

State Department Authorization Act, Fiscal Year 2017

Summary of Key Provisions

For the second year in a row, the Senate Foreign Relations Committee passed a bipartisan State Department authorization bill for the coming fiscal year. This year's legislation emphasizes using U.S. leadership at the United Nations (U.N.) to end sexual abuse and exploitation by peacekeepers, improving the efficiency of certain personnel and management practices at the State Department, and restructuring State's consular fees system to ensure these services are self-supporting. Last year the committee approved an authorization bill for the first time in five years. A State Department authorization bill has not been passed by Congress and signed into law since 2002.

Key provisions of the FY 2017 legislation include:

U.S. Participation in International Organizations

Oversight and Accountability for Peacekeeper Abuse: Requires the State Department to develop a comprehensive strategy and implementation plan for using U.S. influence at the United Nations (U.N.) to reduce sexual exploitation and abuse (SEA) by peacekeeping forces. The bill clarifies that existing U.S. prohibitions on funding for foreign military units that are responsible for gross human rights abuses also applies to peacekeeping operations and authorizes the State Department to withhold bilateral military assistance based on a pattern of SEA violations.

U.S. Contributions to the United Nations: Requires an annual report from the Office of Management and Budget (OMB) on all U.S. contributions to the United Nations and a study from the Government Accountability Office (GAO) on reforming the assessment formula for peacekeeping missions. The president also must seek reimbursement of all surplus U.S. peacekeeping contributions to the U.S. Treasury rather than allowing those funds to remain at the U.N.

Whistleblower Protection: Makes permanent an annual 15 percent withholding requirement on funding for U.S. contributions to international organizations that fail to properly protect individuals from punishment for disclosing allegations of impropriety.

State Department Personnel and Management

Reforming Local Staff Wages: The bill requires the State Department to use recruiting, retention, and labor market conditions as the basis for determining wages of locally employed staff at U.S. diplomatic facilities. Pay levels must at least meet the 50th percentile of the prevailing wage for comparable employment in the area, rather than the current 60th percentile.

Personnel Flexibility: Establishes a pilot program for personal service contractors to meet surge requirements and address workforce shortfalls. The bill also expands flexible personnel authorities for employees that support the department's language training program and extends limited non-career appointments beyond five-years under certain circumstances while mandating a one-year break between those appointments.

Leadership Accountability for Security Incidents: Unsatisfactory leadership can justify disciplinary action following security incidents under Accountability Review Board (ARB) review.

Facilitating Diplomatic Security Investigations: Grants subpoena authority to Diplomatic Security (DS) agents when investigating passport and visa fraud or performing protective duties. The bill also authorizes DS agents to investigate identity theft, document fraud, and federal offenses within the special maritime and territorial jurisdiction of the United States and permits arrest authority in response to physical security incidents in the U.S.

Consular Authorities

Consular Fee Restructuring: Restructures the consular fee system so passport, visa and other consular service fees cover the cost of providing those services with any excess revenue directed to the Treasury Department's general fund.