United States membership in the International Renewable Energy Agency.

TITLE IV—MISCELLANEOUS PROVISIONS

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

- Sec. 407. Prohibitions on foreign assistance for the production of certain agricultural commodities.
- Sec. 408. Sense of Congress relating to transparency for extractive industries.
- Sec. 409. Sense of Congress regarding Central Asia.
- Sec. 410. Sense of Congress on global Internet freedom.
- Sec. 411. Global Health Initiative.

TITLE V—PEACE CORPS IMPROVEMENT AND EXPANSION

- Sec. 501. Short title.
- Sec. 502. Findings.
- Sec. 503. Assessment and strategic plan for improving and expanding Peace Corps.
- Sec. 504. Sense of Congress on number of Presidential appointments under Peace Corps Act.
- Sec. 505. Authorization of appropriations.

TITLE VI—AUTHORIZATION OF APPROPRIATIONS

- Sec. 601. Authorization of appropriations.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

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

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

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

13 **Subtitle A—General Matters**

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

15 Section 38(d)(3) of the State Department Basic Au-
 16 thorities Act of 1956 (22 U.S.C. 2710(d)(3)) is amended

1 by striking “from another agency of the United States
2 Government” and inserting “as a result of a decision of
3 an international tribunal, from another agency of the
4 United States Government,”.

5 **SEC. 102. ACTUARIAL VALUATIONS.**

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

9 (1) in the first sentence, by striking “Secretary
10 of the Treasury” and inserting “Secretary of State”;
11 and

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

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

1 (c) AUTHORITY OF SECRETARY OF STATE TO PRE-
2 SCRIBE MORTALITY TABLES.—Section 825(b) of such Act
3 (22 U.S.C. 4065(b)) is amended—

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

7 (2) by striking “Secretary of the Treasury” and
8 inserting “Secretary of State”.

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

12 (1) by striking “Secretary of the Treasury” and
13 inserting “Secretary of State”; and

14 (2) by striking “and shall advise the Secretary
15 of State of (1) the normal cost of the System, (2)
16 the supplemental liability of the System, and (3) the
17 amounts necessary to finance the costs of the Sys-
18 tem.” and inserting the following: “that will pro-
19 vide—

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

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

22 and

23 “(3) the amounts necessary to finance the costs
24 of the System.”.

1 **SEC. 103. SPECIAL AGENTS.**

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

4 (1) in subsection (a), by amending paragraph
5 (1) to read as follows:

6 “(1) conduct investigations concerning—

7 “(A) illegal passport or visa issuance or
8 use;

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

12 “(C) Federal offenses committed within
13 the special maritime and territorial jurisdiction
14 of the United States (as such term is defined
15 in section 7(9) of title 18, United States Code),
16 except as that jurisdiction relates to the prem-
17 ises of United States military installations and
18 related residences;”; and

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

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

23 **SEC. 104. ACCOUNTABILITY REVIEW BOARDS.**

24 Section 301(a)(3) of the Omnibus Diplomatic Secu-
25 rity and Antiterrorism Act of 1986 (22 U.S.C.
26 4831(a)(3)) is amended—

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

4 (2) in subparagraph (A)—

5 (A) in clause (i), by striking “Afghanistan
6 or” and inserting “Afghanistan, Pakistan, or”;
7 and

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

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

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

15 **SEC. 106. ENHANCED DEPARTMENT OF STATE AUTHORITY**
16 **FOR UNIFORMED SECURITY OFFICERS.**

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

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

22 “(a) ENFORCEMENT AUTHORITIES FOR UNIFORMED
23 GUARDS.—The Secretary of State may authorize Depart-
24 ment of State uniformed guards to protect buildings and
25 areas within the United States for which the Department

1 of State provides protective services, including duty in
2 areas outside the property to the extent necessary to pro-
3 tect the property and persons in that area.

4 “(b) POWERS OF GUARDS.—While engaged in the
5 performance of official duties as a uniformed guard under
6 subsection (a), a guard may—

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

9 “(2) carry firearms; and

10 “(3) make arrests without warrant for—

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

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

20 “(c) REGULATIONS.—

21 “(1) IN GENERAL.—The Secretary of State, in
22 consultation with the Secretary of Homeland Secu-
23 rity, may prescribe such regulations as may be nec-
24 essary for the administration of buildings and areas
25 within the United States for which the Department

1 of State provides protective services, including rea-
2 sonable penalties for violations of such regulations,
3 within the limits prescribed in subsection (d).

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

7 “(d) PENALTIES.—A person violating a regulation
8 prescribed under subsection (c) shall be fined under title
9 18, United States Code, imprisoned for not more than 6
10 months, or both.

11 “(e) ATTORNEY GENERAL APPROVAL.—The powers
12 granted to guards designated under this section shall be
13 exercised in accordance with guidelines approved by the
14 Attorney General.

15 “(f) RELATIONSHIP TO OTHER AUTHORITY.—Noth-
16 ing in this section may be construed to affect the authority
17 of the Secretary of Homeland Security, the Administrator
18 of General Services, or any Federal law enforcement agen-
19 cy.”.

20 **SEC. 107. LOCAL GUARD CONTRACTS ABROAD UNDER DIP-**
21 **LOMATIC SECURITY PROGRAM.**

22 (a) IN GENERAL.—Section 136(c)(3) of the Foreign
23 Relations Authorization Act, Fiscal Years 1990 and 1991
24 (22 U.S.C. 4864(c)(3)) is amended to read as follows:

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

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

7 “(B) proposals received from United
8 States persons and qualified United States joint
9 venture persons shall be evaluated by reducing
10 the bid price by 10 percent;”.

11 (b) REPORT.—Not later than 1 year after the date
12 of the enactment of this Act, the Secretary shall submit
13 a report to Congress that describes the implementation of
14 section 136(c)(3) of the Foreign Relations Authorization
15 Act, Fiscal Years 1990 and 1991, as amended by sub-
16 section (a).

17 **SEC. 108. OVERSEAS PROCUREMENT FLEXIBILITY.**

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

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

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

24 (3) adding at the end the following:

1 “(n) make and carry out contracts for procurement
2 outside the United States of goods or services needed for
3 the operation of United States diplomatic and consular
4 posts and related facilities outside the United States, pro-
5 vided that—

6 “(1) laws of the United States relating to the
7 negotiation, making, contents, or performance of
8 government contracts for goods or services, and ad-
9 vance payments and indemnification in relation to
10 such contracts shall apply with respect to such con-
11 tracts except to the extent that the Secretary deter-
12 mines (other than for section 27 of the Office of
13 Federal Procurement Policy Act (41 U.S.C. 423))
14 that the Secretary could not reasonably meet the
15 need of a post or facility for such goods and services
16 by use of authority available to the Secretary under
17 a law other than this subsection;

18 “(2) the Secretary shall—

19 “(A) issue guidance addressing use of this
20 authority; and

21 “(B) require written approval to waive spe-
22 cific laws or procurement regulations under this
23 authority by the Procurement Executive (with-
24 out further delegation); and

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

6 **SEC. 109. RENAMING OF BUREAU OF OCEANS AND INTER-**
7 **NATIONAL ENVIRONMENTAL AND SCIENTIFIC**
8 **AFFAIRS.**

9 (a) DEPARTMENT OF STATE APPROPRIATIONS AU-
10 THORIZATION ACT OF 1973.—Section 9(a) of the Depart-
11 ment of State Appropriations Authorization Act of 1973
12 (22 U.S.C. 2655a) is amended by striking “Oceans and
13 International Environmental and Scientific Affairs” each
14 place it appears and inserting “Oceans, Environment, and
15 Science”.

16 (b) FOREIGN ASSISTANCE ACT OF 1961.—Section
17 607(d) of the Foreign Assistance Act of 1961 (22 U.S.C.
18 2357(d)) is amended by striking “Oceans and Inter-
19 national Environmental and Scientific Affairs” and insert-
20 ing “Oceans, Environment, and Science”.

21 (c) CLEAN AIR ACT.—Section 617(a) of the Clean
22 Air Act (42 U.S.C. 7671p(a)) is amended by striking
23 “Oceans and International Environmental and Scientific
24 Affairs” and inserting “Oceans, Environment, and
25 Science”.

1 **SEC. 110. EXTENSION OF PERIOD FOR REIMBURSEMENT**
2 **FOR SEIZED COMMERCIAL FISHERMEN.**

3 Section 7(e) of the Fishermen’s Protective Act of
4 1967 (22 U.S.C. 1977(e)) is amended by striking “2008”
5 and inserting “2013”.

6 **SEC. 111. AUTHORITY TO ISSUE ADMINISTRATIVE SUB-**
7 **POENAS.**

8 Section 3486 of title 18, United States Code, is
9 amended—

10 (1) in subsection (a)—

11 (A) paragraph (1)(A)—

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

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

16 (iii) in clause (ii), by striking the
17 comma at the end and inserting a semi-
18 colon; and

19 (iv) by inserting after clause (ii) the
20 following:

21 “(iii) an offense under section 878, or
22 a threat against a person, foreign mission
23 or organization authorized to receive pro-
24 tection by special agents of the Depart-
25 ment of State and the Foreign Service
26 under section 37(a)(3) of the State De-

1 partment Basic Authorities Act of 1956
2 (22 U.S.C. 2709(a)(3)) if the Assistant
3 Secretary for Diplomatic Security or the
4 Director of the Diplomatic Security Service
5 determines that the threat constituting the
6 offense or threat against the person or
7 place protected is imminent, the Secretary
8 of State; or

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

11 (B) by amending paragraph (9) to read as
12 follows:

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

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

18 “(11) As soon as practicable following the issuance
19 of a subpoena under paragraph (1)(A)(iii), the Secretary
20 of State shall notify the Attorney General of such
21 issuance.”; and

22 (2) in subsection (e)(1), by adding at the end
23 the following: “This subsection shall only apply to
24 administrative subpoenas issued under subsection
25 (a)(1)(A)(i).”.

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

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

6 **SEC. 113. TECHNICAL AMENDMENT TO FEDERAL WORK-
7 FORCE FLEXIBILITY ACT.**

8 Chapter 57 of title 5, United States Code, is amend-
9 ed—

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

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

1 **SEC. 114. EMERGENCY REFUGEE AND MIGRATION ASSIST-**
2 **ANCE ACCOUNT.**

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

6 **SEC. 115. ANNUAL REPORT ON INTERNATIONAL RELIGIOUS**
7 **FREEDOM.**

8 Section 102(b)(1) of the International Religious
9 Freedom Act of 1998 (22 U.S.C. 6412(b)(1)) is amended
10 by striking “September 1” and inserting “April 1”.

11 **SEC. 116. ASSISTANT SECRETARY FOR INTERNATIONAL IN-**
12 **FORMATION PROGRAMS.**

13 Section 1(c) of the State Department Basic Authori-
14 ties Act of 1956 (22 U.S.C. 2651a(c)) is amended—

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

17 (2) by redesignating paragraph (3) as para-
18 graph (4); and

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

21 “(3) ASSISTANT SECRETARY FOR INTER-
22 NATIONAL INFORMATION PROGRAMS.—There shall
23 be in the Department of State an Assistant Sec-
24 retary for International Information Programs,
25 who—

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

3 “(B) shall be responsible to the Secretary
4 of State for matters pertaining to the engage-
5 ment of international audiences on issues of
6 United States policy, society, and values to help
7 create an environment that is receptive to the
8 interests of the United States.”.

9 **SEC. 117. REIMBURSEMENT FOR USE OF GOVERNMENT VE-**
10 **HICLES OVERSEAS.**

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

13 (1) by inserting “(a)” before “The Secretary”;
14 and

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

16 “(b) Funds received by the Department of State in
17 connection with the use of vehicles owned or leased by the
18 Government under subsection (a)—

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

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

1 **Subtitle B—Public Diplomacy**

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

3 (a) FINDINGS.—Congress finds that—

4 (1) of the 177 information resource centers op-
5 erated by the Department of State as of February
6 2009—

7 (A) 87 (49 percent) operated on a “by ap-
8 pointment only” basis; and

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

11 (2) information resource centers located outside
12 United States embassy compounds receive signifi-
13 cantly more visitors than the centers located inside
14 such compounds, including—

15 (A) twice the number of visitors in Africa;

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

18 (C) 22 times more visitors in Asia; and

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

22 (b) SENSE OF CONGRESS.—It is the sense of the
23 Congress that—

24 (1) the Secretary of State should initiate a re-
25 examination of the public diplomacy platform strat-

1 egy of the United States with a goal of reestab-
2 lishing publicly accessible American Centers;

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

12 **SEC. 122. EMPLOYMENT OF NON-CITIZENS FOR INTER-**
13 **NATIONAL BROADCASTING.**

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

20 **SEC. 123. RADIO FREE EUROPE AND RADIO LIBERTY PAY**
21 **PARITY.**

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

25 (1) in subparagraph (A)—

1 (A) by striking “or (C)”; and

2 (B) by inserting “(or level II of the Execu-
3 tive Schedule under section 5313 of such title,
4 if the Board certifies that the employees are
5 covered by a performance appraisal system
6 meeting the certification criteria under section
7 5307(d) of such title)” before the period at the
8 end; and

9 (2) by striking subparagraph (C).

10 **SEC. 124. RADIO FREE ASIA.**

11 Section 309 of the United States International
12 Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

13 (1) in subsection (c)(2), by striking “‘, and
14 shall further specify that funds to carry out the ac-
15 tivities of Radio Free Asia may not be available
16 after September 30, 2010’”;

17 (2) by striking subsection (f);

18 (3) by redesignating subsections (g) and (h) as
19 subsection (f) and (g), respectively; and

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

21 (A) by striking “‘The Board’” and insert-
22 ing the following: “(1) NOTIFICATION.—The
23 Board”;

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

1 “(A) entering”;

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

4 “(B) entering into any agreements in re-
5 gard to the utilization of Radio Free Asia
6 transmitters, equipment, or other resources that
7 will significantly reduce the broadcasting activi-
8 ties of Radio Free Asia.”;

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

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

12 (E) by inserting “or Radio Free Asia
13 broadcasting activities” before the period at the
14 end.

15 **SEC. 125. PERSONAL SERVICES CONTRACTING PROGRAM**
16 **FOR THE BROADCASTING BOARD OF GOV-**
17 **ERNORS.**

18 Section 504 of the Foreign Relations Authorization
19 Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C.
20 6206 note) is amended—

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

23 (2) in subsection (a)—

24 (A) by striking “pilot”;

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

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

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

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

14 (4) in subsection (c)—

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

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

20 **SEC. 126. UNITED STATES ADVISORY COMMISSION ON PUB-**
21 **LIC DIPLOMACY.**

22 (a) REAUTHORIZATION.—Section 1334 of the For-
23 eign Affairs Reform and Restructuring Act of 1998 (22
24 U.S.C. 6553) is amended by striking October 1, 2010 and
25 inserting “October 1, 2011”.

1 (b) STUDY AND REPORT.—Section 604(c)(2) of the
2 United States Information and Educational Exchange Act
3 of 1948 (22 U.S.C. 1469(c)(2)) is amended to read as
4 follows:

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

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

9 “(ii) assess the effectiveness of the various
10 mechanisms of public diplomacy conducted by the
11 United States Government in light of public and
12 media attitudes around the world toward the United
13 States, its people, and United States foreign policy;
14 and

15 “(iii) develop appropriate recommendations.

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

19 “(C) The Commission shall submit a comprehensive
20 report of each study required under subparagraph (A) to
21 the Secretary, the Committee on Foreign Relations of the
22 Senate, and the Committee on Foreign Affairs of the
23 House of Representatives.

24 “(D) Upon the request of the Commission, the Sec-
25 retary, the Chair of the Broadcasting Board of Governors,

1 and the head of any other Federal agency that conducts
2 public diplomacy or strategic communications activities
3 shall provide information to the Commission, as appro-
4 priate, to assist the Commission in carrying out its duties
5 under this paragraph.”.

6 (c) ENHANCING THE EXPERTISE OF THE UNITED
7 STATES ADVISORY COMMISSION ON PUBLIC DIPLO-
8 MACY.—

9 (1) QUALIFICATION OF MEMBERS.—Section
10 604(a)(2) of the United States Information and
11 Educational Exchange Act of 1948 (22 U.S.C.
12 1469(a)(2)) is amended—

13 (A) by redesignating paragraphs (3), (4),
14 and (5) as paragraphs (4), (5), and (6), respec-
15 tively; and

16 (B) in paragraph (2), by striking “The
17 members” and inserting the following:

18 “(3) The members”; and

19 (C) in paragraph (3), as designated by
20 subparagraph (B), by adding at the end the fol-
21 lowing: “At least 4 members shall have substan-
22 tial experience in the conduct or evaluation of
23 public diplomacy or comparable activities in the
24 private or public sector. No member may be an
25 officer or employee of the United States.”.

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

6 **SEC. 127. DISSEMINATION OF PUBLIC DIPLOMACY INFOR-**
7 **MATION WITHIN THE UNITED STATES.**

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

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

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

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

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

1 (4) by amending paragraph (3), as redesignated,
2 nated, to read as follows:

3 “(3) The Secretary of State and the Broadcasting
4 Board of Governors shall be reimbursed for any attendant
5 expenses. Any reimbursement to the Secretary or the
6 Broadcasting Board of Governors under this paragraph
7 shall be credited to the applicable appropriation of the De-
8 partment of State or the Broadcasting Board of Gov-
9 ernors.”.

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

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

18 (1) establishing new programs under such Act;

19 and

20 (2) expanding the coverage of existing programs
21 under such Act.

22 (b) SCIENCE ENVOY PROGRAM.—Section 504 of the
23 Foreign Relations Authorization Act, Fiscal Year 1979
24 (22 U.S.C. 2656d), is amended by adding at the end the
25 following:

1 “(e)(1) The Secretary may award grants and enter
2 into cooperative agreements related to science and tech-
3 nology fellowship programs of the Department of State,
4 including for assistance in recruiting fellows and the pay-
5 ment of stipends, travel, and other appropriate expenses
6 to fellows.

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

8 “(A) part of the United States Science Envoy
9 program; and

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

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

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

1 **SEC. 129. GRANTS FOR INTERNATIONAL DOCUMENTARY**
2 **EXCHANGE PROGRAMS.**

3 (a) ASSISTANCE.—The Secretary of State may award
4 grants, on such terms and conditions as the Secretary may
5 determine, to United States film makers and nongovern-
6 mental organizations that use independently produced
7 documentary films to promote better understanding of the
8 United States among individuals in other countries.

9 (b) USE OF GRANT FUNDS.—Grants awarded under
10 subsection (a) shall, to the maximum extent practicable,
11 be used—

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

15 (2) to support the production of documentaries
16 described in paragraph (1) that are made by inde-
17 pendent foreign and domestic producers, selected
18 through a peer review process; and

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

23 (c) PREFERENCE FACTORS.—In awarding grants
24 under this section, the Secretary shall give preference to
25 nongovernmental organizations that—

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

1 (2) have experience supporting independently
2 produced documentary films.

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

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

13 **SEC. 130. TRANSFER OF THE VIETNAM EDUCATION FOUN-**
14 **DATION TO THE DEPARTMENT OF STATE.**

15 (a) PURPOSES.—Section 202 of the Vietnam Edu-
16 cation Foundation Act of 2000 (title II of division B of
17 Public Law 106–554) is amended by adding at the end
18 the following:

19 “(3) To support the development of 1 or more
20 academic institutions in Vietnam by financing the
21 participation of United States institutions of higher
22 education in the governance, management, and aca-
23 demic activities of such academic institutions in
24 Vietnam.”.

1 (b) ESTABLISHMENT.—Section 204 of the Vietnam
2 Education Foundation Act of 2000 is amended to read
3 as follows:

4 **“SEC. 204. ESTABLISHMENT.**

5 “There is established, within the Bureau of Edu-
6 cational and Cultural Affairs of the Department of State,
7 the Vietnam Education Foundation (referred to in this
8 title as the ‘Foundation’).”.

9 (c) REPLACEMENT OF BOARD OF DIRECTORS WITH
10 ADVISORY COMMITTEE.—Section 205 of the Vietnam
11 Education Foundation Act of 2000 is amended to read
12 as follows:

13 **“SEC. 205. VIETNAM EDUCATION FOUNDATION ADVISORY**
14 **COMMITTEE.**

15 “(a) ESTABLISHMENT.—

16 “(1) IN GENERAL.—There shall be established
17 a Vietnam Education Foundation Advisory Com-
18 mittee (referred to in this section as the ‘Advisory
19 Committee’), which shall provide advice to the Sec-
20 retary and the Assistant Secretary for Educational
21 and Cultural Affairs regarding the Foundation’s ac-
22 tivities.

23 “(2) MEMBERSHIP.—The Advisory Committee
24 shall be composed of 7 members, of whom—

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

1 “(B) 1 shall be appointed by the majority
2 leader of the Senate;

3 “(C) 1 shall be appointed by the minority
4 leader of the Senate;

5 “(D) 1 shall be appointed by the Speaker
6 of the House of Representatives; and

7 “(E) 1 shall be appointed by the minority
8 leader of the House of Representatives.

9 “(3) APPOINTMENT OF INCUMBENT MEMBERS
10 OF BOARD OF DIRECTORS.—Members appointed to
11 the Advisory Committee may include individuals who
12 were members of the Board of Directors of the
13 Foundation on the date immediately preceding the
14 date of the enactment of the Foreign Relations Au-
15 thorization Act, Fiscal Years 2010 and 2011.

16 “(b) SUPERVISION.—The Foundation shall be subject
17 to the supervision and direction of the Secretary, working
18 through the Assistant Secretary for Educational and Cul-
19 tural Affairs, and in consultation with the Advisory Com-
20 mittee.”.

21 (d) FELLOWSHIP PROGRAM.—Section 206(a)(1)(A)
22 of the Vietnam Education Foundation Act of 2000 is
23 amended by striking “technology, and computer sciences”
24 and inserting “academic computer science, public policy,
25 and academic and public management”.

1 (e) APPOINTMENT OF EXECUTIVE DIRECTOR.—Sec-
2 tion 208(a) of the Vietnam Education Foundation Act of
3 2000 is amended—

4 (1) in the first sentence, by striking “shall be
5 appointed” and inserting “may be appointed”;

6 (2) in the second sentence, by inserting “, serve
7 the Advisory Committee,” after “Executive Officer
8 of the Foundation”; and

9 (3) by striking the last sentence.

10 (f) CONFORMING AMENDMENTS.—The Vietnam Edu-
11 cation Foundation Act of 2000 is amended—

12 (1) in section 203—

13 (A) by striking paragraph (1);

14 (B) by redesignating paragraphs (2) and
15 (3) as paragraphs (1) and (2), respectively; and

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

18 “(3) SECRETARY.—The term ‘Secretary’ means
19 the Secretary of State.”;

20 (2) in section 208—

21 (A) in subsection (a)—

22 (i) in the subsection heading, by strik-
23 ing “BOARD” and inserting “SECRETARY”;

24 and

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

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

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

7 (g) MUTUAL EDUCATIONAL AND CULTURAL EX-
8 CHANGE ACT OF 1961.—Section 112(a) of the Mutual
9 Educational and Cultural Exchange Act of 1961 (22
10 U.S.C. 2460(a)) is amended—

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

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

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

16 “(10) programs administered by the Vietnam
17 Education Foundation.”.

18 (h) TRANSFER OF FUNCTIONS.—

19 (1) IN GENERAL.—All functions and assets of
20 the Vietnam Education Foundation, as of the day
21 before the date of the enactment of this Act, are
22 transferred to the Bureau of Educational and Cul-
23 tural Affairs of the Department of State.

24 (2) PERSONNEL.—The Assistant Secretary for
25 Educational and Cultural Affairs may hire—

1 (A) personnel who were employed by the
2 Vietnam Education Foundation on the day be-
3 fore the date of the enactment of this Act; and

4 (B) such other personnel as may be nec-
5 essary to support the Foundation, in accord-
6 ance with part III of title 5, United States
7 Code.

8 (i) SUPPORT FOR INSTITUTIONAL DEVELOPMENT IN
9 VIETNAM.—

10 (1) GRANTS AUTHORIZED.—The Secretary of
11 State, acting through the Assistant Secretary for
12 Educational and Cultural Affairs, may award 1 or
13 more grants to institutions of higher education (as
14 defined in section 101(a) of the Higher Education
15 Act of 1965 (20 U.S.C. 1001(a))).

16 (2) USE OF FUNDS.—Grant funds awarded
17 under paragraph (1) shall be used to implement
18 graduate-level academic and public policy manage-
19 ment leadership programs in Vietnam that—

20 (A) support the equitable and sustainable
21 socioeconomic development of Vietnam;

22 (B) feature teaching and research compo-
23 nents;

24 (C) promote the development of institu-
25 tional capacity in Vietnam;

1 (D) operate according to core principles of
2 good governance; and

3 (E) enjoy autonomy from the Government
4 of Vietnam.

5 (3) APPLICATION.—

6 (A) IN GENERAL.—Each institution of
7 higher education desiring a grant under this
8 section shall submit an application to the Sec-
9 retary of State at such time, in such manner,
10 and accompanied by such information as the
11 Secretary may reasonably require.

12 (B) COMPETITIVE BASIS.—Each grant au-
13 thorized under paragraph (1) shall be awarded
14 under the Mutual Educational and Cultural Ex-
15 change Act of 1961 (22 U.S.C. 2451 et seq.),
16 and established Federal assistance award proce-
17 dures of the Bureau of Educational and Cul-
18 tural Affairs of the Department of State.

19 (4) SOURCE OF GRANT FUNDS.—The Secretary
20 of State may use amounts made available to the
21 Vietnam Education Foundation under section 207(c)
22 of the Vietnam Education Foundation Act of 2000
23 (22 U.S.C. 2452 note) for grants authorized under
24 this section.

1 (j) EFFECTIVE DATE.—This section, and the amend-
2 ments made by this section, shall take effect on the date
3 that is 90 days after the date of the enactment of this
4 Act.

5 **SEC. 131. BROADCASTING BOARD OF GOVERNORS.**

6 (a) ELIMINATION OF EDITORIALS AS BROADCASTING
7 PRINCIPLE OF UNITED STATES GOVERNMENT.—Section
8 303(b)(3) of the United States International Broadcasting
9 Act of 1994 (22 U.S.C. 6202(b)(3)) is amended by strik-
10 ing “, including editorials,”.

11 (b) EXTENSION OF IMMUNITY FROM CIVIL LIABIL-
12 ITY TO MEMBERS OF BROADCASTING BOARD OF GOV-
13 ERNORS ACTING IN CAPACITY AS BOARD MEMBERS OF
14 MIDDLE EAST BROADCASTING NETWORKS, INC.—Sec-
15 tion 304(g) of the United States International Broad-
16 casting Act of 1994 (22 U.S.C. 6203(g)) is amended by
17 striking “RFE/RL Incorporated and” and inserting
18 “RFE/RL Incorporated, Middle East Broadcasting Net-
19 works, Inc., and”.

20 **SEC. 132. STATEMENT OF POLICY REGARDING CITIZEN DI-**
21 **PLOMACY.**

22 It shall be the policy of the United States —

23 (1) to recognize the valuable work done by cit-
24 izen diplomacy organizations and individual citizen
25 diplomat volunteers, who address critical human

1 needs, build bridges across cultures, and promote
2 mutual understanding between Americans and the
3 rest of the world;

4 (2) to encourage more Americans to engage
5 with citizens from other countries through a variety
6 of opportunities, including studying abroad, hosting
7 foreign students, and participating in international
8 volunteer programs;

9 (3) to collaborate with nongovernmental organi-
10 zations, academic institutions, businesses, and faith-
11 based organizations to find ways to further empower
12 and enable United States citizens to engage in inter-
13 national volunteer and study opportunities;

14 (4) to encourage citizen diplomacy programs at
15 the Department of State and in the private sector as
16 part of the public diplomacy and development mis-
17 sions of the United States Government; and

18 (5) to continue to support, expand, and improve
19 existing United States Government programs that
20 foster citizen diplomacy and international vol-
21 unteerism in development work, including the Ful-
22 bright Program, Volunteers for Prosperity, and the
23 Peace Corps.

1 **SEC. 133. PERFORMANCE-BASED MEASUREMENT REPORT-**
2 **ING REQUIREMENTS FOR INTERNATIONAL**
3 **EXCHANGE PROGRAMS.**

4 Section 112 of the Mutual Educational and Cultural
5 Exchange Act of 1961 (22 U.S.C. 2460) is amended by
6 adding at the end the following:

7 “(h) REPORT ON SECONDARY SCHOOL ACADEMIC
8 YEAR EXCHANGE PROGRAMS.—Not later than 90 days
9 after the date of the enactment of the Foreign Relations
10 Authorization Act, Fiscal Years 2010 and 2011, and an-
11 nually thereafter, the President shall submit a report to
12 the Speaker of the House of Representatives and the
13 Chairman of the Committee on Foreign Relations of the
14 Senate that describes the performance of the secondary
15 school programs for international students of the Bureau,
16 including—

17 “(1) information for each exchange program
18 supported by the United States on the objectives of
19 such exchange;

20 “(2) the number of exchange participants sup-
21 ported;

22 “(3) the types of exchange activities conducted;

23 “(4) the total amount of Federal expenditures
24 for such exchanges;

25 “(5) the extent to which such exchanges are du-
26 plicative;

1 “(6) the number of sponsor organizations that
2 are designated by the Department of State to run
3 international secondary school exchange programs;

4 “(7) the types and number of incidents reported
5 to the Bureau’s Office of Private Sector Exchange
6 involving an international student;

7 “(8) the average number of incidents per spon-
8 soring organization that the Office of Private Sector
9 Exchange has been made aware of, including serious
10 problems or controversies such as the death of a stu-
11 dent, an accident, an arrest, or reports of sexual
12 abuse;

13 “(9) the average number of complaints reported
14 to the Office of Private Sector Exchange by a stu-
15 dent, host family, natural parent, or an interested
16 citizen regarding the performance by a sponsor of its
17 responsibilities in the conduct of its designated ex-
18 change visitor program as set forth in the Exchange
19 Visitor Program Regulations;

20 “(10) the number of visa designation compli-
21 ance auditing site visits made by United States Gov-
22 ernment officials to sponsoring organizations run-
23 ning or participating in international exchange pro-
24 grams, excluding routine contacts between staff and

1 officials of the Bureau and sponsoring organizations
2 as part of program management activities;

3 “(11) an analysis of the satisfaction of inter-
4 national secondary school academic year participants
5 with their program experience;

6 “(12) the average cost per international sec-
7 ondary school academic year participant;

8 “(13) the numbers of hours program staff
9 members and volunteers of the exchange program
10 designated organizations are trained in secondary
11 school academic year youth exchange oversight and
12 monitoring and J–visa compliance, and by what type
13 of resource; and

14 “(14) an analysis of best practices in the areas
15 of recruitment and selection of host parents, pro-
16 gram management of sponsor organizations, and
17 other related issues used to run these international
18 exchange programs.”.

19 **Subtitle C—Consular Services and** 20 **Related Matters**

21 **SEC. 141. REFORMING REFUGEE PROCESSING.**

22 (a) FAMILY REUNIFICATION.—

23 (1) MULTIPLE FORMS OF RELIEF.—Section
24 207(c)(1) of the Immigration and Nationality Act (8
25 U.S.C. 1157(c)(1)) is amended by adding at the end

1 “Applicants for admission as refugees under this
2 section may simultaneously pursue admission under
3 any visa category for which such applicants may be
4 eligible.”.

5 (2) SEPARATED CHILDREN.—Section 207(e)(2)
6 of the Immigration and Nationality Act (8 U.S.C.
7 1157(e)(2)) is amended—

8 (A) in subparagraph (A), by striking the
9 last sentence;

10 (B) by redesignating subparagraph (B) as
11 subparagraph (D); and

12 (C) by inserting after subparagraph (A)
13 the following:

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

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

24 “(ii) such child is in the physical custody of,
25 and living under the care of, an alien approved for

1 admission to the United States as a refugee under
2 paragraph (1);

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

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

7 “(v) such child is otherwise admissible under
8 paragraph (3).”.

9 (3) CHILDREN OF REFUGEE SPOUSES.—

10 (A) REFUGEES.—Section 207(c) of the
11 Immigration and Nationality Act (8 U.S.C.
12 1157(c)) is amended—

13 (i) in paragraph (2)—

14 (I) by inserting after subpara-
15 graph (B), as added by paragraph
16 (2), the following:

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

23 “(i) is accompanying or following to join such
24 parent;

1 “(ii) is not a person described in the second
2 sentence of section 101(a)(42); and

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

5 (II) by adding at the end the fol-
6 lowing:

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

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

14 (B) ASYLEES.—Section 208(b)(3) of the
15 Immigration and Nationality Act (8 U.S.C.
16 1158(b)(3)) is amended—

17 (i) by redesignating subparagraph (B)
18 as subparagraph (C); and

19 (ii) by inserting after subparagraph
20 (A) the following:

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

1 parent or adoptive parent of a child and such
2 child was under the age of 21 on the date the
3 parent was granted such status, such child shall
4 be granted asylee status if the child—

5 “(i) is accompanying or following to
6 join such parent; and

7 “(ii) is otherwise admissible.”.

8 (b) ADJUSTMENTS OF STATUS OF REFUGEES.—Sec-
9 tion 209 of the Immigration and Nationality Act (8 U.S.C.
10 1159) is amended—

11 (1) by amending subsection (a) to read as fol-
12 lows:

13 “(a) REQUIREMENTS FOR ADJUSTMENT OF STATUS
14 OF REFUGEE.—

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

23 “(A) applies for such adjustment;

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

4 “(C) is not firmly resettled in any foreign
5 country;

6 “(D) has not had his or her refugee status
7 terminated by the Secretary of Homeland Secu-
8 rity under section 207(c)(4);

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

14 “(F) is admissible (except as otherwise
15 provided under subsection (c)) as an immigrant
16 under this Act at the time of examination for
17 adjustment of such alien.

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

24 “(A) the date of such alien’s admission as
25 a refugee, if the alien applies for adjustment

1 not later than 2 years after the date of admis-
2 sion as a refugee; or

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

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

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

14 **SEC. 142. DEFINITION OF “USE” IN PASSPORT AND VISA OF-**
15 **FENSES.**

16 Chapter 75 of title 18, United States Code, is amend-
17 ed—

18 (1) in the table of sections, by inserting before
19 the item relating to section 1541 the following:

“1540. Meaning of ‘use’ and ‘uses’.”;

20 and

21 (2) by inserting before section 1541 the fol-
22 lowing:

1 **“§ 1540. Meaning of ‘use’ and ‘uses’**

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

5 **SEC. 143. VISA INELIGIBILITY FOR INTERNATIONAL CHILD**
6 **ABDUCTION.**

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

10 (1) in subclause (I), by adding “or” at the end;

11 (2) in subclause (II), by striking “; or” at the
12 end and inserting a period; and

13 (3) by striking subclause (III).

14 **SEC. 144. VACCINATION WAIVER FOR ADOPTED CHILDREN.**

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

19 **SEC. 145. SIGNED PHOTOGRAPH REQUIREMENT FOR VISA**
20 **APPLICATIONS.**

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

1 **SEC. 146. ELECTRONIC TRANSMISSION OF DOMESTIC VIO-**
2 **LENCE INFORMATION TO VISA APPLICANTS.**

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

7 “(iv) Subject to such regulations as
8 the Secretary of State may prescribe, mail-
9 ings required under this subsection may be
10 transmitted by electronic means if an ap-
11 plicant consents to electronic service.”.

12 **SEC. 147. SIBLING ADOPTIONS.**

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

15 (1) by redesignating clause (ii) as subclause
16 (VI);

17 (2) by striking “25 years of age” and all that
18 follows through “if—” and inserting “25 years of
19 age, if—”;

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

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

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

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

1 “(ii) subject to the same conditions as
2 in clause (i), except with respect to the age
3 of the child—

4 “(I) is a natural sibling of a child
5 described in clause (i), subparagraph
6 (E)(i), or subparagraph (F)(i);

7 “(II) has been adopted abroad,
8 or is coming to the United States for
9 adoption, by the adoptive parent (or
10 prospective adoptive parent) or par-
11 ents of the sibling described in clause
12 (i), subparagraph (E)(i), or subpara-
13 graph (F)(i); and

14 “(III) is younger than 18 years
15 of at the time a petition is filed in his
16 or her behalf to accord a classification
17 as an immediate relative under section
18 201(b).”.

19 **SEC. 148. TECHNICAL AMENDMENTS RELATING TO THE IN-**
20 **TELLIGENCE REFORM AND TERRORISM PRE-**
21 **VENTION ACT OF 2004.**

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

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

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

9 **SEC. 149. VIDEOCONFERENCE INTERVIEWS.**

10 (a) PILOT PROGRAM.—The Secretary of State may
11 develop and conduct a 2-year pilot program for the proc-
12 essing of tourist visas using secure remote
13 videoconferencing technology as a method for conducting
14 visa interviews of applicants. In developing the pilot pro-
15 gram, the Secretary of State shall work with other Federal
16 agencies that use such secure communications to help en-
17 sure security of the videoconferencing transmission and
18 encryption.

19 (b) REPORT.—

20 (1) IN GENERAL.—Not later than 1 year after
21 initiating the pilot program under subsection (a) and
22 not later than 3 months after the end of the 2-year
23 period referred to in subsection (a), the Secretary of
24 State shall submit a report on such pilot program to
25 the appropriate congressional committees.

1 (2) CONTENTS.—Each report submitted under
2 this subsection shall—

3 (A) assess the efficacy and security of
4 using secure remote videoconferencing tech-
5 nology as a method for conducting visa inter-
6 views of applicants, including any effect such
7 method may have on an interviewer’s ability to
8 determine an applicant’s credibility and uncover
9 fraud; and

10 (B) include recommendations on whether
11 or not the pilot program should be continued,
12 broadened, or modified.

13 **TITLE II—ORGANIZATION AND**
14 **PERSONNEL OF THE DEPART-**
15 **MENT OF STATE**

16 **Subtitle A—Modernizing the**
17 **Department of State**

18 **SEC. 201. CREATION OF A MODERN AND EXPEDITIONARY**
19 **FOREIGN SERVICE.**

20 (a) TARGETED EXPANSION OF FOREIGN SERVICE.—
21 The Secretary of State shall expand the Foreign Service
22 to—

23 (1) fill vacancies, particularly overseas vacan-
24 cies that are critical to key United States foreign

1 policy and national security interests, to prevent cri-
2 ses from emerging;

3 (2) increase the capacity of the Department of
4 State to assign and deploy Foreign Service officers
5 and other personnel to prevent, mitigate, and re-
6 spond to international crises and instability in for-
7 eign countries that threaten key United States for-
8 eign policy and national security interests; and

9 (3) ensure that members of the Foreign Serv-
10 ice, before beginning assignments that require addi-
11 tional or improved skills—

12 (A) receive language, security, area, and
13 other training that is necessary to successfully
14 execute their responsibilities in their new as-
15 signments; and

16 (B) have the opportunity to obtain ad-
17 vanced and other education that will increase
18 the capacity of the Foreign Service to complete
19 its mission.

20 (b) AUTHORIZED PERSONNEL INCREASES.—

21 (1) DEPARTMENT OF STATE.—The Secretary of
22 State is authorized to increase the number of mem-
23 bers of the Foreign Service—

24 (A) by 750 above attrition during fiscal
25 year 2010; and

1 (B) by an additional 750 above attrition
2 during fiscal year 2011.

3 (2) USAID.—In addition to the personnel in-
4 creases authorized under paragraph (1), the Admin-
5 istrator of the United States Agency for Inter-
6 national Development (USAID) is authorized to in-
7 crease the number of members of the Foreign Serv-
8 ice employed by USAID—

9 (A) by 350 above attrition during fiscal
10 year 2010; and

11 (B) by an additional 350 above attrition
12 during fiscal year 2011.

13 (3) RULE OF CONSTRUCTION.—Nothing in this
14 subsection may be construed to limit the authority
15 of the Secretary of State or the Administrator of the
16 United States Agency for International Development
17 to hire personnel.

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

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

24 “(1) receive language, security, area, civilian-
25 military roles, and other training that is necessary

1 to successfully execute their responsibilities in their
2 new assignments; and

3 “(2) have opportunities during their careers to
4 obtain advanced education and training in academic
5 and other relevant institutions in the United States
6 and in other countries to increase the capacity of the
7 Service to fulfill its mission.”.

8 **SEC. 202. CONFLICT PREVENTION, MITIGATION, AND RESO-**
9 **LUTION TRAINING.**

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

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

19 “(1) peace processes, negotiations, and decision-
20 making;

21 “(2) patterns of escalation;

22 “(3) country and region-specific issues, includ-
23 ing resource allocation, as contributing factors to
24 peace or conflict;

1 “(4) related civilian-military coordination and
2 planning; and

3 “(5) how to function successfully when—

4 “(A) public order has been undermined by
5 instability; or

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

8 (b) REPORT.—Not later than 1 year after the date
9 of the enactment of this Act, the Secretary shall submit
10 a report to the appropriate congressional committees that
11 describes the efforts made by the Department of State to
12 further expand and facilitate conflict prevention, mitiga-
13 tion, and resolution training.

14 **SEC. 203. MASS ATROCITIES.**

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

17 (1) the maintenance of global peace and secu-
18 rity—

19 (A) is in the interest of the United States;
20 and

21 (B) is threatened by acts of genocide and
22 other mass atrocities against civilians;

23 (2) several studies, including “Preventing Geno-
24 cide: A Blueprint for U.S. Policymakers”, published
25 in December 2008 by the Genocide Prevention Task

1 Force, which was co-chaired by former Secretary of
2 State Madeleine Albright and former Secretary of
3 Defense William Cohen, offer recommendations to
4 improve United States capabilities to predict, detect,
5 respond to, and prevent mass atrocities; and

6 (3) the enhanced capacity to prevent and ad-
7 dress such mass atrocities is in the humanitarian
8 and strategic interests of the United States.

9 (b) EARLY WARNING ASSESSMENT.—Not later than
10 1 year after the date of the enactment of this Act, the
11 Secretary of State shall submit, to the appropriate con-
12 gressional committees, an assessment of—

13 (1) current methods to monitor indicators of
14 potential mass atrocities; and

15 (2) capabilities to provide early warnings to rel-
16 evant agencies and appropriate congressional com-
17 mittees to reduce the risk of mass atrocities against
18 civilians.

19 **SEC. 204. CRISIS RESPONSE.**

20 Section 1603(5) of the Reconstruction and Stabiliza-
21 tion Civilian Management Act of 2008 (title XVI of Public
22 Law 110–417; 22 U.S.C. 2734a note) is amended to read
23 as follows:

24 “(5) PERSONNEL.—The term ‘personnel’
25 means—

1 “(A) individuals serving in any service de-
2 scribed in section 2101 of title 5, United States
3 Code, other than in the legislative or judicial
4 branch;

5 “(B) individuals employed by personal
6 services contract, including individuals em-
7 ployed pursuant to—

8 “(i) section 2(c) of the State Depart-
9 ment Basic Authorities Act of 1956 (22
10 U.S.C. 2669(c)); or

11 “(ii) section 636(a)(3) of the Foreign
12 Assistance Act of 1961 (22 U.S.C.
13 2396(a)(3));

14 “(C) individuals appointed under section
15 303 of the Foreign Service Act of 1980 (22
16 U.S.C. 3943); and

17 “(D) Locally employed staff who are em-
18 ployed by participating agencies.”.

19 **Subtitle B—Foreign Services**
20 **Overseas Pay Equity**

21 **SEC. 211. SHORT TITLE.**

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

24 **SEC. 212. OVERSEAS COMPARABILITY PAY ADJUSTMENT.**

25 (a) OVERSEAS COMPARABILITY PAY ADJUSTMENT.—

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

4 **“SEC. 415. OVERSEAS COMPARABILITY PAY ADJUSTMENT.**

5 “(a) IN GENERAL.—A member of the Service who is
6 designated class 1 or below for purposes of section 403
7 and whose official duty station is neither in the continental
8 United States nor in a nonforeign area shall receive, in
9 accordance with the phase-in schedule set forth in sub-
10 section (c), a locality-based comparability payment (stated
11 as a percentage) equal to the locality-based comparability
12 payment (stated as a percentage) that would be provided
13 under section 5304 of title 5, United States Code, if such
14 member’s official duty station were in the District of Co-
15 lumbia.

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

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

21 “(A) section 5304(c)(2)(A) of title 5,
22 United States Code; and

23 “(B) chapter 8 of this Act; and

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

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

7 “(1) during the period beginning on the first
8 day of the first full pay period that is 90 days after
9 the date of the enactment of this subsection, and
10 ending on the last day of the last pay period in fiscal
11 year 2009, shall be up to 33.33 percent of the pay-
12 ment which would otherwise apply under subsection
13 (a);

14 “(2) during the period beginning on the first
15 day of the first pay period in fiscal year 2010 and
16 ending on the last day of the last pay period in fiscal
17 year 2010, shall be up to 66.67 percent of the pay-
18 ment which would otherwise apply under subsection
19 (a); and

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

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

1 (2) CONFORMING AMENDMENT.—The table of
2 contents under section 2 of the Foreign Service Act
3 of 1980 (22 U.S.C. 3901 et seq.) is amended by in-
4 sserting after the item relating to section 414 the fol-
5 lowing:

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

6 (b) CONFORMING AMENDMENTS RELATING TO THE
7 FOREIGN SERVICE RETIREMENT SYSTEMS.—

8 (1) CONTRIBUTIONS TO THE FUND.—

9 (A) IN GENERAL.—Section 805(a) of the
10 Foreign Service Act of 1980 (22 U.S.C.
11 4045(a)) is amended—

12 (i) in paragraph (1)—

13 (I) by striking “7.25 percent”
14 and inserting “7 percent”; and

15 (II) by striking “The contribu-
16 tion by the employing agency” and all
17 that follows through “and shall be
18 made” and inserting “An equal
19 amount shall be contributed by the
20 employing agency”;

21 (ii) in paragraph (2)—

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

1 (II) in subparagraph (B), by
2 striking “, plus an amount equal to
3 .25 percent of basic pay”; and
4 (iii) in paragraph (3), by striking “,
5 plus .25 percent”.

6 (B) EFFECTIVE DATE.—The amendments
7 made by subparagraph (A) shall take effect on
8 the first day of the first pay period beginning
9 on or after October 1, 2011 (or during any por-
10 tion of such pay period).

11 (2) COMPUTATION OF ANNUITIES.—Section
12 806(a)(9) of the Foreign Service Act of 1980 (22
13 U.S.C. 4046(a)(9)) is amended by striking “is out-
14 side the continental United States shall” and insert-
15 ing “was outside the continental United States dur-
16 ing the period beginning on December 29, 2002, and
17 ending on the day before the first day of the first
18 pay period beginning on or after October 1, 2010,
19 shall, to the extent that such computation is based
20 on the basic salary or basic pay of such member
21 while the member was outside the United States,”.

22 (3) ENTITLEMENT TO ANNUITY.—Section
23 855(a)(3) of the Foreign Service Act of 1980 (22
24 U.S.C. 4071d(a)(3)) is amended—

1 (A) by striking “section 8414” and insert-
 2 ing “section 8415”; and

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

14 (4) DEDUCTIONS AND WITHHOLDINGS FROM
 15 PAY.—Section 856(a)(2) of such Act (22 U.S.C.
 16 4071e(a)(2)) is amended to read as follows:

17 “(2) The applicable percentage specified in this para-
 18 graph shall be as follows:

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

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

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

11 (A) the Foreign Service Act of 1980; or

12 (B) title 5, United States Code; and

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

16 **Subtitle C—Other Organization**
17 **and Personnel Matters**

18 **SEC. 221. DEATH GRATUITY.**

19 Section 413(a) of the Foreign Service Act of 1980
20 (22 U.S.C. 3973(a)) is amended by striking “at the time
21 of death.” and inserting “at level II of the Executive
22 Schedule under section 5313 of title 5, United States
23 Code, at the time of death except that for employees com-
24 pensated under a local compensation plan established
25 under section 408, the amount of such gratuity shall be

1 equal to the greater of 1 year’s salary at the time of death
2 or 1 year’s basic salary at the highest step of the highest
3 grade on the local compensation plan from which the em-
4 ployee was being paid at the time of death.”.

5 **SEC. 222. EXPANSION AND EXTENSION OF ANNUITANT**
6 **WAIVER FOR RESPONSE READINESS CORPS.**

7 (a) AMENDMENTS TO STATE DEPARTMENT BASIC
8 AUTHORITIES ACT OF 1956.—Section 61(a) of the State
9 Department Basic Authorities Act of 1956 (22 U.S.C.
10 2733(a)) is amended—

11 (1) in paragraph (1), by striking “or to posts
12 vacated” and inserting “, to positions in the Re-
13 sponse Readiness Corps, or to posts vacated”; and

14 (2) in paragraph (2), by striking “2010” and
15 inserting “2012”.

16 (b) AMENDMENTS TO FOREIGN ASSISTANCE ACT OF
17 1961.—Section 625(j)(1) of the Foreign Assistance Act
18 of 1961 (22 U.S.C. 2385(j)(1)) is amended—

19 (1) in subparagraph (A), by striking “or to
20 posts vacated” and inserting “, to positions in the
21 Response Readiness Corps, or to posts vacated”; and

22 (2) in subparagraph (B), by striking “2010”
23 and inserting “2012”.

1 **SEC. 223. REEMPLOYMENT OF ANNUITANTS.**

2 Section 824(g) of the Foreign Service Act of 1980
3 (22 U.S.C. 4064(g)) is amended—

4 (1) in paragraph (1)(B), by striking “to facili-
5 tate the assignment of persons to Iraq and Afghani-
6 stan or to posts vacated by members of the Service
7 assigned to Iraq and Afghanistan”;

8 (2) by striking paragraph (2); and

9 (3) by redesignating paragraph (3) as para-
10 graph (2).

11 **SEC. 224. LOCALLY EMPLOYED STAFF.**

12 (a) FINDINGS.—Based on information obtained from
13 the April 2009 report from the Office of the Inspector
14 General of the Department of State and the Broadcasting
15 Board of Governors, entitled “Review of Locally Employed
16 Staff Compensation Issues” (Report Number ISP–I–09–
17 44), Congress makes the following findings:

18 (1) United States embassies and consulates
19 worldwide retain over 51,000 locally employed staff
20 under local compensation plans in about 170 over-
21 seas missions. A report by the Office of the Inspec-
22 tor General of the Department of State and the
23 Broadcasting Board of Governors, entitled “Review
24 of Locally Employed Staff Compensation Issues”
25 (Report Number ISP–I–09–44), stated: “The U.S.
26 is falling behind in providing a competitive com-

1 pensation package for locally employed staff that is
2 commensurate with their experience, technical skills,
3 and responsibilities.”.

4 (2) The ability of United States overseas mis-
5 sions to retain locally employed staff and to recruit
6 new, qualified staff is vital to the success of those
7 missions.

8 (3) To addresses differences in the skill levels
9 required for different categories of locally employed
10 staff positions, the Inspector General’s report rec-
11 ommended that “separate data and separate scales
12 should be established for certain types of employ-
13 ees”.

14 (4) The current locally employed staff com-
15 pensation review process requires improvement, in-
16 cluding increasing transparency and interagency in-
17 volvement, reducing disparities between the salary
18 and budget cycles, and improving the use of out-
19 moded and cumbersome communication technology.

20 (b) REVIEW.—

21 (1) IN GENERAL.—Not later than 180 days
22 after date of the enactment of this Act, and not less
23 than every 5 years thereafter, the Secretary of State
24 shall—

1 (A) review salary and compensation guide-
2 lines for overseas, locally employed staff of the
3 Department of State;

4 (B) review—

5 (i) whether the United States is fall-
6 ing behind in providing a competitive com-
7 pensation package for locally employed
8 staff that is commensurate with their expe-
9 rience, technical skills, and responsibilities;
10 and

11 (ii) the implications for providing av-
12 erage salary increases that are approxi-
13 mately 60 percent of prevailing practice;

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

16 (D) provide recommendations for separate
17 data and a separate pay scale for highly skilled
18 and trained professional positions.

19 (2) COMPENSATION DATABASE.—Not later than
20 180 days after the date of the enactment of this Act,
21 the Secretary of State shall establish a comprehen-
22 sive database for salary and compensation informa-
23 tion for such staff, as recommended by the Office of
24 Inspector General in a April 2009 report entitled

1 “Review of Locally Employed Staff Compensation
2 Issues” (Report Number ISP–I–09–44).

3 (3) PAY SCALES FOR LOCALLY EMPLOYED PRO-
4 FESSIONALS.—The review under paragraph (1)(A)
5 shall include a summary of efforts to address pay
6 scales for locally employed staff to ensure adequate
7 compensation for professional level positions, such as
8 medical officers, laboratory management, public
9 health information technology positions, and other
10 highly skilled positions.

11 (c) GUIDELINES.—Not later than 90 days after en-
12 actment of this Act, the Secretary of State shall consult
13 with appropriate congressional committees on proposed
14 guidelines for awards, pay scales, and compensation of
15 overseas, locally employed staff of the Department of
16 State, including for loss of life while on duty.

17 (d) LOCALLY EMPLOYED STAFF DEFINED.—In this
18 section, the term “locally employed staff” means employ-
19 ees compensated under local compensation plans estab-
20 lished under section 408 of the Foreign Service Act of
21 1980 (22 U.S.C. 3968).

22 **SEC. 225. REPEAL OF RECERTIFICATION REQUIREMENT**
23 **FOR SENIOR FOREIGN SERVICE.**

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

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

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

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

6 “(a) IN GENERAL.—The Secretary may establish ex-
7 change programs under which officers or employees of the
8 Department of State, including individuals appointed
9 under title 5, United States Code, and members of the
10 Foreign Service may be assigned, for a period not to ex-
11 ceed 1 year, to a position with any foreign government
12 or international entity that permits an employee to be as-
13 signed to a position with the Department of State.

14 “(b) SALARY AND BENEFITS.—

15 “(1) FOREIGN SERVICE MEMBERS.—During a
16 period in which a member of the Foreign Service is
17 participating in an exchange program authorized
18 under subsection (a), such member shall be entitled
19 to the salary and benefits to which such member
20 would be entitled if such member were assigned to
21 an agency, international organization, or other body
22 under section 503 of the Foreign Service Act of
23 1980 (22 U.S.C. 3983).

24 “(2) DETAILEES.—An employee of the Depart-
25 ment of State (other than a member of the Foreign
26 Service participating in an exchange program au-

1 thorized under subsection (a)) shall be treated in all
2 respects as if detailed to an international organiza-
3 tion under section 3343(b) of title 5, United States
4 Code. The salary of such employee shall be the high-
5 er of the salary that the employee would receive but
6 for the assignment under this section or the salary
7 of the position to which the employee is assigned.

8 “(3) PAYMENT.—The salary and benefits of an
9 employee of a foreign government or international
10 entity participating in a program established under
11 this section shall be paid by such government or en-
12 tity during the period in which such employee is par-
13 ticipating in the program, and shall not be reim-
14 bursed by the Department of State.

15 “(c) NONRECIPROCAL ASSIGNMENTS.—The Sec-
16 retary may authorize a nonreciprocal assignment of per-
17 sonnel pursuant to this section, with or without reimburse-
18 ment from the foreign government or international entity
19 for all or part of the salary and other expenses payable
20 during the assignment, if such assignment is in the inter-
21 ests of the United States.

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

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

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

10 **SEC. 227. ENHANCED PERSONNEL AUTHORITIES FOR THE**
11 **INSPECTOR GENERAL OF THE DEPARTMENT**
12 **OF STATE.**

13 (a) DEFINITIONS.—In this section:

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

18 (2) GOVERNMENT EMPLOYEE.—The term
19 “Government employee” has the meaning given the
20 term “employee” in section 2105(a) of title 5,
21 United States Code.

22 (3) INSPECTOR GENERAL.—The term “Inspec-
23 tor General” means the Inspector General of the De-
24 partment of State.

1 (4) OFFICE.—The term “Office” means the Of-
2 fice of Inspector General of the Department of
3 State.

4 (b) PROVISIONS RELATING TO REEMPLOYED ANNU-
5 ITANTS.—

6 (1) WAIVER AUTHORITY.—Subject to the condi-
7 tions set forth in paragraph (3), the Inspector Gen-
8 eral may waive the application of any provision of
9 law set forth in paragraph (2) on behalf of any re-
10 employed annuitant serving in a position within the
11 Office.

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

14 (A) subsections (a) through (d) of section
15 8344 of title 5, United States Code;

16 (B) subsections (a) through (e) of section
17 8468 of title 5, United States Code;

18 (C) subsections (a) through (d) of section
19 824 of the Foreign Service Act of 1980 (22
20 U.S.C. 4064); and

21 (D) any other similar provision of law, as
22 identified by the Inspector General in regula-
23 tions.

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

- 1 (A) on a case-by-case basis; and
- 2 (B) if, and for so long as, such waiver—
- 3 (i) is necessary due to—
- 4 (I) difficulty in the recruitment
- 5 or retention of a qualified employee
- 6 for the position involved; or
- 7 (II) a temporary emergency hir-
- 8 ing need; and
- 9 (ii) does not cause the number of em-
- 10 ployees within the Office who are exempted
- 11 from 1 or more of the provisions of law set
- 12 forth in paragraph (2) (whether pursuant
- 13 to a waiver under this subsection or other-
- 14 wise) to exceed, as of any given date, 25
- 15 percent of the total workforce of the Of-
- 16 fice, determined on a full-time equivalent
- 17 basis.

18 (4) RULE OF CONSTRUCTION.—Nothing in this

19 subsection may be construed to permit or require

20 that any reemployed annuitant benefitting from a

21 waiver of a provision of law set forth in paragraph

22 (2) be treated as a Government employee for pur-

23 poses of the retirement system to which such provi-

24 sion relates.

1 (c) PROVISIONS RELATING TO CONTRACTS FOR PER-
2 SONAL SERVICES.—

3 (1) IN GENERAL.—The Inspector General may
4 contract with United States citizens for personal
5 services to facilitate and support the Office’s over-
6 sight of programs and operations. Such citizens shall
7 not, by virtue of any such contract, be considered to
8 be Government employees for purposes of any law
9 administered, in whole or in part, by the Office of
10 Personnel Management.

11 (2) RELATION TO OTHER LAWS.—Except as
12 provided in paragraph (2), this subsection shall not
13 affect any determination as to whether an individual
14 performing services pursuant to any contract under
15 this subsection is a Government employee for pur-
16 poses of any law of the United States. The Secretary
17 of State may determine the applicability, with re-
18 spect to any such individual, of any law adminis-
19 tered, in whole or in part, by the Secretary.

20 (3) CONDITIONS.—The Inspector General may
21 not enter into a personal services contract under this
22 subsection unless—

23 (A) in the judgment of the Inspector Gen-
24 eral, personnel resources of the Office would
25 otherwise be insufficient;

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

5 (C) not more than 15 percent of the work-
6 force of the Office, as of any given date, con-
7 sists of individuals serving under personal serv-
8 ices contracts (whether entered into under this
9 subsection or otherwise), determined on a full-
10 time equivalent basis.

11 (4) OTHER AUTHORITIES NOT AFFECTED.—The
12 authority under this subsection is in addition to any
13 other authority available to the Inspector General to
14 engage individuals under a personal services con-
15 tract.

16 (d) REPORT.—In the Office of the Inspector Gen-
17 eral’s semiannual report to Congress, the Inspector Gen-
18 eral shall include information on the usage and rationale
19 related to annuitants hired under this section.

20 **SEC. 228. PERSONAL SERVICES CONTRACTORS.**

21 (a) IN GENERAL.—In addition to other authorities
22 that may be available, the Secretary of State may establish
23 a pilot program (referred to in this section as the “Pro-
24 gram”) to respond to new or emerging needs or to aug-
25 ment existing services by contracting with United States

1 nationals and aliens lawfully admitted for permanent resi-
2 dence to provide personal services in the United States
3 or in the United States and outside the United States.

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

6 (1) the Secretary determines that existing per-
7 sonnel resources are insufficient;

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

12 (3) not more than 200 people are employed at
13 any time as personal services contractors under this
14 section; and

15 (4) the Program is only used to obtain special-
16 ized skills or experience or to respond to urgent
17 needs.

18 (c) STATUS OF PERSONAL SERVICE CONTRAC-
19 TORS.—

20 (1) OFFICE OF PERSONNEL MANAGEMENT.—An
21 individual entering into a personal services contract
22 under the Program shall not, by virtue of such hir-
23 ing, be considered to be an employee of the United
24 States Government for purposes of any law adminis-
25 tered by the Office of Personnel Management. The

1 Secretary may determine the applicability to such in-
2 dividuals of section 2(f) of the State Department
3 Basic Authorities Act (22 U.S.C. 2669(f)) and of
4 any other law administered by the Secretary con-
5 cerning the employment of such individuals.

6 (2) FEDERAL EMPLOYMENT STATUS.—Except
7 as provided in paragraph (1), this section shall not
8 affect the determination as to whether an individual
9 entering into a personal services contract under the
10 Program is an employee of the United States Gov-
11 ernment for purposes of any Federal law.

12 (d) TERMINATION OF AUTHORITY.—

13 (1) IN GENERAL.—The authority to award per-
14 sonal services contracts under the Program shall ter-
15minate on September 30, 2014.

16 (2) EFFECT ON EXISTING CONTRACTS.—Any
17 contract entered into before the termination date set
18 forth in paragraph (1) may remain in effect until
19 the expiration date set forth in such contract.

20 **SEC. 229. AMENDMENT TO THE FOREIGN SERVICE ACT OF**
21 **1980.**

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

24 (1) in subsection (c), by striking paragraph (5);
25 and

1 (2) in subsection (d)(2)—

2 (A) in subparagraph (D), by adding “and”
3 at the end;

4 (B) in subparagraph (E), by striking “;
5 and” and inserting a period; and

6 (C) by striking subparagraph (F).

7 **SEC. 230. OFFICE FOR GLOBAL WOMEN’S ISSUES.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—There is established, in the
10 Office of the Secretary of State, the Office for Glob-
11 al Women’s Issues (referred to in this section as the
12 “Office”).

13 (2) STAFF.—The Secretary of State may assign
14 appropriate staff with relevant technical and oper-
15 ational expertise to the Office to carry out the pur-
16 poses of this section.

17 (b) AMBASSADOR-AT-LARGE FOR GLOBAL WOMEN’S
18 ISSUES.—The Office shall be headed by an Ambassador-
19 at-Large for Global Women’s Issues (referred to in this
20 section as the “Ambassador”), who—

21 (1) shall be appointed by the President, by and
22 with the advice and consent of the Senate;

23 (2) shall report directly to the Secretary of
24 State; and

1 (3) shall have the rank and status of Amba-
2 sador-at-Large.

3 (c) DUTIES.—

4 (1) IN GENERAL.—The Ambassador is author-
5 ized to—

6 (A) coordinate and advise on activities,
7 policies, programs, and funding of relevant bu-
8 reaus and offices of the Department of State,
9 which relate to—

10 (i) gender integration;

11 (ii) women’s and girls’ economic, so-
12 cial, and legal development, protection, and
13 improvement in role and status in soci-
14 eties; and

15 (iii) prevention and response to vio-
16 lence against women and girls, including
17 child marriage and forced marriage;

18 (B) promote and advance the full integra-
19 tion of gender analysis into the programs,
20 structures, processes, and capacities of the De-
21 partment of State and other Federal Govern-
22 ment agencies conducting international pro-
23 grams;

24 (C) work with relevant offices of the De-
25 partment of State to promote the collection, re-

1 tention, and analysis of data on programs and
2 activities of the Department—

3 (i) to integrate gender into its policies
4 and programs;

5 (ii) regarding the protection and eco-
6 nomic, social, and legal development of
7 women and girls;

8 (iii) to improve the role and status of
9 women and girls in societies; and

10 (iv) to prevent and respond to violence
11 against women and girls, including child
12 marriage and forced marriage; and

13 (D) design, support, and implement rel-
14 evant activities and programs regarding inter-
15 national girls' and women's issues, in coordina-
16 tion with relevant bureaus and offices of the
17 Department of State;

18 (2) COORDINATING ROLE.—The Ambassador is
19 authorized to—

20 (A) advise and coordinate with relevant
21 Executive Branch agencies engaged in inter-
22 national women's policies and programs, includ-
23 ing the Department of Justice, the Department
24 of Labor, the Department of Education, the
25 Department of Health and Human Services, the

1 Department of Agriculture, the Department of
2 Defense, the Department of Commerce, the
3 United States Agency for International Devel-
4 opment, and the Millennium Challenge Corpora-
5 tion, on policies, programs, and funding of such
6 agencies relating to women's issues in their
7 international programs and policies; and

8 (B) work with the relevant Executive
9 Branch agencies described in subparagraph (A)
10 to compile and make public comprehensive in-
11 formation about international programs of the
12 United States Government relating to—

13 (i) the economic, social, and legal de-
14 velopment of women and girls;

15 (ii) the protection of women and girls;

16 (iii) the improvement of the role and
17 status of women and girls in societies;

18 (iv) the prevention of, and response
19 to, violence against women and girls, in-
20 cluding child marriage and forced mar-
21 riage; and

22 (v) the outcomes and effectiveness of
23 such programs.

24 (3) DIPLOMATIC REPRESENTATION.—Subject to
25 the direction of the President and the Secretary of

1 State, the Ambassador is authorized to represent the
2 United States in matters relevant to the status of
3 women internationally.

4 (d) INTERAGENCY COOPERATION.—

5 (1) AUTHORIZATION.—The Ambassador is au-
6 thorized—

7 (A) to provide advice and guidance, as ap-
8 propriate, to the Federal Government agencies
9 described in subsection (c)(2)(A); and

10 (B) on behalf of the Secretary of State, to
11 convene periodic meetings with other Federal
12 Government agencies to enhance and ensure ef-
13 fective coordination of policies, programs, and
14 resources regarding critical issues related to
15 international women's status and development.

16 (2) SENSE OF THE SENATE.—It is the sense of
17 the Senate that the heads of the relevant Federal
18 Government agencies described in subsection
19 (c)(2)(A) should ensure effective implementation and
20 coordination of all international women's policies
21 and programs by sharing information with the Office
22 on programs described in subsection (c)(2)(B) on an
23 annual basis.

24 (e) CONGRESSIONAL BRIEFINGS.—Not later than 6
25 months after the date of the enactment of this Act, and

1 annually thereafter, the Ambassador shall brief Congress
2 on the integration of gender considerations into its strate-
3 gies, programming, and associated outcomes, and inter-
4 agency cooperation.

5 (f) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated such sums as may be
7 necessary for each of the fiscal years 2011 through 2015
8 to carry out the activities authorized under this section.

9 **SEC. 231. HOME LEAVE.**

10 (a) HOME LEAVE TRAVEL FOR FAMILY MEMBERS.—
11 Section 901(2) of the Foreign Service Act of 1980 (22
12 U.S.C. 4081(2)) is amended to read as follows:

13 “(2) authorized or required home leave, includ-
14 ing optional home leave travel, in an amount that
15 does not exceed the cost, per person, of the member
16 of the Service, by—

17 “(A) family members residing at the em-
18 ployee’s post of assignment; and

19 “(B) family members residing at other au-
20 thorized locations because they are prevented by
21 official order from residing at post;”.

22 (b) HOME LEAVE TECHNICAL AMENDMENT.—Sec-
23 tion 903(a) of the Foreign Service Act of 1980 (22 U.S.C.
24 4083(a)) is amended by striking “18 months of contin-
25 uous service abroad” and inserting “12 months of contin-

1 uous service abroad (or after a shorter period of such serv-
2 ice if the member's assignment is terminated for the con-
3 venience of the Service)".

4 **SEC. 232. TRAINING SUPPORT SERVICES.**

5 Section 704(a)(4)(B) of the Foreign Service Act of
6 1980 (22 U.S.C. 4024(a)(4)(B)) is amended—

7 (a) by inserting "education and training specialists,
8 including" after "to serve as"; and

9 (b) by striking "other academic and training special-
10 ists" and inserting "other specialists who perform work
11 directly relating to the design, delivery, oversight, or co-
12 ordination of training delivered by the institution".

13 **TITLE III—INTERNATIONAL**
14 **ORGANIZATIONS**

15 **SEC. 301. PROMOTING ASSIGNMENTS TO INTERNATIONAL**
16 **ORGANIZATIONS.**

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

19 (1) ensure that the Department of State is able
20 to appropriately staff United States missions both
21 within the United States and abroad that are dedi-
22 cated to representing the United States to inter-
23 national organizations and multilateral institutions,
24 including missions in New York, Brussels, Geneva,
25 Rome, Montreal, Nairobi, Vienna, and Paris;

1 (2) develop persons with specialized skills nec-
2 essary to become experts in multilateral diplomacy
3 given the large number of positions in the United
4 States and abroad that are dedicated to this spe-
5 cialty; and

6 (3) consider as a factor for promotions whether
7 a member of the Foreign Service has served in a po-
8 sition whose primary responsibility is to formulate
9 policy toward, or represent the United States at, an
10 international organization, a multilateral institution,
11 or a broad-based multilateral negotiation of an inter-
12 national instrument.

13 **SEC. 302. SYNCHRONIZATION OF UNITED STATES CON-**
14 **TRIBUTIONS TO INTERNATIONAL ORGANIZA-**
15 **TIONS.**

16 In accordance with section 404 of the Foreign Rela-
17 tions Authorization Act of 2003 (Public Law 107-228;
18 116 Stat. 1389), there are authorized to be appropriated
19 such sums as may be necessary for the synchronization
20 of United States contributions to international organiza-
21 tions.

22 **SEC. 303. PEACEKEEPING CONTRIBUTIONS.**

23 Section 404(b)(2)(B) of the Foreign Relations Au-
24 thorization Act, Fiscal Years 1994 and 1995 (Public Law

1 103–236; 22 U.S.C. 287e note) is amended by adding at
2 the end the following:

3 “(vi) For assessments made during
4 calendar year 2010 and thereafter, 27.5
5 percent.”.

6 **SEC. 304. BUYING POWER MAINTENANCE, INTERNATIONAL**
7 **ORGANIZATIONS.**

8 Title I of the State Department Basic Authorities Act
9 of 1956 (22 U.S.C. 2651a et seq.), as amended by section
10 328, is further amended by adding at the end the fol-
11 lowing:

12 **“SEC. 64. BUYING POWER MAINTENANCE, INTERNATIONAL**
13 **ORGANIZATIONS.**

14 “(a) ESTABLISHMENT OF ACCOUNT.—There is estab-
15 lished in the Treasury of the United States the ‘Buying
16 Power Maintenance, International Organizations account’
17 (referred to in this section as the ‘account’) to offset flue-
18 tuations in foreign currency exchange rates that adversely
19 affect United States contributions to international organi-
20 zations.

21 “(b) AUTHORITY TO TRANSFER AMOUNTS TO AC-
22 COUNT.—The Secretary of State may transfer to, and
23 merge with, the account such amounts appropriated or
24 otherwise made available for the Contributions to Inter-
25 national Organizations account as the Secretary deter-

1 mines are beyond the needs of activities funded from that
2 account because of fluctuations in foreign currency ex-
3 change rates.

4 “(c) AUTHORITY TO TRANSFER AMOUNTS FROM AC-
5 COUNT.—In order to offset adverse fluctuations in foreign
6 currency exchange rates, the Secretary of State may
7 transfer to, and merge with, the Contributions to Inter-
8 national Organizations account such amounts from the ac-
9 count as the Secretary determines are necessary to provide
10 for the activities funded under that account.

11 “(d) TRANSFER OF UNOBLIGATED AMOUNTS.—

12 “(1) IN GENERAL.—Subject to the limitations
13 under this subsection, not later than the last day of
14 the fifth fiscal year after the fiscal year for which
15 amounts are appropriated or otherwise made avail-
16 able for the Contributions to International Organiza-
17 tions account, the Secretary of State may transfer
18 any unobligated balance of such amounts to the ac-
19 count.

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

23 “(3) REPROGRAMMING.—Any transfer under
24 this subsection—

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

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

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

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

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

17 **SEC. 305. UNITED STATES PARTICIPATION IN THE INTER-**
18 **PARLIAMENTARY UNION.**

19 (a) IN GENERAL.—Notwithstanding section 2503 of
20 the Foreign Affairs Reform and Restructuring Act of
21 1998 (division G of Public Law 105–277; 22 U.S.C. 276
22 note), the Secretary of State is authorized—

23 (1) to facilitate the readmission and participa-
24 tion of the United States in the Inter-Parliamentary
25 Union; and

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

5 (b) REPRESENTATION.—Notwithstanding section
6 2503 of the Foreign Affairs Reform and Restructuring
7 Act of 1998 (division G of Public Law 105–277; 22 U.S.C.
8 276 note), the majority leader of the Senate, in consulta-
9 tion with the minority leader of the Senate, and the Speak-
10 er of the House of Representatives, in consultation with
11 the minority leader of the House of Representatives, are
12 authorized to designate Members of Congress to serve as
13 delegates to the Assembly of the Inter-Parliamentary
14 Union.

15 **SEC. 306. PROVISION OF LIVING QUARTERS AND ALLOW-**
16 **ANCES TO THE UNITED STATES REPRESENT-**
17 **ATIVES TO THE UNITED NATIONS.**

18 Section 9 of the United Nations Participation Act of
19 1945 (22 U.S.C. 287e–1) is amended to read as follows:

20 “SEC. 9. (a) The Secretary of State, under such regu-
21 lations as the Secretary shall prescribe, and notwith-
22 standing subsections (a) and (b) of section 3324 of title
23 31, United States Code, and section 5536 of title 5,
24 United States Code, may—

1 “(1) make available, to the Permanent Rep-
2 representative of the United States to the United Na-
3 tions and the Deputy Permanent Representative of
4 the United States to the United Nations—

5 “(A) living quarters leased or rented by
6 the United States for a period not longer than
7 10 years; and

8 “(B) allowances for unusual expenses inci-
9 dent to the operation and maintenance of such
10 living quarters that are similar to expenses au-
11 thorized under section 5913 of title 5, United
12 States Code; and

13 “(2) make available living quarters in New
14 York leased or rented by the United States for—

15 “(A) a period not longer than 10 years to
16 other United States representatives to the
17 United Nations and to not more than 2 employ-
18 ees who serve at the pleasure of the Permanent
19 Representative of the United States to the
20 United Nations; and

21 “(B) a period not longer than 5 years to
22 not more than 35 members of the Foreign Serv-
23 ice assigned to the United States Mission to the
24 United Nations; and

1 “(3) provide an allowance, as the Secretary con-
2 siders appropriate, to each Delegate and Alternate
3 Delegate of the United States to any session of the
4 General Assembly of the United Nations who is not
5 a permanent member of the staff of the United
6 States Mission to the United Nations, in order to
7 compensate each such Delegate or Alternate Dele-
8 gate for necessary housing and subsistence expenses
9 with respect to attending any such session.

10 “(b) The Secretary of State may not make available
11 living quarters or allowances under subsection (a) to an
12 employee who is occupying living quarters that are owned
13 by such employee.

14 “(c) Living quarters and allowances provided under
15 subsection (a) shall be considered for all purposes as au-
16 thorized under—

17 “(1) chapter 9 of title I of the Foreign Service
18 Act of 1980 (22 U.S.C. 4081 et seq.); and

19 “(2) section 5913 of title 5, United States
20 Code.

21 “(d) The Inspector General of the Department of
22 State shall—

23 “(1) periodically review the administration of
24 this section to achieve cost savings; and

1 “(2) develop appropriate recommendations for
2 the Secretary of State regarding the administration
3 of this section.”.

4 **SEC. 307. RECRUITMENT AND RETENTION OF UNITED**
5 **STATES CITIZENS IN INTERNATIONAL ORGA-**
6 **NIZATIONS.**

7 (a) IN GENERAL.—The Secretary shall continue ef-
8 forts to increase the number of qualified United States
9 citizens employed by the United Nations and by other
10 international organizations.

11 (b) DUTIES OF THE SECRETARY.—Not later than 90
12 days after date of the enactment of this Act, the Sec-
13 retary—

14 (1) shall develop, recruit, and maintain a roster
15 of qualified United States candidates for profes-
16 sional positions and senior positions at the United
17 Nations and other international organizations, par-
18 ticularly United Nations Peacekeeping Operations;

19 (2) shall designate an employee of the Depart-
20 ment of State—

21 (A) to closely monitor job openings at the
22 United Nations and other international organi-
23 zations; and

24 (B) to connect those job openings with
25 United States citizens listed on the roster de-

1 scribed in paragraph (1) or through other
2 mechanisms;

3 (3) should establish a program that sponsors
4 Junior Professional Officers and Associate Expert
5 positions, similar to the support provided to such po-
6 sitions by Austria, Canada, Switzerland, and the
7 United Kingdom; and

8 (4) shall update, as appropriate reports to the
9 appropriate congressional committees that describes
10 the measures being taken by the Department of
11 State to facilitate the recruitment of qualified
12 United States citizens for employment at the United
13 Nations and other international organizations.

14 (c) DUTIES OF THE SECRETARY OF THE TREAS-
15 URY.—Not later than 90 days after the date of the enact-
16 ment of this Act, the Secretary of the Treasury, in con-
17 sultation with the Secretary of State, shall—

18 (1) develop, recruit, and maintain a roster of
19 qualified United States candidates for professional
20 positions and senior positions at international finan-
21 cial institutions (referred to in this subsection as
22 “IFIs”), including the World Bank, the Inter-
23 national Monetary Fund, and other regional develop-
24 ment banks;

1 (2) designate an employee of the Department of
2 Treasury or the Department of State—

3 (A) to closely monitor job openings at
4 IFIs;

5 (B) to provide public notice of these open-
6 ings, to the extent possible; and

7 (C) to connect such job openings with
8 United States citizens who are listed on the ros-
9 ter described in paragraph (1) or who are oth-
10 erwise eligible;

11 (3) update, as appropriate, reports to the ap-
12 propriate congressional committees that describes
13 the measures being taken by the Department of
14 Treasury and the Department of State to facilitate
15 the recruitment of qualified United States citizens
16 for employment at IFIs; and

17 (4) coordinate with the employee designated in
18 paragraph (2) to facilitate awareness of openings at
19 international organizations and IFIs.

20 **SEC. 308. UNITED STATES MEMBERSHIP IN THE INTER-**
21 **NATIONAL RENEWABLE ENERGY AGENCY.**

22 (a) IN GENERAL.—The President is authorized—

23 (1) to accept the terms and conditions of the
24 Statute of the International Renewable Energy

1 Agency (referred to in this section as the “Agency”);
2 and

3 (2) to maintain membership of the United
4 States in the Agency.

5 (b) PAYMENTS OF ASSESSED CONTRIBUTIONS.—For
6 fiscal year 2011 and each fiscal year thereafter, United
7 States assessed contributions to the Agency may be paid
8 from amounts appropriated under the heading “Contribu-
9 tions to International Organizations”.

10 **TITLE IV—MISCELLANEOUS** 11 **PROVISIONS**

12 **SEC. 401. LIMITATION ON ASSISTANCE TO GOVERNMENTS** 13 **OF COUNTRIES IN DEFAULT.**

14 (a) FOREIGN ASSISTANCE ACT OF 1961.—Section
15 620(q) of the Foreign Assistance Act of 1961 (22 U.S.C.
16 2370(q)) is amended—

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

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

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

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

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

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

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

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

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

14 “(2) the President—

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

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

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

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

1 (1) in subsection (b)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (2) in subsection (b)(3)—

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

1 (B) in subparagraph (D), by inserting
2 “and” after the semicolon; and
3 (C) by adding at the end the following:
4 “(E) programs to enhance the protection
5 of participants in judicial cases;”;
6 (3) by striking subsection (c);
7 (4) in subsection (e), by striking the second and
8 third sentences; and
9 (5) by redesignating subsections (d) and (e) as
10 subsections (c) and (d), respectively.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(j) EXTENSION OF COMPACT.—

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

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

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

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

19 “(3) CONGRESSIONAL NOTIFICATION.—Not
20 later than 15 days before the date on which the
21 Board is scheduled to vote on the extension of a
22 Compact beyond 5 years pursuant to paragraph (2),
23 the Board, acting through the Chief Executive Offi-
24 cer, shall—

1 “(A) notify the Committee on Foreign Re-
2 lations of the Senate and the Committee on
3 Foreign Affairs of the House of Representatives
4 of its intent to approve such extension; and

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

9 (b) CONCURRENT AND SUBSEQUENT COMPACTS.—
10 Section 609(k) such Act (22 U.S.C. 7708(k)) is amended
11 to read as follows:

12 “(k) CONCURRENT AND SUBSEQUENT COMPACTS.—

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

16 “(A) may enter into and have in effect
17 more than 1 Compact at any given time; and

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

20 “(2) REQUIREMENTS.—

21 “(A) CONCURRENT COMPACTS.—An eligi-
22 ble country and the United States may not
23 enter into a concurrent Compact unless the
24 Board determines that such country is making
25 considerable and demonstrable progress in im-

1 plementing the terms of its existing Compact
2 and supplementary agreements to such Com-
3 pact.

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

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

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

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

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

1 (1) in subsection (a)—

2 (A) in paragraph (1)—

3 (i) by amending the paragraph head-
4 ing to read as follows:

5 “(1) IN GENERAL.—”;

6 (ii) in the matter preceding subpara-
7 graph (A), by striking “fiscal year 2004”
8 and inserting “any fiscal year”;

9 (iii) by amending subparagraph (A) to
10 read as follows:

11 “(A) the country—

12 “(i) has a per capita income that is
13 not greater than the World Bank’s lower
14 middle income country threshold for such
15 fiscal year; and

16 “(ii) is among the 75 lowest per cap-
17 ita income countries, as identified by the
18 World Bank; and”;

19 (iv) in subparagraph (B), by striking
20 “subject to paragraph (3)” and inserting
21 “subject to paragraph (2)”;

22 (B) by striking paragraph (2); and

23 (C) by redesignating paragraph (3) as
24 paragraph (2);

25 (2) in subsection (b)—

1 (A) in paragraph (1)—

2 (i) in the matter preceding subpara-
3 graph (A), by striking “for fiscal year
4 2006 or a subsequent fiscal year” and in-
5 serting “for any fiscal year”; and

6 (ii) by striking subparagraphs (A) and
7 (B) and inserting the following:

8 “(A) has a per capita income that is not
9 greater than the World Bank’s lower middle in-
10 come country threshold for such fiscal year;

11 “(B) is not among the 75 lowest per capita
12 income countries as identified by the World
13 Bank; and

14 “(C) meets the requirements under sub-
15 section (a)(1)(B).”; and

16 (B) in paragraph (2)—

17 (i) by striking “for fiscal year 2006 or
18 any subsequent fiscal year” and inserting
19 “for any fiscal year”; and

20 (ii) by striking “for fiscal year 2006
21 or the subsequent fiscal year, as the case
22 may be” and inserting “for such fiscal
23 year”;

24 (3) by redesignating subsection (c) as sub-
25 section (d); and

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

3 (A) subsections (a) through (d) of section
4 8344 of title 5, United States Code;

5 (B) subsections (a) through (e) of section
6 8468 of such title; and

7 (C) subsections (a) through (d) of section
8 824 of the Foreign Service Act of 1980 (22
9 U.S.C. 4064).

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

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

13 (B) if, and for so long as, such waiver is
14 necessary due to—

15 (i) difficulty in the recruitment or re-
16 tention of a qualified employee for the po-
17 sition involved; or

18 (ii) a temporary emergency hiring
19 need.

20 (4) SUNSET.—

21 (A) IN GENERAL.—This subsection is re-
22 pealed on October 1, 2012.

23 (B) EFFECT OF REPEAL.—An annuitant
24 reemployed before October 1, 2012, pursuant to
25 the waiver under paragraph (1), may continue

1 such employment until not later than Sep-
2 tember 30, 2013.

3 (b) PROVISIONS RELATING TO CONTRACTS FOR PER-
4 SONAL SERVICES.—

5 (1) IN GENERAL.—The Inspector General may
6 contract with United States citizens for personal
7 services to facilitate and support the Office’s over-
8 sight of programs and operations. Such citizens shall
9 not, by virtue of any such contract, be considered to
10 be employees of the Federal Government for pur-
11 poses of any law administered, in whole or in part,
12 by the Office Personnel Management.

13 (2) RELATION TO OTHER LAWS.—Nothing in
14 this subsection may be construed to affect any deter-
15 mination as to whether an individual performing
16 services pursuant to any contract under this sub-
17 section is a Government employee for purposes of
18 any law of the United States. The Administrator of
19 the United States Agency for International Develop-
20 ment may determine the applicability, with respect
21 to any such individual, of any law administered, in
22 whole or in part, by the Administrator.

23 (3) CONDITIONS.—The Inspector General may
24 not enter into a personal services contract under this
25 subsection unless—

1 (A) the Inspector General determines that
2 the personnel resources of the Office would oth-
3 erwise be insufficient;

4 (B) the contract is for a term of 2 years
5 or less, unless the Inspector General determines
6 that exceptional circumstances justify an exten-
7 sion of up to 1 additional year; and

8 (C) not more than 5 percent of the per-
9 sonnel of the Office (determined on a full time
10 equivalent basis), as of any given date, consists
11 of individuals serving under personal services
12 contracts.

13 (4) OTHER AUTHORITIES NOT AFFECTED.—The
14 authority under this subsection is in addition to any
15 other authority available to the Inspector General to
16 enter into personal services contracts with individ-
17 uals.

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

23 (d) REPORT.—In the Office of the Inspector Gen-
24 eral's semiannual report to Congress, the Inspector Gen-

1 eral shall include information on the usage and rationale
2 related to annuitants hired under this section.

3 (e) PAY PARITY FOR FOREIGN SERVICE OFFICER IN-
4 VESTIGATORS.—Section 5541(2)(C)(xiv) of title 5, United
5 States Code, is amended to read as follows:

6 “(xiv) a Foreign Service officer, ex-
7 cept that Foreign Service officers serving
8 as criminal investigators in the Office of
9 Inspector General of the United States
10 Agency for International Development
11 shall be eligible for and receive availability
12 pay on the same terms as criminal inves-
13 tigators (as defined in section 5545a).”.

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

17 Section 620 of the Foreign Assistance Act of 1961
18 (22 U.S.C. 2370) is amended by inserting after subsection
19 (l) the following new subsection:

20 “(m) PROHIBITIONS ON ASSISTANCE FOR THE PRO-
21 Duction of Agricultural Commodities Available
22 IN SURPLUS QUANTITIES.—(1) No assistance shall be fur-
23 nished under chapter 1 of part I of this Act to a country
24 to build or expand the capacity of producers in the country

1 to produce an agricultural commodity if the President de-
2 termines that—

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

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

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

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

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

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

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

1 “(n) RESTRICTION ON ASSISTANCE FOR THE PRO-
2 DUCTION AND EXPORTATION OF CERTAIN AGRICULTURAL
3 COMMODITIES.—(1) No assistance shall be furnished
4 under chapter 1 of part I of this Act to a country to carry
5 out any testing, breeding feasibility studies, variety im-
6 provement efforts, introduction efforts, consulting, publi-
7 cations, conferences, or training with respect to the pro-
8 duction of an agricultural commodity in that country if
9 the President determines that—

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

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

17 “(2) Paragraph (1) shall not apply with respect to
18 assistance furnished—

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

1 “(B) to a country that—

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

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

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

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

13 **SEC. 408. SENSE OF CONGRESS RELATING TO TRANS-**
14 **PARENCY FOR EXTRACTIVE INDUSTRIES.**

15 It is the sense of Congress that—

16 (1) the President should work with foreign gov-
17 ernments, including members of the Group of 8 and
18 the Group of 20, to establish domestic requirements
19 that companies under the jurisdiction of each gov-
20 ernment publicly disclose any payments made to a
21 government relating to the commercial development
22 of oil, natural gas, and minerals;

23 (2) the United States Government should com-
24 mit to global leadership of transparency in extractive
25 industries by supporting—

1 (A) multilateral pro-transparency efforts,
2 such as the Extractive Industries Transparency
3 Initiative, in revenue collection, budgeting, ex-
4 penditure, and wealth management;

5 (B) bilateral efforts to promote good gov-
6 ernance in the extractive industries through
7 United States missions and activities abroad;

8 (C) the implementation of extractive indus-
9 tries reporting requirements for companies
10 under the jurisdiction of the United States; and

11 (D) efforts to persuade other members of
12 the Organization for Economic Cooperation and
13 Development and Asia-Pacific Economic Co-
14 operation to adopt uniform legislation to ensure
15 a coordinated regulatory approach; and

16 (3) the President should commit the United
17 States to become a Candidate Country of the Ex-
18 tractive Industry Transparency Initiative.

19 **SEC. 409. SENSE OF CONGRESS REGARDING CENTRAL ASIA.**

20 It is the Sense of Congress that—

21 (1) the countries of Central Asia, which include
22 Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan,
23 and Uzbekistan—

24 (A) provide vital support to coalition ef-
25 forts in Afghanistan;

1 (B) sit at the crossroads between Europe
2 and Asia; and

3 (C) have the potential to link global mar-
4 kets;

5 (2) because of Central Asia's strategic impor-
6 tance, the United States should invest resources in
7 the region to improve relations and promote shared
8 objectives;

9 (3) it is critical for the United States to con-
10 tinue to engage with the countries of Central Asia
11 to further democracy, human rights, and economic
12 prosperity, including engaging in regional economic
13 integration efforts with Afghanistan and South Asia;

14 (4) the United States should engage proactively
15 in efforts to promote and facilitate the development
16 of road transportation linkages across Central Asia
17 and Afghanistan, which are key to stimulating eco-
18 nomic opportunity and trade in the region; and

19 (5) upon determination by the President that
20 Kazakhstan and Tajikistan are complying with ap-
21 plicable freedom of emigration requirements, Con-
22 gress should take steps to terminate the applicability
23 of title IV of the Trade Act of 1974 (19 U.S.C.
24 2431 et seq.), also known as the "Jackson-Vanik
25 amendment", for such countries because of—

1 (A) their compliance with the law's provi-
2 sions; and

3 (B) their record of cooperation with the
4 United States in key areas.

5 **SEC. 410. SENSE OF CONGRESS ON GLOBAL INTERNET**
6 **FREEDOM.**

7 It is the Sense of Congress that—

8 (1) Internet access and freedom are foreign pol-
9 icy priorities of the United States;

10 (2) in places where the Internet and other
11 forms of connective technology are limited, censored,
12 restricted, monitored, distorted, or otherwise denied
13 to the people, the United States Government,
14 through diplomacy and assistance programs, should
15 help to expand Internet access, develop effective per-
16 sonal and organizational digital safety and informa-
17 tion security tools, and support freedom of expres-
18 sion, online education and networking, and the free
19 flow of information over the Internet and other
20 forms of connective technology worldwide, especially
21 in countries which impose online limitations, censor-
22 ship, monitoring, distortion, and other restrictions
23 on the Internet and other forms of media, including
24 through the development of Internet censorship cir-
25 cumvention tools and technology.

1 **SEC. 411. GLOBAL HEALTH INITIATIVE.**

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

4 (1) the Global Health Initiative presents an op-
5 portunity to build upon current successes and to
6 promote further advances in global health, in accord-
7 ance with the Tom Lantos and Henry J. Hyde
8 United States Global Leadership Against HIV/
9 AIDS, Tuberculosis, and Malaria Reauthorization
10 Act of 2008; and

11 (2) in order to promote effective coordination
12 and management in the field of global health, a full-
13 time country level coordinator with management ex-
14 perience should head the interagency country team
15 for United States missions in each Global Health
16 Initiative Plus country.

17 (b) REPORT.—Not later than 2 years after the date
18 of the enactment of this Act, the President shall submit
19 a report to the appropriate congressional committees that
20 describes the implementation of the Global Health Initia-
21 tive, including—

22 (1) an assessment of the progress made to-
23 ward—

24 (A) implementing a woman- and girl-cen-
25 tered approach;

1 (B) increasing the impact of health pro-
2 grams through strategic coordination and inte-
3 gration;

4 (C) leveraging and strengthening relation-
5 ships with key multilateral organizations, global
6 health partnerships, and private sector inves-
7 tors;

8 (D) encouraging country ownership and in-
9 vestment in country-led plans;

10 (E) building sustainable health systems;

11 (F) making improvements in metrics, mon-
12 itoring, and evaluation; and

13 (G) promoting research and innovation;

14 (2) a detailed description of Global Health Ini-
15 tiative programs and practices in each of the Global
16 Health Initiative Plus countries;

17 (3) an aggregated assessment of progress made
18 toward the declared targets of the Global Health Ini-
19 tiative; and

20 (4) a discussion of metrics to be used to meas-
21 ure progress toward achievement of objectives in the
22 areas of—

23 (A) HIV/AIDS;

24 (B) tuberculosis;

25 (C) malaria;

- 1 (D) maternal health;
- 2 (E) child health;
- 3 (F) nutrition;
- 4 (G) family planning;
- 5 (H) neglected tropical diseases; and
- 6 (I) health system strengthening.

7 **TITLE V—PEACE CORPS**
8 **IMPROVEMENT AND EXPANSION**

9 **SEC. 501. SHORT TITLE.**

10 This title may be cited as the “Peace Corps Improve-
11 ment and Expansion Act of 2010”.

12 **SEC. 502. FINDINGS.**

13 Congress makes the following findings:

14 (1) Firmly established beliefs of the Peace
15 Corps include the following:

16 (A) The act of volunteering has inherent
17 value.

18 (B) The foreign policy goals of the United
19 States are advanced by—

20 (i) contributing to the reduction of
21 poverty; and

22 (ii) fostering international under-
23 standing.

24 (2) More than 195,000 volunteers have ably
25 served in the Peace Corps in 139 countries by—

1 (A) working towards economic and social
2 development; and

3 (B) promoting a better understanding of—

4 (i) the people of the United States on
5 the part of the peoples served; and

6 (ii) other peoples on the part of the
7 people of the United States.

8 (3) Today, the importance and necessity is
9 greater than ever for the Peace Corps—

10 (A) to promote global economic and social
11 development;

12 (B) to promote understanding and friend-
13 ship; and

14 (C) to foster collaboration with inter-
15 national nongovernmental organizations.

16 (4) Since 1961, a bipartisan succession of
17 Presidents and Congresses have endorsed the expan-
18 sion of the Peace Corps in order—

19 (A) to meet requests from countries to in-
20 crease the size of the Peace Corps programs in
21 their countries;

22 (B) to initiate Peace Corps programs in
23 countries where the Peace Corps does not cur-
24 rently operate;

1 (C) to provide more opportunities for the
2 people of the United States to engage in volun-
3 teer service abroad; and

4 (D) to renew dormant Peace Corps pro-
5 grams.

6 (5) The purpose of the Peace Corps, as de-
7 clared by section 2(a) of the Peace Corps Act (22
8 U.S.C. 2501(a)), is to promote world peace and
9 friendship by helping—

10 (A) the people of interested countries in
11 meeting their needs for trained men and
12 women, particularly in meeting the basic needs
13 of those living in the poorest areas of such
14 countries;

15 (B) to promote a better understanding of
16 people of the United States on the part of the
17 peoples served; and

18 (C) to promote a better understanding of
19 other peoples on the part of the people of the
20 United States.

21 (6) As the Peace Corps reaches its 50th anni-
22 versary in 2011, a new forward-looking strategy
23 should be developed to improve the effectiveness and
24 efficiency of the Peace Corps in pursuing the goals

1 described in paragraph (5) by analyzing and ac-
2 counting for the strengths and weaknesses of—

3 (A) the program model of the Peace Corps;

4 (B) the current and planned distribution of
5 Peace Corps volunteers throughout the world;

6 (C) partnership opportunities and oper-
7 ations of the Peace Corps; and

8 (D) recruitment and management practices
9 of the Peace Corps with respect to the diversity
10 of Peace Corps volunteers and staff.

11 **SEC. 503. ASSESSMENT AND STRATEGIC PLAN FOR IMPROV-**
12 **ING AND EXPANDING PEACE CORPS.**

13 (a) ASSESSMENT.—

14 (1) IN GENERAL.—Not later than 180 days
15 after the date of the enactment of this Act, the Di-
16 rector of the Peace Corps shall complete the assess-
17 ment described in paragraph (2) to determine how
18 best—

19 (A) to strengthen the management capa-
20 bilities and program effectiveness of the Peace
21 Corps;

22 (B) to expand opportunities for Peace
23 Corps volunteers; and

24 (C) to increase the size of the Peace Corps.

1 (2) ASSESSMENT DESCRIBED.—The assessment
2 described in this paragraph means an assessment
3 of—

4 (A) how the purpose of the Peace Corps
5 declared under section 2(a) of the Peace Corps
6 Act (22 U.S.C. 2501(a)) translates into tan-
7 gible strategic plans for the Peace Corps;

8 (B) the distribution of Peace Corps volun-
9 teers in country programs, including how and
10 why volunteers are assigned to various countries
11 and jurisdictions of within countries;

12 (C) the most effective and efficient meth-
13 ods of improving and strengthening activities
14 relating to the Peace Corps' goal of promoting
15 a better understanding of other peoples on the
16 part of the people of the United States, includ-
17 ing enhanced funding to implement, scale, and
18 replicate such activities;

19 (D) the prospects for partnerships with
20 international and host country nongovernmental
21 organizations and other entities to achieve the
22 goals of the Peace Corps through development
23 projects;

24 (E) the adequacy of the current program
25 model of the Peace Corps and the feasibility of

1 program models such as the Peace Corps Re-
2 sponse Program;

3 (F) the effectiveness and efficiency of vol-
4 unteer recruitment strategies, including strate-
5 gies for recruitment at graduate schools, meth-
6 ods, and resource allocations used by the Peace
7 Corps;

8 (G) the effectiveness of the Peace Corps in
9 recruiting ethnically, socio-economically, and
10 geographically diverse volunteers with wide-
11 ranging skills and interests;

12 (H) the skills and interests of current
13 Peace Corps volunteers;

14 (I) options for diversification of the skills
15 and interests of Peace Corps volunteers, includ-
16 ing volunteers with skills and interests that re-
17 late to public health, information technology,
18 urban planning, social services, communica-
19 tions, and community organizing;

20 (J) the Peace Corps volunteer training
21 programs;

22 (K) the options available to volunteers to
23 suspend payment of student loans while serving
24 in the Peace Corps;

1 (L) the medical care received by volunteers
2 while serving in the Peace Corps;

3 (M) the procedures of the Peace Corps for
4 mandatory medical separation of volunteers
5 serving in the Peace Corps;

6 (N) the medical screening process for vol-
7 unteers entering service in the Peace Corps, in-
8 cluding—

9 (i) the cost to the Peace Corps of pro-
10 viding full reimbursement for medical tests
11 under taken by volunteers applying for or
12 entering service in the Peace Corps;

13 (ii) expanded information for appli-
14 cants including potentially disqualifying
15 medical conditions; and

16 (iii) the cost of extending the medical
17 care provided by the Peace Corps to volun-
18 teers serving in the Peace Corps to include
19 the 5-month period beginning on the date
20 on which a volunteer completes service in
21 the Peace Corps;

22 (O) the causes of the early termination of
23 service in the Peace Corps, using the cohort
24 and other statistically appropriate methods and

1 the reasons cited by volunteers terminating
2 their service in the Peace Corps early;

3 (P) how the Peace Corps can utilize infor-
4 mation technology to improve—

5 (i) program efficiency, effectiveness,
6 and coordination; and

7 (ii) communication among volunteers;

8 (Q) mechanisms for soliciting the views of
9 volunteers serving in the Peace Corps, on a con-
10 fidential basis, regarding—

11 (i) the support provided to such volun-
12 teers by senior staff of the Peace Corps;
13 and

14 (ii) the operations of the Peace Corps,
15 including—

16 (I) staffing decisions;

17 (II) site selection;

18 (III) language training;

19 (IV) country programs; and

20 (V) dialogue with host country
21 partners and ministries;

22 (R) mechanisms for incorporating the
23 views of volunteers referred to in subparagraph
24 (Q) into programming and management deci-
25 sions of the Peace Corps; and

1 (S) the adequacy of various post-service
2 benefits for volunteers and the potential impact
3 of such benefits on increasing, diversifying, and
4 improving the pool of Peace Corps applicants.

5 (3) METHOD.—The assessment required under
6 this subsection shall—

7 (A) be built on a review of past experiences
8 and studies; and

9 (B) draw on the knowledge of—

10 (i) current Peace Corps volunteers
11 and staff, at all levels of seniority;

12 (ii) returned Peace Corps volunteers
13 and staff; and

14 (iii) host country nationals and offi-
15 cials who have worked closely with Peace
16 Corps volunteers.

17 (b) STRATEGIC PLAN.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of the enactment of this Act, the Di-
20 rector of the Peace Corps shall develop, based on the
21 assessment required under subsection (a), a stra-
22 tegic plan for the Peace Corps that—

23 (A) encompasses the findings of the Direc-
24 tor with respect to such assessment; and

1 (B) includes the matters described in para-
2 graph (2).

3 (2) MATTERS DESCRIBED.—The matters de-
4 scribed in this paragraph are—

5 (A) 1-year and 5-year goals and bench-
6 marks for the Peace Corps that address—

7 (i) each matter included in the assess-
8 ment required under subsection (a); and

9 (ii) such other matters as the Director
10 considers appropriate; and

11 (B) strategies for—

12 (i) distributing volunteers to countries
13 in which they have maximum value-added
14 for the host country, for the United States,
15 and for the volunteers themselves;

16 (ii) identifying countries with strategic
17 value to Peace Corps goals, currently not
18 served or dormant, and proposals for start-
19 ing new country programs or re-activating
20 dormant programs, as well as countries
21 with less strategic relevance to Peace
22 Corps goals, including proposals for reduc-
23 ing or closing such country programs;

1 (iii) balancing the Peace Corps' inde-
2 pendence with its need to remain relevant
3 to broader United States foreign goals; and

4 (iv) ensuring that Peace Corps oper-
5 ations and goals are not adversely affected
6 in situations where the bilateral relation-
7 ship between the host country and the
8 United States is problematic.

9 (c) REPORT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the Di-
12 rector of the Peace Corps shall submit a report to
13 the appropriate congressional committees that in-
14 cludes—

15 (A) the findings of the Director with re-
16 spect to the assessment required under sub-
17 section (a); and

18 (B) the strategic plan developed under sub-
19 section (b).

20 (2) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES DEFINED.—In this subsection, the term “ap-
22 propriate congressional committees” means—

23 (A) the Committee on Foreign Relations of
24 the Senate;

1 (B) the Committee on Appropriations of
2 the Senate;

3 (C) the Committee on Foreign Affairs of
4 the House of Representatives; and

5 (D) the Committee on Appropriations of
6 the House of Representatives.

7 **SEC. 504. SENSE OF CONGRESS ON NUMBER OF PRESI-**
8 **DENTIAL APPOINTMENTS UNDER PEACE**
9 **CORPS ACT.**

10 It is the sense of Congress that, except for appoint-
11 ments made under section 12 of the Peace Corps Act (22
12 U.S.C. 2511), the President should not make more than
13 15 concurrent appointments under such Act (22 U.S.C.
14 2501 et seq.).

15 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

16 Section 3(b)(1) of the Peace Corps Act (22 U.S.C.
17 2502(b)(1)) is amended to read as follows:

18 “(1) There are authorized to be appropriated
19 such sums as may be necessary to carry out the pur-
20 poses of this chapter.”.

1 **TITLE VI—AUTHORIZATION OF**
2 **APPROPRIATIONS**

3 **SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated, for each of
5 the fiscal years 2010 and 2011, such sums as may be nec-
6 essary to carry out this Act.