

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

<b>Program</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
18-D-402 Saltstone disposal unit #8/9 .....	68,000	68,000
17-D-402 Saltstone Disposal Unit #7 .....	0	0
05-D-405 Salt waste processing facility, SRS .....	0	0
8-D-402 Emergency Operations Center Replacement, SR .....	8,999	8,999
Radioactive liquid tank waste stabilization .....	890,865	890,865
<b>Total, Savannah River Site .....</b>	<b>1,581,775</b>	<b>1,589,141</b>
<b>Waste Isolation Pilot Plant</b>		
Waste Isolation Pilot Plant .....	350,424	350,424
<b>Construction:</b>		
15-D-411 Safety significant confinement ventilation system, WIPP .....	55,000	55,000
15-D-412 Exhaust shaft, WIPP .....	25,000	25,000
21-D-401 Hoisting Capability Project .....	0	0
<b>Total, Construction .....</b>	<b>80,000</b>	<b>80,000</b>
<b>Total, Waste Isolation Pilot Plant .....</b>	<b>430,424</b>	<b>430,424</b>
Program direction—Defense Environmental Cleanup .....	293,106	293,106
Program support—Defense Environmental Cleanup .....	62,979	62,979
Safeguards and Security—Defense Environmental Cleanup .....	316,744	316,744
Technology development and deployment .....	25,000	25,000
Federal contribution to the Uranium Enrichment D&D Fund .....	415,670	0
Use of prior year balances .....	0	0
<b>Subtotal, Defense environmental cleanup .....</b>	<b>6,841,670</b>	<b>6,480,759</b>
<b>TOTAL, Defense Environmental Cleanup .....</b>	<b>6,841,670</b>	<b>6,480,759</b>
<b>Defense Uranium Enrichment D&amp;D .....</b>	<b>0</b>	<b>0</b>
<b>Other Defense Activities</b>		
<b>Environment, health, safety and security</b>		
Environment, health, safety and security mission support .....	130,809	130,809
Program direction .....	75,511	75,511
<b>Total, Environment, health, safety and security .....</b>	<b>206,320</b>	<b>206,320</b>
<b>Independent enterprise assessments</b>		
Enterprise assessments .....	27,335	27,335
Program direction—Office of Enterprise Assessments .....	56,049	56,049
<b>Total, Office of Enterprise Assessments .....</b>	<b>83,384</b>	<b>83,384</b>
Specialized security activities .....	283,500	283,500
<b>Office of Legacy Management</b>		
Legacy management activities—defense .....	408,797	158,797
Program direction .....	19,933	19,933
<b>Total, Office of Legacy Management .....</b>	<b>428,730</b>	<b>178,730</b>
Defense related administrative support .....	163,710	163,710
Office of hearings and appeals .....	4,356	4,356
<b>Subtotal, Other defense activities .....</b>	<b>1,170,000</b>	<b>920,000</b>
Use of prior year balances .....	0	0
<b>Total, Other Defense Activities .....</b>	<b>1,170,000</b>	<b>920,000</b>

1 **DIVISION E—DEPARTMENT OF**  
2 **STATE AUTHORIZATION ACT**  
3 **OF 2021**

Sec. 5001. Short title.

Sec. 5002. Definitions.

1 **SEC. 5001. SHORT TITLE.**

2 *This division may be cited as the “Department of*  
 3 *State Authorization Act of 2021”.*

4 **SEC. 5002. DEFINITIONS.**

5 *In this division:*

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

11 (2) *DEPARTMENT.—If not otherwise specified,*  
 12 *the term “Department” means the Department of*  
 13 *State.*

14 (3) *SECRETARY.—If not otherwise specified, the*  
 15 *term “Secretary” means the Secretary of State.*

16 **TITLE LI—ORGANIZATION AND**  
 17 **OPERATIONS OF THE DE-**  
 18 **PARTMENT OF STATE**

*Sec. 5101. Sense of Congress on importance of Department of State’s work.*

*Sec. 5102. Assistant Secretary for International Narcotics and Law Enforcement Affairs.*

*Sec. 5103. Bureau of Consular Affairs; Bureau of Population, Refugees, and Migration.*

*Sec. 5104. Office of International Disability Rights.*

*Sec. 5105. Special appointment authority.*

*Sec. 5106. Repeal of authority for Special Representative and Policy Coordinator for Burma.*

*Sec. 5107. Anti-piracy information sharing.*

*Sec. 5108. Importance of foreign affairs training to national security.*

*Sec. 5109. Classification and assignment of Foreign Service officers.*

*Sec. 5110. Reporting on implementation of GAO recommendations.*

*Sec. 5111. Extension of period for reimbursement of fishermen for costs incurred from the illegal seizure and detention of U.S.-flag fishing vessels by foreign governments.*

*Sec. 5112. Art in embassies.*

*Sec. 5113. International fairs and expositions.*

*Sec. 5114. Amendment or repeal of reporting requirements.*

1 **SEC. 5101. SENSE OF CONGRESS ON IMPORTANCE OF DE-**  
2 **PARTMENT OF STATE'S WORK.**

3 *It is the sense of Congress that—*

4 *(1) United States global engagement is key to a*  
5 *stable and prosperous world;*

6 *(2) United States leadership is indispensable in*  
7 *light of the many complex and interconnected threats*  
8 *facing the United States and the world;*

9 *(3) diplomacy and development are critical tools*  
10 *of national power, and full deployment of these tools*  
11 *is vital to United States national security;*

12 *(4) challenges such as the global refugee and mi-*  
13 *gration crises, terrorism, historic famine and food in-*  
14 *security, and fragile or repressive societies cannot be*  
15 *addressed without sustained and robust United States*  
16 *diplomatic and development leadership;*

17 *(5) the United States Government must use all*  
18 *of the instruments of national security and foreign*  
19 *policy at its disposal to protect United States citi-*  
20 *zens, promote United States interests and values, and*  
21 *support global stability and prosperity;*

22 *(6) United States security and prosperity depend*  
23 *on having partners and allies that share our interests*  
24 *and values, and these partnerships are nurtured and*

1        *our shared interests and values are promoted through*  
2        *United States diplomatic engagement, security co-*  
3        *operation, economic statecraft, and assistance that*  
4        *helps further economic development, good governance,*  
5        *including the rule of law and democratic institutions,*  
6        *and the development of shared responses to natural*  
7        *and humanitarian disasters;*

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

16                *(8) the work of the Department and USAID*  
17        *makes the United States and the world safer and*  
18        *more prosperous by alleviating global poverty and*  
19        *hunger, fighting HIV/AIDS and other infectious dis-*  
20        *eases, strengthening alliances, expanding educational*  
21        *opportunities for women and girls, promoting good*  
22        *governance and democracy, supporting anti-corrup-*  
23        *tion efforts, driving economic development and trade,*  
24        *preventing armed conflicts and humanitarian crises,*  
25        *and creating American jobs and export opportunities;*

1           (9) *the Department and USAID are vital na-*  
2           *tional security agencies, whose work is critical to the*  
3           *projection of United States power and leadership*  
4           *worldwide, and without which Americans would be*  
5           *less safe, United States economic power would be di-*  
6           *minished, and global stability and prosperity would*  
7           *suffer;*

8           (10) *investing in diplomacy and development be-*  
9           *fore conflicts break out saves American lives while*  
10          *also being cost-effective; and*

11          (11) *the contributions of personnel working at*  
12          *the Department and USAID are extraordinarily val-*  
13          *uable and allow the United States to maintain its*  
14          *leadership around the world.*

15 **SEC. 5102. ASSISTANT SECRETARY FOR INTERNATIONAL**  
16                   **NARCOTICS AND LAW ENFORCEMENT AF-**  
17                   **FAIRS.**

18          (a) *IN GENERAL.*—*Section 1(c) of the State Depart-*  
19          *ment Basic Authorities Act of 1956 (22 U.S.C. 2651a(c))*  
20          *is amended—*

21               (1) *by redesignating paragraphs (3) and (4) as*  
22               *paragraphs (4) and (5), respectively; and*

23               (2) *by inserting after paragraph (2) the fol-*  
24               *lowing new paragraph:*

1           “(3) ASSISTANT SECRETARY FOR INTERNATIONAL  
2           NARCOTICS AND LAW ENFORCEMENT AFFAIRS.—

3           “(A) IN GENERAL.—*There is authorized to*  
4           *be in the Department of State an Assistant Sec-*  
5           *retary for International Narcotics and Law En-*  
6           *forcement Affairs, who shall be responsible to the*  
7           *Secretary of State for all matters, programs, and*  
8           *related activities pertaining to international*  
9           *narcotics, anti-crime, and law enforcement af-*  
10           *fairs in the conduct of foreign policy by the De-*  
11           *partment, including, as appropriate, leading the*  
12           *coordination of programs carried out by United*  
13           *States Government agencies abroad, and such*  
14           *other related duties as the Secretary may from*  
15           *time to time designate.*

16           “(B) AREAS OF RESPONSIBILITY.—*The As-*  
17           *stant Secretary for International Narcotics and*  
18           *Law Enforcement Affairs shall maintain contin-*  
19           *uous observation and coordination of all matters*  
20           *pertaining to international narcotics, anti-crime,*  
21           *and law enforcement affairs in the conduct of*  
22           *foreign policy, including programs carried out*  
23           *by other United States Government agencies*  
24           *when such programs pertain to the following*  
25           *matters:*

1           “(i) *Combating international narcotics*  
2           *production and trafficking.*

3           “(ii) *Strengthening foreign justice sys-*  
4           *tems, including judicial and prosecutorial*  
5           *capacity, appeals systems, law enforcement*  
6           *agencies, prison systems, and the sharing of*  
7           *recovered assets.*

8           “(iii) *Training and equipping foreign*  
9           *police, border control, other government offi-*  
10           *cial, and other civilian law enforcement*  
11           *authorities for anti-crime purposes, includ-*  
12           *ing ensuring that no foreign security unit*  
13           *or member of such unit shall receive such*  
14           *assistance from the United States Govern-*  
15           *ment absent appropriate vetting.*

16           “(iv) *Ensuring the inclusion of human*  
17           *rights and women’s participation issues in*  
18           *law enforcement programs, in consultation*  
19           *with the Assistant Secretary for Democracy,*  
20           *Human Rights, and Labor, and other senior*  
21           *officials in regional and thematic bureaus*  
22           *and offices.*

23           “(v) *Combating, in conjunction with*  
24           *other relevant bureaus of the Department of*  
25           *State and other United States Government*

1            *agencies, all forms of transnational orga-*  
2            *nized crime, including human trafficking,*  
3            *illicit trafficking in arms, wildlife, and cul-*  
4            *tural property, migrant smuggling, corrup-*  
5            *tion, money laundering, the illicit smug-*  
6            *gling of bulk cash, the licit use of financial*  
7            *systems for malign purposes, and other new*  
8            *and emerging forms of crime.*

9            *“(vi) Identifying and responding to*  
10           *global corruption, including strengthening*  
11           *the capacity of foreign government institu-*  
12           *tions responsible for addressing financial*  
13           *crimes and engaging with multilateral or-*  
14           *ganizations responsible for monitoring and*  
15           *supporting foreign governments’ anti-cor-*  
16           *ruption efforts.*

17           *“(C) ADDITIONAL DUTIES.—In addition to*  
18           *the responsibilities specified in subparagraph*  
19           *(B), the Assistant Secretary for International*  
20           *Narcotics and Law Enforcement Affairs shall*  
21           *also—*

22           *“(i) carry out timely and substantive*  
23           *consultation with chiefs of mission and, as*  
24           *appropriate, the heads of other United*  
25           *States Government agencies to ensure effec-*



1           *tive coordination of all international nar-*  
2           *cotics and law enforcement programs car-*  
3           *ried out overseas by the Department and*  
4           *such other agencies;*

5           “(ii) *coordinate with the Office of Na-*  
6           *tional Drug Control Policy to ensure lessons*  
7           *learned from other United States Govern-*  
8           *ment agencies are available to the Bureau*  
9           *of International Narcotics and Law En-*  
10          *forcement Affairs of the Department;*

11          “(iii) *develop standard requirements*  
12          *for monitoring and evaluation of Bureau*  
13          *programs, including metrics for success that*  
14          *do not rely solely on the amounts of illegal*  
15          *drugs that are produced or seized;*

16          “(iv) *in coordination with the Sec-*  
17          *retary of State, annually certify in writing*  
18          *to the Committee on Foreign Relations of*  
19          *the Senate that United States and the Com-*  
20          *mittee on Foreign Affairs of the House of*  
21          *Representatives enforcement personnel post-*  
22          *ed abroad whose activities are funded to*  
23          *any extent by the Bureau of International*  
24          *Narcotics and Law Enforcement Affairs are*

1                   *complying with section 207 of the Foreign*  
2                   *Service Act of 1980 (22 U.S.C. 3927); and*  
3                   “*(v) carry out such other relevant du-*  
4                   *ties as the Secretary may assign.*”

5                   “(D) *RULE OF CONSTRUCTION.—Nothing in*  
6                   *this paragraph may be construed to limit or im-*  
7                   *pair the authority or responsibility of any other*  
8                   *Federal agency with respect to law enforcement,*  
9                   *domestic security operations, or intelligence ac-*  
10                  *tivities as defined in Executive Order 12333.”.*

11                  “(b) *MODIFICATION OF ANNUAL INTERNATIONAL NAR-*  
12                  *COTICS CONTROL STRATEGY REPORT.—Subsection (a) of*  
13                  *section 489 of the Foreign Assistance Act of 1961 (22 U.S.C.*  
14                  *2291h) is amended by inserting after paragraph (9) the fol-*  
15                  *lowing new paragraph:*

16                  “*(10) A separate section that contains an identi-*  
17                  *fication of all United States Government-supported*  
18                  *units funded by the Bureau of International Narcotics*  
19                  *and Law Enforcement Affairs and any Bureau-fund-*  
20                  *ed operations by such units in which United States*  
21                  *law enforcement personnel have been physically*  
22                  *present.”.*

1 **SEC. 5103. BUREAU OF CONSULAR AFFAIRS; BUREAU OF**  
2 **POPULATION, REFUGEES, AND MIGRATION.**

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

5 *(1) by redesignating subsection (g) as subsection*  
6 *(j); and*

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

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

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

18 **SEC. 5104. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

19 *(a) ESTABLISHMENT.—There should be established in*  
20 *the Department of State an Office of International Dis-*  
21 *ability Rights (referred to in this section as the “Office”).*

22 *(b) DUTIES.—The Office should—*

23 *(1) seek to ensure that all United States foreign*  
24 *operations are accessible to, and inclusive of, persons*  
25 *with disabilities;*

1           (2) *promote the human rights and full participa-*  
2           *tion in international development activities of all per-*  
3           *sons with disabilities;*

4           (3) *promote disability inclusive practices and the*  
5           *training of Department of State staff on soliciting*  
6           *quality programs that are fully inclusive of people*  
7           *with disabilities;*

8           (4) *represent the United States in diplomatic*  
9           *and multilateral fora on matters relevant to the rights*  
10          *of persons with disabilities, and work to raise the pro-*  
11          *file of disability across a broader range of organiza-*  
12          *tions contributing to international development ef-*  
13          *forts;*

14          (5) *conduct regular consultation with civil soci-*  
15          *ety organizations working to advance international*  
16          *disability rights and empower persons with disabil-*  
17          *ities internationally;*

18          (6) *consult with other relevant offices at the De-*  
19          *partment that are responsible for drafting annual re-*  
20          *ports documenting progress on human rights, includ-*  
21          *ing, wherever applicable, references to instances of*  
22          *discrimination, prejudice, or abuses of persons with*  
23          *disabilities;*

24          (7) *advise the Bureau of Human Resources or its*  
25          *equivalent within the Department regarding the hir-*

1        *ing and recruitment and overseas practices of civil*  
2        *service employees and Foreign Service officers with*  
3        *disabilities and their family members with chronic*  
4        *medical conditions or disabilities; and*

5                *(8) carry out such other relevant duties as the*  
6        *Secretary of State may assign.*

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

8                *(1) a senior advisor to the appropriate Assistant*  
9        *Secretary of State; or*

10                *(2) an officer exercising significant authority*  
11        *who reports to the President or Secretary of State,*  
12        *appointed by and with the advice and consent of the*  
13        *Senate.*

14        *(d) CONSULTATION.—The Secretary of State should di-*  
15        *rect Ambassadors at Large, Representatives, Special En-*  
16        *voys, and coordinators working on human rights to consult*  
17        *with the Office to promote the human rights and full par-*  
18        *ticipation in international development activities of all per-*  
19        *sons with disabilities.*

20        **SEC. 5105. SPECIAL APPOINTMENT AUTHORITY.**

21        *Section 1 of the State Department Basic Authorities*  
22        *Act of 1956 (22 U.S.C. 2651a), as amended by section 6103*  
23        *of this Act, is further amended by inserting after subsection*  
24        *(h) the following new subsection:*

25                *“(i) SPECIAL APPOINTMENTS.—*

1           “(1) *POSITIONS EXERCISING SIGNIFICANT AU-*  
2           *THORITY.—The President may, by and with the ad-*  
3           *vice and consent of the Senate, appoint an individual*  
4           *as a Special Envoy, Special Representative, Special*  
5           *Coordinator, Special Negotiator, Envoy, Representa-*  
6           *tive, Coordinator, Special Advisor, or other position*  
7           *performing a similar function, regardless of title, at*  
8           *the Department of State exercising significant author-*  
9           *ity pursuant to the laws of the United States. Except*  
10           *as provided in paragraph (3) or in clause 3, section*  
11           *2, article II of the Constitution (relating to recess ap-*  
12           *pointments), an individual may not be designated as*  
13           *a Special Envoy, Special Representative, Special Co-*  
14           *ordinator, Special Negotiator, Envoy, Representative,*  
15           *Coordinator, Special Advisor, or other position per-*  
16           *forming a similar function, regardless of title, at the*  
17           *Department exercising significant authority pursuant*  
18           *to the laws of the United States without the advice*  
19           *and consent of the Senate.*

20           “(2) *POSITIONS NOT EXERCISING SIGNIFICANT*  
21           *AUTHORITY.—The President or Secretary of State*  
22           *may appoint any Special Envoy, Special Representa-*  
23           *tive, Special Coordinator, Special Negotiator, Special*  
24           *Envoy, Representative, Coordinator, Special Advisor,*  
25           *or other position performing a similar function, re-*

1 *regardless of title, at the Department of State not exer-*  
2 *cising significant authority pursuant to the laws of*  
3 *the United States without the advice and consent of*  
4 *the Senate, if the President or Secretary, not later*  
5 *than 15 days before the appointment of a person to*  
6 *such a position, submits to the appropriate congres-*  
7 *sional committees a notification that includes the fol-*  
8 *lowing:*

9           “(A) *A certification that the position does*  
10           *not require the exercise of significant authority*  
11           *pursuant to the laws of the United States.*

12           “(B) *A description of the duties and pur-*  
13           *pose of the position.*

14           “(C) *The rationale for giving the specific*  
15           *title and function to the position.*

16           “(3) *LIMITED EXCEPTION FOR TEMPORARY AP-*  
17           *POINTMENTS EXERCISING SIGNIFICANT AUTHORITY.—*  
18           *The President may maintain or establish a position*  
19           *with the title of Special Envoy, Special Representa-*  
20           *tive, Special Coordinator, Special Negotiator, Envoy,*  
21           *Representative, Coordinator, Special Advisor, or other*  
22           *position performing a similar function, regardless of*  
23           *title, at the Department of State exercising significant*  
24           *authority pursuant to the laws of the United States*  
25           *for not longer than 180 days if the Secretary of State,*

1     *not later than 15 days after the appointment of a*  
2     *person to such a position, or 30 days after the date*  
3     *of the enactment of this subsection, whichever is ear-*  
4     *lier, submits to the Committee on Foreign Relations*  
5     *of the Senate and the Committee on Foreign Affairs*  
6     *of the House of Representatives a notification that in-*  
7     *cludes the following:*

8             *“(A) The necessity for conferring such title*  
9             *and function.*

10            *“(B) The dates during which such title and*  
11            *function will be held.*

12            *“(C) The justification for not submitting the*  
13            *proposed conferral of such title and function to*  
14            *the Senate as a nomination for advice and con-*  
15            *sent to appointment.*

16            *“(D) All relevant information concerning*  
17            *any potential conflict of interest which the pro-*  
18            *posed recipient of such title and function may*  
19            *have with regard to the appointment.*

20            *“(4) RENEWAL OF TEMPORARY APPOINTMENT.—*

21     *The President may renew for one period not to exceed*  
22     *180 days any position maintained or established*  
23     *under paragraph (3) if the President, not later than*  
24     *15 days before issuing such renewal, submits to the*  
25     *Committee on Foreign Relations of the Senate and the*



1        *Committee on Foreign Affairs of the House of Rep-*  
2        *resentatives a detailed justification on the necessity of*  
3        *such extension, including the dates with respect to*  
4        *which such title will continue to be held and the jus-*  
5        *tification for not submitting such title to the Senate*  
6        *as a nomination for advice and consent.*

7                “(5) *EXEMPTION.*—*Paragraphs (1) through (4)*  
8        *shall not apply to a Special Envoy, Special Rep-*  
9        *resentative, Special Coordinator, Special Negotiator,*  
10        *Envoy, Representative, Coordinator, Special Advisor,*  
11        *or other person performing a similar function, re-*  
12        *gardless of title, at the Department of State if the po-*  
13        *sition is expressly mandated by statute.*

14                “(6) *EFFECTIVE DATE.*—*This subsection shall*  
15        *apply to appointments made on or after January 3,*  
16        *2023.”.*

17        **SEC. 5106. REPEAL OF AUTHORITY FOR SPECIAL REP-**  
18                        **RESENTATIVE AND POLICY COORDINATOR**  
19                        **FOR BURMA.**

20        *Section 7 of the Tom Lantos Block Burmese Jade*  
21        *(Junta’s Anti-Democratic Efforts) Act of 2008 (Public Law*  
22        *110–286; 50 U.S.C. 1701 note) relating to the establishment*  
23        *of a Special Representative and Policy Coordinator for*  
24        *Burma) is hereby repealed.*

1 **SEC. 5107. ANTI-PIRACY INFORMATION SHARING.**

2       *The Secretary is authorized to provide for the partici-*  
3 *ipation by the United States in the Information Sharing*  
4 *Centre located in Singapore, as established by the Regional*  
5 *Cooperation Agreement on Combating Piracy and Armed*  
6 *Robbery against Ships in Asia (ReCAAP).*

7 **SEC. 5108. IMPORTANCE OF FOREIGN AFFAIRS TRAINING**  
8                                   **TO NATIONAL SECURITY.**

9       *(a) SENSE OF CONGRESS.—It is the sense of Congress*  
10 *that—*

11                   *(1) the Department is a crucial national security*  
12 *agency, whose employees, both Foreign and Civil*  
13 *Service, require the best possible training at every*  
14 *stage of their careers to prepare them to promote and*  
15 *defend United States national interests and the health*  
16 *and safety of United States citizens abroad;*

17                   *(2) the Department's investment of time and re-*  
18 *sources with respect to the training and education of*  
19 *its personnel is considerably below the level of other*  
20 *Federal departments and agencies in the national se-*  
21 *curity field, and falls well below the investments*  
22 *many allied and adversarial countries make in the*  
23 *development of their diplomats;*

24                   *(3) the Department faces increasingly complex*  
25 *and rapidly evolving challenges, many of which are*  
26 *science and technology-driven, and which demand the*

1 *continual, high-quality training and education of its*  
2 *personnel;*

3 *(4) the Department must move beyond reliance*  
4 *on “on-the-job training” and other informal*  
5 *mentorship practices, which lead to an inequality in*  
6 *skillset development and career advancement opportu-*  
7 *nities, often particularly for minority personnel, and*  
8 *towards a robust professional tradecraft training con-*  
9 *tinuum that will provide for greater equality in ca-*  
10 *reer advancement and increase minority participa-*  
11 *tion in the senior ranks;*

12 *(5) the Department’s Foreign Service Institute*  
13 *and other training facilities should seek to substan-*  
14 *tially increase their educational and training offer-*  
15 *ings to Department personnel, including developing*  
16 *new and innovative educational and training courses,*  
17 *methods, programs, and opportunities; and*

18 *(6) consistent with existing Department gift ac-*  
19 *ceptance authority and other applicable laws, the De-*  
20 *partment and Foreign Service Institute may accept*  
21 *funds and other resources from foundations, not-for-*  
22 *profit corporations, and other appropriate sources to*  
23 *help the Department and the Institute enhance the*  
24 *quantity and quality of training offerings, especially*

1        *in the introduction of new, innovative, and pilot*  
2        *model courses.*

3        (b) *TRAINING FLOAT.*—*Not later than 90 days after*  
4        *the date of the enactment of this Act, the Secretary of State*  
5        *shall develop and submit to the appropriate congressional*  
6        *committees a strategy to establish a “training float” to*  
7        *allow for up to 15 percent of the Civil and Foreign Service*  
8        *to participate in long-term training at any given time. The*  
9        *strategy should identify steps necessary to ensure the imple-*  
10       *mentation of the training priorities identified in subsection*  
11       *(c), sufficient training capacity and opportunities are*  
12       *available to Civil and Foreign Service officers, the equitable*  
13       *distribution of long-term training opportunities to Civil*  
14       *and Foreign Service officers, and the provision of any addi-*  
15       *tional resources or authorities necessary to facilitate such*  
16       *a training float, including programs at the George P.*  
17       *Schultz National Foreign Affairs Training Center, the For-*  
18       *ign Service Institute, the Foreign Affairs Security Train-*  
19       *ing Center, and other facilities or programs operated by the*  
20       *Department of State. The strategy shall identify which*  
21       *types of training would be prioritized, the extent (if any)*  
22       *to which such training is already being provided to Civil*  
23       *and Foreign Service officers by the Department of State,*  
24       *any factors incentivizing or disincentivizing such training,*  
25       *and why such training cannot be achieved without Civil*

1 *and Foreign Service officers leaving the workforce. In addi-*  
2 *tion to training opportunities provided by the Department,*  
3 *the strategy shall consider training that could be provided*  
4 *by the other United States Government training institu-*  
5 *tions, as well as nongovernmental educational institutions.*  
6 *The strategy shall consider approaches to overcome dis-*  
7 *incentives to pursuing long-term training.*

8       (c) *PRIORITIZATION.*—*In order to provide the Civil*  
9 *and Foreign Service with the level of education and train-*  
10 *ing needed to effectively advance United States interests*  
11 *across the globe, the Department of State should—*

12               (1) *increase its offerings—*

13                       (A) *of virtual instruction to make training*  
14 *more accessible to personnel deployed throughout*  
15 *the world; or*

16                       (B) *at partner organizations to provide use-*  
17 *ful outside perspectives to Department personnel;*

18               (2) *offer courses utilizing computer-based or as-*  
19 *sisted simulations, allowing civilian officers to lead*  
20 *decisionmaking in a crisis environment; and*

21               (3) *consider increasing the duration and expand-*  
22 *ing the focus of certain training courses, including—*

23                       (A) *the A-100 orientation course for Foreign*  
24 *Service officers, and*

1                   (B) the chief of mission course to more ac-  
2                   curately reflect the significant responsibilities ac-  
3                   companying such role.

4           (d) *OTHER AGENCY RESPONSIBILITIES.*—Other na-  
5           tional security agencies should increase the enrollment of  
6           their personnel in courses at the Foreign Service Institute  
7           and other Department of State training facilities to pro-  
8           mote a whole-of-government approach to mitigating na-  
9           tional security challenges.

10 **SEC. 5109. CLASSIFICATION AND ASSIGNMENT OF FOREIGN**  
11 **SERVICE OFFICERS.**

12           *The Foreign Service Act of 1980 is amended—*

13                   (1) in section 501 (22 U.S.C. 3981), by inserting  
14                   “*If a position designated under this section is unfilled*  
15                   *for more than 365 calendar days, such position may*  
16                   *be filled, as appropriate, on a temporary basis, in ac-*  
17                   *cordance with section 309.*” after “*Positions des-*  
18                   *ignated under this section are excepted from the com-*  
19                   *petitive service.*”; and

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

1 **SEC. 5110. REPORTING ON IMPLEMENTATION OF GAO REC-**  
2 **COMMENDATIONS.**

3 (a) *INITIAL REPORT.*—Not later than 120 days after  
4 the date of the enactment of this Act, the Secretary shall  
5 submit to the appropriate congressional committees a report  
6 that lists all of the Government Accountability Office’s rec-  
7 ommendations relating to the Department that have not  
8 been fully implemented.

9 (b) *IMPLEMENTATION REPORT.*—

10 (1) *IN GENERAL.*—Not later than 120 days after  
11 the date of the submission of the Comptroller Gen-  
12 eral’s report under subsection (b), the Secretary shall  
13 submit to the appropriate congressional committees a  
14 report that describes the implementation status of  
15 each recommendation from the Government Account-  
16 ability Office included in the report submitted under  
17 subsection (a).

18 (2) *JUSTIFICATION.*—The report under para-  
19 graph (1) shall include—

20 (A) a detailed justification for each decision  
21 not to fully implement a recommendation or to  
22 implement a recommendation in a different  
23 manner than specified by the Government Ac-  
24 countability Office;

25 (B) a timeline for the full implementation  
26 of any recommendation the Secretary has de-

1           *cided to adopt, but has not yet fully imple-*  
2           *mented; and*

3                   *(C) an explanation for any discrepancies*  
4           *included in the Comptroller General report sub-*  
5           *mitted under subsection (b).*

6           *(c) FORM.—The information required in each report*  
7           *under this section shall be submitted in unclassified form,*  
8           *to the maximum extent practicable, but may be included*  
9           *in a classified annex to the extent necessary.*

10 **SEC. 5111. EXTENSION OF PERIOD FOR REIMBURSEMENT**  
11                   **OF FISHERMEN FOR COSTS INCURRED FROM**  
12                   **THE ILLEGAL SEIZURE AND DETENTION OF**  
13                   **U.S.-FLAG FISHING VESSELS BY FOREIGN**  
14                   **GOVERNMENTS.**

15           *(a) IN GENERAL.—Subsection (e) of section 7 of the*  
16           *Fishermen’s Protective Act of 1967 (22 U.S.C. 1977) is*  
17           *amended to read as follows:*

18                   *“(e) AMOUNTS.—Payments may be made under this*  
19           *section only to such extent and in such amounts as are pro-*  
20           *vided in advance in appropriation Acts.”.*

21           *(b) RETROACTIVE APPLICABILITY.—*

22                   *(1) EFFECTIVE DATE.—The amendment made by*  
23           *subsection (a) shall take effect on the date of the en-*  
24           *actment of this Act and apply as if the date specified*  
25           *in subsection (e) of section 7 of the Fishermen’s Pro-*



1 *tective Act of 1967, as in effect on the day before the*  
2 *date of the enactment of this Act, were the day after*  
3 *such date of enactment.*

4 (2) *AGREEMENTS AND PAYMENTS.*—*The Sec-*  
5 *retary is authorized to—*

6 (A) *enter into agreements pursuant to sec-*  
7 *tion 7 of the Fishermen’s Protective Act of 1967*  
8 *for any claims to which such section would oth-*  
9 *erwise apply but for the date specified in sub-*  
10 *section (e) of such section, as in effect on the day*  
11 *before the date of the enactment of this Act; and*

12 (B) *make payments in accordance with*  
13 *agreements entered into pursuant to such section*  
14 *if any such payments have not been made as a*  
15 *result of the expiration of the date specified in*  
16 *such section, as in effect on the day before the*  
17 *date of the enactment of this Act.*

18 **SEC. 5112. ART IN EMBASSIES.**

19 (a) *IN GENERAL.*—*No funds are authorized to be ap-*  
20 *propriated for the purchase of any piece of art for the pur-*  
21 *poses of installation or display in any embassy, consulate,*  
22 *or other foreign mission of the United States if the purchase*  
23 *price of such piece of art is in excess of \$37,500, unless*  
24 *such purchase is subject to prior consultation with, and the*

1 *regular notification procedures of, the appropriate congress-*  
2 *sional committees.*

3 (b) *REPORT.*—*Not later than 90 days after the date*  
4 *of the enactment of this Act, the Secretary shall submit to*  
5 *the appropriate congressional committees and the Commit-*  
6 *tees on Appropriations of the Senate and the House of Rep-*  
7 *resentatives a report on the costs of the Art in Embassies*  
8 *Program for each of fiscal years 2016 through 2020.*

9 (c) *SUNSET.*—*This section shall terminate on the date*  
10 *that is 2 years after the date of the enactment of this Act.*

11 (d) *DEFINITION.*—*In this section, the term “art” in-*  
12 *cludes paintings, sculptures, photographs, industrial design,*  
13 *and craft art.*

14 **SEC. 5113. INTERNATIONAL FAIRS AND EXPOSITIONS.**

15 *There is authorized to be appropriated \$20,000,000 for*  
16 *the Department of State for United States participation in*  
17 *international fairs and expositions abroad, including for*  
18 *construction and the operation of United States pavilions*  
19 *or other major exhibits.*

20 **SEC. 5114. AMENDMENT OR REPEAL OF REPORTING RE-**  
21 **QUIREMENTS.**

22 (a) *BURMA.*—

23 (1) *IN GENERAL.*—*Section 570 of Public Law*  
24 *104–208 is amended—*

1                   (A) by amending subsection (c) to read as  
2                   *follows:*

3                   “(c) *MULTILATERAL STRATEGY.—The President shall*  
4 *develop, in coordination with likeminded countries, a com-*  
5 *prehensive, multilateral strategy to—*

6                   “(1) *support democratic governance and inclu-*  
7 *sive and representative civilian government, includ-*  
8 *ing by supporting entities promoting democracy in*  
9 *Burma and denying legitimacy and resources to the*  
10 *military junta;*

11                   “(2) *support organizations that represent the*  
12 *democratic aspirations of the people of Burma in the*  
13 *struggle against the military junta;*

14                   “(3) *impose costs on the military junta;*

15                   “(4) *secure the unconditional release of all polit-*  
16 *ical prisoners in Burma;*

17                   “(5) *promote genuine national reconciliation*  
18 *among Burma’s diverse ethnic and religious groups;*

19                   “(6) *provide humanitarian assistance to inter-*  
20 *nally displaced persons in Burma, particularly in*  
21 *areas targeted by the military junta, and in neigh-*  
22 *boring countries for refugees from Burma;*

23                   “(7) *pursue accountability for atrocities, human*  
24 *rights violations, and crimes against humanity com-*  
25 *mitted by the military junta or the Tatmadaw; and*

1           “(8) counter corrosive malign influence of the  
2     *People’s Republic of China and the Russian Federa-*  
3     *tion in Burma.*”; and

4           (B) in subsection (d)—

5           (i) in the matter preceding paragraph  
6     (1), by striking “six months” and inserting  
7     “year”; and

8           (ii) by striking paragraphs (1) through  
9     (3) and inserting the following new para-  
10    graphs:

11           “(1) progress towards inclusive, democratic gov-  
12    *ernance in Burma;*

13           “(2) improvements in human rights practices  
14    *and accountability for atrocities, human rights viola-*  
15    *tions, and crimes against humanity committed by the*  
16    *Tatmadaw, or military junta of Burma;*

17           “(3) progress toward broad-based and inclusive  
18    *economic growth;*

19           “(4) progress toward genuine national reconcili-  
20    *ation;*

21           “(5) steps taken to impose costs on the military  
22    *junta;*

23           “(6) progress made in advancing the strategy re-  
24    *ferred to in subsection (c); and*

1           “(7) actions by the People’s Republic of China or  
2           the Russian Federation that undermine the sov-  
3           ereignty, stability, or unity of Burma.”.

4           (2) *EFFECTIVE DATE.*—The amendments made  
5           by paragraph (1) shall take effect on the date of the  
6           enactment of this Act and apply with respect to the  
7           first report required under subsection (d) of section  
8           570 of Public Law 104–208 that is required after the  
9           date of the enactment of this Act.

10          (b) *REPEALS.*—The following provisions of law are  
11         *hereby repealed:*

12           (1) Subsection (b) of section 804 of Public Law  
13           101–246.

14           (2) Section 6 of Public Law 104–45.

15           (3) Subsection (c) of section 702 of Public Law  
16           96–465 (22 U.S.C. 4022).

17           (4) Section 404 of the Arms Control and Disar-  
18           mament Act (22 U.S.C. 2593b).

19           (5) Section 5 of Public Law 94–304 (22 U.S.C.  
20           3005).

21           (6) Subsection (b) of section 502 of the Inter-  
22           national Security and Development Cooperation Act  
23           of 1985 (22 U.S.C. 2349aa–7).

24          (c) *REPORT TO CONGRESS.*—Not later than 180 days  
25         after the date of the enactment of this Act, the Secretary

1 *of State and the Administrator of the United States Agency*  
2 *for International Development shall submit to the appro-*  
3 *priate congressional committees a report that includes each*  
4 *of the following:*

5           (1) *A list of all reports described in subsection*  
6           *(d) required to be submitted by their respective agen-*  
7           *cy.*

8           (2) *For each such report, a citation to the provi-*  
9           *sion of law under which the report is required to be*  
10          *submitted.*

11          (3) *The reporting frequency of each such report.*

12          (4) *The estimated cost of each report, to include*  
13          *personnel time costs.*

14          (d) *COVERED REPORTS.*—*A report described in this*  
15          *subsection is a recurring report that is required to be sub-*  
16          *mitted to Congress by the Department of State or the*  
17          *United States Agency for International Development, or by*  
18          *any officer, official, component, or element of each entity.*

19          (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
20          *FINED.*—*In this section, the term “appropriate congres-*  
21          *sional committees” means the Committee on Foreign Rela-*  
22          *tions of the Senate and the Committee on Foreign Affairs*  
23          *of the House of Representatives and the Committees on Ap-*  
24          *propriations of the Senate and the House of Representa-*  
25          *tives.*

1                                   **TITLE LII—EMBASSY**  
 2                                   **CONSTRUCTION**

- Sec. 5201. Embassy security, construction, and maintenance.*  
*Sec. 5202. Standard design in capital construction.*  
*Sec. 5203. Capital construction transparency.*  
*Sec. 5204. Contractor performance information.*  
*Sec. 5205. Growth projections for new embassies and consulates.*  
*Sec. 5206. Long-range planning process.*  
*Sec. 5207. Value engineering and risk assessment.*  
*Sec. 5208. Business volume.*  
*Sec. 5209. Embassy security requests and deficiencies.*  
*Sec. 5210. Overseas security briefings.*  
*Sec. 5211. Contracting methods in capital construction.*  
*Sec. 5212. Competition in embassy construction.*  
*Sec. 5213. Statement of policy.*  
*Sec. 5214. Definitions.*

3   **SEC. 5201. EMBASSY SECURITY, CONSTRUCTION, AND MAIN-**  
 4                                   **TENANCE.**

5           *For “Embassy Security, Construction, and Mainte-*  
 6 *nance”, there is authorized to be appropriated*  
 7 *\$1,983,149,000 for fiscal year 2022.*

8   **SEC. 5202. STANDARD DESIGN IN CAPITAL CONSTRUCTION.**

9           *(a) SENSE OF CONGRESS.—It is the sense of Congress*  
 10 *that the Department’s Bureau of Overseas Building Oper-*  
 11 *ations (OBO) or successor office should give appropriate*  
 12 *consideration to standardization in construction, in which*  
 13 *each new United States embassy and consulate starts with*  
 14 *a standard design and keeps customization to a minimum.*

15           *(b) CONSULTATION.—The Secretary shall carry out*  
 16 *any new United States embassy compound or new consulate*  
 17 *compound project that utilizes a non-standard design, in-*  
 18 *cluding those projects that are in the design or pre-design*

1 *phase as of the date of the enactment of this Act, only in*  
2 *consultation with the appropriate congressional committees*  
3 *and the Committees on Appropriations of the Senate and*  
4 *the House of Representatives. The Secretary shall provide*  
5 *the appropriate congressional committees and the Commit-*  
6 *tees on Appropriations of the Senate and the House of Rep-*  
7 *resentatives, for each such project, the following documenta-*  
8 *tion:*

9           (1) *A comparison of the estimated full lifecycle*  
10 *costs of the project to the estimated full lifecycle costs*  
11 *of such project if it were to use a standard design.*

12           (2) *A comparison of the estimated completion*  
13 *date of such project to the estimated completion date*  
14 *of such project if it were to use a standard design.*

15           (3) *A comparison of the security of the completed*  
16 *project to the security of such completed project if it*  
17 *were to use a standard design.*

18           (4) *A justification for the Secretary's selection of*  
19 *a non-standard design over a standard design for*  
20 *such project.*

21           (5) *A written explanation if any of the docu-*  
22 *mentation necessary to support the comparisons and*  
23 *justification, as the case may be, described in para-*  
24 *graphs (1) through (4) cannot be provided.*



1       (c) *SUNSET.*—*The consultation requirement under*  
2 *subsection (b) shall expire on the date that is 4 years after*  
3 *the date of the enactment of this Act.*

4 **SEC. 5203. CAPITAL CONSTRUCTION TRANSPARENCY.**

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

8           (1) *in the section heading , by striking “AN-*  
9 ***N*** ***A*** ***L*** ***R*** ***E*** ***P*** ***O*** ***R*** ***T*** ***O*** ***N*** ***E*** ***M*** ***B*** ***A*** ***S*** ***S*** ***Y*** ***C*** ***O*** ***N*** ***S*** ***T*** ***R*** ***E*** ***C*** ***T*** ***I*** ***O*** ***N***  
10 ***C*** ***O*** ***S*** ***T*** ***S***” and inserting “***BI*** ***A*** ***N*** ***N*** ***U*** ***A*** ***L*** ***R*** ***E*** ***P*** ***O*** ***R*** ***T*** ***O*** ***N***  
11 ***O*** ***V*** ***E*** ***R*** ***S*** ***E*** ***A*** ***S***       ***C*** ***A*** ***P*** ***I*** ***T*** ***A*** ***L*** ***C*** ***O*** ***N*** ***S*** ***T*** ***R*** ***E*** ***C*** ***T*** ***I*** ***O*** ***N***  
12 ***P*** ***R*** ***O*** ***J*** ***E*** ***C*** ***T*** ***S***”; and

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

15       “(a) *IN GENERAL.*—*Not later than 180 days after the*  
16 *date of the enactment of this subsection and every 180 days*  
17 *thereafter until the date that is 4 years after such date of*  
18 *enactment, the Secretary shall submit to the appropriate*  
19 *congressional committees and the Committees on Appro-*  
20 *priations of the Senate and the House of Representatives*  
21 *a comprehensive report regarding all ongoing overseas cap-*  
22 *ital construction projects and major embassy security up-*  
23 *grade projects.*

24       “(b) *CONTENTS.*—*Each report required under sub-*  
25 *section (a) shall include the following with respect to each*

1 *ongoing overseas capital construction project and major em-*  
2 *bassy security upgrade project:*

3           “(1) *The initial cost estimate as specified in the*  
4 *proposed allocation of capital construction and main-*  
5 *tenance funds required by the Committees on Appro-*  
6 *priations for Acts making appropriations for the De-*  
7 *partment of State, foreign operations, and related*  
8 *programs.*

9           “(2) *The current cost estimate.*

10           “(3) *The value of each request for equitable ad-*  
11 *justment received by the Department to date.*

12           “(4) *The value of each certified claim received by*  
13 *the Department to date.*

14           “(5) *The value of any usage of the project’s con-*  
15 *tingency fund to date and the value of the remainder*  
16 *of the project’s contingency fund.*

17           “(6) *An enumerated list of each request for ad-*  
18 *justment and certified claim that remains out-*  
19 *standing or unresolved.*

20           “(7) *An enumerated list of each request for equi-*  
21 *table adjustment and certified claim that has been*  
22 *fully adjudicated or that the Department has settled,*  
23 *and the final dollar amount of each adjudication or*  
24 *settlement.*

1           “(8) *The date of estimated completion specified*  
2           *in the proposed allocation of capital construction and*  
3           *maintenance funds required by the Committees on*  
4           *Appropriations not later than 45 days after the date*  
5           *of the enactment of an Act making appropriations for*  
6           *the Department of State, foreign operations, and re-*  
7           *lated programs.*

8           “(9) *The current date of estimated completion.*”.

9           (b) *CLERICAL AMENDMENT.*—*The table of contents in*  
10 *section 1(b) of the Department of State Authorities Act, Fis-*  
11 *cal Year 2017 (Public Law 114–323; 130 Stat. 1905) is*  
12 *amended by amending the item relating to section 118 to*  
13 *read as follows:*

          “*Sec. 118. Biannual report on overseas capital construction projects.*”.

14 **SEC. 5204. CONTRACTOR PERFORMANCE INFORMATION.**

15           (a) *DEADLINE FOR COMPLETION.*—*The Secretary shall*  
16 *complete all contractor performance evaluations out-*  
17 *standing as of the date of the enactment of this Act required*  
18 *by subpart 42.15 of the Federal Acquisition Regulation for*  
19 *those contractors engaged in construction of new embassy*  
20 *or new consulate compounds by April 1, 2022.*

21           (b) *PRIORITIZATION SYSTEM.*—

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

1        *current backlog of required evaluations referred to in*  
2        *subsection (a).*

3            (2) *ELEMENTS.—The system required under*  
4        *paragraph (1) should prioritize the evaluations as fol-*  
5        *lows:*

6            (A) *Project completion evaluations should be*  
7        *prioritized over annual evaluations.*

8            (B) *Evaluations for relatively large con-*  
9        *tracts should have priority.*

10          (C) *Evaluations that would be particularly*  
11        *informative for the awarding of government con-*  
12        *tracts should have priority.*

13          (c) *BRIEFING.—Not later than 90 days after the date*  
14        *of the enactment of this Act, the Secretary of State shall*  
15        *brief the appropriate congressional committees on the De-*  
16        *partment’s plan for completing all evaluations by April 1,*  
17        *2022, in accordance with subsection (a) and the*  
18        *prioritization system developed pursuant to subsection (b).*

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

21            (1) *contractors deciding whether to bid on De-*  
22        *partment contracts would benefit from greater under-*  
23        *standing of the Department as a client; and*

1           (2) *the Department should develop a forum*  
2           *where contractors can comment on the Department's*  
3           *project management performance.*

4 **SEC. 5205. GROWTH PROJECTIONS FOR NEW EMBASSIES**  
5           **AND CONSULATES.**

6           (a) *IN GENERAL.—For each new United States em-*  
7           *bassy compound (NEC) and new consulate compound*  
8           *project (NCC) in or not yet in the design phase as of the*  
9           *date of the enactment of this Act, the Department shall*  
10          *project growth over the estimated life of the facility using*  
11          *all available and relevant data, including the following:*

12           (1) *Relevant historical trends for Department*  
13          *personnel and personnel from other agencies rep-*  
14          *resented at the NEC or NCC that is to be constructed.*

15           (2) *An analysis of the tradeoffs between risk and*  
16          *the needs of United States Government policy con-*  
17          *ducted as part of the most recent Vital Presence Vali-*  
18          *dation Process, if applicable.*

19           (3) *Reasonable assumptions about the strategic*  
20          *importance of the NEC or NCC, as the case may be,*  
21          *over the life of the building at issue.*

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

24           (b) *OTHER FEDERAL AGENCIES.—The head of each*  
25          *Federal agency represented at a United States embassy or*

1 consulate shall provide to the Secretary, upon request,  
2 growth projections for the personnel of each such agency  
3 over the estimated life of each embassy or consulate, as the  
4 case may be.

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

8 (d) *CONGRESSIONAL NOTIFICATION.*—Any congres-  
9 sional notification of site selection for a NEC or NCC sub-  
10 mitted after the date of the enactment of this Act shall in-  
11 clude the growth assumption used pursuant to subsection  
12 (c).

13 **SEC. 5206. LONG-RANGE PLANNING PROCESS.**

14 (a) *PLANS REQUIRED.*—

15 (1) *IN GENERAL.*—Not later than 180 days after  
16 the date of the enactment of this Act, and annually  
17 thereafter for the next five years as the Secretary of  
18 State considers appropriate, the Secretary shall de-  
19 velop—

20 (A) a comprehensive 6-year plan docu-  
21 menting the Department's overseas building pro-  
22 gram for the replacement of overseas diplomatic  
23 posts taking into account security factors under  
24 the Secure Embassy Construction and Counter-  
25 terrorism Act of 1999 and other relevant statutes

1           *and regulations, as well as occupational safety*  
2           *and health factors pursuant to the Occupational*  
3           *Safety and Health Act of 1970 and other rel-*  
4           *evant statutes and regulations, including envi-*  
5           *ronmental factors such as indoor air quality that*  
6           *impact employee health and safety; and*

7           *(B) a comprehensive 6-year plan detailing*  
8           *the Department's long-term planning for the*  
9           *maintenance and sustainment of completed dip-*  
10          *lomatic posts, which takes into account security*  
11          *factors under the Secure Embassy Construction*  
12          *and Counterterrorism Act of 1999 and other rel-*  
13          *evant statutes and regulations, as well as occu-*  
14          *pational safety and health factors pursuant to*  
15          *the Occupational Safety and Health Act of 1970*  
16          *and other relevant statutes and regulations, in-*  
17          *cluding environmental factors such as indoor air*  
18          *quality that impact employee health and safety.*

19          *(2) INITIAL REPORT.—The first plan developed*  
20          *pursuant to paragraph (1)(A) shall also include a*  
21          *one-time status report on existing small diplomatic*  
22          *posts and a strategy for establishing a physical diplo-*  
23          *matic presence in countries in which there is no cur-*  
24          *rent physical diplomatic presence and with which the*  
25          *United States maintains diplomatic relations. Such*

1        *report, which may include a classified annex, shall*  
2        *include the following:*

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

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

11               *(C) A description of whether each small*  
12               *diplomatic post meets current security require-*  
13               *ments.*

14               *(D) A description of the full financial cost*  
15               *of maintaining each small diplomatic post.*

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

19               *(F) A recommendation of whether any small*  
20               *diplomatic posts should be closed.*

21               *(3) UPDATED INFORMATION.—The annual up-*  
22               *dates of each of the plans developed pursuant to para-*  
23               *graph (1) shall highlight any changes from the pre-*  
24               *vious year's plan to the ordering of construction and*  
25               *maintenance projects.*



1       **(b) REPORTING REQUIREMENTS.—**

2               **(1) SUBMISSION OF PLANS TO CONGRESS.—***Not*  
3       *later than 60 days after the completion of each plan*  
4       *required under subsection (a), the Secretary shall sub-*  
5       *mit the plans to the appropriate congressional com-*  
6       *mittees and the Committees on Appropriations of the*  
7       *Senate and the House of Representatives.*

8               **(2) REFERENCE IN BUDGET JUSTIFICATION MA-**  
9       **TERIALS.—***In the budget justification materials sub-*  
10       *mitted to the appropriate congressional committees in*  
11       *support of the Department’s budget for any fiscal*  
12       *year (as submitted with the budget of the President*  
13       *under section 1105(a) of title 31, United States Code),*  
14       *the plans required under subsection (a) shall be ref-*  
15       *erenced to justify funding requested for building and*  
16       *maintenance projects overseas.*

17               **(3) FORM OF REPORT.—***Each report required*  
18       *under paragraph (1) shall be submitted in unclassi-*  
19       *fied form but may include a classified annex.*

20               **(c) SMALL DIPLOMATIC POST DEFINED.—***In this sec-*  
21       *tion, the term “small diplomatic post” means any United*  
22       *States embassy or consulate that has employed five or fewer*  
23       *United States Government employees or contractors on av-*  
24       *erage over the 36 months prior to the date of the enactment*  
25       *of this Act.*

1 **SEC. 5207. VALUE ENGINEERING AND RISK ASSESSMENT.**

2 (a) *FINDINGS.*—Congress makes the following findings:

3 (1) *Federal departments and agencies are re-*  
4 *quired to use value engineering (VE) as a manage-*  
5 *ment tool, where appropriate, to reduce program and*  
6 *acquisition costs pursuant to OMB Circular A–131,*  
7 *Value Engineering, dated December 31, 2013.*

8 (2) *OBO has a Policy Directive and Standard*  
9 *Operation Procedure, dated May 24, 2017, on con-*  
10 *ducting risk management studies on all international*  
11 *construction projects.*

12 (b) *NOTIFICATION REQUIREMENTS.*—

13 (1) *SUBMISSION TO AUTHORIZING COMMIT-*  
14 *TEES.*—Any notification that includes the allocation  
15 of capital construction and maintenance funds shall  
16 be submitted to the appropriate congressional commit-  
17 tees.

18 (2) *REQUIREMENT TO CONFIRM COMPLETION OF*  
19 *VALUE ENGINEERING AND RISK ASSESSMENT STUD-*  
20 *IES.*—The notifications required under paragraph (1)  
21 shall include confirmation that the Department has  
22 completed the requisite VE and risk management  
23 process described in subsection (a), or applicable suc-  
24 cessor process.

1       (c) *REPORTING AND BRIEFING REQUIREMENTS.*—The  
2 Secretary shall provide to the appropriate congressional  
3 committees upon request—

4           (1) a description of each risk management study  
5 referred to in subsection (a)(2) and a table detailing  
6 which recommendations related to each such study  
7 were accepted and which were rejected; and

8           (2) a report or briefing detailing the rationale  
9 for not implementing any such recommendations that  
10 may otherwise yield significant cost savings to the  
11 Department if implemented.

12 **SEC. 5208. BUSINESS VOLUME.**

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

17 **SEC. 5209. EMBASSY SECURITY REQUESTS AND DEFICIENCIES.**

18       The Secretary of State shall provide to the appropriate  
19 congressional committees, the Committee on Armed Services  
20 of the House of Representatives, and the Committee on  
21 Armed Services of the Senate upon request information on  
22 physical security deficiencies at United States diplomatic  
23 posts, including relating to the following:  
24

1           (1) *Requests made over the previous year by*  
2           *United States diplomatic posts for security upgrades.*

3           (2) *Significant security deficiencies at United*  
4           *States diplomatic posts that are not operating out of*  
5           *a new embassy compound or new consulate com-*  
6           *pound.*

7   **SEC. 5210. OVERSEAS SECURITY BRIEFINGS.**

8           *Not later than one year after the date of the enactment*  
9           *of this Act, the Secretary of State shall revise the Foreign*  
10          *Affairs Manual to stipulate that information on the current*  
11          *threat environment shall be provided to all United States*  
12          *Government employees under chief of mission authority*  
13          *traveling to a foreign country on official business. To the*  
14          *extent practicable, such material shall be provided to such*  
15          *employees prior to their arrival at a United States diplo-*  
16          *matic post or as soon as possible thereafter.*

17   **SEC. 5211. CONTRACTING METHODS IN CAPITAL CON-**  
18                            **STRUCTION.**

19          (a) *DELIVERY.*—*Unless the Secretary of State notifies*  
20          *the appropriate congressional committees that the use of the*  
21          *design-build project delivery method would not be appro-*  
22          *priate, the Secretary shall make use of such method at*  
23          *United States diplomatic posts that have not yet received*  
24          *design or capital construction contracts as of the date of*  
25          *the enactment of this Act.*

1           (b) *NOTIFICATION.*—*Before executing a contract for a*  
2 *delivery method other than design-build in accordance with*  
3 *subsection (a), the Secretary of State shall notify the appro-*  
4 *priate congressional committees in writing of the decision,*  
5 *including the reasons therefor. The notification required by*  
6 *this subsection may be included in any other report regard-*  
7 *ing a new United States diplomatic post that is required*  
8 *to be submitted to the appropriate congressional commit-*  
9 *tees.*

10           (c) *PERFORMANCE EVALUATION.*—*Not later than 180*  
11 *days after the date of the enactment of this Act, the Sec-*  
12 *retary of State shall report to the appropriate congressional*  
13 *committees regarding performance evaluation measures in*  
14 *accordance with GAO’s “Standards for Internal Control in*  
15 *the Federal Government” that will be applicable to design*  
16 *and construction, lifecycle cost, and building maintenance*  
17 *programs of the Bureau of Overseas Building Operations*  
18 *of the Department.*

19 **SEC. 5212. COMPETITION IN EMBASSY CONSTRUCTION.**

20           *Not later than 45 days after the date of the enactment*  
21 *of this Act, the Secretary of State shall submit to the appro-*  
22 *priate congressional committee and the Committees on Ap-*  
23 *propriations of the Senate and the House of Representatives*  
24 *a report detailing steps the Department of State is taking*

1 *to expand the embassy construction contractor base in order*  
2 *to increase competition and maximize value.*

3 **SEC. 5213. STATEMENT OF POLICY.**

4 *It is the policy of the United States that the Bureau*  
5 *of Overseas Building Operations of the Department or its*  
6 *successor office shall continue to balance functionality and*  
7 *security with accessibility, as defined by guidelines estab-*  
8 *lished by the United States Access Board in constructing*  
9 *embassies and consulates, and shall ensure compliance with*  
10 *the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et*  
11 *seq.) to the fullest extent possible.*

12 **SEC. 5214. DEFINITIONS.**

13 *In this title:*

14 (1) *DESIGN-BUILD.*—*The term “design-build”*  
15 *means a method of project delivery in which one enti-*  
16 *ty works under a single contract with the Department*  
17 *to provide design and construction services.*

18 (2) *NON-STANDARD DESIGN.*—*The term “non-*  
19 *standard design” means a design for a new embassy*  
20 *compound project or new consulate compound project*  
21 *that does not utilize a standardized design for the*  
22 *structural, spatial, or security requirements of such*  
23 *embassy compound or consulate compound, as the*  
24 *case may be.*

# 1 **TITLE LIII—PERSONNEL ISSUES**

- Sec. 5301. Defense Base Act insurance waivers.*  
*Sec. 5302. Study on Foreign Service allowances.*  
*Sec. 5303. Science and technology fellowships.*  
*Sec. 5304. Travel for separated families.*  
*Sec. 5305. Home leave travel for separated families.*  
*Sec. 5306. Sense of Congress regarding certain fellowship programs.*  
*Sec. 5307. Technical correction.*  
*Sec. 5308. Foreign Service awards.*  
*Sec. 5309. Workforce actions.*  
*Sec. 5310. Sense of Congress regarding veterans employment at the Department of State.*  
*Sec. 5311. Employee assignment restrictions and preclusions.*  
*Sec. 5312. Recall and reemployment of career members.*  
*Sec. 5313. Strategic staffing plan for the Department of State.*  
*Sec. 5314. Consulting services.*  
*Sec. 5315. Incentives for critical posts.*  
*Sec. 5316. Extension of authority for certain accountability review boards.*  
*Sec. 5317. Foreign Service suspension without pay.*  
*Sec. 5318. Foreign Affairs Manual and Foreign Affairs Handbook changes.*  
*Sec. 5319. Waiver authority for individual occupational requirements of certain positions.*  
*Sec. 5320. Appointment of employees to the Global Engagement Center.*  
*Sec. 5321. Competitive status for certain employees hired by Inspectors General to support the lead IG mission.*  
*Sec. 5322. Report relating to Foreign Service Officer training and development.*  
*Sec. 5323. Cooperation with Office of the Inspector General.*  
*Sec. 5324. Information on educational opportunities for children with special education needs consistent with the Individuals with Disabilities Education Act.*  
*Sec. 5325. Implementation of gap memorandum in selection board process.*

## 2 **SEC. 5301. DEFENSE BASE ACT INSURANCE WAIVERS.**

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

10       (b) *CERTIFICATION REQUIREMENT.*—Not later than 45  
11 *days after the date of the enactment of this Act, the Sec-*

1 *retary shall certify to the appropriate congressional com-*  
2 *mittees that the requirement in subsection (a) has been met.*

3 **SEC. 5302. STUDY ON FOREIGN SERVICE ALLOWANCES.**

4 *(a) REPORT REQUIRED.—*

5 *(1) IN GENERAL.—Not later than one year after*  
6 *date of the enactment of this Act, the Secretary shall*  
7 *submit to the appropriate congressional committees a*  
8 *report detailing an empirical analysis on the effect of*  
9 *overseas allowances on the foreign assignment of For-*  
10 *oreign Service officers (FSOs), to be conducted by a fed-*  
11 *erally-funded research and development center with*  
12 *appropriate expertise in labor economics and mili-*  
13 *tary compensation.*

14 *(2) CONTENTS.—The analysis required under*  
15 *paragraph (1) shall—*

16 *(A) identify all allowances paid to FSOs*  
17 *assigned permanently or on temporary duty to*  
18 *foreign areas;*

19 *(B) examine the efficiency of the Foreign*  
20 *Service bidding system in determining foreign*  
21 *assignments;*

22 *(C) examine the factors that incentivize*  
23 *FSOs to bid on particular assignments, includ-*  
24 *ing danger levels and hardship conditions;*



1           (D) examine the Department's strategy and  
2 process for incentivizing FSOs to bid on assign-  
3 ments that are historically in lower demand, in-  
4 cluding with monetary compensation, and  
5 whether monetary compensation is necessary for  
6 assignments in higher demand;

7           (E) make any relevant comparisons to mili-  
8 tary compensation and allowances, noting which  
9 allowances are shared or based on the same regu-  
10 lations;

11           (F) recommend options for restructuring al-  
12 lowances to improve the efficiency of the assign-  
13 ments system and better align FSO incentives  
14 with the needs of the Foreign Service, including  
15 any cost savings associated with such restruc-  
16 turing;

17           (G) recommend any statutory changes nec-  
18 essary to implement subparagraph (F), such as  
19 consolidating existing legal authorities for the  
20 provision of hardship and danger pay; and

21           (H) detail any effects of recommendations  
22 made pursuant to subparagraphs (F) and (G) on  
23 other United States Government departments  
24 and agencies with civilian employees perma-  
25 nently assigned or on temporary duty in foreign

1           *areas, following consultation with such depart-*  
2           *ments and agencies.*

3           *(b) BRIEFING REQUIREMENT.—Before initiating the*  
4           *analysis required under subsection (a)(1), and not later*  
5           *than 60 days after the date of the enactment of this Act,*  
6           *the Secretary shall provide to the appropriate congressional*  
7           *committees a briefing on the implementation of this section*  
8           *that includes the following:*

9                   *(1) The name of the federally funded research*  
10                  *and development center that will conduct such anal-*  
11                  *ysis.*

12                   *(2) The scope of such analysis and terms of ref-*  
13                  *erence for such analysis as specified between the De-*  
14                  *partment and such federally funded research and de-*  
15                  *velopment center.*

16           *(c) AVAILABILITY OF INFORMATION.—*

17                   *(1) IN GENERAL.—The Secretary shall make*  
18                  *available to the federally-funded research and develop-*  
19                  *ment center carrying out the analysis required under*  
20                  *subsection (a)(1) all necessary and relevant informa-*  
21                  *tion to allow such center to conduct such analysis in*  
22                  *a quantitative and analytical manner, including his-*  
23                  *torical data on the number of bids for each foreign as-*  
24                  *signment and any survey data collected by the De-*

1        *partment from eligible bidders on their bid decision-*  
2        *making.*

3            (2) *COOPERATION.*—*The Secretary shall work*  
4        *with the heads of other relevant United States Gov-*  
5        *ernment departments and agencies to ensure such de-*  
6        *partments and agencies provide all necessary and rel-*  
7        *evant information to the federally-funded research*  
8        *and development center carrying out the analysis re-*  
9        *quired under subsection (a)(1).*

10          (d) *INTERIM REPORT TO CONGRESS.*—*The Secretary*  
11        *shall require that the chief executive officer of the federally-*  
12        *funded research and development center that carries out the*  
13        *analysis required under subsection (a)(1) submit to the*  
14        *Committee on Foreign Relations of the Senate and the Com-*  
15        *mittee on Foreign Affairs of the House of Representatives*  
16        *an interim report on such analysis not later than 180 days*  
17        *after the date of the enactment of this Act.*

18        **SEC. 5303. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

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

22          “(e) *GRANTS AND COOPERATIVE AGREEMENTS RE-*  
23        *LATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP PRO-*  
24        *GRAMS.*—

1           “(1) *IN GENERAL.*—*The Secretary is authorized*  
2           *to make grants or enter into cooperative agreements*  
3           *related to Department of State science and technology*  
4           *fellowship programs, including for assistance in re-*  
5           *cruiting fellows and the payment of stipends, travel,*  
6           *and other appropriate expenses to fellows.*

7           “(2) *EXCLUSION FROM CONSIDERATION AS COM-*  
8           *PENSATION.*—*Stipends under paragraph (1) shall not*  
9           *be considered compensation for purposes of section*  
10          *209 of title 18, United States Code.*

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

14   **SEC. 5304. TRAVEL FOR SEPARATED FAMILIES.**

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

17                 (1) *in the matter preceding subparagraph (A),*  
18                 *by striking “1 round-trip per year for each child*  
19                 *below age 21 of a member of the Service assigned*  
20                 *abroad” and inserting “in the case of one or more*  
21                 *children below age 21 of a member of the Service as-*  
22                 *signed abroad, 1 round-trip per year”;*

23                 (2) *in subparagraph (A)—*

24                         (A) *by inserting “for each child” before “to*  
25                         *visit the member abroad”;* and

1           (B) by striking “; or” and inserting a  
2           comma;

3           (3) in subparagraph (B)—

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

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

7           (4) by inserting after subparagraph (B) the fol-  
8           lowing new subparagraph:

9                 “(C) for one of the child’s parents to visit  
10                 the child or children abroad if the child or chil-  
11                 dren do not regularly reside with that parent  
12                 and that parent is not receiving an education al-  
13                 lowance or educational travel allowance for the  
14                 child or children under section 5924(4) of title 5,  
15                 United States Code,”; and

16           (5) in the matter following subparagraph (C), as  
17           added by paragraph (4) of this section, by striking “a  
18           payment” and inserting “the cost of round-trip trav-  
19           el”.

20 **SEC. 5305. HOME LEAVE TRAVEL FOR SEPARATED FAMI-**  
21 **LIES.**

22           Section 903(b) of the Foreign Service Act of 1980 (22  
23 U.S.C. 4083(b)) is amended by adding at the end the fol-  
24 lowing new sentence: “In cases in which a member of the  
25 Service has official orders to an unaccompanied post and

1 *in which the family members of the member reside apart*  
2 *from the member at authorized locations outside the United*  
3 *States, the member may take the leave ordered under this*  
4 *section where that member’s family members reside, not-*  
5 *withstanding section 10305 of title 5, United States Code.”.*

6 **SEC. 5306. SENSE OF CONGRESS REGARDING CERTAIN FEL-**  
7 **LOWSHIP PROGRAMS.**

8 *It is the sense of Congress that Department fellowships*  
9 *that promote the employment of candidates belonging to*  
10 *under-represented groups, including the Charles B. Rangel*  
11 *International Affairs Graduate Fellowship Program, the*  
12 *Thomas R. Pickering Foreign Affairs Fellowship Program,*  
13 *and the Donald M. Payne International Development Fel-*  
14 *lowship Program, represent smart investments vital for*  
15 *building a strong, capable, and representative national se-*  
16 *curity workforce.*

17 **SEC. 5307. TECHNICAL CORRECTION.**

18 *Subparagraph (A) of section 601(c)(6) of the Foreign*  
19 *Service Act of 1980 (22 U.S.C. 4001(c)(6)) is amended, in*  
20 *the matter preceding clause (i), by—*

21 *(1) striking “promotion” and inserting “pro-*  
22 *motion, on or after January 1, 2017,”; and*

23 *(2) striking “individual joining the Service on*  
24 *or after January 1, 2017,” and inserting “Foreign*  
25 *Service officer, appointed under section 302(a)(1),*

1        *who has general responsibility for carrying out the*  
2        *functions of the Service”.*

3        **SEC. 5308. FOREIGN SERVICE AWARDS.**

4        (a) *IN GENERAL.*—Section 614 of the Foreign Service  
5        Act of 1980 (22 U.S.C. 4013) is amended—

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

8                (2) *in the first sentence, by inserting “or Civil*  
9        *Service” after “the Service”.*

10        (b) *CONFORMING AMENDMENT.*—The item relating to  
11        section 614 in the table of contents of the Foreign Service  
12        Act of 1980 is amended to read as follows:

      “Sec. 614. Department awards.”.

13        **SEC. 5309. WORKFORCE ACTIONS.**

14        (a) *SENSE OF CONGRESS ON WORKFORCE RECRUIT-*  
15        *MENT.*—It is the sense of Congress that the Secretary should  
16        continue to hold entry-level classes for Foreign Service offi-  
17        cers and specialists and continue to recruit civil servants  
18        through programs such as the Presidential Management  
19        Fellows Program and Pathways Internship Programs in a  
20        manner and at a frequency consistent with prior years and  
21        consistent with the need to maintain a pool of experienced  
22        personnel effectively distributed across skill codes and  
23        ranks. It is further the sense of Congress that absent contin-  
24        uous recruitment and training of Foreign Service officers

1 *and civil servants, the Department will lack experienced,*  
2 *qualified personnel in the short, medium, and long terms.*

3 (b) *LIMITATION.—The Secretary should not implement*  
4 *any reduction-in-force action under section 3502 or 3595*  
5 *of title 5, United States Code, or for any incentive pay-*  
6 *ments for early separation or retirement under any other*  
7 *provision of law unless—*

8 (1) *the appropriate congressional committees are*  
9 *notified not less than 15 days in advance of such obli-*  
10 *gation or expenditure; and*

11 (2) *the Secretary has provided to the appropriate*  
12 *congressional committees a detailed report that de-*  
13 *scribes the Department’s strategic staffing goals, in-*  
14 *cluding—*

15 (A) *a justification that describes how any*  
16 *proposed workforce reduction enhances the effec-*  
17 *tiveness of the Department;*

18 (B) *a certification that such workforce re-*  
19 *duction is in the national interest of the United*  
20 *States;*

21 (C) *a comprehensive strategic staffing plan*  
22 *for the Department, including 5-year workforce*  
23 *forecasting and a description of the anticipated*  
24 *impact of any proposed workforce reduction; and*



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

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

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

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

11           (iv) employees hired under schedule C  
12 of subpart C of part 213 of title 5, Code of  
13 Federal Regulations, including their equiva-  
14 lent grade and job skill code and bureau of  
15 assignment.

16 **SEC. 5310. SENSE OF CONGRESS REGARDING VETERANS**  
17 **EMPLOYMENT AT THE DEPARTMENT OF**  
18 **STATE.**

19 *It is the sense of Congress that—*

20           (1) the Department should continue to promote  
21 the employment of veterans, in accordance with sec-  
22 tion 301 of the Foreign Service Act of 1980 (22  
23 U.S.C. 3941), as amended by section 10406 of this  
24 Act, including those veterans belonging to tradition-  
25 ally underrepresented groups at the Department;

1           (2) *veterans employed by the Department have*  
2           *made significant contributions to United States for-*  
3           *oreign policy in a variety of regional and global affairs*  
4           *bureaus and diplomatic posts overseas; and*

5           (3) *the Department should continue to encourage*  
6           *veteran employment and facilitate their participation*  
7           *in the workforce.*

8   **SEC. 5311. EMPLOYEE ASSIGNMENT RESTRICTIONS AND**  
9   **PRECLUSIONS.**

10          (a) *SENSE OF CONGRESS.—It is the sense of Congress*  
11          *that the Department should expand the appeal process it*  
12          *makes available to employees related to assignment*  
13          *preclusions and restrictions.*

14          (b) *APPEAL OF ASSIGNMENT RESTRICTION OR PRE-*  
15          *CLUSION.—Subsection (a) of section 414 of the Department*  
16          *of State Authorities Act, Fiscal Year 2017 (22 U.S.C.*  
17          *2734c(a)) is amended by adding at the end the following*  
18          *new sentences: “Such right and process shall ensure that*  
19          *any employee subjected to an assignment restriction or pre-*  
20          *clusion shall have the same appeal rights as provided by*  
21          *the Department regarding denial or revocation of a security*  
22          *clearance. Any such appeal shall be resolved not later than*  
23          *60 days after such appeal is filed.”.*

24          (c) *NOTICE AND CERTIFICATION.—Not later than 90*  
25          *days after the date of the enactment of this Act, the Sec-*

1 *retary shall revise, and certify to the appropriate congres-*  
2 *sional committees regarding such revision, the Foreign Af-*  
3 *fairs Manual guidance regarding denial or revocation of a*  
4 *security clearance to expressly state that all review and ap-*  
5 *peal rights relating thereto shall also apply to any rec-*  
6 *ommendation or decision to impose an assignment restric-*  
7 *tion or preclusion to an employee.*

8       *(d) ANNUAL REPORT.—Not later than 90 days after*  
9 *the date of the enactment of this Act, and annually there-*  
10 *after, the Secretary of State shall submit to the Committee*  
11 *on Foreign Affairs and the Committee on Appropriations*  
12 *of the House of Representatives and the Committee on For-*  
13 *ign Relations and the Committee on Appropriations of the*  
14 *Senate a report that contains the following:*

15           *(1) A rationale for the use of assignment restric-*  
16 *tions by the Department of State, including specific*  
17 *case studies related to cleared United States Foreign*  
18 *Service and civil service employees of the Department*  
19 *that demonstrate country-specific restrictions serve a*  
20 *counterintelligence role beyond that which is already*  
21 *covered by the security clearance process.*

22           *(2) The number of such Department employees*  
23 *subject to assignment restrictions over the previous*  
24 *year, with data disaggregated by—*

1           (A) *identification as a Foreign Service offi-*  
2           *cer, civil service employee, eligible family mem-*  
3           *ber, or other employment status;*

4           (B) *the ethnicity, national origin, and race*  
5           *of the precluded employee;*

6           (C) *gender; and*

7           (D) *the country of restriction.*

8           (3) *A description of the considerations and cri-*  
9           *teria used by the Bureau of Diplomatic Security to*  
10           *determine whether an assignment restriction is war-*  
11           *ranted.*

12           (4) *The number of restrictions that were ap-*  
13           *pealed and the success rate of such appeals.*

14           (5) *The impact of assignment restrictions in*  
15           *terms of unused language skills as measured by For-*  
16           *ign Service Institute language scores of such pre-*  
17           *cluded employees.*

18           (6) *Measures taken to ensure the diversity of ad-*  
19           *judicators and contracted investigators, with accom-*  
20           *panying data on results.*

21 **SEC. 5312. RECALL AND REEMPLOYMENT OF CAREER MEM-**  
22 **BERS.**

23           (a) *SENSE OF CONGRESS.—It is the sense of Congress*  
24 *that—*

1           (1) *career Department employees provide invaluable*  
2           *service to the United States as nonpartisan pro-*  
3           *essionals who contribute subject matter expertise and*  
4           *professional skills to the successful development and*  
5           *execution of United States foreign policy; and*

6           (2) *reemployment of skilled former members of*  
7           *the Foreign and civil service who have voluntarily*  
8           *separated from the Foreign or civil service due to*  
9           *family reasons or to obtain professional skills outside*  
10          *government is of benefit to the Department.*

11          (b) *NOTICE OF EMPLOYMENT OPPORTUNITIES.—Title*  
12          *5, United States Code, is amended by inserting after chap-*  
13          *ter 102 the following new chapter:*

14          **“CHAPTER 103—DEPARTMENT OF STATE**

          “*Sec.*

          “*10301. Notice of employment opportunities for Department of State and USAID*  
          *positions.*

          “*10302. Consulting services for the Department of State.*

15          **“§ 10301. Notice of employment opportunities for De-**  
16                                    **partment of State and USAID positions**

17           *“To ensure that individuals who have separated from*  
18           *the Department of State or the United States Agency for*  
19           *International Development and who are eligible for re-*  
20           *appointment are aware of such opportunities, the Depart-*  
21           *ment of State and the United States Agency for Inter-*  
22           *national Development shall publicize notice of all employ-*  
23           *ment opportunities, including positions for which the rel-*

1 *evant agency is accepting applications from individuals*  
 2 *within the agency’s workforce under merit promotion proce-*  
 3 *dures, on publicly accessible sites, including*  
 4 *www.usajobs.gov. If using merit promotion procedures, the*  
 5 *notice shall expressly state that former employees eligible*  
 6 *for reinstatement may apply.”.*

7 (c) *CLERICAL AMENDMENT.—The table of chapters at*  
 8 *the beginning of title 5, United States Code, is amended*  
 9 *by inserting after the item relating to chapter 102 the fol-*  
 10 *lowing:*

**“103. Department of State .....10301.”.**

11 **SEC. 5313. STRATEGIC STAFFING PLAN FOR THE DEPART-**  
 12 **MENT OF STATE.**

13 (a) *IN GENERAL.—Not later than 18 months after the*  
 14 *date of the enactment of this Act, the Secretary shall submit*  
 15 *to the appropriate congressional committees and the Com-*  
 16 *mittees on Appropriations of the Senate and the House of*  
 17 *Representatives a comprehensive 5-year strategic staffing*  
 18 *plan for the Department that is aligned with and furthers*  
 19 *the objectives of the National Security Strategy of the*  
 20 *United States of America issued in December 2017, or any*  
 21 *subsequent strategy issued not later than 18 months after*  
 22 *the date of the enactment of this Act, which shall include*  
 23 *the following:*

24 (1) *A dataset displaying comprehensive work-*  
 25 *force data, including all shortages in bureaus de-*

1 *scribed in GAO report GAO-19-220, for all current*  
2 *and planned employees of the Department,*  
3 *disaggregated by—*

4 *(A) Foreign Service officer and Foreign*  
5 *Service specialist rank;*

6 *(B) civil service job skill code, grade level,*  
7 *and bureau of assignment;*

8 *(C) contracted employees, including the*  
9 *equivalent job skill code and bureau of assign-*  
10 *ment;*

11 *(D) employees hired under schedule C of*  
12 *subpart C of part 213 of title 5, Code of Federal*  
13 *Regulations, including the equivalent grade and*  
14 *job skill code and bureau of assignment of such*  
15 *employee; and*

16 *(E) overseas region.*

17 *(2) Recommendations on the number of Foreign*  
18 *Service officers disaggregated by service cone that*  
19 *should be posted at each United States diplomatic*  
20 *post and in the District of Columbia, with a detailed*  
21 *basis for such recommendations.*

22 *(3) Recommendations on the number of civil*  
23 *service officers that should be employed by the Depart-*  
24 *ment, with a detailed basis for such recommendations.*

1       (b) *MAINTENANCE.*—*The dataset required under sub-*  
2 *section (a)(1) shall be maintained and updated on a regular*  
3 *basis.*

4       (c) *CONSULTATION.*—*The Secretary shall lead the de-*  
5 *velopment of the plan required under subsection (a) but*  
6 *may consult or partner with private sector entities with ex-*  
7 *pertise in labor economics, management, or human re-*  
8 *sources, as well as organizations familiar with the demands*  
9 *and needs of the Department’s workforce.*

10       (d) *REPORT.*—*Not later than 120 days after the date*  
11 *of the enactment of this Act, the Secretary of State shall*  
12 *submit to the appropriate congressional committees a report*  
13 *regarding root causes of Foreign Service and civil service*  
14 *shortages, the effect of such shortages on national security*  
15 *objectives, and the Department’s plan to implement rec-*  
16 *ommendations described in GAO–19–220.*

17 **SEC. 5314. CONSULTING SERVICES.**

18       (a) *IN GENERAL.*—*Chapter 103 of title 5, United*  
19 *States Code, as added by section 10312, is amended by add-*  
20 *ing at the end the following:*

21 **“§10302. Consulting services for the Department of**  
22 **State**

23       *“Any consulting service obtained by the Department*  
24 *of State through procurement contract pursuant to section*  
25 *3109 of title 5, United States Code, shall be limited to those*



1 *contracts with respect to which expenditures are a matter*  
 2 *of public record and available for public inspection, except*  
 3 *if otherwise provided under existing law, or under existing*  
 4 *Executive order issued pursuant to existing law.”.*

5 (b) *CLERICAL AMENDMENT.*—*The table of sections for*  
 6 *chapter 103 of title 5, United States Code, as added by sec-*  
 7 *tion 10312(b) of this Act, is amended by adding after the*  
 8 *item relating to section 10301 of title 5, United States Code,*  
 9 *the following new item:*

“10302. *Consulting services for the Department of State.*”.

10 **SEC. 5315. INCENTIVES FOR CRITICAL POSTS.**

11 *Section 1115(d) of the Supplemental Appropriations*  
 12 *Act, 2009 (Public Law 111–32) is amended by striking the*  
 13 *last sentence.*

14 **SEC. 5316. EXTENSION OF AUTHORITY FOR CERTAIN AC-**  
 15 **COUNTABILITY REVIEW BOARDS.**

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

19 (1) *in the heading, by striking “AFGHANISTAN*  
 20 *AND” and inserting “AFGHANISTAN, YEMEN, SYRIA,*  
 21 *AND”;* and

22 (2) *in subparagraph (A)—*

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

1           (B) in clause (ii), by striking “beginning on  
2           October 1, 2005, and ending on September 30,  
3           2009” and inserting “beginning on October 1,  
4           2020, and ending on September 30, 2022”.

5 **SEC. 5317. FOREIGN SERVICE SUSPENSION WITHOUT PAY.**

6           Subsection (c) of section 610 of the Foreign Service Act  
7 of 1980 (22 U.S.C. 4010) is amended—

8           (1) in paragraph (1), in the matter preceding  
9           subparagraph (A), by striking “suspend” and insert-  
10          ing “indefinitely suspend without duties”;

11          (2) by redesignating paragraph (5) as para-  
12          graph (7);

13          (3) by inserting after paragraph (4) the fol-  
14          lowing new paragraphs:

15                 “(5) For each member of the Service suspended  
16                 under paragraph (1)(A) whose security clearance re-  
17                 mains suspended for more than one calendar year,  
18                 not later than 30 days after the end of such calendar  
19                 year, the Secretary of State shall report to the Com-  
20                 mittee on Foreign Affairs of the House of Representa-  
21                 tives and the Committee on Foreign Relations of the  
22                 Senate in writing regarding the specific reasons relat-  
23                 ing to the duration of each such suspension.

24                 “(6) Any member of the Service suspended under  
25                 paragraph (1)(B) may be suspended without pay only

1 after a final written decision is provided to such  
2 member pursuant to paragraph (2).”; and

3 (4) in paragraph (7), as so redesignated—

4 (A) by striking “this subsection” and all  
5 that follows through “The term” in subpara-  
6 graph (A) and inserting “this subsection, the  
7 term”;

8 (B) by redesignating clauses (i) and (ii) as  
9 subparagraphs (A) and (B), respectively, and  
10 moving such subparagraphs 2 ems to the left;  
11 and

12 (C) by striking subparagraph (B) (relating  
13 to the definition of “suspend” and “suspension”).

14 **SEC. 5318. FOREIGN AFFAIRS MANUAL AND FOREIGN AF-**  
15 **FAIRS HANDBOOK CHANGES.**

16 (a) *APPLICABILITY.*—The Foreign Affairs Manual and  
17 the Foreign Affairs Handbook apply with equal force and  
18 effect and without exception to all Department of State per-  
19 sonnel, including the Secretary of State, Department em-  
20 ployees, and political appointees, regardless of an individ-  
21 ual’s status as a Foreign Service officer, Civil Service em-  
22 ployee, or political appointee hired under any legal author-  
23 ity.

24 (b) *CERTIFICATION.*—Not later than 30 days after the  
25 date of the enactment of this Act, the Secretary of State

1 *shall submit to the appropriate congressional committees a*  
2 *certification in unclassified form that the applicability de-*  
3 *scribed in subsection (a) has been communicated to all De-*  
4 *partment personnel, including the personnel referred to in*  
5 *such subsection.*

6 (c) *REPORT.—*

7 (1) *IN GENERAL.—Not later than 180 days after*  
8 *the date of the enactment of this Act, and every 180*  
9 *days thereafter for 5 years, the Secretary shall submit*  
10 *to the appropriate congressional committees a report*  
11 *detailing all significant changes made to the Foreign*  
12 *Affairs Manual or the Foreign Affairs Handbook.*

13 (2) *COVERED PERIODS.—The first report re-*  
14 *quired under paragraph (1) shall cover the 5-year pe-*  
15 *riod preceding the submission of such report. Each*  
16 *subsequent report shall cover the 180-day period pre-*  
17 *ceding submission.*

18 (3) *CONTENTS.—Each report required under*  
19 *paragraph (1) shall contain the following:*

20 (A) *The location within the Foreign Affairs*  
21 *Manual or the Foreign Affairs Handbook where*  
22 *a change has been made.*

23 (B) *The statutory basis for each such*  
24 *change, as applicable.*

1                   (C) *A side-by-side comparison of the For-*  
2                   *ign Affairs Manual or Foreign Affairs Hand-*  
3                   *book before and after such change.*

4                   (D) *A summary of such changes displayed*  
5                   *in spreadsheet form.*

6 **SEC. 5319. WAIVER AUTHORITY FOR INDIVIDUAL OCCUPA-**  
7                   **TIONAL REQUIREMENTS OF CERTAIN POSI-**  
8                   **TIONS.**

9           *The Secretary of State may waive any or all of the*  
10 *individual occupational requirements with respect to an*  
11 *employee or prospective employee of the Department of*  
12 *State for a civilian position categorized under the GS-0130*  
13 *occupational series if the Secretary determines that the in-*  
14 *dividual possesses significant scientific, technological, engi-*  
15 *neering, or mathematical expertise that is integral to per-*  
16 *forming the duties of the applicable position, based on dem-*  
17 *onstrated job performance and qualifying experience. With*  
18 *respect to each waiver granted under this subsection, the*  
19 *Secretary shall set forth in a written document that is*  
20 *transmitted to the Director of the Office of Personnel Man-*  
21 *agement the rationale for the decision of the Secretary to*  
22 *wave such requirements.*

1 **SEC. 5320. APPOINTMENT OF EMPLOYEES TO THE GLOBAL**  
2 **ENGAGEMENT CENTER.**

3 *The Secretary may appoint, for a 3-year period that*  
4 *may be extended for up to an additional 2 years, solely*  
5 *to carry out the functions of the Global Engagement Center,*  
6 *employees of the Department without regard to the provi-*  
7 *sions of title 5, United States Code, governing appointment*  
8 *in the competitive service, and may fix the basic compensa-*  
9 *tion of such employees without regard to chapter 51 and*  
10 *subchapter III of chapter 53 of such title.*

11 **SEC. 5321. COMPETITIVE STATUS FOR CERTAIN EMPLOYEES**  
12 **HIRED BY INSPECTORS GENERAL TO SUP-**  
13 **PORT THE LEAD IG MISSION.**

14 *Subparagraph (A) of section 8L(d)(5)(A) of the Inspec-*  
15 *tor General Act of 1978 (5 U.S.C. App.) is amended by*  
16 *striking “a lead Inspector General for” and inserting “any*  
17 *of the Inspectors General specified in subsection (c) for over-*  
18 *sight of”.*

19 **SEC. 5322. REPORT RELATING TO FOREIGN SERVICE OFFI-**  
20 **CER TRAINING AND DEVELOPMENT.**

21 *(a) IN GENERAL.—Not later than 270 days after the*  
22 *date of the enactment of this Act, the Secretary of State*  
23 *shall submit to the appropriate committees of Congress a*  
24 *report on fellowships or details for Department of State*  
25 *Foreign Service generalists at—*

26 *(1) the Department of Defense;*

1           (2) *United States intelligence agencies; and*

2           (3) *congressional offices or committees.*

3           (b) *ELEMENTS.—The report required by subsection (a)*  
4 *shall include the following elements:*

5           (1) *The number of Senior Foreign Service Officer*  
6 *generalists who, as of the date of the enactment of this*  
7 *Act, have done a tour of at least one year in any of*  
8 *the agencies or congressional committees described in*  
9 *subsection (a).*

10          (2) *The total number of senior Foreign Service*  
11 *Officer generalists as of the date of the enactment of*  
12 *this Act.*

13          (3) *The average number of Senior Foreign Serv-*  
14 *ice Officer generalists inducted annually during the*  
15 *10 years preceding the date of the enactment of this*  
16 *Act.*

17          (4) *The total number of Department advisors*  
18 *stationed in any of the agencies or congressional of-*  
19 *fices described in subsection (a), including the agen-*  
20 *cies or offices in which such advisors serve.*

21          (5) *The total number of advisors from other*  
22 *United States Government agencies stationed in the*  
23 *Department of State (excluding defense attaches, sen-*  
24 *ior defense officials, and other Department of Defense*  
25 *personnel stationed in United States missions*

1       abroad), the home agency of the advisor, and the of-  
2       fices in which such advisors serve.

3       (c) *EDUCATIONAL EXCLUSION.*—For the purposes of  
4       the report required under subsection (a), educational pro-  
5       grams shall not be included.

6       **SEC. 5323. COOPERATION WITH OFFICE OF THE INSPECTOR**

7                               **GENERAL.**

8       (a) *ADMINISTRATIVE DISCIPLINE.*—Not later than 30  
9       days after the date of the enactment of this Act, the Sec-  
10       retary of State shall make explicit in writing to all Depart-  
11       ment of State personnel, including the Secretary of State,  
12       Department employees, contractors, and political ap-  
13       pointees, and shall consider updating the Foreign Affairs  
14       Manual and the Foreign Affairs Handbook to explicitly  
15       specify, that if any of such personnel does not comply with-  
16       in 60 days with a request for an interview or access to docu-  
17       ments from the Office of the Inspector General of the De-  
18       partment, such personnel may be subject to appropriate ad-  
19       ministrative discipline including, when circumstances war-  
20       rant, suspension without pay or removal.

21       (b) *REPORT.*—

22               (1) *IN GENERAL.*—Not later than 180 days after  
23       the date of the enactment of this Act and on a quar-  
24       terly basis thereafter, the Office of the Inspector Gen-  
25       eral of the Department of State and the United States



1     *Agency for Global Media shall submit to the appro-*  
2     *priate congressional committees and the Secretary of*  
3     *State a report in unclassified form detailing the fol-*  
4     *lowing:*

5             *(A) The number of individuals who have*  
6             *failed to comply within 60 days with a request*  
7             *for an interview or access to documents from the*  
8             *Office of the Inspector General pertaining to a*  
9             *noncriminal matter.*

10            *(B) The date on which such requests were*  
11            *initially made.*

12            *(C) Any extension of time that was volun-*  
13            *tarily granted to such individual by the Office of*  
14            *the Inspector General.*

15            *(D) The general subject matters regarding*  
16            *which the Office of the Inspector General has re-*  
17            *quested of such individuals.*

18            *(2) FORM.—Additional information pertaining*  
19            *solely to the subject matter of a request described in*  
20            *paragraph (1) may be provided in a supplemental*  
21            *classified annex, if necessary, but all other informa-*  
22            *tion required by the reports required under such*  
23            *paragraph shall be provided in unclassified form.*

1 **SEC. 5324. INFORMATION ON EDUCATIONAL OPPORTUNI-**  
2 **TIES FOR CHILDREN WITH SPECIAL EDU-**  
3 **CATION NEEDS CONSISTENT WITH THE INDI-**  
4 **VIDUALS WITH DISABILITIES EDUCATION**  
5 **ACT.**

6 *Not later than March 31, 2022, and annually there-*  
7 *after, the Director of the Office of Overseas Schools of the*  
8 *Department of State shall maintain and update a list of*  
9 *overseas schools receiving assistance from the Office and de-*  
10 *tailing the extent to which each such school provides special*  
11 *education and related services to children with disabilities*  
12 *in accordance with part B of the Individuals with Disabil-*  
13 *ities Education Act (20 U.S.C. 1411 et seq.). Each list re-*  
14 *quired under this section shall be posted on the public*  
15 *website of the Office for access by members of the Foreign*  
16 *Service, the Senior Foreign Service, and their eligible fam-*  
17 *ily members.*

18 **SEC. 5325. IMPLEMENTATION OF GAP MEMORANDUM IN SE-**  
19 **LECTION BOARD PROCESS.**

20 *(a) IN GENERAL.—Section 603 of the Foreign Service*  
21 *Act of 1980 (22 U.S.C. 4003) is amended by adding at the*  
22 *end the following new subsection:*

23 *“(c)(1) A member of the Service or member of the Sen-*  
24 *ior Foreign Service whose performance will be evaluated by*  
25 *a selection board may submit to such selection board a gap*  
26 *memo in advance of such evaluation.*

1       “(2) *Members of a selection board may not consider*  
2 *as negative the submission of a gap memo by a member*  
3 *described in paragraph (1) when evaluating the perform-*  
4 *ance of such member.*

5       “(3) *In this subsection, the term ‘gap memo’ means*  
6 *a written record, submitted to a selection board in a stand-*  
7 *ard format established by the Director General of the For-*  
8 *eign Service, which indicates and explains a gap in the*  
9 *record of a member of the Service or member of the Senior*  
10 *Foreign Service whose performance will be evaluated by*  
11 *such selection board, which gap is due to personal cir-*  
12 *cumstances, including for health, family, or other reason*  
13 *as determined by the Director General in consultation with*  
14 *the Committee on Foreign Affairs of the House of Represent-*  
15 *atives and the Committee on Foreign Relations of the Sen-*  
16 *ate.*”.

17       (b) *CONSULTATION AND GUIDANCE.—*

18           (1) *CONSULTATION.—Not later than 30 days*  
19 *after the date of the enactment of this Act, the Direc-*  
20 *tor General of the Foreign Service shall consult with*  
21 *the Committee on Foreign Affairs of the House of*  
22 *Representatives and the Committee on Foreign Rela-*  
23 *tions of the Senate regarding the development of the*  
24 *gap memo under subsection (c) of section 603 of the*

1 *Foreign Service Act of 1980 (22 U.S.C. 4003), as*  
 2 *added by subsection (a) of this section.*

3 (2) *DEFINITION.—In this subsection, the term*  
 4 *“gap memo” has the meaning given such term in sub-*  
 5 *section (c) of section 603 of the Foreign Service Act*  
 6 *of 1980 (22 U.S.C. 4003), as added by subsection (a)*  
 7 *of this section.*

8 **TITLE LIV—A DIVERSE WORK-**  
 9 **FORCE: RECRUITMENT, RE-**  
 10 **TENTION, AND PROMOTION**

*Sec. 5401. Definitions.*

*Sec. 5402. Exit interviews for workforce.*

*Sec. 5403. Recruitment and retention.*

*Sec. 5404. Leadership engagement and accountability.*

*Sec. 5405. Professional development opportunities and tools.*

*Sec. 5406. Examination and oral assessment for the Foreign Service.*

*Sec. 5407. Payne fellowship authorization.*

*Sec. 5408. Voluntary participation.*

11 **SEC. 5401. DEFINITIONS.**

12 *In this title:*

13 (1) *APPLICANT FLOW DATA.—The term “appli-*  
 14 *cant flow data” means data that tracks the rate of*  
 15 *applications for job positions among demographic*  
 16 *categories.*

17 (2) *DEMOGRAPHIC DATA.—The term “demo-*  
 18 *graphic data” means facts or statistics relating to the*  
 19 *demographic categories specified in the Office of Man-*  
 20 *agement and Budget statistical policy directive enti-*  
 21 *tled “Standards for Maintaining, Collecting, and Pre-*

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

3               (3) *DIVERSITY.*—*The term “diversity” means*  
4       *those classes of persons protected under the Civil*  
5       *Rights Act of 1964 (42 U.S.C. 2000a et seq.) and the*  
6       *Americans with Disabilities Act of 1990 (42 U.S.C.*  
7       *12101 et seq.).*

8               (4) *WORKFORCE.*—*The term “workforce”*  
9       *means—*

10               (A) *individuals serving in a position in the*  
11       *civil service (as defined in section 2101 of title*  
12       *5, United States Code);*

13               (B) *individuals who are members of the*  
14       *Foreign Service (as defined in section 103 of the*  
15       *Foreign Service Act of 1980 (22 U.S.C. 3902));*

16               (C) *all individuals serving under a personal*  
17       *services contract;*

18               (D) *all individuals serving under a Foreign*  
19       *Service Limited appointment under section 309*  
20       *of the Foreign Service Act of 1980; or*

21               (E) *individuals other than Locally Em-*  
22       *ployed Staff working in the Department of State*  
23       *under any other authority.*

1 **SEC. 5402. EXIT INTERVIEWS FOR WORKFORCE.**

2 (a) *RETAINED MEMBERS.*—*The Director General of*  
3 *the Foreign Service and the Director of the Bureau of*  
4 *Human Resources or its equivalent shall conduct periodic*  
5 *interviews with a representative and diverse cross-section*  
6 *of the workforce of the Department—*

7 (1) *to understand the reasons of individuals in*  
8 *such workforce for remaining in a position in the De-*  
9 *partment; and*

10 (2) *to receive feedback on workplace policies, pro-*  
11 *fessional development opportunities, and other issues*  
12 *affecting the decision of individuals in the workforce*  
13 *to remain in the Department.*

14 (b) *DEPARTING MEMBERS.*—*The Director General of*  
15 *the Foreign Service and the Director of the Bureau of*  
16 *Human Resources or its equivalent shall provide an oppor-*  
17 *tunity for an exit interview to each individual in the work-*  
18 *force of the Department who separates from service with the*  
19 *Department to better understand the reasons of such indi-*  
20 *vidual for leaving such service.*

21 (c) *USE OF ANALYSIS FROM INTERVIEWS.*—*The Direc-*  
22 *tor General of the Foreign Service and the Director of the*  
23 *Bureau of Human Resources or its equivalent shall analyze*  
24 *demographic data and other information obtained through*  
25 *interviews under subsections (a) and (b) to determine to*

1 *what extent, if any, the diversity of those participating in*  
2 *such interviews impacts the results.*

3 *(d) TRACKING DATA.—The Department shall—*

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

8 *(2) annually evaluate such data—*

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

12 *(B) to understand the extent to which par-*  
13 *ticipation in any professional development pro-*  
14 *gram offered or sponsored by the Department*  
15 *differs among the demographic categories of the*  
16 *workforce; and*

17 *(3) actively encourage participation from a*  
18 *range of demographic categories, especially from cat-*  
19 *egories with consistently low participation, in such*  
20 *professional development programs.*

21 **SEC. 5403. RECRUITMENT AND RETENTION.**

22 *(a) IN GENERAL.—The Secretary shall—*

23 *(1) continue to seek a diverse and talented pool*  
24 *of applicants; and*

1           (2) *instruct the Director General of the Foreign*  
2           *Service and the Director of the Bureau of Human Re-*  
3           *sources of the Department to have a recruitment plan*  
4           *of action for the recruitment of people belonging to*  
5           *traditionally under-represented groups, which should*  
6           *include outreach at appropriate colleges, universities,*  
7           *affinity groups, and professional associations.*

8           (b) *SCOPE.—The diversity recruitment initiatives de-*  
9           *scribed in subsection (a) shall include—*

10           (1) *recruiting at women’s colleges, historically*  
11           *Black colleges and universities, minority-serving in-*  
12           *stitutions, and other institutions serving a significant*  
13           *percentage of minority students;*

14           (2) *placing job advertisements in newspapers,*  
15           *magazines, and job sites oriented toward diverse*  
16           *groups;*

17           (3) *sponsoring and recruiting at job fairs in*  
18           *urban and rural communities and land-grant colleges*  
19           *or universities;*

20           (4) *providing opportunities through highly re-*  
21           *spected, international leadership programs, that focus*  
22           *on diversity recruitment and retention;*

23           (5) *expanding the use of paid internships; and*

24           (6) *cultivating partnerships with organizations*  
25           *dedicated to the advancement of the profession of*



1       *international affairs and national security to advance*  
2       *shared diversity goals.*

3       (c) *EXPAND TRAINING ON ANTI-HARASSMENT AND*  
4 *ANTI-DISCRIMINATION.—*

5           (1) *IN GENERAL.—The Secretary shall, through*  
6       *the Foreign Service Institute and other educational*  
7       *and training opportunities—*

8           (A) *ensure the provision to all individuals*  
9       *in the workforce of training on anti-harassment*  
10       *and anti-discrimination information and poli-*  
11       *cies, including in existing Foreign Service Insti-*  
12       *tute courses or modules prioritized in the De-*  
13       *partment’s Diversity and Inclusion Strategic*  
14       *Plan for 2016–2020 to promote diversity in Bu-*  
15       *reau awards or mitigate unconscious bias;*

16           (B) *expand the provision of training on*  
17       *workplace rights and responsibilities to focus on*  
18       *anti-harassment and anti-discrimination infor-*  
19       *mation and policies, including policies relating*  
20       *to sexual assault prevention and response; and*

21           (C) *make such expanded training manda-*  
22       *tory for—*

23           (i) *individuals in senior and super-*  
24       *visory positions;*

1                   (ii) individuals having responsibilities  
2                   related to recruitment, retention, or pro-  
3                   motion of employees; and

4                   (iii) any other individual determined  
5                   by the Department who needs such training  
6                   based on analysis by the Department or  
7                   OPM analysis.

8                   (2) *BEST PRACTICES.*—The Department shall  
9                   give special attention to ensuring the continuous in-  
10                  corporation of research-based best practices in train-  
11                  ing provided under this subsection.

12 **SEC. 5404. LEADERSHIP ENGAGEMENT AND ACCOUNT-**  
13 **ABILITY.**

14                  (a) *REWARD AND RECOGNIZE EFFORTS TO PROMOTE*  
15 *DIVERSITY AND INCLUSION.*—

16                  (1) *IN GENERAL.*—The Secretary shall imple-  
17                  ment performance and advancement requirements  
18                  that reward and recognize the efforts of individuals in  
19                  senior positions and supervisors in the Department in  
20                  fostering an inclusive environment and cultivating  
21                  talent consistent with merit system principles, such as  
22                  through participation in mentoring programs or  
23                  sponsorship initiatives, recruitment events, and other  
24                  similar opportunities.

1           (2) *OUTREACH EVENTS.*—*The Secretary shall*  
 2           *create opportunities for individuals in senior posi-*  
 3           *tions and supervisors in the Department to partici-*  
 4           *pate in outreach events and to discuss issues relating*  
 5           *to diversity and inclusion with the workforce on a*  
 6           *regular basis, including with employee resource*  
 7           *groups.*

8           (b) *EXTERNAL ADVISORY COMMITTEES AND*  
 9           *BOARDS.*—*For each external advisory committee or board*  
 10          *to which individuals in senior positions in the Department*  
 11          *appoint members, the Secretary is strongly encouraged by*  
 12          *Congress to ensure such external advisory committee or*  
 13          *board is developed, reviewed, and carried out by qualified*  
 14          *teams that represent the diversity of the organization.*

15          **SEC. 5405. PROFESSIONAL DEVELOPMENT OPPORTUNITIES**  
 16    **AND TOOLS.**

17          (a) *EXPAND PROVISION OF PROFESSIONAL DEVELOP-*  
 18          *MENT AND CAREER ADVANCEMENT OPPORTUNITIES.*—

19               (1) *IN GENERAL.*—*The Secretary is authorized to*  
 20               *expand professional development opportunities that*  
 21               *support the mission needs of the Department, such*  
 22               *as—*

23                        (A) *academic programs;*

24                        (B) *private-public exchanges; and*

1           (C) detail assignments to relevant positions

2           in—

3                   (i) private or international organiza-  
4                   tions;

5                   (ii) State, local, and Tribal govern-  
6                   ments;

7                   (iii) other branches of the Federal Gov-  
8                   ernment; or

9                   (iv) professional schools of inter-  
10                  national affairs.

11           (2) TRAINING FOR SENIOR POSITIONS.—

12                   (A) IN GENERAL.—The Secretary shall offer,  
13                   or sponsor members of the workforce to partici-  
14                   pate in, a Senior Executive Service candidate  
15                   development program or other program that  
16                   trains members on the skills required for ap-  
17                   pointment to senior positions in the Department.

18                   (B) REQUIREMENTS.—In determining  
19                   which members of the workforce are granted pro-  
20                   fessional development or career advancement op-  
21                   portunities under subparagraph (A), the Sec-  
22                   retary shall—

23                           (i) ensure any program offered or  
24                           sponsored by the Department under such  
25                           subparagraph comports with the require-

1            *ments of subpart C of part 412 of title 5,*  
2            *Code of Federal Regulations, or any suc-*  
3            *cessor thereto, including merit staffing and*  
4            *assessment requirements;*

5            *(ii) consider the number of expected*  
6            *vacancies in senior positions as a factor in*  
7            *determining the number of candidates to se-*  
8            *lect for such programs;*

9            *(iii) understand how participation in*  
10           *any program offered or sponsored by the*  
11           *Department under such subparagraph dif-*  
12           *fers by gender, race, national origin, dis-*  
13           *ability status, or other demographic cat-*  
14           *egories; and*

15           *(iv) actively encourage participation*  
16           *from a range of demographic categories, es-*  
17           *pecially from categories with consistently*  
18           *low participation.*

19    **SEC. 5406. EXAMINATION AND ORAL ASSESSMENT FOR THE**  
20            **FOREIGN SERVICE.**

21           *(a) SENSE OF CONGRESS.—It is the sense of Congress*  
22           *that the Department should offer both the Foreign Service*  
23           *written examination and oral assessment in more locations*  
24           *throughout the United States. Doing so would ease the fi-*  
25           *nancial burden on potential candidates who do not cur-*

1 rently reside in and must travel at their own expense to  
2 one of the few locations where these assessments are offered.

3 (b) *FOREIGN SERVICE EXAMINATIONS.*—Section  
4 301(b) of the Foreign Service Act of 1980 (22 U.S.C. 3941)  
5 is amended—

6 (1) by striking “The Secretary” and inserting:  
7 “(1) The Secretary”; and

8 (2) by adding at the end the following new para-  
9 graph:

10 “(2) The Secretary shall ensure that the Board of Ex-  
11 aminers for the Foreign Service annually offers the oral as-  
12 sessment examinations described in paragraph (1) in cities,  
13 chosen on a rotating basis, located in at least three different  
14 time zones across the United States.”.

15 **SEC. 5407. PAYNE FELLOWSHIP AUTHORIZATION.**

16 (a) *IN GENERAL.*—Undergraduate and graduate com-  
17 ponents of the Donald M. Payne International Development  
18 Fellowship Program may conduct outreach to attract out-  
19 standing students with an interest in pursuing a Foreign  
20 Service career who represent diverse ethnic and socio-  
21 economic backgrounds.

22 (b) *REVIEW OF PAST PROGRAMS.*—The Secretary shall  
23 review past programs designed to increase minority rep-  
24 resentation in international affairs positions.

1 **SEC. 5408. VOLUNTARY PARTICIPATION.**

2       (a) *IN GENERAL.*—Nothing in this title should be con-  
 3       strued so as to compel any employee to participate in the  
 4       collection of the data or divulge any personal information.  
 5       Department employees shall be informed that their partici-  
 6       pation in the data collection contemplated by this title is  
 7       voluntary.

8       (b) *PRIVACY PROTECTION.*—Any data collected under  
 9       this title shall be subject to the relevant privacy protection  
 10       statutes and regulations applicable to Federal employees.

11                   **TITLE LV—INFORMATION**  
 12                   **SECURITY**

*Sec. 5501. Definitions.*

*Sec. 5502. List of certain telecommunications providers.*

*Sec. 5503. Preserving records of electronic communications.*

*Sec. 5504. Foreign Relations of the United States (FRUS) series and declassification.*

13 **SEC. 5501. DEFINITIONS.**

14       *In this title:*

15               (1) *INTELLIGENCE COMMUNITY.*—The term “in-  
 16       telligence community” has the meaning given such  
 17       term in section 3(4) of the National Security Act of  
 18       1947 (50 U.S.C. 3003(4)).

19               (2) *RELEVANT CONGRESSIONAL COMMITTEES.*—  
 20       The term “relevant congressional committees”  
 21       means—

22               (A) the appropriate congressional commit-  
 23       tees;

1                   (B) the Select Committee on Intelligence of  
2                   the Senate; and

3                   (C) the Permanent Select Committee on In-  
4                   telligence of the House of Representatives.

5 **SEC. 5502. LIST OF CERTAIN TELECOMMUNICATIONS PRO-**  
6                   **VIDERS.**

7           (a) *LIST OF COVERED CONTRACTORS.*—Not later than  
8 30 days after the date of the enactment of this Act, the Sec-  
9 retary, in consultation with the Director of National Intel-  
10 ligence and other appropriate Federal agencies as deter-  
11 mined jointly by the Secretary and the Director of National  
12 Intelligence, shall develop or maintain, as the case may be,  
13 and update as frequently as the Secretary determines ap-  
14 propriate, a list of covered contractors with respect to which  
15 the Department should seek to avoid entering into contracts.  
16 Not later than 30 days after the initial development of the  
17 list under this subsection, any update thereto, and annually  
18 thereafter for 5 years after such initial 30 day period, the  
19 Secretary shall submit to the appropriate congressional  
20 committees a copy of such list.

21           (b) *COVERED CONTRACTOR DEFINED.*—In this section,  
22 the term “covered contractor” means a provider of tele-  
23 communications, telecommunications equipment, or infor-  
24 mation technology equipment, including hardware, soft-  
25 ware, or services, that has knowingly assisted or facilitated



1 *a cyber attack or conducted surveillance, including passive*  
2 *or active monitoring, carried out against—*

3 *(1) the United States by, or on behalf of, any*  
4 *government, or persons associated with such govern-*  
5 *ment, listed as a cyber threat actor in the intelligence*  
6 *community's 2017 assessment of worldwide threats to*  
7 *United States national security or any subsequent*  
8 *worldwide threat assessment of the intelligence com-*  
9 *munity; or*

10 *(2) individuals, including activists, journalists,*  
11 *opposition politicians, or other individuals for the*  
12 *purposes of suppressing dissent or intimidating crit-*  
13 *ics, on behalf of a country included in the annual*  
14 *country reports on human rights practices of the De-*  
15 *partment for systematic acts of political repression,*  
16 *including arbitrary arrest or detention, torture,*  
17 *extrajudicial or politically motivated killing, or other*  
18 *gross violations of human rights.*

19 **SEC. 5503. PRESERVING RECORDS OF ELECTRONIC COMMU-**  
20 **NICATIONS.**

21 *(a) SENSE OF CONGRESS.—It is the sense of Congress*  
22 *that all officers and employees of the Department and the*  
23 *United States Agency for International Development are*  
24 *obligated under chapter 31 of title 44, United States Code*  
25 *(popularly referred to as the Federal Records Act of 1950),*

1 *to create and preserve records containing adequate and*  
2 *proper documentation of the organization, functions, poli-*  
3 *cies, decisions, procedures, and essential transactions or op-*  
4 *erations of the Department and United States embassies,*  
5 *consulates, and missions abroad, including records of offi-*  
6 *cial communications with foreign government officials or*  
7 *other foreign entities.*

8       **(b) CERTIFICATION.**—*Not later than 180 days after the*  
9 *date of the enactment of this Act, the Secretary shall submit*  
10 *to the appropriate congressional committees a certification*  
11 *in unclassified form that the Secretary has communicated*  
12 *to all Department personnel, including the Secretary of*  
13 *State and all political appointees, that such personnel are*  
14 *obligated under chapter 31 of title 44, United States Code,*  
15 *to treat electronic messaging systems, software, and appli-*  
16 *cations as equivalent to electronic mail for the purpose of*  
17 *identifying Federal records.*

18 **SEC. 5504. FOREIGN RELATIONS OF THE UNITED STATES**

19                   **(FRUS) SERIES AND DECLASSIFICATION.**

20       *The State Department Basic Authorities Act of 1956*  
21 *is amended—*

22                   (1) *in section 402(a)(2) (22 U.S.C. 4352(a)(2)),*

23                   *by striking “26” and inserting “20”; and*

24                   (2) *in section 404(a)(1) (22 U.S.C. 4354(a)(1),*

25                   *by striking “30” and inserting “25”.*

# 1 **TITLE LVI—PUBLIC DIPLOMACY**

Sec. 5601. *Short title.*

Sec. 5602. *Avoiding duplication of programs and efforts.*

Sec. 5603. *Improving research and evaluation of public diplomacy.*

Sec. 5604. *Permanent reauthorization of the United States Advisory Commission on Public Diplomacy.*

Sec. 5605. *Streamlining of support functions.*

Sec. 5606. *Guidance for closure of public diplomacy facilities.*

Sec. 5607. *Definitions.*

## 2 **SEC. 5601. SHORT TITLE.**

3       *This title may be cited as the “Public Diplomacy Mod-*  
 4 *ernization Act of 2021”.*

## 5 **SEC. 5602. AVOIDING DUPLICATION OF PROGRAMS AND EF-** 6 **FORTS.**

7       *The Secretary shall—*

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

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

## 17 **SEC. 5603. IMPROVING RESEARCH AND EVALUATION OF** 18 **PUBLIC DIPLOMACY.**

19       (a) *RESEARCH AND EVALUATION ACTIVITIES.*—*The*  
 20 *Secretary, acting through the Director of Research and*  
 21 *Evaluation appointed pursuant to subsection (b), shall—*

1           (1) *conduct regular research and evaluation of*  
2           *public diplomacy programs and activities of the De-*  
3           *partment, including through the routine use of audi-*  
4           *ence research, digital analytics, and impact evalua-*  
5           *tions, to plan and execute such programs and activi-*  
6           *ties; and*

7           (2) *make available to Congress the findings of*  
8           *the research and evaluations conducted under para-*  
9           *graph (1).*

10          ***(b) DIRECTOR OF RESEARCH AND EVALUATION.—***

11           (1) *APPOINTMENT.—Not later than 90 days after*  
12           *the date of the enactment of this Act, the Secretary*  
13           *shall appoint a Director of Research and Evaluation*  
14           *(referred to in this subsection as the “Director”) in*  
15           *the Office of Policy, Planning, and Resources for Pub-*  
16           *lic Diplomacy and Public Affairs of the Department.*

17           (2) *LIMITATION ON APPOINTMENT.—The ap-*  
18           *pointment of the Director pursuant to paragraph (1)*  
19           *shall not result in an increase in the overall full-time*  
20           *equivalent positions within the Department.*

21           (3) *RESPONSIBILITIES.—The Director shall—*

22                   (A) *coordinate and oversee the research and*  
23                   *evaluation of public diplomacy programs and*  
24                   *activities of the Department in order to—*

1                   (i) improve public diplomacy strategies  
2                   and tactics; and

3                   (ii) ensure that such programs and ac-  
4                   tivities are increasing the knowledge, under-  
5                   standing, and trust of the United States by  
6                   relevant target audiences;

7                   (B) routinely organize and oversee audience  
8                   research, digital analytics, and impact evalua-  
9                   tions across all public diplomacy bureaus and of-  
10                  fices of the Department;

11                  (C) support United States diplomatic posts'  
12                  public affairs sections;

13                  (D) share appropriate public diplomacy re-  
14                  search and evaluation information within the  
15                  Department and with other appropriate Federal  
16                  departments and agencies;

17                  (E) regularly design and coordinate stand-  
18                  ardized research questions, methodologies, and  
19                  procedures to ensure that public diplomacy pro-  
20                  grams and activities across all public diplomacy  
21                  bureaus and offices are designed to meet appro-  
22                  priate foreign policy objectives; and

23                  (F) report biannually to the United States  
24                  Advisory Commission on Public Diplomacy,  
25                  through the Subcommittee on Research and

1           *Evaluation established pursuant to subsection*  
2           *(f), regarding the research and evaluation of all*  
3           *public diplomacy bureaus and offices.*

4           (4) *GUIDANCE AND TRAINING.*—*Not later than 1*  
5           *year after the appointment of the Director pursuant*  
6           *to paragraph (1), the Director shall develop guidance*  
7           *and training, including curriculum for use by the*  
8           *Foreign Service Institute, for all public diplomacy of-*  
9           *ficers of the Department regarding the reading and*  
10           *interpretation of public diplomacy program and ac-*  
11           *tivity evaluation findings to ensure that such findings*  
12           *and related lessons learned are implemented in the*  
13           *planning and evaluation of all public diplomacy pro-*  
14           *grams and activities of the Department.*

15           (c) *PRIORITIZING RESEARCH AND EVALUATION.*—

16           (1) *IN GENERAL.*—*The head of the Office of Pol-*  
17           *icy, Planning, and Resources for Public Diplomacy*  
18           *and Public Affairs of the Department shall ensure*  
19           *that research and evaluation of public diplomacy and*  
20           *activities of the Department, as coordinated and over-*  
21           *seen by the Director pursuant to subsection (b), sup-*  
22           *ports strategic planning and resource allocation*  
23           *across all public diplomacy bureaus and offices of the*  
24           *Department.*

1           (2) *ALLOCATION OF RESOURCES.*—Amounts allo-  
2           cated for the purpose of research and evaluation of  
3           public diplomacy programs and activities of the De-  
4           partment pursuant to subsection (b) shall be made  
5           available to be disbursed at the direction of the Direc-  
6           tor of Research and Evaluation among the research  
7           and evaluation staff across all public diplomacy bu-  
8           reaus and offices of the Department.

9           (3) *SENSE OF CONGRESS.*—It is the sense of  
10          Congress that the Department should gradually in-  
11          crease its allocation of funds made available under  
12          the headings “Educational and Cultural Exchange  
13          Programs” and “Diplomatic Programs” for research  
14          and evaluation of public diplomacy programs and ac-  
15          tivities of the Department pursuant to subsection (b)  
16          to a percentage of program funds that is commensu-  
17          rate with Federal Government best practices.

18          (d) *LIMITED EXEMPTION RELATING TO THE PAPER-*  
19          *WORK REDUCTION ACT.*—Chapter 35 of title 44, United  
20          States Code (commonly known as the “Paperwork Reduc-  
21          tion Act”) shall not apply to the collection of information  
22          directed at any individuals conducted by, or on behalf of,  
23          the Department of State for the purpose of audience re-  
24          search, monitoring, and evaluations, and in connection

1 *with the Department's activities conducted pursuant to any*  
2 *of the following:*

3           (1) *The Mutual Educational and Cultural Ex-*  
4 *change Act of 1961 (22 U.S.C. 2451 et seq.).*

5           (2) *Section 1287 of the National Defense Author-*  
6 *ization Act for Fiscal Year 2017 (Public Law 114-*  
7 *328; 22 U.S.C. 2656 note).*

8           (3) *The Foreign Assistance Act of 1961 (22*  
9 *U.S.C. 2151 et seq.).*

10       (e) *LIMITED EXEMPTION RELATING TO THE PRIVACY*  
11 *ACT.—*

12           (1) *IN GENERAL.—The Department shall main-*  
13 *tain, collect, use, and disseminate records (as such*  
14 *term is defined in section 552a(a)(4) of title 5,*  
15 *United States Code) for audience research, digital*  
16 *analytics, and impact evaluation of communications*  
17 *related to public diplomacy efforts intended for for-*  
18 *ign audiences.*

19           (2) *CONDITIONS.—Audience research, digital*  
20 *analytics, and impact evaluations under paragraph*  
21 *(1) shall be—*

22                   (A) *reasonably tailored to meet the purposes*  
23 *of this subsection; and*

24                   (B) *carried out with due regard for privacy*  
25 *and civil liberties guidance and oversight.*



1       (f) *UNITED STATES ADVISORY COMMISSION ON PUB-*  
2 *LIC DIPLOMACY.*—

3           (1) *SUBCOMMITTEE FOR RESEARCH AND EVAL-*  
4 *UATION.*—*The United States Advisory Commission on*  
5 *Public Diplomacy shall establish a Subcommittee on*  
6 *Research and Evaluation to monitor and advise re-*  
7 *garding audience research, digital analytics, and im-*  
8 *portant evaluations carried out by the Department and*  
9 *the United States Agency for Global Media.*

10          (2) *ANNUAL REPORT.*—*The Subcommittee on Re-*  
11 *search and Evaluation established pursuant to para-*  
12 *graph (1) shall submit to the appropriate congress-*  
13 *sional committees an annual report, in conjunction*  
14 *with the United States Advisory Commission on Pub-*  
15 *lic Diplomacy’s Comprehensive Annual Report on the*  
16 *performance of the Department and the United States*  
17 *Agency for Global Media, describing all actions taken*  
18 *by the Subcommittee pursuant to paragraph (1) and*  
19 *any findings made as a result of such actions.*

20 **SEC. 5604. PERMANENT REAUTHORIZATION OF THE UNITED**  
21 **STATES ADVISORY COMMISSION ON PUBLIC**  
22 **DIPLOMACY.**

23       *Section 1334 of the Foreign Affairs Reform and Re-*  
24 *structuring Act of 1998 (22 U.S.C. 6553) is amended—*

1           (1) *in the section heading, by striking “**SUN-***  
2           *SET” and inserting “**CONTINUATION**”; and*

3           (2) *by striking “until October 1, 2021”.*

4 **SEC. 5605. STREAMLINING OF SUPPORT FUNCTIONS.**

5           (a) *WORKING GROUP ESTABLISHED.—Not later than*  
6 *60 days after the date of the enactment of this Act, the Sec-*  
7 *retary shall establish a working group to explore the possi-*  
8 *bilities and cost-benefit analysis of transitioning to a*  
9 *shared services model as such pertains to human resources,*  
10 *travel, purchasing, budgetary planning, and all other execu-*  
11 *tive support functions for all bureaus of the Department*  
12 *that report to the Under Secretary for Public Diplomacy*  
13 *of the Department.*

14           (b) *REPORT.—Not later than 180 days after the date*  
15 *of the enactment of this Act, the Secretary shall submit to*  
16 *the appropriate congressional committees a plan to imple-*  
17 *ment any such findings of the working group established*  
18 *under subsection (a).*

19 **SEC. 5606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMACY**  
20 **FACILITIES.**

21           (a) *IN GENERAL.—Not later than 180 days after the*  
22 *date of the enactment of this Act, the Secretary of State*  
23 *shall adopt, and include in the Foreign Affairs Manual,*  
24 *guidelines to collect and utilize information from each dip-*  
25 *lomatic post at which the construction of a new embassy*

1 *compound or new consulate compound would result in the*  
2 *closure or co-location of an American Space, American Cen-*  
3 *ter, American Corner, or any other public diplomacy facil-*  
4 *ity under the Secure Embassy Construction and Counter-*  
5 *terrorism Act of 1999 (22 U.S.C. 4865 et seq.).*

6 (b) *REQUIREMENTS.—The guidelines required by sub-*  
7 *section (a) shall include the following:*

8 (1) *Standardized notification to each chief of*  
9 *mission at a diplomatic post describing the require-*  
10 *ments of the Secure Embassy Construction and*  
11 *Counterterrorism Act of 1999 and the impact on the*  
12 *mission footprint of such requirements.*

13 (2) *An assessment and recommendations from*  
14 *each chief of mission of potential impacts to public*  
15 *diplomacy programming at such diplomatic post if*  
16 *any public diplomacy facility referred to in sub-*  
17 *section (a) is closed or staff is co-located in accord-*  
18 *ance with such Act.*

19 (3) *A process by which assessments and rec-*  
20 *ommendations under paragraph (2) are considered by*  
21 *the Secretary and the appropriate Under Secretaries*  
22 *and Assistant Secretaries of the Department.*

23 (4) *Notification to the appropriate congressional*  
24 *committees, prior to the initiation of a new embassy*  
25 *compound or new consulate compound design, of the*

1        *intent to close any such public diplomacy facility or*  
2        *co-locate public diplomacy staff in accordance with*  
3        *such Act.*

4        *(c) REPORT.—Not later than 1 year after the date of*  
5        *the enactment of this Act, the Secretary shall submit to the*  
6        *appropriate congressional committees a report containing*  
7        *the guidelines required under subsection (a) and any rec-*  
8        *ommendations for any modifications to such guidelines.*

9        **SEC. 5607. DEFINITIONS.**

10        *In this title:*

11                (1) *AUDIENCE RESEARCH.—The term “audience*  
12                *research” means research conducted at the outset of a*  
13                *public diplomacy program or the outset of campaign*  
14                *planning and design regarding specific audience seg-*  
15                *ments to understand the attitudes, interests, knowl-*  
16                *edge, and behaviors of such audience segments.*

17                (2) *DIGITAL ANALYTICS.—The term “digital*  
18                *analytics” means the analysis of qualitative and*  
19                *quantitative data, accumulated in digital format, to*  
20                *indicate the outputs and outcomes of a public diplo-*  
21                *macy program or campaign.*

22                (3) *IMPACT EVALUATION.—The term “impact*  
23                *evaluation” means an assessment of the changes in*  
24                *the audience targeted by a public diplomacy program*

1        *or campaign that can be attributed to such program*  
 2        *or campaign.*

3                (4) *PUBLIC DIPLOMACY BUREAUS AND OF-*  
 4        *FICES.—The term “public diplomacy bureaus and of-*  
 5        *fices” means, with respect to the Department, the fol-*  
 6        *lowing:*

7                        (A) *The Bureau of Educational and Cul-*  
 8        *tural Affairs.*

9                        (B) *The Bureau of Global Public Affairs.*

10                      (C) *The Office of Policy, Planning, and Re-*  
 11        *sources for Public Diplomacy and Public Affairs.*

12                      (D) *The Global Engagement Center.*

13                      (E) *The public diplomacy functions within*  
 14        *the regional and functional bureaus.*

## 15        **TITLE LVII—OTHER MATTERS**

*Sec. 5701. Limitation on assistance to countries in default.*

*Sec. 5702. Sean and David Goldman Child Abduction Prevention and Return Act of 2014 amendment.*

*Sec. 5703. Chief of mission concurrence.*

*Sec. 5704. Report on efforts of the Coronavirus Repatriation Task Force.*

### 16        **SEC. 5701. LIMITATION ON ASSISTANCE TO COUNTRIES IN** 17        **DEFAULT.**

18        *Section 620(q) of the Foreign Assistance Act of 1961*  
 19        *(22 U.S.C. 2370(q)) is amended—*

20                      (1) *by striking “No assistance” and inserting the*  
 21        *following:*

22                      “(1) *No assistance*”;

1           (2) by inserting “the government of” before “any  
2           country”;

3           (3) by inserting “the government of” before “such  
4           country” each place it appears;

5           (4) by striking “determines” and all that follows  
6           and inserting “determines, after consultation with the  
7           Committee on Foreign Affairs and the Committee on  
8           Appropriations of the House of Representatives and  
9           the Committee on Foreign Relations and the Com-  
10          mittee on Appropriations of the Senate, that assist-  
11          ance for such country is in the national interest of the  
12          United States.”; and

13          (5) by adding at the end the following new para-  
14          graph:

15               “(2) No assistance shall be furnished under this  
16               Act, the Peace Corps Act, the Millennium Challenge  
17               Act of 2003, the African Development Foundation  
18               Act, the BUILD Act of 2018, section 504 of the  
19               FREEDOM Support Act, or section 23 of the Arms  
20               Export Control Act to the government of any country  
21               which is in default during a period in excess of 1 cal-  
22               endar year in payment to the United States of prin-  
23               cipal or interest or any loan made to the government  
24               of such country by the United States unless the Presi-  
25               dent determines, following consultation with the con-

1 *gressional committees specified in paragraph (1), that*  
2 *assistance for such country is in the national interest*  
3 *of the United States.”.*

4 **SEC. 5702. SEAN AND DAVID GOLDMAN CHILD ABDUCTION**  
5 **PREVENTION AND RETURN ACT OF 2014**  
6 **AMENDMENT.**

7 *Subsection (b) of section 101 of the Sean and David*  
8 *Goldman International Child Abduction Prevention and*  
9 *Return Act of 2014 (22 U.S.C. 9111; Public Law 113–150)*  
10 *is amended—*

11 *(1) in paragraph (2)—*

12 *(A) in subparagraph (A)—*

13 *(i) by inserting “, respectively,” after*  
14 *“access cases”; and*

15 *(ii) by inserting “and the number of*  
16 *children involved” before the semicolon at*  
17 *the end; and*

18 *(B) in subparagraph (D), by inserting “re-*  
19 *spectively, the number of children involved,”*  
20 *after “access cases,”;*

21 *(2) in paragraph (7), by inserting “, and num-*  
22 *ber of children involved in such cases” before the*  
23 *semicolon at the end;*

24 *(3) in paragraph (8), by striking “and” after the*  
25 *semicolon at the end;*

1           (4) *in paragraph (9), by striking the period at*  
2           *the end and inserting “; and”; and*

3           (5) *by adding at the end the following new para-*  
4           *graph:*

5           “(10) *the total number of pending cases the De-*  
6           *partment of State has assigned to case officers and*  
7           *number of children involved for each country and as*  
8           *a total for all countries.”.*

9   **SEC. 5703. CHIEF OF MISSION CONCURRENCE.**

10          *In the course of a chief of mission providing concur-*  
11          *rence to the exercise of the authority pursuant to section*  
12          *127e of title 10, United States Code, or section 1202 of the*  
13          *National Defense Authorization Act for Fiscal Year 2018—*

14                 (1) *each relevant chief of mission shall inform*  
15                 *and consult in a timely manner with relevant indi-*  
16                 *viduals at relevant missions or bureaus of the Depart-*  
17                 *ment of State; and*

18                 (2) *the Secretary of State shall take such steps*  
19                 *as may be necessary to ensure that such relevant indi-*  
20                 *viduals have the security clearances necessary and ac-*  
21                 *cess to relevant compartmented and special programs*  
22                 *to so consult in a timely manner with respect to such*  
23                 *concurrence.*



1 **SEC. 5704. REPORT ON EFFORTS OF THE CORONAVIRUS RE-**  
 2 **PATRIATION TASK FORCE.**

3 *Not later than 90 days after the date of the enactment*  
 4 *of this Act, the Secretary of State shall submit to the appro-*  
 5 *priate congressional committees, the Committee on Armed*  
 6 *Services of the House of Representatives, and the Committee*  
 7 *on Armed Services of the Senate a report evaluating the*  
 8 *efforts of the Coronavirus Repatriation Task Force of the*  
 9 *Department of State to repatriate United States citizens*  
 10 *and legal permanent residents in response to the 2020*  
 11 *coronavirus outbreak. The report shall identify—*

12 *(1) the most significant impediments to repa-*  
 13 *triating such persons;*

14 *(2) the lessons learned from such repatriations;*  
 15 *and*

16 *(3) any changes planned to future repatriation*  
 17 *efforts of the Department of State to incorporate such*  
 18 *lessons learned.*

19 **DIVISION F—OTHER NON-DE-**  
 20 **PARTMENT OF DEFENSE MAT-**  
 21 **TERS**

22 **TITLE LXI—FINANCIAL**  
 23 **SERVICES MATTERS**

*Sec. 6101. FinCEN Exchange.*

*Sec. 6102. Adverse information in cases of trafficking.*

*Sec. 6103. Support to enhance the capacity of International Monetary Fund members to evaluate the legal and financial terms of sovereign debt contracts.*