

116TH CONGRESS
1ST SESSION

H. R. 3352

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2019

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

A BILL

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

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Department of State Authorization Act of 2019”.

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

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

TITLE I—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT OF STATE

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

- Sec. 102. Bureau of Democracy, Human Rights, and Labor.
- Sec. 103. Assistant Secretary for International Narcotics and Law Enforcement Affairs.
- Sec. 104. Bureau of Consular Affairs; Bureau of Population, Refugees, and Migration.
- Sec. 105. Office of International Disability Rights.
- Sec. 106. Office of Global Women's Issues.
- Sec. 107. Special appointments.
- Sec. 108. Anti-piracy information sharing.
- Sec. 109. Importance of foreign affairs training to national security.
- Sec. 110. Authorization for receipt of private funding for diplomatic studies and training.
- Sec. 111. Classification and assignment of Foreign Service officers.
- Sec. 112. Energy diplomacy and security within the Department of State.
- Sec. 113. Passport fees.
- Sec. 114. United States diplomacy center.
- Sec. 115. 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. 116. Art in embassies.
- Sec. 117. Amendment or repeal of reporting requirements.
- Sec. 118. Reporting on implementation of GAO recommendations.

TITLE II—EMBASSY CONSTRUCTION

- Sec. 201. Embassy security, construction, and maintenance.
- Sec. 202. Standard design in capital construction.
- Sec. 203. Capital construction transparency.
- Sec. 204. Contractor performance information.
- Sec. 205. Growth projections for new embassies and consulates.
- Sec. 206. Long-range planning process.
- Sec. 207. Value engineering and risk assessment.
- Sec. 208. Business volume.
- Sec. 209. Embassy security requests and deficiencies.
- Sec. 210. Overseas security briefings.
- Sec. 211. Contracting methods in capital construction.
- Sec. 212. Competition in embassy construction.
- Sec. 213. Definitions.

TITLE III—PERSONNEL ISSUES

- Sec. 301. Defense Base Act insurance waivers.
- Sec. 302. Study on Foreign Service allowances.
- Sec. 303. Science and technology fellowships.
- Sec. 304. Travel for separated families.
- Sec. 305. Home leave travel for separated families.
- Sec. 306. Sense of Congress regarding certain fellowship programs.
- Sec. 307. Technical correction.
- Sec. 308. Foreign Service awards.
- Sec. 309. Diplomatic programs.
- Sec. 310. Sense of Congress regarding veterans employment at the Department of State.
- Sec. 311. Employee assignment restrictions and preclusions.
- Sec. 312. Recall and reemployment of career members.
- Sec. 313. Strategic staffing plan for the Department.
- Sec. 314. Consulting services.

- Sec. 315. Incentives for critical posts.
- Sec. 316. Extension of authority for certain accountability review boards.
- Sec. 317. Foreign service suspension without pay.

TITLE IV—A DIVERSE WORKFORCE: RECRUITMENT, RETENTION, AND PROMOTION

- Sec. 401. Definitions.
- Sec. 402. Collection, analysis, and dissemination of workforce data.
- Sec. 403. Exit interviews for workforce.
- Sec. 404. Recruitment and retention.
- Sec. 405. Examination and oral assessment for the Foreign Service.
- Sec. 406. Payne fellowship authorization.
- Sec. 407. Voluntary participation.

TITLE V—INFORMATION SECURITY

- Sec. 501. Definitions.
- Sec. 502. Information system security.
- Sec. 503. Prohibition on contracting with certain telecommunications providers.
- Sec. 504. Preserving records of electronic communications conducted related to
official duties of positions in the public trust of the American
people.
- Sec. 505. Foreign Relations of the United States (FRUS) series and declassification.

TITLE VI—PUBLIC DIPLOMACY

- Sec. 601. Short title.
- Sec. 602. Avoiding duplication of programs and efforts.
- Sec. 603. Improving research and evaluation of public diplomacy.
- Sec. 604. Permanent reauthorization of the United States Advisory Commission
on Public Diplomacy.
- Sec. 605. Streamlining of support functions.
- Sec. 606. Guidance for closure of public diplomacy facilities.
- Sec. 607. Definitions.

TITLE VII—COMBATING PUBLIC CORRUPTION

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

TITLE VIII—MATTERS RELATING TO INTERNATIONAL SECURITY

- Sec. 801. Short title.
- Sec. 802. Security assistance defined.

Subtitle A—Reform Relating to Security Assistance

- Sec. 811. Organizational reform.
- Sec. 812. Workforce development.
- Sec. 813. Security assistance planning.
- Sec. 814. Interagency coordination of security assistance, transfers, and security cooperation.
- Sec. 815. Rule of construction.

Subtitle B—Foreign Military Assistance

- Sec. 821. Strategic allocation of excess defense articles.
- Sec. 822. Modification of purposes for which military sales by the United States are authorized.
- Sec. 823. Return of defense articles.
- Sec. 824. Requirements relating to exemptions for licensing of defense items.
- Sec. 825. Amendment to general provisions.
- Sec. 826. Technical amendments to Arms Export Control Act.
- Sec. 827. Sense of Congress on licensing under United States arms export control programs.
- Sec. 828. Extension of war reserve stockpile authority.
- Sec. 829. Peacekeeping operations and other national security programs.
- Sec. 830. Other amendments to military assistance authorities.
- Sec. 831. Repeal of reports.
- Sec. 832. Defense trade controls registration fees.
- Sec. 833. Withholding of assistance to units of foreign security forces that engaged in sexual exploitation or abuse in peacekeeping operations.

Subtitle C—Studies on Authorities and Programs

- Sec. 841. Requirement for study by Bureau of International Narcotics and Law Enforcement Affairs.
- Sec. 842. Requirement for independent study of existing security assistance authorities.

TITLE IX—MISCELLANEOUS

- Sec. 901. Case-Zablocki Act reform.
- Sec. 902. Limitation on assistance to countries in default.
- Sec. 903. Prohibition on assistance to governments supporting international terrorism.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 4 TEES.—Unless otherwise specified, the term “appro-
 5 priate congressional committees” means—

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

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

1 (C) the Committee on Foreign Affairs of
2 the House of Representatives; and

3 (D) the Committee on Appropriations of
4 the House of Representatives.

5 (2) DEPARTMENT.—Unless otherwise specified,
6 the term “Department” means the Department of
7 State.

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

10 **TITLE I—ORGANIZATION AND**
11 **OPERATIONS OF THE DE-**
12 **PARTMENT OF STATE**

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

15 It is the sense of Congress that—

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

18 (2) United States leadership is indispensable in
19 light of the many complex and interconnected
20 threats facing the United States and the world;

21 (3) diplomacy and development are critical tools
22 of national power, and full deployment of these tools
23 is vital to United States national security;

24 (4) challenges such as the global refugee and
25 migration crises, terrorism, historic famine and food

1 insecurity, and fragile or repressive societies cannot
2 be addressed without sustained and robust United
3 States diplomatic and development leadership;

4 (5) the United States Government must use all
5 of the instruments of national security and foreign
6 policy at its disposal to protect United States citi-
7 zens, promote United States interests and values,
8 and support global stability and prosperity;

9 (6) United States security and prosperity de-
10 pend on having partners and allies that share our in-
11 terests and values, and these partnerships are nur-
12 tured and our shared interests and values are pro-
13 moted through United States diplomatic engage-
14 ment, security cooperation, economic statecraft, and
15 assistance that helps further economic development,
16 good governance, including the rule of law and
17 democratic institutions, and the development of
18 shared responses to natural and humanitarian disas-
19 ters;

20 (7) as the United States Government agencies
21 primarily charged with conducting diplomacy and
22 development, the Department and the United States
23 Agency for International Development (USAID) re-
24 quire sustained and robust funding to carry out this
25 important work, which is essential to our ability to

1 project United States leadership and values and to
2 advance the United States interests around the
3 world;

4 (8) the work of the Department and USAID
5 makes the United States and the world safer and
6 more prosperous by alleviating global poverty and
7 hunger, fighting HIV/AIDS and other infectious dis-
8 eases, strengthening alliances, expanding educational
9 opportunities for women and girls, promoting good
10 governance and democracy, supporting anti-corrup-
11 tion efforts, driving economic development and
12 trade, preventing armed conflicts and humanitarian
13 crises, and creating American jobs and export oppor-
14 tunities;

15 (9) the Department and USAID are vital na-
16 tional security agencies, whose work is critical to the
17 projection of United States power and leadership
18 worldwide, and without which Americans would be
19 less safe, our economic power would be diminished,
20 and global stability and prosperity would suffer;

21 (10) investing in diplomacy and development
22 before conflicts break out saves American lives while
23 also being cost-effective; and

24 (11) the contributions of personnel working at
25 the Department and USAID are extraordinarily val-

1 uable and allow the United States to maintain its
2 leadership around the world.

3 **SEC. 102. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND**
4 **LABOR.**

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

8 (1) in subparagraph (A), by adding at the end
9 the following new sentence: “All special envoys, am-
10 bassadors, and coordinators located within the Bu-
11 reau of Democracy, Human Rights, and Labor shall
12 report directly to the Assistant Secretary.”;

13 (2) in subparagraph (B)(ii)—

14 (A) by striking “section” and inserting
15 “sections 116 and”; and

16 (B) by inserting before the period at the
17 end the following: “(commonly referred to as
18 the annual ‘Country Reports on Human Rights
19 Practices’)”; and

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

22 “(C) **AUTHORITIES.**—In addition to the duties,
23 functions, and responsibilities specified in this para-
24 graph, the Assistant Secretary of State for Democ-
25 racy, Human Rights, and Labor is authorized to—

1 “(i) promote democracy and actively sup-
2 port human rights throughout the world;

3 “(ii) promote the rule of law and good gov-
4 ernance throughout the world;

5 “(iii) strengthen civil society programs and
6 organizations;

7 “(iv) implement—

8 “(I) the limitation on assistance to se-
9 curity forces imposed pursuant to section
10 620M of the Foreign Assistance Act of
11 1961 (22 U.S.C. 2378d; commonly known
12 as the ‘Leahy Law’); and

13 “(II) the Child Soldiers Prevention
14 Act of 2008 (22 U.S.C. 2370e et seq.; en-
15 acted as title IV of the William Wilberforce
16 Trafficking Victims Protection Reauthor-
17 ization Act of 2008 (Public Law 110–
18 457));

19 “(v) review and, as appropriate, make rec-
20 ommendations to the Secretary of State regard-
21 ing the proposed transfer of—

22 “(I) defense articles and defense serv-
23 ices authorized under the Foreign Assist-
24 ance Act of 1961 (22 U.S.C. 2151 et seq.)

1 or the Arms Export Control Act (22
2 U.S.C. 2751 et seq.); and

3 “(II) military items listed on the ‘600
4 series’ of the Commerce Control List con-
5 tained in Supplement No. 1 to part 774 of
6 subtitle B of title 15, Code of Federal Reg-
7 ulations;

8 “(vi) coordinate programs and activities
9 that protect and advance the exercise of human
10 rights and internet freedom in cyberspace; and

11 “(vii) implement other relevant policies and
12 provisions of law.

13 “(D) EFFICIENCY.—The Assistant Secretary
14 for Democracy, Human Rights, and Labor shall take
15 whatever actions may be necessary to minimize the
16 duplication of efforts within the Bureau of Democ-
17 racy, Human Rights, and Labor.

18 “(E) LOCAL OVERSIGHT.—United States mis-
19 sions, to the extent practicable, should assist in exer-
20 cising oversight authority and coordinate with the
21 Bureau of Democracy, Human Rights, and Labor to
22 ensure that funds are appropriately used and comply
23 with anti-corruption practices.”.

1 **SEC. 103. ASSISTANT SECRETARY FOR INTERNATIONAL**
2 **NARCOTICS AND LAW ENFORCEMENT AF-**
3 **FAIRS.**

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

7 (1) by redesignating paragraph (3) as para-
8 graph (4); and

9 (2) by inserting after paragraph (2) the fol-
10 lowing new paragraph:

11 “(3) ASSISTANT SECRETARY FOR INTER-
12 NATIONAL NARCOTICS AND LAW ENFORCEMENT AF-
13 FAIRS.—

14 “(A) IN GENERAL.—There is authorized to
15 be in the Department of State an Assistant
16 Secretary for International Narcotics and Law
17 Enforcement Affairs, who shall be responsible
18 to the Secretary of State for all matters, pro-
19 grams, and related activities pertaining to inter-
20 national narcotics, anti-crime, and law enforce-
21 ment affairs in the conduct of foreign policy by
22 the Department, including, as appropriate, lead-
23 ing the coordination of programs carried out by
24 United States Government agencies abroad, and
25 such other related duties as the Secretary may
26 from time to time designate.

1 “(B) AREAS OF RESPONSIBILITY.—The
2 Assistant Secretary for International Narcotics
3 and Law Enforcement Affairs shall maintain
4 continuous observation and coordination of all
5 matters pertaining to international narcotics,
6 anti-crime, and law enforcement affairs in the
7 conduct of foreign policy, including programs
8 carried out by other United States Government
9 agencies when such programs pertain to the fol-
10 lowing matters:

11 “(i) Combating international narcotics
12 production and trafficking.

13 “(ii) Strengthening foreign justice sys-
14 tems, including judicial and prosecutorial
15 capacity, appeals systems, law enforcement
16 agencies, prison systems, and the sharing
17 of recovered assets.

18 “(iii) Training and equipping foreign
19 police, border control, other government of-
20 ficials, and other civilian law enforcement
21 authorities for anti-crime purposes, includ-
22 ing ensuring that no foreign security unit
23 or member of such unit shall receive such
24 assistance from the United States Govern-
25 ment absent appropriate vetting.

1 “(iv) Ensuring the inclusion of human
2 rights issues in law enforcement programs,
3 in consultation with the Assistant Sec-
4 retary for Democracy, Human Rights, and
5 Labor and the heads of appropriate re-
6 gional bureaus of the Department of State.

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

16 “(vi) Identifying and responding to
17 global corruption, including strengthening
18 the capacity of foreign government institu-
19 tions responsible for addressing financial
20 crimes.

21 “(C) ADDITIONAL DUTIES.—In addition to
22 the responsibilities specified in subparagraph
23 (B), the Assistant Secretary for International
24 Narcotics and Law Enforcement Affairs shall
25 also—

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

9 “(ii) coordinate with the Office of Na-
10 tional Drug Control Policy to ensure les-
11 sons learned from other United States
12 Government agencies are available to the
13 Bureau of International Narcotics and
14 Law Enforcement Affairs of the Depart-
15 ment;

16 “(iii) develop standard requirements
17 for monitoring and evaluation of Bureau
18 programs, including metrics for success
19 that do not rely solely on the amounts of
20 illegal drugs that are produced or seized;

21 “(iv) in coordination with the Sec-
22 retary of State, annually certify in writing
23 to the Committee on Foreign Affairs of the
24 House of Representatives and the Com-
25 mittee on Foreign Relations of the Senate

1 that United States law enforcement per-
2 sonnel posted abroad whose activities are
3 funded to any extent by the Bureau of
4 International Narcotics and Law Enforce-
5 ment Affairs are complying with section
6 207 of the Foreign Service Act of 1980
7 (22 U.S.C. 3927); and

8 “(v) carry out such other relevant du-
9 ties as the Secretary may assign.”.

10 (b) MODIFICATION OF ANNUAL INTERNATIONAL
11 NARCOTICS CONTROL STRATEGY REPORT.—Subsection
12 (a) of section 489 of the Foreign Assistance Act of 1961
13 (22 U.S.C. 2291h) is amended by inserting after para-
14 graph (8) the following new paragraph:

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

22 **SEC. 104. BUREAU OF CONSULAR AFFAIRS; BUREAU OF**
23 **POPULATION, REFUGEES, AND MIGRATION.**

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

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

3 (2) by inserting after subsection (f) the fol-
4 lowing new subsections:

5 “(g) BUREAU OF CONSULAR AFFAIRS.—There is in
6 the Department of State the Bureau of Consular Affairs,
7 which shall be headed by the Assistant Secretary of State
8 for Consular Affairs.

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

14 **SEC. 105. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

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

18 (b) DUTIES.—The Office should—

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

22 (2) promote the human rights and full partici-
23 pation in international development activities of all
24 persons with disabilities; and

1 (3) promote disability inclusive practices and
2 the training of Department staff on soliciting quality
3 programs that are fully inclusive of people with dis-
4 abilities.

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

6 (1) a senior advisor to the appropriate Assist-
7 ant Secretary; or

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

11 **SEC. 106. OFFICE OF GLOBAL WOMEN'S ISSUES.**

12 (a) IN GENERAL.—The Secretary should establish an
13 Office of Global Women's Issues (referred to in this sec-
14 tion as the "Office"), which may be placed within the or-
15 ganizational structure of the Department at the discretion
16 of the Secretary.

17 (b) PURPOSE.—The Office should coordinate efforts
18 of the United States Government, as directed by the Sec-
19 retary, regarding gender equality and advancing the status
20 of women and girls in United States foreign policy.

21 (c) DUTIES.—The Office should—

22 (1) serve as the principal advisor to the Sec-
23 retary regarding gender equality, women's and girls'
24 empowerment, and violence against women and girls
25 as a priority of United States foreign policy;

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

4 (3) advise the Secretary and provide input on
5 all activities, policies, programs, and funding relat-
6 ing to gender equality and the advancement of
7 women and girls internationally for all bureaus and
8 offices of the Department and in the international
9 programs of all other Federal agencies;

10 (4) work to ensure that efforts to advance gen-
11 der equality and women's and girls' empowerment
12 are fully integrated into the programs, structures,
13 processes, and capacities of all bureaus and offices
14 of the Department and in the international pro-
15 grams of other Federal agencies; and

16 (5) conduct regular consultation with civil soci-
17 ety organizations working to advance gender equality
18 and empower women and girls internationally.

19 (d) SUPERVISION.—The Office should be headed by
20 an Ambassador-at-large for Global Women's Issues.

21 (e) REPORT.—Not later than 180 days after the date
22 of the enactment of this Act, the Secretary shall provide
23 to the appropriate congressional committees a report or
24 briefing regarding this section.

1 **SEC. 107. SPECIAL APPOINTMENTS.**

2 (a) REPORT ON POSITIONS.—Not later than 30 days
3 after the date of the enactment of this Act, the Secretary
4 shall submit to the appropriate congressional committees
5 a report that includes the following:

6 (1) A description of the duties, responsibilities,
7 and number of staff of each existing Special Envoy,
8 Special Representative, Special Coordinator, Special
9 Negotiator, Envoy, Representative, Coordinator,
10 Special Advisor, and other similar position at the
11 Department.

12 (2) Recommendations regarding whether to
13 maintain in the Department each such position, in-
14 cluding those listed in the report submitted by the
15 Secretary to the Committee on Foreign Relations of
16 the Senate on April 14, 2017, pursuant to section
17 418 of the Department of State Authorities Act,
18 Fiscal Year 2017 (Public Law 114–323), that are
19 not expressly authorized by a provision of law en-
20 acted by Congress.

21 (3) Justifications supporting each of the Sec-
22 retary’s recommendations under paragraph (2).

23 (b) ADVICE AND CONSENT.—Not later than 90 days
24 after the submission of the report required under sub-
25 section (a), the President shall submit the name of each
26 Special Envoy, Special Representative, Special Coordi-

1 nator, Special Negotiator, Envoy, Representative, Coordi-
2 nator, Special Advisor, and other person occupying a simi-
3 lar position at the Department exercising significant au-
4 thority pursuant to the laws of the United States that is
5 not expressly authorized by a provision of law enacted by
6 Congress to the Committee on Foreign Relations of the
7 Senate to seek the advice and consent of the Senate.

8 (c) RULE OF CONSTRUCTION REGARDING ESTAB-
9 LISHMENT OF POSITIONS.—Nothing in this section may
10 be construed as prohibiting the establishment or mainte-
11 nance of any Special Envoy, Special Representative, Spe-
12 cial Coordinator, Special Negotiator, Envoy, Representa-
13 tive, Coordinator, Special Advisor, or other similar posi-
14 tion at the Department exercising significant authority
15 pursuant to the laws of the United States if the name of
16 the appointee for each such position is submitted to the
17 Committee on Foreign Relations of the Senate, to seek
18 the advice and consent of the Senate, not later than 90
19 days after each such appointment.

20 (d) LIMITED EXCEPTION FOR TEMPORARY APPOINT-
21 MENTS.—The Secretary may maintain or establish a posi-
22 tion with the title of Special Envoy, Special Representa-
23 tive, Special Coordinator, Special Negotiator, or Special
24 Advisor, or a similar position not exercising significant au-
25 thority pursuant to the laws of the United States for not

1 longer than 180 days if the Secretary, not later than 15
2 days before the appointment of a person to such a posi-
3 tion, submits to the appropriate congressional committees
4 a notification that includes the following:

5 (1) A certification that the position is not ex-
6 pected to demand the exercise of significant author-
7 ity pursuant to the laws of the United States.

8 (2) A description of the duties and purpose of
9 the position.

10 (3) The rationale for giving the specific title to
11 the position.

12 (e) RENEWAL OF TEMPORARY APPOINTMENT.—
13 Nothing in this section may be construed as prohibiting
14 the Secretary from renewing for a period not to exceed
15 180 days any position maintained or established under
16 subsection (d) if the Secretary complies with the notifica-
17 tion requirements contained in such subsection.

18 (f) FUNDING RESTRICTIONS.—

19 (1) POSITIONS NOT SUBMITTED FOR ADVICE
20 AND CONSENT.—No funds may be authorized to be
21 appropriated for—

22 (A) any Special Envoy, Special Represent-
23 ative, Special Coordinator, Special Negotiator,
24 Envoy, Representative, Coordinator, Special
25 Advisor, or other similar position at the Depart-

1 ment exercising significant authority pursuant
2 to the laws of the United States if the name of
3 the person appointed to such position has not
4 been submitted to the Committee on Foreign
5 Relations of the Senate for the advice and con-
6 sent of the Senate in accordance with sub-
7 section (b); or

8 (B) any staff or resources related to such
9 a position until the person appointed to such
10 position has been submitted to the Committee
11 on Foreign Relations of the Senate for the ad-
12 vice and consent of the Senate.

13 (2) TEMPORARY POSITIONS.—No funds may be
14 authorized to be appropriated for any position de-
15 scribed in subsection (d) or for any staff or re-
16 sources related to such position unless the Secretary
17 has complied with the notification requirements
18 under such subsection.

19 (3) FISCAL YEAR 2020.—The restrictions de-
20 scribed in this subsection shall not apply in fiscal
21 year 2020 to positions or associated staff and re-
22 sources for which funding is expressly appropriated
23 for such fiscal year in an Act of Congress.

24 (g) CONFIRMATION FOR AUTHORIZED POSITIONS.—

1 (1) IN GENERAL.—No Special Envoy, Special
2 Representative, Special Coordinator, Special Nego-
3 tiator, Envoy, Representative, Coordinator, Special
4 Advisor, or other similar position at the Department
5 exercising significant authority pursuant to the laws
6 of the United States that is authorized by an Act of
7 Congress (except the position authorized by section
8 621 of the Tibetan Policy Act of 2002 (subtitle B
9 of title VI of Public Law 107–228; 22 U.S.C. 6901
10 note)) may be appointed without the advice and con-
11 sent of the Senate.

12 (2) FISCAL YEAR 2020.—The restriction de-
13 scribed in paragraph (1) shall not apply in fiscal
14 year 2020 to positions or associated staff and re-
15 sources for which funding is expressly appropriated
16 for such fiscal year in an Act of Congress.

17 (h) ELIMINATION OF SPECIAL REPRESENTATIVE
18 AND POLICY COORDINATOR FOR BURMA.—

19 (1) FINDINGS.—Congress finds the following:

20 (A) Congress established the Special Rep-
21 resentative and Policy Coordinator for Burma
22 in July 2008 at a time when the United States
23 did not maintain full diplomatic relations with
24 Burma and had not appointed an Ambassador
25 to Burma in 18 years.

1 (B) In 2012, the United States re-estab-
2 lished full diplomatic relations with Burma and
3 appointed a United States Ambassador to
4 Burma who, along with the Secretary of State,
5 Assistant Secretary of State for East Asia and
6 the Pacific, and other United States Govern-
7 ment officials, represents the United States' in-
8 terests in Burma.

9 (2) REPEAL.—Section 7 of the Tom Lantos
10 Block Burmese Jade Act of 2008 (Public Law 110–
11 286; 50 U.S.C. 1701 note; relating to the establish-
12 ment of a Special Representative and Policy Coordi-
13 nator for Burma) is hereby repealed.

14 **SEC. 108. ANTI-PIRACY INFORMATION SHARING.**

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

20 **SEC. 109. IMPORTANCE OF FOREIGN AFFAIRS TRAINING TO**
21 **NATIONAL SECURITY.**

22 It is the sense of Congress that—

23 (1) the Department is a crucial national secu-
24 rity agency, whose employees, both Foreign and Civil
25 Service, require the best possible training at every

1 stage of their careers to prepare them to promote
2 and defend United States national interests and the
3 health and safety of United States citizens abroad;

4 (2) the Secretary should explore establishing a
5 “training float” requiring that a certain percentage
6 of the Foreign Service shall be in long-term training
7 at any given time;

8 (3) the Department’s Foreign Service Institute
9 should seek to substantially increase its educational
10 and training offerings to Department personnel, in-
11 cluding developing new and innovative educational
12 and training courses, methods, programs, and oppor-
13 tunities; and

14 (4) consistent with existing Department gift ac-
15 ceptance authority and other applicable laws, the
16 Department and Foreign Service Institute should
17 seek and accept funds and other resources from
18 foundations, not-for-profit corporations, and other
19 appropriate sources to help the Department and the
20 Institute accomplish the goals specified in paragraph
21 (3).

1 **SEC. 110. AUTHORIZATION FOR RECEIPT OF PRIVATE**
2 **FUNDING FOR DIPLOMATIC STUDIES AND**
3 **TRAINING.**

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

6 (1) by redesignating subsection (g) as sub-
7 section (h); and

8 (2) by inserting after subsection (f) the fol-
9 lowing new subsection:

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

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

16 “(B) Curriculum development.

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

19 “(D) Hiring retired Department of State per-
20 sonnel to teach, notwithstanding other hiring limita-
21 tions.

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

24 “(2) Private funding received by the institution pur-
25 suant to this subsection shall be provided at the discretion

1 of the grantor individual or organization, as the case may
2 be.

3 “(3) Not less than once annually, and at the request
4 of the Committee on Foreign Affairs or the Committee
5 on Appropriations of the House of Representatives or the
6 Committee on Foreign Relations or the Committee on Ap-
7 propriations of the Senate, the Department shall provide
8 the names of grantors and information relating to the na-
9 ture and amounts of any contributions made.”.

10 **SEC. 111. 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 insert-
14 ing “If a position designated under this section is
15 unfilled for more than 365 calendar days, such posi-
16 tion may be filled, as appropriate, on a temporary
17 basis, in accordance with section 309.” after “Posi-
18 tions designated under this section are excepted
19 from the competitive service.”; and

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

1 **SEC. 112. ENERGY DIPLOMACY AND SECURITY WITHIN THE**
2 **DEPARTMENT OF STATE.**

3 (a) IN GENERAL.—Subsection (c) of section 1 of the
4 State Department Basic Authorities Act of 1956 (22
5 U.S.C. 2651a), as amended by section 103 of this Act,
6 is further amended—

7 (1) by redesignating paragraph (4) (as redesign-
8 nated pursuant to such section 103) as paragraph
9 (5); and

10 (2) by inserting after paragraph (3) the fol-
11 lowing new paragraph:

12 “(4) ENERGY RESOURCES.—

13 “(A) AUTHORIZATION FOR ASSISTANT SEC-
14 RETARY.—Subject to the numerical limitation
15 specified in paragraph (1), there is authorized
16 to be established in the Department of State an
17 Assistant Secretary of State for Energy Re-
18 sources.

19 “(B) PERSONNEL.—The Secretary of
20 State shall ensure that there are sufficient per-
21 sonnel dedicated to energy matters within the
22 Department of State whose responsibilities shall
23 include—

24 “(i) formulating and implementing
25 international policies aimed at protecting
26 and advancing United States energy secu-

1 rity interests by effectively managing
2 United States bilateral and multilateral re-
3 lations;

4 “(ii) ensuring that analyses of the na-
5 tional security implications of global en-
6 ergy and environmental developments are
7 reflected in the decision making process
8 within the Department;

9 “(iii) incorporating energy security
10 priorities into the activities of the Depart-
11 ment;

12 “(iv) coordinating energy activities of
13 the Department with relevant Federal de-
14 partments and agencies; and

15 “(v) working internationally to—

16 “(I) support the development of
17 energy resources and the distribution
18 of such resources for the benefit of
19 the United States and United States
20 allies and trading partners for their
21 energy security and economic develop-
22 ment needs;

23 “(II) promote availability of di-
24 versified energy supplies and a well-
25 functioning global market for energy

1 resources, technologies, and expertise
2 for the benefit of the United States
3 and United States allies and trading
4 partners;

5 “(III) resolve international dis-
6 putes regarding the exploration, devel-
7 opment, production, or distribution of
8 energy resources;

9 “(IV) support the economic and
10 commercial interests of United States
11 persons operating in the energy mar-
12 kets of foreign countries;

13 “(V) support and coordinate
14 international efforts to alleviate en-
15 ergy poverty;

16 “(VI) leading the United States
17 commitment to the Extractive Indus-
18 tries Transparency Initiative;

19 “(VII) coordinating within the
20 Department and with relevant Federal
21 departments and agencies on devel-
22 oping and implementing international
23 energy-related sanctions; and

24 “(VIII) coordinating energy secu-
25 rity and other relevant functions with-

1 in the Department currently under-
2 taken by—

3 “(aa) the Bureau of Eco-
4 nomic and Business Affairs;

5 “(bb) the Bureau of Oceans
6 and International Environmental
7 and Scientific Affairs; and

8 “(cc) other offices within the
9 Department of State.”.

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

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

14 (2) by redesignating subsections (c) and (d) as
15 subsections (a) and (b), respectively.

16 **SEC. 113. PASSPORT FEES.**

17 Paragraph (2) of section 1(b) of the Passport Act of
18 June 4, 1920 (22 U.S.C. 214(b)) is amended by striking
19 “not” and all that follows through the period at the end
20 and inserting the following: “be exercised beginning on the
21 date of the enactment of the Department of State Author-
22 ization Act of 2019.”.

1 **SEC. 114. UNITED STATES DIPLOMACY CENTER.**

2 Title I of the State Department Basic Authorities Act
3 of 1956 is amended by adding after section 63 (22 U.S.C.
4 2735) the following new section:

5 **“SEC. 64. UNITED STATES DIPLOMACY CENTER.**

6 “(a) ACTIVITIES.—

7 “(1) SUPPORT AUTHORIZED.—The Secretary of
8 State is authorized to provide, by contract, grant, or
9 otherwise, for the performance of appropriate mu-
10 seum visitor and educational outreach services and
11 related events, including organizing programs and
12 conference activities, museum shop services and food
13 services in the public exhibition and related space
14 utilized by the center for United States diplomacy.

15 “(2) RECOVERY OF COSTS.—The Secretary of
16 State is authorized to recover any revenues gen-
17 erated under the authority of paragraph (1) for vis-
18 itor and outreach services and related events re-
19 ferred to in such paragraph, including fees for use
20 of facilities at a center for United States diplomacy.
21 Any such revenues may be retained as a recovery of
22 the costs of operating the Center.

23 “(b) DISPOSITION OF UNITED STATES DIPLOMACY
24 CENTER DOCUMENTS, ARTIFACTS, AND OTHER ARTI-
25 CLES.—

1 “(1) PROPERTY.—All historic documents, arti-
2 facts, or other articles permanently acquired by the
3 Department of State and determined by the Sec-
4 retary of State to be suitable for display by the cen-
5 ter for United States diplomacy shall be considered
6 to be the property of the United States Government
7 and shall be subject to disposition solely in accord-
8 ance with this subsection.

9 “(2) SALE, TRADE, OR TRANSFER.—Whenever
10 the Secretary of State makes the determination de-
11 scribed in paragraph (3) with respect to a document,
12 artifact, or other article under paragraph (1), the
13 Secretary may sell at fair market value, trade, or
14 transfer such document, artifact, or other article
15 without regard to the requirements of subtitle I of
16 title 40, United States Code. The proceeds of any
17 such sale may be used solely for the advancement of
18 the mission of the center for United States diplo-
19 macy and may not be used for any purpose other
20 than the acquisition and direct care of the collections
21 of the center.

22 “(3) DETERMINATIONS PRIOR TO SALE, TRADE,
23 OR TRANSFER.—The determination described in this
24 paragraph with respect to a document, artifact, or

1 other article under paragraph (1), is a determination
2 that—

3 “(A) such document, artifact, or other arti-
4 cle no longer serves to further the purposes of
5 the center for United States diplomacy as set
6 forth in the collections management policy of
7 the center;

8 “(B) the sale, trade, or transfer of such
9 document, artifact, or other article would serve
10 to maintain the standards of the collection of
11 the center; or

12 “(C) sale, trade, or transfer of such docu-
13 ment, artifact, or other article would be in the
14 best interests of the United States.

15 “(4) LOANS.—In addition to the authorization
16 under paragraph (2) relating to the sale, trade, or
17 transfer of documents, artifacts, or other articles
18 under paragraph (1), the Secretary of State may
19 loan such documents, artifacts, or other articles,
20 when not needed for use or display by the center for
21 United States diplomacy to the Smithsonian Institu-
22 tion or a similar institution for repair, study, or ex-
23 hibition.”.

1 **SEC. 115. EXTENSION OF PERIOD FOR REIMBURSEMENT OF**
2 **FISHERMEN FOR COSTS INCURRED FROM**
3 **THE ILLEGAL SEIZURE AND DETENTION OF**
4 **U.S.-FLAG FISHING VESSELS BY FOREIGN**
5 **GOVERNMENTS.**

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

9 “(e) AMOUNTS.—Payments may be made under this
10 section only to such extent and in such amounts as are
11 provided in advance in appropriation Acts.”.

12 (b) RETROACTIVE APPLICABILITY.—

13 (1) EFFECTIVE DATE.—The amendment made
14 by subsection (a) shall take effect on the date of the
15 enactment of this Act and apply as if the date speci-
16 fied in subsection (e) of section 7 of the Fishermen’s
17 Protective Act of 1967, as in effect on the day be-
18 fore the date of the enactment of this Act, were the
19 day after such date of enactment.

20 (2) AGREEMENTS AND PAYMENTS.—The Sec-
21 retary shall—

22 (A) enter into agreements pursuant to sec-
23 tion 7 of the Fishermen’s Protective Act of
24 1967 for any claims to which such section
25 would otherwise apply but for the date specified
26 in subsection (e) of such section, as in effect on

1 the day before the date of the enactment of this
2 Act; and

3 (B) make payments in accordance with
4 agreements entered into pursuant to such sec-
5 tion if any such payments have not been made
6 as a result of the expiration of the date speci-
7 fied in such section, as in effect on the day be-
8 fore the date of the enactment of this Act.

9 **SEC. 116. ART IN EMBASSIES.**

10 (a) IN GENERAL.—No funds are authorized to be ap-
11 propriated for the purchase of any piece of art for the
12 purposes of installation or display in any embassy, con-
13 sulate, or other foreign mission of the United States if
14 the purchase price of such piece of art is in excess of
15 \$50,000, unless such purchase is subject to prior consulta-
16 tion with, and the regular notification procedures of, the
17 appropriate congressional committees.

18 (b) DEFINITION.—In this section, the term “art” in-
19 cludes paintings, sculptures, photographs, industrial de-
20 sign, and craft art.

21 (c) REPORT.—Not later than 90 days after the date
22 of the enactment of this Act, the Secretary shall submit
23 to the appropriate congressional committees a report on
24 the costs of the Art in Embassies Program for each of
25 fiscal years 2012, 2013, and 2014.

1 (d) SUNSET.—This section shall terminate on the
2 date that is two years after the date of the enactment of
3 this Act.

4 **SEC. 117. AMENDMENT OR REPEAL OF REPORTING RE-**
5 **QUIREMENTS.**

6 (a) BURMA.—

7 (1) IN GENERAL.—Section 570 of Public Law
8 104–208 is amended—

9 (A) by amending subsection (c) to read as
10 follows:

11 “(c) MULTILATERAL STRATEGY.—The President
12 shall develop, in coordination with members of ASEAN
13 and other likeminded countries, a comprehensive, multilat-
14 eral strategy to bring about further democratic consolida-
15 tion in Burma and improve human rights practices and
16 the quality of life in Burma, including the development
17 of a dialogue leading to genuine national reconciliation.”;
18 and

19 (B) in subsection (d)—

20 (i) in the matter preceding paragraph
21 (1), by striking “six months” and inserting
22 “year”;

23 (ii) by redesignating paragraph (3) as
24 paragraph (7); and

1 (iii) by inserting after paragraph (2)
2 the following new paragraphs:

3 “(3) improvements in human rights practices;

4 “(4) progress toward broad-based and inclusive
5 economic growth;

6 “(5) progress toward genuine national reconcili-
7 ation;

8 “(6) progress on improving the quality of life of
9 the Burmese people, including progress relating to
10 market reforms, living standards, labor standards,
11 use of forced labor in the tourism industry, and en-
12 vironmental quality; and”.

13 (2) EFFECTIVE DATE.—The amendments made
14 by paragraph (1) shall take effect on the date of the
15 enactment of this Act and apply with respect to the
16 first report required under subsection (d) of section
17 570 of Public Law 104–208 that is required after
18 the date of the enactment of this Act.

19 (b) REPEALS.—The following provisions of law are
20 hereby repealed:

21 (1) Subsection (b) of section 804 of Public Law
22 101–246.

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

24 (3) Section 406 of Public Law 101–246 (22
25 U.S.C. 2414a).

1 (4) Subsection (c) of section 702 of Public Law
2 96–465 (22 U.S.C. 4022).

3 **SEC. 118. REPORTING ON IMPLEMENTATION OF GAO REC-**
4 **OMMENDATIONS.**

5 (a) INITIAL REPORT.—Not later than 120 days after
6 the date of the enactment of this Act, the Secretary shall
7 submit to the appropriate congressional committees a re-
8 port that lists all of the Government Accountability Of-
9 fice’s recommendations relating to the Department that
10 have not been fully implemented.

11 (b) COMPTROLLER GENERAL REPORT.—Not later
12 than 30 days after the Secretary submits the report under
13 subsection (a), the Comptroller General of the United
14 States shall submit to the appropriate congressional com-
15 mittees a report that identifies any discrepancies between
16 the list of recommendations included in such report and
17 the Government Accountability Office’s list of outstanding
18 recommendations for the Department.

19 (c) IMPLEMENTATION REPORT.—

20 (1) IN GENERAL.—Not later than 120 days
21 after the date of the enactment of this Act, the Sec-
22 retary shall submit to the appropriate congressional
23 committees a report that describes the implementa-
24 tion status of each recommendation from the Gov-

1 ernment Accountability Office included in the report
2 submitted under subsection (a).

3 (2) JUSTIFICATION.—The report under para-
4 graph (1) shall include—

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

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

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

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

TITLE II—EMBASSY CONSTRUCTION

SEC. 201. EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE.

For “Embassy Security, Construction, and Maintenance”, there is authorized to be appropriated \$1,987,211,000 for fiscal year 2020.

SEC. 202. STANDARD DESIGN IN CAPITAL CONSTRUCTION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Department’s Bureau of Overseas Building Operations (OBO) or successor office should give appropriate consideration to Standard Embassy Design, in which each new United States embassy and consulate starts with a standard design and keeps customization to a minimum.

(b) CONSULTATION.—The Secretary shall carry out any new United States embassy compound or new consulate compound project that utilizes a non-standard design, including those projects that are in the design or pre-design phase as of the date of the enactment of this Act, only in consultation with the appropriate congressional committees. The Secretary shall provide the appropriate congressional committees, for each such project, the following documentation:

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

5 (2) A comparison of the estimated completion
6 date of such project to the estimated completion
7 date of such project if it were to use a standard de-
8 sign.

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

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

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

19 (c) SUNSET.—The consultation requirement under
20 subsection (b) shall expire on the date that is four years
21 after the date of the enactment of this Act.

22 **SEC. 203. CAPITAL CONSTRUCTION TRANSPARENCY.**

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

1 (1) in the section heading, by striking “**AN-**
 2 **NUAL REPORT ON EMBASSY CONSTRUCTION**
 3 **COSTS**” and inserting “**QUARTERLY REPORT ON**
 4 **OVERSEAS CAPITAL CONSTRUCTION**
 5 **PROJECTS**”; and

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

8 “(a) **IN GENERAL.**—Not later than 180 days after
 9 the date of the enactment of this subsection and every 90
 10 days thereafter until the date that is four years after such
 11 date of enactment, the Secretary shall submit to the ap-
 12 propriate congressional committees a comprehensive re-
 13 port regarding all ongoing overseas capital construction
 14 projects and major embassy security upgrade projects.

15 “(b) **CONTENTS.**—Each report required under sub-
 16 section (a) shall include the following with respect to each
 17 ongoing overseas capital construction project and major
 18 embassy security upgrade project:

19 “(1) The initial cost estimate as specified in the
 20 proposed allocation of capital construction and main-
 21 tenance funds required by the Committees on Appro-
 22 priations for Acts making appropriations for the De-
 23 partment of State, foreign operations, and related
 24 programs.

25 “(2) The current cost estimate.

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

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

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

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

11 “(7) An enumerated list of each request for eq-
12 uitable adjustment and certified claim that has been
13 fully adjudicated or that the Department has settled,
14 and the final dollar amount of each adjudication or
15 settlement.

16 “(8) The date of estimated completion specified
17 in the proposed allocation of capital construction
18 and maintenance funds required by the Committees
19 on Appropriations not later than 45 days after the
20 date of the enactment of an Act making appropria-
21 tions for the Department of State, foreign oper-
22 ations, and related programs.

23 “(9) The current date of estimated comple-
24 tion.”.

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

10 **SEC. 204. CONTRACTOR PERFORMANCE INFORMATION.**

11 (a) DEADLINE FOR COMPLETION.—The Secretary
12 shall complete all contractor performance evaluations re-
13 quired by subpart 42.15 of the Federal Acquisition Regu-
14 lation by October 1, 2021.

15 (b) PRIORITIZATION SYSTEM.—

16 (1) IN GENERAL.—Not later than 90 days after
17 the date of the enactment of this Act, the Secretary
18 shall develop a prioritization system for clearing the
19 current backlog of required evaluations referred to
20 in subsection (a).

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

24 (A) Project completion evaluations should
25 be prioritized over annual evaluations.

1 (B) Evaluations for relatively large con-
 2 tracts should have priority.

3 (C) Evaluations that would be particularly
 4 informative for the awarding of government
 5 contracts should have priority.

6 (c) BRIEFING.—Not later than 90 days after the date
 7 of the enactment of this Act, the Secretary of State shall
 8 brief the appropriate congressional committees on the De-
 9 partment’s plan for completing all evaluations by October
 10 1, 2021, in accordance with subsection (a) and the
 11 prioritization system developed pursuant to subsection (b).

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

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

17 (2) the Department should develop a forum
 18 where contractors can rate the Department’s project
 19 management performance.

20 **SEC. 205. GROWTH PROJECTIONS FOR NEW EMBASSIES**
 21 **AND CONSULATES.**

22 (a) IN GENERAL.—For each new United States em-
 23 bassy compound (NEC) and new consulate compound
 24 project (NCC) in or not yet in the design phase as of the
 25 date of the enactment of this Act, the Office of Manage-

1 ment Policy, Rightsizing, and Innovation of the Depart-
2 ment shall project growth over the estimated life of the
3 facility using all available and relevant data, including the
4 following:

5 (1) Relevant historical trends for Department
6 personnel and personnel from other agencies rep-
7 resented at the NEC or NCC that is to be con-
8 structed.

9 (2) An analysis of the tradeoffs between risk
10 and the needs of United States Government policy
11 conducted as part of the most recent Vital Presence
12 Validation Process, if applicable.

13 (3) Reasonable assumptions about the strategic
14 importance of the NEC or NCC, as the case may be,
15 over the life of the building at issue.

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

18 (b) OTHER FEDERAL AGENCIES.—The head of each
19 Federal agency represented at a United States embassy
20 or consulate shall provide to the Secretary, upon request,
21 growth projections for the personnel of each such agency
22 over the estimated life of each embassy or consulate, as
23 the case may be.

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

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

9 **SEC. 206. LONG-RANGE PLANNING PROCESS.**

10 (a) PLANS REQUIRED.—

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

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

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

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

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

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

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

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

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

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

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

22 (b) REPORTING REQUIREMENTS.—

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

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

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

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

16 (c) SMALL DIPLOMATIC POST DEFINED.—In this
17 section, the term “small diplomatic post” means any
18 United States consulate that has employed five or fewer
19 United States Government employees on average over the
20 36 months prior to the date of the enactment of this Act.

21 **SEC. 207. VALUE ENGINEERING AND RISK ASSESSMENT.**

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

24 (1) Federal departments and agencies are re-
25 quired to use value engineering (VE) as a manage-

1 ment tool, where appropriate, to reduce program and
2 acquisition costs pursuant to OMB Circular A–131,
3 Value Engineering, dated December 31, 2013.

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

8 (b) NOTIFICATION REQUIREMENTS.—

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

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

1 (c) REPORTING AND BRIEFING REQUIREMENTS.—

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

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

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

12 **SEC. 208. BUSINESS VOLUME.**

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

17 **SEC. 209. EMBASSY SECURITY REQUESTS AND DEFICIENCIES.**
18

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

23 (1) Requests made over the previous year by
24 United States diplomatic posts for security up-
25 grades.

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

5 **SEC. 210. OVERSEAS SECURITY BRIEFINGS.**

6 Not later than one year after the date of the enact-
7 ment of this Act, the Secretary shall revise the Foreign
8 Affairs Manual to stipulate that information on the cur-
9 rent threat environment shall be provided to all United
10 States Government employees under chief of mission au-
11 thority traveling to a foreign country on official business.
12 To the extent practicable, such material shall be provided
13 to such employees prior to their arrival at a United States
14 diplomatic post or as soon as possible thereafter.

15 **SEC. 211. CONTRACTING METHODS IN CAPITAL CONSTRUC-**
16 **TION.**

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

24 (b) NOTIFICATION.—Before executing a contract for
25 a delivery method other than design-build in accordance

1 with subsection (a), the Secretary shall notify the appro-
2 priate congressional committees in writing of the decision,
3 including the reasons therefor. The notification required
4 by this subsection may be included in any other report
5 regarding a new United States diplomatic post that is re-
6 quired to be submitted to the appropriate congressional
7 committees.

8 (c) PERFORMANCE EVALUATION.—Not later than
9 180 days after the date of the enactment of this Act, the
10 Secretary shall report to the appropriate congressional
11 committees regarding performance evaluation measures in
12 accordance with GAO’s “Standards for Internal Control
13 in the Federal Government” that will be applicable to de-
14 sign and construction, lifecycle cost, and building mainte-
15 nance programs of the Bureau of Overseas Building Oper-
16 ations of the Department.

17 **SEC. 212. COMPETITION IN EMBASSY CONSTRUCTION.**

18 Not later than 45 days after the date of the enact-
19 ment of this Act, the Secretary shall submit to the appro-
20 priate congressional committee a report detailing steps the
21 Department is taking to expand the embassy construction
22 contractor base in order to increase competition and maxi-
23 mize value.

24 **SEC. 213. DEFINITIONS.**

25 In this title:

1 (1) DESIGN-BUILD.—The term “design-build”
 2 means a method of project delivery in which one en-
 3 tity works under a single contract with the Depart-
 4 ment to provide design and construction services.

5 (2) NON-STANDARD DESIGN.—The term “non-
 6 standard design” means a design for a new embassy
 7 compound project or new consulate compound
 8 project that does not utilize a standardized design
 9 for the structural, spatial, or security requirements
 10 of such embassy compound or consulate compound,
 11 as the case may be.

12 **TITLE III—PERSONNEL ISSUES**

13 **SEC. 301. DEFENSE BASE ACT INSURANCE WAIVERS.**

14 (a) APPLICATION FOR WAIVERS.—Not later than 30
 15 days after the date of the enactment of this Act, the Sec-
 16 retary shall apply to the Department of Labor for a waiver
 17 from insurance requirements under the Defense Base Act
 18 (42 U.S.C. 1651 et seq.) for all countries with respect to
 19 which the requirement was waived prior to January 2017,
 20 and for which there is not currently a waiver.

21 (b) CERTIFICATION REQUIREMENT.—Not later than
 22 45 days after the date of the enactment of this Act, the
 23 Secretary shall certify to the appropriate congressional
 24 committees that the requirement in subsection (a) has
 25 been met.

1 **SEC. 302. STUDY ON FOREIGN SERVICE ALLOWANCES.**

2 (a) REPORT REQUIRED.—

3 (1) IN GENERAL.—Not later than 270 days
4 after the date of the enactment of this Act, the Sec-
5 retary shall submit to the appropriate congressional
6 committees a report detailing an empirical analysis
7 on the effect of overseas allowances on the foreign
8 assignment of Foreign Service officers (FSOs), to be
9 conducted by a federally funded research and devel-
10 opment center with appropriate expertise in labor ec-
11 onomics and military compensation.

12 (2) CONTENTS.—The analysis required under
13 paragraph (1) shall—

14 (A) identify all allowances paid to FSOs
15 assigned permanently or on temporary duty to
16 foreign areas;

17 (B) examine the efficiency of the Foreign
18 Service bidding system in determining foreign
19 assignments;

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

23 (D) examine the Department's strategy
24 and process for incentivizing FSOs to bid on
25 assignments that are historically in lower de-
26 mand, including with monetary compensation,

1 and whether monetary compensation is nec-
2 essary for assignments in higher demand;

3 (E) make any relevant comparisons to
4 military compensation and allowances, noting
5 which allowances are shared or based on the
6 same regulations;

7 (F) recommend options for restructuring
8 allowances to improve the efficiency of the as-
9 signments system and better align FSO incen-
10 tives with the needs of the Foreign Service, in-
11 cluding any cost savings associated with such
12 restructuring;

13 (G) recommend any statutory changes nec-
14 essary to implement subparagraph (F), such as
15 consolidating existing legal authorities for the
16 provision of hardship and danger pay; and

17 (H) detail any effects of recommendations
18 made pursuant to subparagraphs (F) and (G)
19 on other United States Government depart-
20 ments and agencies with civilian employees per-
21 manently assigned or on temporary duty in for-
22 eign areas, following consultation with such de-
23 partments and agencies.

24 (b) BRIEFING REQUIREMENT.—Before initiating the
25 analysis required under subsection (a)(1), and not later

1 than 60 days after the date of the enactment of this Act,
2 the Secretary shall provide to the Committee on Foreign
3 Relations of the Senate and the Committee on Foreign
4 Affairs in the House of Representatives a briefing on the
5 implementation of this section that includes the following:

6 (1) The name of the federally funded research
7 and development center that will conduct such anal-
8 ysis.

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

13 (c) AVAILABILITY OF INFORMATION.—

14 (1) IN GENERAL.—The Secretary shall make
15 available to the federally funded research and devel-
16 opment center carrying out the analysis required
17 under subsection (a)(1) all necessary and relevant
18 information to allow such center to conduct such
19 analysis in a quantitative and analytical manner, in-
20 cluding historical data on the number of bids for
21 each foreign assignment and any survey data col-
22 lected by the Department from eligible bidders on
23 their bid decision-making.

24 (2) COOPERATION.—The Secretary shall work
25 with the heads of other relevant United States Gov-

1 ernment departments and agencies to ensure such
2 departments and agencies provide all necessary and
3 relevant information to the federally funded research
4 and development center carrying out the analysis re-
5 quired under subsection (a)(1).

6 (d) INTERIM REPORT TO CONGRESS.—The Secretary
7 shall require that the chief executive officer of the feder-
8 ally funded research and development center that carries
9 out the analysis required under subsection (a)(1) submit
10 to the Committee on Foreign Relations of the Senate and
11 the Committee on Foreign Affairs of the House of Rep-
12 resentatives an interim report on such analysis not later
13 than 120 days after the date of the enactment of this Act.

14 **SEC. 303. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

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

18 “(e) GRANTS AND COOPERATIVE AGREEMENTS RE-
19 LATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP
20 PROGRAMS.—

21 “(1) IN GENERAL.—The Secretary is authorized
22 to make grants or enter into cooperative agreements
23 related to Department of State science and tech-
24 nology fellowship programs, including for assistance

1 in recruiting fellows and the payment of stipends,
 2 travel, and other appropriate expenses to fellows.

3 “(2) EXCLUSION FROM CONSIDERATION AS
 4 COMPENSATION.—Stipends under paragraph (1)
 5 shall not be considered compensation for purposes of
 6 section 209 of title 18, United States Code.

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

10 **SEC. 304. TRAVEL FOR SEPARATED FAMILIES.**

11 Section 901(15) of the Foreign Service Act of 1980
 12 (22 U.S.C. 4081(15)) is amended—

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

19 (2) in subparagraph (A)—

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

22 (B) by striking “; or” and inserting a
 23 comma;

24 (3) in subparagraph (B)—

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

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

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

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

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

17 **SEC. 305. HOME LEAVE TRAVEL FOR SEPARATED FAMILIES.**

18 Section 903(b) of the Foreign Service Act of 1980
19 (22 U.S.C. 4083(b)) is amended by adding at the end the
20 following new sentence: “In cases in which the family
21 members of a member of the Service reside apart from
22 the member at authorized locations outside the United
23 States because they are prevented by official order from
24 residing with the member at post, the member may take
25 the leave ordered under this section where that member’s

1 family members reside, notwithstanding section 6305 of
2 title 5, United States Code.”.

3 **SEC. 306. SENSE OF CONGRESS REGARDING CERTAIN FEL-**
4 **LOWSHIP PROGRAMS.**

5 It is the sense of Congress that—

6 (1) Department fellowships that promote the
7 employment of candidates belonging to under-rep-
8 resented groups, including the Charles B. Rangel
9 International Affairs Graduate Fellowship Program,
10 the Thomas R. Pickering Foreign Affairs Fellowship
11 Program, and the Donald M. Payne International
12 Development Fellowship Program, represent smart
13 investments vital for building a strong, capable, and
14 representative national security workforce; and

15 (2) the Secretary of State and the Adminis-
16 trator of the United States Agency for International
17 Development should fulfill the terms of their fellow-
18 ship agreements with each participant in the Fellow-
19 ship Programs referred to in paragraph (1), as spec-
20 ified in the original contractual agreements with
21 each such participant.

22 **SEC. 307. TECHNICAL CORRECTION.**

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

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

3 (2) striking “individual joining the Service on
4 or after January 1, 2017,” and inserting “Foreign
5 Service officer, appointed under section 302(a)(1),
6 who has general responsibility for carrying out the
7 functions of the Service”.

8 **SEC. 308. FOREIGN SERVICE AWARDS.**

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

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

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

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

“Sec. 614. Department awards.”.

18 **SEC. 309. DIPLOMATIC PROGRAMS.**

19 (a) SENSE OF CONGRESS ON WORKFORCE RECRUIT-
20 MENT.—It is the sense of Congress that the Secretary
21 should continue to hold entry-level classes for Foreign
22 Service officers and specialists and continue to recruit civil
23 servants through programs such as the Presidential Man-
24 agement Fellows Program and Pathways Internship Pro-
25 grams in a manner and at a frequency consistent with

1 prior years and consistent with the need to maintain a
2 pool of experienced personnel effectively distributed across
3 skill codes and ranks. It is further the sense of Congress
4 that absent continuous recruitment and training of For-
5 eign Service officers and civil servants, the Department
6 will lack experienced, qualified personnel in the short, me-
7 dium, and long terms.

8 (b) LIMITATION.—The Secretary may not obligate or
9 expend any amounts for any reduction-in-force action
10 under section 3502 or 3595 of title 5, United States Code,
11 or for any incentive payments for early separation or re-
12 tirement under any other provision of law unless—

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

16 (2) the Secretary has provided to the appro-
17 priate congressional committees a detailed report
18 that describes the Department’s strategic staffing
19 goals, including—

20 (A) a justification that describes how any
21 proposed workforce reduction enhances the ef-
22 fectiveness of the Department;

23 (B) a certification that such workforce re-
24 duction is in the national interest of the United
25 States;

1 (C) a comprehensive strategic staffing plan
2 for the Department, including five-year work-
3 force forecasting and a description of the antici-
4 pated impact of any proposed workforce reduc-
5 tion; and

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

9 (i) Foreign Service officer and For-
10 eign Service specialist rank;

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

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

16 (iv) employees hired under schedule C
17 of subpart C of part 213 of title 5, Code
18 of Federal Regulations, including their
19 equivalent grade and job skill code and bu-
20 reau of assignment.

21 **SEC. 310. SENSE OF CONGRESS REGARDING VETERANS EM-**
22 **PLOYMENT AT THE DEPARTMENT OF STATE.**

23 It is the sense of Congress that—

24 (1) the Department should continue to promote
25 the employment of veterans, in accordance with sec-

1 tion 301 of the Foreign Service Act of 1980 (22
2 U.S.C. 3941), as amended by section 405 of this
3 Act, including those veterans belonging to tradition-
4 ally underrepresented groups at the Department;

5 (2) veterans employed by the Department have
6 made significant contributions to United States for-
7 eign policy in a variety of regional and global affairs
8 bureaus and diplomatic posts overseas; and

9 (3) the Department should continue to encour-
10 age veteran employment and facilitate their partici-
11 pation in the workforce.

12 **SEC. 311. EMPLOYEE ASSIGNMENT RESTRICTIONS AND**
13 **PRECLUSIONS.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that the Department should expand the appeal proc-
16 ess it makes available to employees related to assignment
17 preclusions and restrictions.

18 (b) APPEAL OF ASSIGNMENT RESTRICTION OR PRE-
19 CLUSION.—Section 502(a)(2) of the Foreign Service Act
20 of 1980 (22 U.S.C. 3982(a)(2)), as amended by section
21 112 of this Act, is further amended by adding at the end
22 the following new sentences: “Any employee subjected to
23 an assignment restriction or preclusion shall have the
24 same appeal rights as provided by the Department regard-
25 ing denial or revocation of a security clearance. Any such

1 appeal shall be resolved not later than 60 days after such
2 appeal is filed.”.

3 (c) NOTICE AND CERTIFICATION.—Not later than 90
4 days after the date of the enactment of this Act, the Sec-
5 retary shall revise, and certify to the appropriate congres-
6 sional committees regarding such revision, the Foreign Af-
7 fairs Manual guidance regarding denial or revocation of
8 a security clearance to expressly state that all review and
9 appeal rights relating thereto shall also apply to any rec-
10 ommendation or decision to impose an assignment restric-
11 tion or preclusion to an employee.

12 **SEC. 312. RECALL AND REEMPLOYMENT OF CAREER MEM-**
13 **BERS.**

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

16 (1) career Department employees provide in-
17 valuable service to the United States as nonpartisan
18 professionals who contribute subject matter expertise
19 and professional skills to the successful development
20 and execution of United States foreign policy; and

21 (2) re-employment of skilled former members of
22 the Foreign and civil service who have voluntarily
23 separated from the Foreign or civil service due to
24 family reasons or to obtain professional skills outside
25 government is of benefit to the Department.

1 (b) RE-EMPLOYMENT.—Subsection (b) of section 308
2 of the Foreign Service Act of 1980 (22 U.S.C. 3948) is
3 amended by adding at the end the following new sentence:
4 “Former career tenured members of the Service seeking
5 reappointment, if separated for other than cause for up
6 to three years prior to the date of the enactment of this
7 sentence, shall be eligible to participate in the regular as-
8 signment bidding process without restriction and shall not
9 be required to accept a directed first assignment upon re-
10 appointment.”.

11 (c) NOTICE OF EMPLOYMENT OPPORTUNITIES.—

12 (1) IN GENERAL.—Title 5, United States Code,
13 is amended by inserting after chapter 102 the fol-
14 lowing new chapter:

15 **“CHAPTER 103—NOTICE OF EMPLOYMENT**
16 **OPPORTUNITIES FOR DEPARTMENT**
17 **OF STATE AND USAID POSITIONS**

18 **“§ 10301. Notice of employment opportunities for De-**
19 **partment of State and USAID positions**

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

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

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions for subpart I of title 5, United States Code, is
10 amended by adding at the end the following:

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

11 (d) RECALL.—Subsection (a) of section 308 of the
12 Foreign Service Act of 1980 (22 U.S.C. 3948) is amended
13 to read as follows:

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

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

7 **SEC. 313. STRATEGIC STAFFING PLAN FOR THE DEPART-**
8 **MENT.**

9 (a) IN GENERAL.—Not later than 18 months after
10 the date of the enactment of this Act, the Secretary shall
11 submit to the appropriate congressional committees a
12 comprehensive five-year strategic staffing plan for the De-
13 partment that is aligned with and furthers the objectives
14 of the National Security Strategy of the United States of
15 America issued in December 2017, or any subsequent
16 strategy issued not later than 18 months after the date
17 of the enactment of this Act, which shall include the fol-
18 lowing:

19 (1) A dataset displaying comprehensive work-
20 force data for all current and planned employees of
21 the Department, disaggregated by—

22 (A) Foreign Service officer and Foreign
23 Service specialist rank;

24 (B) civil service job skill code, grade level,
25 and bureau of assignment;

1 (C) contracted employees, including the
2 equivalent job skill code and bureau of assign-
3 ment; and

4 (D) employees hired under schedule C of
5 subpart C of part 213 of title 5, Code of Fed-
6 eral Regulations, including the equivalent grade
7 and job skill code and bureau of assignment of
8 such employee.

9 (2) Recommendations on the number of For-
10 eign Service offices disaggregated by service cone
11 that should be posted at each United States diplo-
12 matic post in the District of Columbia, with a de-
13 tailed basis for such recommendations.

14 (3) Recommendations on the number of civil
15 service officers that should be employed by the De-
16 partment, with a detailed basis for such rec-
17 ommendations.

18 (b) MAINTENANCE.—The dataset required under
19 subsection (a)(1) shall be maintained and updated on a
20 regular basis.

21 (c) CONSULTATION.—The Secretary shall lead the
22 development of the plan required under subsection (a) but
23 may consult or partner with private sector entities with
24 expertise in labor economics, management, or human re-

1 sources, as well as organizations familiar with the de-
2 mands and needs of the Department’s workforce.

3 **SEC. 314. CONSULTING SERVICES.**

4 (a) IN GENERAL.—Chapter 103 of title 5 of the
5 United States Code, as added by section 313 of this Act,
6 is amended by adding at the end the following:

7 **“§ 10302. Consulting services for the Department of**
8 **State.**

9 “Any consulting service obtained by the Department
10 of State through procurement contract pursuant to section
11 3109 of title 5, United States Code, shall be limited to
12 those contracts with respect to which expenditures are a
13 matter of public record and available for public inspection,
14 except if otherwise provided under existing law, or under
15 existing Executive order issued pursuant to existing law.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 for subpart I of title 5, United States Code, is amended
18 by adding after the item relating to section 10302 the fol-
19 lowing new item:

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

20 **SEC. 315. INCENTIVES FOR CRITICAL POSTS.**

21 Section 1115(d) of the Supplemental Appropriations
22 Act, 2009 (Public Law 111–32) is amended by striking
23 the last sentence.

1 **SEC. 316. EXTENSION OF AUTHORITY FOR CERTAIN AC-**
2 **COUNTABILITY REVIEW BOARDS.**

3 Section 301(a)(3) of the Omnibus Diplomatic Secu-
4 rity and Antiterrorism Act of 1986 (22 U.S.C.
5 4831(a)(3)) is amended—

6 (1) in the heading, by striking “AFGHANISTAN
7 AND” and inserting “AFGHANISTAN, YEMEN, SYRIA,
8 AND”; and

9 (2) in subparagraph (A)—

10 (A) in clause (i), by striking “Afghanistan
11 or” and inserting “Afghanistan, Yemen, Syria,
12 or”; and

13 (B) in clause (ii), by striking “beginning
14 on October 1, 2005, and ending on September
15 30, 2009” and inserting “beginning on October
16 1, 2019, and ending on September 30, 2022”.

17 **SEC. 317. FOREIGN SERVICE SUSPENSION WITHOUT PAY.**

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

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

23 (2) by redesignating paragraph (5) as para-
24 graph (7);

25 (3) by inserting after paragraph (4) the fol-
26 lowing new paragraphs:

1 “(5) Any member of the Service suspended from du-
 2 ties under this subsection may be suspended without pay
 3 only after a final written decision is provided to such mem-
 4 ber under paragraph (2).

5 “(6) If no final written decision under paragraph (2)
 6 has been provided within one calendar year of the date
 7 the suspension at issue was proposed, not later than 30
 8 days thereafter the Secretary of State shall report to the
 9 Committee on Foreign Affairs of the House of Representa-
 10 tives and the Committee on Foreign Relations of the Sen-
 11 ate in writing regarding the specific reasons for such
 12 delay.”; and

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

14 (A) by striking “(7) In this subsection.”;

15 (B) in subparagraph (A), by striking “(A)

16 The term” and inserting the following:

17 “(7) In this subsection, the term”;

18 (C) by striking subparagraph (B) (relating
 19 to the definition of “suspend” and “suspension”); and
 20

21 (D) by redesignating clauses (i) and (ii) as
 22 subparagraphs (A) and (B), respectively; and
 23 moving such subparagraphs two ems to the left.

1 **TITLE IV—A DIVERSE WORK-**
2 **FORCE: RECRUITMENT, RE-**
3 **TENTION, AND PROMOTION**

4 **SEC. 401. DEFINITIONS.**

5 In this title:

6 (1) **APPLICANT FLOW DATA.**—The term “appli-
7 cant flow data” means data that tracks the rate of
8 applications for job positions among demographic
9 categories.

10 (2) **DEMOGRAPHIC DATA.**—The term “demo-
11 graphic data” means facts or statistics relating to
12 the demographic categories specified in the Office of
13 Management and Budget statistical policy directive
14 entitled “Standards for Maintaining, Collecting, and
15 Presenting Federal Data on Race and Ethnicity”
16 (81 Fed. Reg. 67398).

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

22 (4) **WORKFORCE.**—The term “workforce”
23 means—

1 (A) individuals serving in a position in the
2 civil service (as defined in section 2101 of title
3 5, United States Code);

4 (B) individuals who are members of the
5 Foreign Service (as defined in section 103 of
6 the Foreign Service Act of 1980 (22 U.S.C.
7 3902));

8 (C) all individuals serving under a personal
9 services agreement or personal services con-
10 tract;

11 (D) all individuals serving under a Foreign
12 Service Limited appointment under section 309
13 of the Foreign Service Act of 1980; or

14 (E) individuals working in the Department
15 of State under any other authority.

16 **SEC. 402. COLLECTION, ANALYSIS, AND DISSEMINATION OF**
17 **WORKFORCE DATA.**

18 (a) INITIAL REPORT.—Not later than 180 days after
19 the date of the enactment of this Act, the Secretary shall,
20 in consultation with the Director of the Office of Per-
21 sonnel Management and the Director of the Office of Man-
22 agement and Budget, submit to the appropriate congres-
23 sional committees a report, which shall also be posted on
24 a publicly available website of the Department in a search-
25 able database format, that includes disaggregated demo-

1 graphic data and other information regarding the diversity
2 of the workforce of the Department.

3 (b) DATA.—The report under subsection (a) shall in-
4 clude the following data:

5 (1) Demographic data on each element of the
6 workforce of the Department, disaggregated by rank
7 and grade or grade-equivalent, with respect to the
8 following groups:

9 (A) Applicants for positions in the Depart-
10 ment.

11 (B) Individuals hired to join the workforce.

12 (C) Individuals promoted during the 2-year
13 period ending on the date of the enactment of
14 this Act, including promotions to and within the
15 Senior Executive Service or the Senior Foreign
16 Service.

17 (D) Individuals serving on applicable selec-
18 tion boards.

19 (E) Members of any external advisory com-
20 mittee or board who are subject to appointment
21 by individuals at senior positions in the Depart-
22 ment.

23 (F) Individuals participating in profes-
24 sional development programs of the Depart-
25 ment, and the extent to which such participants

1 have been placed into senior positions within
2 the Department after such participation.

3 (G) Individuals participating in mentorship
4 or retention programs.

5 (H) Individuals who separated from the
6 agency during the 2-year period ending on the
7 date of the enactment of this Act, including in-
8 dividuals in the Senior Executive Service or the
9 Senior Foreign Service.

10 (2) An assessment of agency compliance with
11 the essential elements identified in Equal Employ-
12 ment Opportunity Commission Management Direc-
13 tive 715, effective October 1, 2003.

14 (3) Data on the overall number of individuals
15 who are part of the workforce, the percentages of
16 such workforce corresponding to each element listed
17 in section 401(4), and the percentages corresponding
18 to each rank, grade, or grade-equivalent.

19 (c) RECOMMENDATION.—The Secretary may include
20 in the report under subsection (a) a recommendation to
21 the Director of Office of Management and Budget and to
22 the appropriate congressional committees regarding
23 whether the Department should collect more detailed data
24 on demographic categories in addition to the race and eth-
25 nicity categories specified in the Office of Management

1 and Budget statistical policy directive entitled “Standards
2 for Maintaining, Collecting, and Presenting Federal Data
3 on Race and Ethnicity” (81 Fed. Reg. 67398).

4 (d) OTHER CONTENTS.—The report under sub-
5 section (a) shall also describe the efforts of the Depart-
6 ment—

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

10 (2) to enforce anti-harassment and anti-dis-
11 crimination policies;

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

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

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

22 (6) to recruit a representative workforce by—

23 (A) recruiting women and minorities;

24 (B) recruiting at women’s colleges, histori-
25 cally Black colleges and universities, minority-

1 serving institutions, and other institutions serv-
2 ing a significant percentage of minority stu-
3 dents;

4 (C) placing job advertisements in news-
5 papers, magazines, and job sites oriented to-
6 ward women and minorities;

7 (D) sponsoring and recruiting at job fairs
8 in urban and rural communities and land-grant
9 colleges or universities;

10 (E) providing opportunities through the
11 Foreign Service Internship Program under
12 chapter 12 of the Foreign Service Act of 1980
13 (22 U.S.C. 4141 et seq.) and other hiring ini-
14 tiatives;

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

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

1 (H) support recruiting and hiring opportu-
2 nities through—

3 (i) the Charles B. Rangel Inter-
4 national Affairs Fellowship Program;

5 (ii) the Thomas R. Pickering Foreign
6 Affairs Fellowship Program;

7 (iii) the Donald M. Payne Inter-
8 national Development Fellowship Program;
9 and

10 (iv) other initiatives, including agency-
11 wide policy initiatives.

12 (e) ANNUAL UPDATES.—Not later than one year
13 after the publication of the report required under sub-
14 section (a) and annually thereafter for the following five
15 years, the Secretary shall work with the Director of the
16 Office of Personnel Management and the Director of the
17 Office of Management and Budget to provide a report to
18 the appropriate congressional committees, which shall be
19 posted on the Department’s website, which may be in-
20 cluded in another annual report required under another
21 provision of law, that includes—

22 (1) disaggregated demographic data relating to
23 the workforce and information on the status of di-
24 versity and inclusion efforts of the Department;

25 (2) an analysis of applicant flow data; and

1 (3) disaggregated demographic data relating to
2 participants in professional development programs of
3 the Department and the rate of placement into sen-
4 ior positions for participants in such programs.

5 **SEC. 403. EXIT INTERVIEWS FOR WORKFORCE.**

6 (a) **RETAINED MEMBERS.**—The Director General of
7 the Foreign Service and the Director of Human Resources
8 of the Department should conduct periodic interviews with
9 a representative and diverse cross-section of the workforce
10 of the Department—

11 (1) to understand the reasons of individuals in
12 such workforce for remaining in a position in the
13 Department; and

14 (2) to receive feedback on workplace policies,
15 professional development opportunities, and other
16 issues affecting the decision of individuals in the
17 workforce to remain in the Department.

18 (b) **DEPARTING MEMBERS.**—The Director General of
19 the Foreign Service and the Director of Human Resources
20 shall provide an opportunity for an exit interview to each
21 individual in the workforce of the Department who sepa-
22 rates from service with the Department to better under-
23 stand the reasons of such individual for leaving such serv-
24 ice.

1 (c) USE OF ANALYSIS FROM INTERVIEWS.—The Di-
2 rector General of the Foreign Service and the Director of
3 Human Resources shall analyze demographic data and
4 other information obtained through interviews under sub-
5 sections (a) and (b) to determine—

6 (1) to what extent, if any, the diversity of those
7 participating in such interviews impacts the results;
8 and

9 (2) whether to implement any policy changes or
10 include any recommendations in a report required
11 under subsection (a) or (e) of section 402 relating
12 to the determination reached pursuant to paragraph
13 (1).

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

15 (1) track demographic data relating to partici-
16 pants in professional development programs and the
17 rate of placement into senior positions for partici-
18 pants in such programs;

19 (2) annually evaluate such data—

20 (A) to identify ways to improve outreach
21 and recruitment for such programs, consistent
22 with merit system principles; and

23 (B) to understand the extent to which par-
24 ticipation in any professional development pro-
25 gram offered or sponsored by the Department

1 differs among the demographic categories of the
2 workforce; and

3 (3) actively encourage participation from a
4 range of demographic categories, especially from cat-
5 egories with consistently low participation, in such
6 professional development programs.

7 **SEC. 404. RECRUITMENT AND RETENTION.**

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

9 (1) continue to seek a diverse and talented pool
10 of applicants; and

11 (2) instruct the Director General of the Foreign
12 Service and the Director of the Bureau of Human
13 Resources of the Department to have a recruitment
14 plan of action for the recruitment of people belong-
15 ing to traditionally under-represented groups, which
16 should include outreach at appropriate colleges, uni-
17 versities, affinity groups, and professional associa-
18 tions.

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

21 (1) recruiting at women’s colleges, historically
22 Black colleges and universities, minority-serving in-
23 stitutions, and other institutions serving a signifi-
24 cant percentage of minority students;

1 (2) placing job advertisements in newspapers,
2 magazines, and job sites oriented toward diverse
3 groups;

4 (3) sponsoring and recruiting at job fairs in
5 urban and rural communities and land-grant colleges
6 or universities;

7 (4) providing opportunities through highly re-
8 spected, international leadership programs, that
9 focus on diversity recruitment and retention; and

10 (5) cultivating partnerships with organizations
11 dedicated to the advancement of the profession of
12 international affairs and national security to advance
13 shared diversity goals.

14 (c) EXPAND TRAINING ON ANTI-HARASSMENT AND
15 ANTI-DISCRIMINATION.—

16 (1) IN GENERAL.—The Secretary shall, through
17 the Foreign Service Institute and other educational
18 and training opportunities—

19 (A) expand the provision of training on
20 workplace rights and responsibilities to focus on
21 anti-harassment and anti-discrimination infor-
22 mation and policies; and

23 (B) make such expanded training manda-
24 tory for—

- 1 (i) individuals in senior and super-
2 visory positions; and
3 (ii) individuals having responsibilities
4 related to recruitment, retention, or pro-
5 motion of employees.

6 (2) BEST PRACTICES.—Each agency shall give
7 special attention to ensuring the continuous incorpo-
8 ration of research-based best practices in training
9 provided under this subsection.

10 **SEC. 405. EXAMINATION AND ORAL ASSESSMENT FOR THE**
11 **FOREIGN SERVICE.**

12 (a) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that the Department should offer both the Foreign
14 Service written examination and oral assessment in more
15 locations throughout the United States. Doing so would
16 ease the financial burden on potential candidates who do
17 not currently reside in and must travel at their own ex-
18 pense to one of the few locations where these assessments
19 are offered.

20 (b) FOREIGN SERVICE EXAMINATIONS.—Section
21 301(b) of the Foreign Service Act of 1980 (22 U.S.C.
22 3941) is amended—

- 23 (1) by striking “The Secretary” and inserting:
24 “(1) The Secretary”; and

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

3 “(2) The Secretary shall ensure that the Board of
4 Examiners for the Foreign Service annually offers the oral
5 assessment examinations described in paragraph (1) in
6 cities, chosen on a rotating basis, located in at least three
7 different time zones across the United States.”.

8 **SEC. 406. PAYNE FELLOWSHIP AUTHORIZATION.**

9 (a) IN GENERAL.—Undergraduate and graduate
10 components of the Donald M. Payne International Devel-
11 opment Fellowship Program may conduct outreach to at-
12 tract outstanding students with an interest in pursuing
13 a Foreign Service career who represent diverse ethnic and
14 socioeconomic backgrounds.

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

18 **SEC. 407. VOLUNTARY PARTICIPATION.**

19 (a) IN GENERAL.—Nothing in this title should be
20 construed so as to compel any employee to participate in
21 the collection of the data or divulge any personal informa-
22 tion. Department employees shall be informed that their
23 participation in the data collection contemplated by this
24 title is voluntary.

1 (b) PRIVACY PROTECTION.—Any data collected
2 under this title shall be subject to the relevant privacy pro-
3 tection statutes and regulations applicable to Federal em-
4 ployees.

5 **TITLE V—INFORMATION**
6 **SECURITY**

7 **SEC. 501. DEFINITIONS.**

8 In this title:

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

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

16 (3) RELEVANT CONGRESSIONAL COMMIT-
17 TEES.—The term “relevant congressional commit-
18 tees” means—

19 (A) the appropriate congressional commit-
20 tees;

21 (B) the Select Committee on Intelligence
22 of the Senate; and

23 (C) the Permanent Select Committee on
24 Intelligence of the House of Representatives.

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

2 (a) DEFINITIONS.—In this section:

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

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

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

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

1 carried out by an appropriate Federal department or agen-
2 cy other than the Department, such as the Department
3 of Homeland Security or the National Security Agency,
4 to ensure that adequate policies and protections are imple-
5 mented to detect and prevent penetrations or compromises
6 of such information systems, including malicious intru-
7 sions by any unauthorized individual, state actor, or other
8 entity.

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

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

15 (2) not later than 30 days after the commence-
16 ment of such a determination, submits to the rel-
17 evant congressional committees a written justifica-
18 tion that describes how such penetration tests would
19 undermine national security or the diplomatic mis-
20 sion of the Department.

21 (e) INCIDENT REPORTING.—Not later than 180 days
22 after the date of the enactment of this Act and annually
23 thereafter for three years, the Secretary, in consultation
24 with the Secretary of Defense, the Director of the Na-
25 tional Intelligence, the Secretary of Homeland Security,

1 and any other department or agency representative who
2 the Secretary determines to be appropriate, shall securely
3 submit to the relevant congressional committees a classi-
4 fied report that describes in detail the following:

5 (1) For the first reporting period, all known
6 and suspected incidents affecting the information
7 systems specified in subsection (b) that occurred
8 during the 180-day period immediately preceding the
9 date of the enactment of this Act.

10 (2) For all subsequent reporting periods, all
11 known and suspected incidents affecting the infor-
12 mation systems specified in subsection (b) that oc-
13 curred since the submission of the most recent re-
14 port.

15 (f) CONTENTS.—Each report under subsection (e)
16 shall include, for the relevant reporting period, a summary
17 overview addressing the following:

18 (1) A description of the relevant information
19 system, as specified in subsection (b), that experi-
20 enced a known or suspected incident.

21 (2) An assessment of the date and time each
22 such incident occurred or was suspected to have oc-
23 curred.

24 (3) An assessment of the duration over which
25 each such incident took place or is suspected of hav-

1 ing taken place, including whether such incident is
2 ongoing.

3 (4) An assessment of the volume and sensitivity
4 of information accessed, compromised, or potentially
5 compromised by each incident, including any such
6 information contained on information systems
7 owned, operated, managed, or utilized by any other
8 Federal department or agency.

9 (5) An assessment of whether such information
10 system was compromised by such incident, including
11 an assessment of the following:

12 (A) The known or suspected perpetrators,
13 including state actors.

14 (B) The methods used to carry out the in-
15 cident.

16 (C) The known or suspected intent of the
17 actors in accessing the information system.

18 (6) A description of the actions the Department
19 has taken or plans to take, including timelines and
20 descriptions of any progress on plans described in
21 prior reports, to prevent future, similar incidents af-
22 fecting such information systems.

1 **SEC. 503. PROHIBITION ON CONTRACTING WITH CERTAIN**
2 **TELECOMMUNICATIONS PROVIDERS.**

3 (a) LIST OF COVERED CONTRACTORS.—Not later
4 than 30 days after the date of the enactment of this Act,
5 the Secretary, in consultation with the Director of Na-
6 tional Intelligence, shall develop or maintain, as the case
7 may be, and update as frequently as the Secretary deter-
8 mines appropriate, a list of covered contractors with re-
9 spect to which the prohibition specified in subsection (b)
10 shall apply.

11 (b) PROHIBITION ON CONTRACTS.—The Secretary
12 may not enter into a contract with a covered contractor
13 on the list described in subsection (a).

14 (c) REMOVAL FROM LIST.—To be removed from the
15 list described in subsection (a), a covered contractor may
16 submit a request to the Secretary in such manner as the
17 Secretary determines appropriate. The Secretary, in con-
18 sultation with the Director of National Intelligence, shall
19 determine a process for removing covered contractors from
20 the list, as appropriate, and publicly disclose such process.

21 (d) WAIVERS.—

22 (1) IN GENERAL.—The President or the Sec-
23 retary may waive the prohibition specified in sub-
24 section (b) if the President or the Secretary deter-
25 mines that such waiver is justified for national secu-
26 rity reasons.

1 (2) WAIVER FOR OVERSEAS OPERATIONS.—The
2 Secretary may waive the prohibition specified in sub-
3 section (b) for United States diplomatic posts or dip-
4 lomatic personnel overseas if the Secretary, in con-
5 sultation with the Director of National Intelligence,
6 determines that no suitable alternatives are avail-
7 able.

8 (e) COVERED CONTRACTOR DEFINED.—In this sec-
9 tion, the term “covered contractor” means a provider of
10 telecommunications, telecommunications equipment, or in-
11 formation technology equipment, including hardware, soft-
12 ware, or services, that has knowingly assisted or facilitated
13 a cyber attack or conducted surveillance, including passive
14 or active monitoring, carried out against the United States
15 by, or on behalf of, any government, or persons associated
16 with such government, listed as a cyber threat actor in
17 the intelligence community’s 2017 assessment of world-
18 wide threats to United States national security or any sub-
19 sequent worldwide threat assessment of the intelligence
20 community.

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

1 **SEC. 504. PRESERVING RECORDS OF ELECTRONIC COMMU-**
2 **NICATIONS CONDUCTED RELATED TO OFFI-**
3 **CIAL DUTIES OF POSITIONS IN THE PUBLIC**
4 **TRUST OF THE AMERICAN PEOPLE.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that, as a matter of rule of law and transparency
7 in a democratic government, all officers and employees of
8 the Department and the United States Agency for Inter-
9 national Development must preserve all records of commu-
10 nications conducted in their official capacities or related
11 to their official duties with entities outside of the United
12 States Government. It is further the sense of Congress
13 that such practice should include foreign government offi-
14 cials or other foreign entities which may seek to influence
15 United States Government policies and actions.

16 (b) PUBLICATION.—Not later than 180 days after the
17 date of the enactment of this Act, the Secretary shall pub-
18 lish in the Foreign Affairs Manual guidance implementing
19 chapter 31 of title 44, United States Code (commonly re-
20 ferred to as the “Federal Records Act”), to treat elec-
21 tronic messaging systems, software, and applications as
22 equivalent to electronic mail for the purpose of identifying
23 Federal records, and shall also publish in the Foreign Af-
24 fairs Manual the statutory penalties for failure to comply
25 with such guidance. No funds are authorized to be appro-
26 priated or made available to the Department of State

1 under any Act to support the use or establishment of ac-
 2 counts on third-party messaging applications or other non-
 3 Government online communication tools if the Secretary
 4 does not certify to the relevant congressional committees
 5 that the Secretary has carried out this section.

6 **SEC. 505. FOREIGN RELATIONS OF THE UNITED STATES**

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

8 The State Department Basic Authorities Act of 1956
 9 is amended—

10 (1) in section 401(c) (22 U.S.C. 4351(c)), by
 11 striking “30” and inserting “25”;

12 (2) in section 402(a)(2) (22 U.S.C.
 13 4352(a)(2)), by striking “26” and inserting “20”;
 14 and

15 (3) in section 404 (22 U.S.C. 4354)—

16 (A) in subsection (a)(1), by striking “30”
 17 and inserting “25”; and

18 (B) in subsection (c)(1)(C), by striking
 19 “30” and inserting “25”.

20 **TITLE VI—PUBLIC DIPLOMACY**

21 **SEC. 601. SHORT TITLE.**

22 This title may be cited as the “Public Diplomacy
 23 Modernization Act of 2019”.

1 **SEC. 602. AVOIDING DUPLICATION OF PROGRAMS AND EF-**
2 **FORTS.**

3 The Secretary shall—

4 (1) identify opportunities for greater efficiency
5 of operations, including through improved coordina-
6 tion of efforts across public diplomacy bureaus and
7 offices of the Department; and

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

13 **SEC. 603. IMPROVING RESEARCH AND EVALUATION OF**
14 **PUBLIC DIPLOMACY.**

15 (a) RESEARCH AND EVALUATION ACTIVITIES.—The
16 Secretary, acting through the Director of Research and
17 Evaluation appointed pursuant to subsection (b), shall—

18 (1) conduct regular research and evaluation of
19 public diplomacy programs and activities of the De-
20 partment, including through the routine use of audi-
21 ence research, digital analytics, and impact evalua-
22 tions, to plan and execute such programs and activi-
23 ties; and

24 (2) make available to Congress the findings of
25 the research and evaluations conducted under para-
26 graph (1).

1 (b) DIRECTOR OF RESEARCH AND EVALUATION.—

2 (1) APPOINTMENT.—Not later than 90 days
3 after the date of the enactment of this Act, the Sec-
4 retary shall appoint a Director of Research and
5 Evaluation (referred to in this subsection as the
6 “Director”) in the Office of Policy, Planning, and
7 Resources for Public Diplomacy and Public Affairs
8 of the Department.

9 (2) LIMITATION ON APPOINTMENT.—The ap-
10 pointment of the Director pursuant to paragraph (1)
11 shall not result in an increase in the overall full-time
12 equivalent positions within the Department.

13 (3) RESPONSIBILITIES.—The Director shall—

14 (A) report to the Director of Policy Plan-
15 ning of the Office of Policy, Planning, and Re-
16 sources for Public Diplomacy and Public Af-
17 fairs of the Department;

18 (B) coordinate and oversee the research
19 and evaluation of public diplomacy programs
20 and activities of the Department to—

21 (i) improve public diplomacy strate-
22 gies and tactics; and

23 (ii) ensure that such programs and
24 activities are increasing the knowledge, un-

1 derstanding, and trust of the United
2 States by relevant target audiences;

3 (C) routinely organize and oversee audi-
4 ence research, digital analytics, and impact
5 evaluations across all public diplomacy bureaus
6 and offices of the Department;

7 (D) support United States diplomatic
8 posts' public affairs sections;

9 (E) share appropriate public diplomacy re-
10 search and evaluation information within the
11 Department and with other appropriate Federal
12 departments and agencies;

13 (F) regularly design and coordinate stand-
14 ardized research questions, methodologies, and
15 procedures to ensure that public diplomacy pro-
16 grams and activities across all public diplomacy
17 bureaus and offices are designed to meet appro-
18 priate foreign policy objectives; and

19 (G) report biannually to the United States
20 Advisory Commission on Public Diplomacy,
21 through the Subcommittee on Research and
22 Evaluation established pursuant to subsection
23 (f), regarding the research and evaluation of all
24 public diplomacy bureaus and offices.

1 (4) GUIDANCE AND TRAINING.—Not later than
2 one year after the appointment of the Director pur-
3 suant to paragraph (1), the Director shall develop
4 guidance and training, including curriculum for use
5 by the Foreign Service Institute, for all public diplo-
6 macy officers of the Department regarding the read-
7 ing and interpretation of public diplomacy program
8 and activity evaluation findings to ensure that such
9 findings and related lessons learned are implemented
10 in the planning and evaluation of all public diplo-
11 macy programs and activities of the Department.

12 (c) PRIORITIZING RESEARCH AND EVALUATION.—

13 (1) IN GENERAL.—The Director of Policy Plan-
14 ning of the Office of Policy, Planning, and Re-
15 sources for Public Diplomacy and Public Affairs of
16 the Department shall ensure that research and eval-
17 uation of public diplomacy and activities of the De-
18 partment, as coordinated and overseen by the Direc-
19 tor pursuant to subsection (b), supports strategic
20 planning and resource allocation across all public di-
21 plomacy bureaus and offices of the Department.

22 (2) ALLOCATION OF RESOURCES.—Amounts al-
23 located for the purpose of research and evaluation of
24 public diplomacy programs and activities of the De-
25 partment pursuant to subsection (b) shall be made

1 available to be disbursed at the direction of the Di-
2 rector among the research and evaluation staff
3 across all public diplomacy bureaus and offices of
4 the Department.

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

14 (d) LIMITED EXEMPTION RELATING TO THE PAPER-
15 WORK REDUCTION ACT.—Chapter 35 of title 44, United
16 States Code (commonly known as the “Paperwork Reduc-
17 tion Act”) shall not apply to the collection of information
18 directed at any individuals conducted by, or on behalf of,
19 the Department for the purpose of audience research,
20 monitoring, and evaluations, and in connection with the
21 Department’s activities conducted pursuant to any of the
22 following:

23 (1) The United States Information and Edu-
24 cational Exchange Act of 1948 (22 U.S.C. 1431 et
25 seq.).

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

3 (3) Section 1287 of the National Defense Au-
4 thorization Act for Fiscal Year 2017 (Public Law
5 114–328; 22 U.S.C. 2656 note).

6 (4) The Foreign Assistance Act of 1961 (22
7 U.S.C. 2151 et seq.).

8 (e) LIMITED EXEMPTION RELATING TO THE PRI-
9 VACY ACT.—

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

17 (2) CONDITIONS.—Audience research, digital
18 analytics, and impact evaluations under paragraph

19 (1) shall be—

20 (A) reasonably tailored to meet the pur-
21 poses of this subsection; and

22 (B) carried out with due regard for privacy
23 and civil liberties guidance and oversight.

24 (f) UNITED STATES ADVISORY COMMISSION ON PUB-
25 LIC DIPLOMACY.—

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

8 (2) ANNUAL REPORT.—The Subcommittee on
 9 Research and Evaluation established pursuant to
 10 paragraph (1) shall submit to the appropriate con-
 11 gressional committees an annual report, in conjunc-
 12 tion with the United States Advisory Commission on
 13 Public Diplomacy’s Comprehensive Annual Report
 14 on the performance of the Department and the
 15 United States Agency for Global Media, describing
 16 all actions taken by the Subcommittee pursuant to
 17 paragraph (1) and any findings made as a result of
 18 such actions.

19 **SEC. 604. PERMANENT REAUTHORIZATION OF THE UNITED**
 20 **STATES ADVISORY COMMISSION ON PUBLIC**
 21 **DIPLOMACY.**

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

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

1 (2) by striking “until October 1, 2020”.

2 **SEC. 605. STREAMLINING OF SUPPORT FUNCTIONS.**

3 (a) WORKING GROUP ESTABLISHED.—Not later than
4 90 days after the date of the enactment of this Act, the
5 Secretary shall establish a working group to explore the
6 possibilities and cost-benefit analysis of transitioning to a
7 shared services mode as such pertains to human resources,
8 travel, purchasing, budgetary planning, and all other execu-
9 tive support functions for all bureaus of the Department
10 that report to the Under Secretary for Public Diplomacy
11 of the Department.

12 (b) REPORT.—Not later than one year after the date
13 of the enactment of this Act, the Secretary shall submit
14 to the appropriate congressional committees a plan to im-
15 plement any such findings of the working group estab-
16 lished under subsection (a).

17 **SEC. 606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMACY**
18 **FACILITIES.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of State
21 shall adopt, and include in the Foreign Affairs Manual,
22 guidelines to collect and utilize information from each dip-
23 lomatic post at which the construction of a new embassy
24 compound or new consulate compound would result in the
25 closure or co-location of an American Space, American

1 Center, American Corner, or any other public diplomacy
2 facility under the Secure Embassy Construction and
3 Counterterrorism Act of 1999 (22 U.S.C. 4865 et seq.).

4 (b) REQUIREMENTS.—The guidelines required by
5 subsection (a) shall include the following:

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

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

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

21 (4) Notification to the appropriate congres-
22 sional committees, prior to the initiation of a new
23 embassy compound or new consulate compound de-
24 sign, of the intent to close any such public diplomacy

1 facility or co-locate public diplomacy staff in accord-
2 ance with such Act.

3 (c) REPORT.—Not later than one year after the date
4 of the enactment of this Act, the Secretary shall submit
5 to the appropriate congressional committees a report con-
6 taining the guidelines required under subsection (a) and
7 any recommendations for any modifications to such guide-
8 lines.

9 **SEC. 607. DEFINITIONS.**

10 In this title:

11 (1) AUDIENCE RESEARCH.—The term “audi-
12 ence research” means research conducted at the out-
13 set of a public diplomacy program or the outset of
14 campaign planning and design regarding specific au-
15 dience segments to understand the attitudes, inter-
16 ests, knowledge, and behaviors of such audience seg-
17 ments.

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

23 (3) IMPACT EVALUATION.—The term “impact
24 evaluation” means an assessment of the changes in
25 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
5 offices” means, with respect to the Department, the
6 following:

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
11 Resources for Public Diplomacy and Public Af-
12 fairs.

13 (D) The Global Engagement Center.

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

16 **TITLE VII—COMBATING PUBLIC**
17 **CORRUPTION**

18 **SEC. 701. SENSE OF CONGRESS.**

19 It is the sense of Congress that—

20 (1) it is in the foreign policy interest of the
21 United States to help foreign countries promote
22 good governance and combat public corruption, par-
23 ticularly grand corruption;

24 (2) multiple Federal departments and agencies
25 operate programs that promote good governance in

1 foreign countries and enhance such countries' ability
2 to combat public corruption;

3 (3) the Department should promote coordina-
4 tion among the Federal departments and agencies
5 implementing programs to promote good governance
6 and combat public corruption in foreign countries in
7 order to improve effectiveness and efficiency; and

8 (4) the Department should identify areas in
9 which United States efforts to help other countries
10 promote good governance and combat public corrup-
11 tion could be enhanced.

12 **SEC. 702. ANNUAL ASSESSMENT.**

13 (a) IN GENERAL.—For each of fiscal years 2020
14 through 2026, the Secretary shall assess the capacity and
15 commitment of foreign countries to combat public corrup-
16 tion. Each such assessment shall—

17 (1) utilize independent, third-party indicators
18 that measure transparency, accountability, and cor-
19 ruption in the public sector in such countries, includ-
20 ing the extent to which public power is exercised for
21 private gain, to identify those countries that are
22 most vulnerable to public corruption;

23 (2) consider, to the extent reliable information
24 is available, whether the government of a country
25 identified under paragraph (1)—

1 (A) has adopted measures to prevent pub-
2 lic corruption, such as measures to inform and
3 educate the public, including potential victims,
4 about the causes and consequences of public
5 corruption;

6 (B) has enacted laws and established gov-
7 ernment structures, policies, and practices that
8 prohibit public corruption, including grand cor-
9 ruption and petty corruption;

10 (C) enforces such laws through a fair judi-
11 cial process;

12 (D) vigorously investigates, prosecutes,
13 convicts, and sentences public officials who par-
14 ticipate in or facilitate public corruption, includ-
15 ing nationals of such country who are deployed
16 in foreign military assignments, trade delega-
17 tions abroad, or other similar missions who en-
18 gage in or facilitate public corruption;

19 (E) prescribes appropriate punishment for
20 grand corruption that is commensurate with the
21 punishment prescribed for serious crimes;

22 (F) prescribes appropriate punishment for
23 petty corruption that provides a sufficiently
24 stringent deterrent and adequately reflects the
25 nature of the offense; and

1 (G) convicts and sentences persons respon-
2 sible for such acts that take place wholly or
3 partly within the country of such government,
4 including, as appropriate, requiring the incar-
5 ceration of individuals convicted of such acts;
6 and

7 (3) further consider—

8 (A) verifiable measures taken by the gov-
9 ernment of a country identified under para-
10 graph (1) to prohibit government officials from
11 participating in, facilitating, or condoning pub-
12 lic corruption, including the investigation, pros-
13 ecution, and conviction of such officials;

14 (B) the extent to which such government
15 provides access, or, as appropriate, makes ade-
16 quate resources available, to civil society organi-
17 zations and other institutions to combat public
18 corruption, including reporting, investigating,
19 and monitoring;

20 (C) the extent to which an independent ju-
21 diciary or judicial body in such country is re-
22 sponsible for, and effectively capable of, decid-
23 ing public corruption cases impartially, on the
24 basis of facts and in accordance with law, with-
25 out any improper restrictions, influences, in-

1 ducements, pressures, threats, or interferences,
2 whether direct or indirect, from any source or
3 for any reason;

4 (D) the extent to which such govern-
5 ment—

6 (i) is assisting in international inves-
7 tigations of transnational public corruption
8 networks and in other cooperative efforts
9 to combat grand corruption, including co-
10 operating with the governments of other
11 countries to extradite corrupt actors;

12 (ii) recognizes the rights of victims of
13 public corruption, ensures their access to
14 justice, and takes steps to prevent such
15 victims from being further victimized or
16 persecuted by corrupt actors, government
17 officials, or others; and

18 (iii) refrains from prosecuting legiti-
19 mate victims of public corruption or whis-
20 tleblowers due to such persons having as-
21 sisted in exposing public corruption, and
22 refrains from other discriminatory treat-
23 ment of such persons; and

1 (E) contain such other information relat-
2 ing to public corruption as the Secretary con-
3 siders appropriate.

4 (b) IDENTIFICATION.—After conducting each assess-
5 ment under subsection (a), the Secretary shall identify the
6 countries described in paragraph (1) of such subsection
7 that are—

8 (1) meeting minimum standards to combat pub-
9 lic corruption;

10 (2) not meeting such minimum standards but
11 making significant efforts to do so; and

12 (3) neither meeting such minimum standards
13 nor making significant efforts to do so.

14 (c) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act and annually thereafter
16 through fiscal year 2026, the Secretary shall submit to
17 the appropriate congressional committees and make pub-
18 licly available a report that identifies the countries de-
19 scribed in subsection (a)(1) and paragraphs (2) and (3)
20 of subsection (b), including a description of the method-
21 ology and data utilized in the assessments under sub-
22 section (a) and the reasons for such identifications.

23 (d) BRIEFING IN LIEU OF REPORT.—The Secretary
24 may waive the requirement to submit and make publicly

1 available a written report under subsection (c) if the Sec-
2 retary—

3 (1) determines that publication of such report
4 would—

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

7 (B) threaten the national interests of the
8 United States; and

9 (2) provides a briefing to the appropriate con-
10 gressional committees that identifies the countries
11 described in subsection (a)(1) and paragraphs (2)
12 and (3) of subsection (b), including a description of
13 the methodology and data utilized in the assessment
14 under subsection (a) and the reasons for such identi-
15 fications.

16 **SEC. 703. TRANSPARENCY AND ACCOUNTABILITY.**

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

21 (1) ensure that a corruption risk assessment
22 and mitigation strategy is included in the integrated
23 country strategy for such country; and

1 (2) utilize appropriate mechanisms to combat
2 corruption in such countries, including by ensur-
3 ing—

4 (A) the inclusion of anti-corruption clauses
5 in contracts, grants, and cooperative agree-
6 ments entered into by the Department or the
7 Agency for or in such countries, which allow for
8 the termination of such contracts, grants, or co-
9 operative agreements, as the case may be, with-
10 out penalty if credible indicators of public cor-
11 ruption are discovered;

12 (B) the inclusion of appropriate clawback
13 or flowdown clauses within the procurement in-
14 struments of the Department and the Agency
15 that provide for the recovery of funds misappro-
16 priated through corruption;

17 (C) the appropriate disclosure to the
18 United States Government, in confidential
19 form, if necessary, of the beneficial ownership
20 of contractors, subcontractors, grantees, cooper-
21 ative agreement participants, and other organi-
22 zations implementing programs on behalf of the
23 Department or Agency; and

1 (D) the establishment of mechanisms for
2 investigating allegations of misappropriated re-
3 sources and equipment.

4 **SEC. 704. DESIGNATION OF EMBASSY ANTI-CORRUPTION**
5 **POINTS OF CONTACT.**

6 (a) IN GENERAL.—The Secretary shall annually des-
7 ignate an anti-corruption point of contact at the United
8 States diplomatic post to each country identified under
9 paragraphs (2) and (3) of section 702(b), or which the
10 Secretary otherwise determines is in need of such a point
11 of contact.

12 (b) RESPONSIBILITIES.—Each designated anti-cor-
13 ruption point of contact under subsection (a) shall be re-
14 sponsible for coordinating and overseeing implementation
15 of a whole-of-government approach among the relevant
16 Federal departments and agencies that operate programs
17 that promote good governance in foreign countries and en-
18 hance such countries' ability to combat public corruption
19 in order to accomplish such objectives in the country to
20 which such point of contact is posted, including through
21 the development and implementation of corruption risk as-
22 sessment tools and mitigation strategies.

23 (c) TRAINING.—The Secretary shall implement ap-
24 propriate training for designated anti-corruption points of
25 contact under subsection (a).

1 **SEC. 705. REPORTING REQUIREMENTS.**

2 (a) ANNUAL REPORT.—

3 (1) IN GENERAL.—The Secretary shall, for each
4 of fiscal years 2020 through 2026, submit to the ap-
5 propriate congressional committees a report on im-
6 plementation of this title, including a description of
7 the following:

8 (A) The offices within the Department and
9 the United States Agency for International De-
10 velopment that are engaging in significant anti-
11 corruption activities.

12 (B) The findings and actions of designated
13 anti-corruption points of contact to develop and
14 implement risk mitigation strategies and ensure
15 compliance with section 703.

16 (C) The training implemented under sec-
17 tion 704(c).

18 (D) Management of the whole-of-govern-
19 ment effort referred to in section 704(b) to
20 combat corruption within the countries identi-
21 fied in section 702 and efforts to improve co-
22 ordination across Federal departments and
23 agencies.

24 (E) The risk assessment tools and mitiga-
25 tion strategies utilized by the Department and
26 the Agency.

1 (F) Other information determined by the
2 Secretary to be necessary and appropriate.

3 (2) FORM OF REPORT.—Each report under this
4 subsection shall be submitted in an unclassified for-
5 mat but may include a classified annex.

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

9 (1) include—

10 (A) the annual Country Reports on
11 Human Rights Practices;

12 (B) the annual Fiscal Transparency Re-
13 port;

14 (C) the annual Investment Climate State-
15 ments;

16 (D) the annual International Narcotics
17 Control Strategy Report;

18 (E) the Country Scorecards of the Millen-
19 nium Challenge Corporation; and

20 (F) any other relevant public reports; and

21 (2) link to third-party indicators and compli-
22 ance mechanisms used by the United States Govern-
23 ment to inform policy and programming, such as—

24 (A) the International Finance Corpora-
25 tion's Doing Business surveys;

1 (B) the International Budget Partnership's
2 Open Budget Index; and

3 (C) multilateral peer review anti-corruption
4 compliance mechanisms, such as the Organiza-
5 tion for Economic Co-operation and Develop-
6 ment's Working Group on Bribery in Inter-
7 national Business Transactions and the United
8 Nations Convention Against Corruption, done
9 at New York October 31, 2003, to further high-
10 light expert international views on country chal-
11 lenges and country efforts.

12 (c) TRAINING.—The Secretary and the Administrator
13 of the United States Agency for International Develop-
14 ment shall incorporate anti-corruption components into
15 existing Foreign Service and Civil Service training courses
16 to—

17 (1) increase the ability of Department and
18 Agency personnel to support anti-corruption as a
19 foreign policy priority; and

20 (2) strengthen the ability of such personnel to
21 design, implement, and evaluate more effective anti-
22 corruption programming around the world, including
23 enhancing skills to better evaluate and mitigate pub-
24 lic corruption risks in assistance programs.

1 **TITLE VIII—MATTERS RELATING**
2 **TO INTERNATIONAL SECURITY**

3 **SEC. 801. SHORT TITLE.**

4 This title may be cited as the “International Security
5 Assistance Act of 2019”.

6 **SEC. 802. SECURITY ASSISTANCE DEFINED.**

7 In this title, the term “security assistance” means—

8 (1) assistance under chapter 8 (relating to
9 international narcotics control) of part I of the For-
10 eign Assistance Act of 1961;

11 (2) assistance under chapter 2 (military assist-
12 ance), chapter 5 (international military education
13 and training), chapter 6 (peacekeeping operations),
14 chapter 8 (antiterrorism assistance), and chapter 9
15 (nonproliferation and export control assistance) of
16 part II of the Foreign Assistance Act of 1961;

17 (3) assistance under section 23 of the Arms Ex-
18 port Control Act (relating to the Foreign Military
19 Financing program); and

20 (4) sales of defense articles or defense services,
21 extensions of credits (including participations in
22 credits), and guaranties of loans under the Arms
23 Export Control Act.

**Subtitle A—Reform Relating to
Security Assistance**

SEC. 811. ORGANIZATIONAL REFORM.

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—The Secretary shall establish a Working Group on matters relating to security assistance (in this subtitle referred to as the “Working Group”).

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Working Group shall be composed of—

(i) the Deputy Secretary of State; and

(ii) each Under Secretary of State responsible for matters relating to security assistance.

(B) CHAIR.—The Deputy Secretary shall serve as the chair of the Working Group.

(3) MEETINGS.—The Working Group shall meet not later than 90 days after the date of the enactment of this Act and on a quarterly basis thereafter.

(4) DUTIES.—The duties of the Working Group shall include—

(A) within the Department and across United States diplomatic posts—

1 (i) providing strategic policy guidance
2 on objectives and priorities for security as-
3 sistance;

4 (ii) ensuring strategic integration of
5 budgets and planning for security assist-
6 ance; and

7 (iii) advising the Secretary on all
8 budgets, programs, and activities for secu-
9 rity assistance; and

10 (B) overseeing Department of State coordi-
11 nation with the Secretary of Defense, the Ad-
12 ministrator of the United States Agency for
13 International Development (USAID), and the
14 heads of other relevant Federal departments
15 and agencies on all matters relating to security
16 assistance.

17 (b) OFFICE OF SECURITY ASSISTANCE.—

18 (1) IN GENERAL.—Not later than one year
19 after the date of the enactment of this Act, the Sec-
20 retary shall designate an existing office or establish
21 a new office to be the Office of Security Assistance
22 (in this subtitle referred to as the “Office”), which
23 shall report to an Under Secretary who is a member
24 of the Working Group.

1 (2) COORDINATOR.—The head of the Office
2 shall be the Coordinator for Security Assistance (in
3 this subtitle referred to as the “Coordinator”), who
4 shall be an individual of demonstrated competency in
5 the fields of security assistance and international di-
6 plomacy.

7 (3) DUTIES.—The duties of the Coordinator
8 shall include—

9 (A) within the Department and across
10 United States diplomatic posts—

11 (i) guiding and supporting security as-
12 sistance;

13 (ii) advising the Working Group on all
14 matters relating to security assistance;

15 (iii) establishing the framework de-
16 scribed in section 813(a);

17 (iv) coordinating the assessment, mon-
18 itoring, and evaluation program established
19 under section 813(c); and

20 (v) maintaining the common database
21 described in section 814(a); and

22 (B) acting as a Department of State point
23 of contact with the Department of Defense, the
24 United States Agency for International Devel-
25 opment (USAID), and other relevant Federal

1 departments and agencies on all matters relat-
2 ing to security assistance.

3 (c) COORDINATION WITHIN DEPARTMENT.—

4 (1) DESIGNATION.—Not later than one year
5 after the date of the enactment of this Act, and sub-
6 ject to paragraph (2), the head of each bureau of the
7 Department that is involved in directing or imple-
8 menting security assistance shall designate an officer
9 of such bureau to be responsible for coordinating the
10 responsibilities of such bureau with respect to secu-
11 rity assistance.

12 (2) NON-ELIGIBILITY.—An officer of a bureau
13 of the Department shall not be eligible to be des-
14 ignated pursuant to paragraph (1) if the officer is
15 responsible for conducting human rights vetting pur-
16 suant to 620M of the Foreign Assistance Act of
17 1961 (22 U.S.C. 2378d).

18 (3) TRAINING.—Each individual designated
19 pursuant to paragraph (1) shall successfully com-
20 plete the training described in section 812.

21 (d) COORDINATION WITHIN UNITED STATES DIPLO-
22 MATIC POSTS.—

23 (1) DESIGNATION.—Not later than one year
24 after the date of the enactment of this Act, the chief
25 of mission of the United States in a foreign country

1 that receives security assistance shall designate a
2 senior diplomatic officer at the embassy or highest
3 ranking diplomatic post if no embassy exists in the
4 foreign country to be responsible for coordinating se-
5 curity assistance for the foreign country.

6 (2) DUTIES.—The senior diplomatic officer des-
7 igned pursuant to paragraph (1) shall be respon-
8 sible for—

9 (A) overseeing personnel and activities of
10 Federal departments and agencies at the rel-
11 evant embassy or diplomatic post with respect
12 to the provision of security assistance for the
13 country; and

14 (B) ensuring implementation of section
15 620M of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2378d) and section 362 of title 10,
17 United States Code, with respect to the coun-
18 try.

19 (3) TRAINING.—Each individual designated
20 pursuant to paragraph (1) shall successfully com-
21 plete the training described in section 812.

22 (e) PLAN FOR ORGANIZATIONAL STRUCTURE.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this Act, the Sec-
25 retary shall submit to the Committee on Foreign Af-

1 fairs of the House of Representatives and the Com-
2 mittee on Foreign Relations of the Senate a plan for
3 the organizational structure of the Department re-
4 lating to security assistance programs.

5 (2) MATTERS TO BE INCLUDED.—The plan re-
6 quired under paragraph (1) shall include the fol-
7 lowing:

8 (A) An identification of each bureau and
9 office of the Department that carries out func-
10 tions relating to planning, coordination, integra-
11 tion, implementation, or evaluation of security
12 assistance, a description of the organizational
13 hierarchy and decision-making processes used
14 to coordinate across such bureaus and offices,
15 and a description of how the Working Group
16 and the Coordinator will facilitate coordination
17 among each such bureau and office.

18 (B) A description of—

19 (i) the reasons for—

20 (I) designating an existing office
21 or establishing a new office to serve as
22 the Office; and

23 (II) selecting the Under Sec-
24 retary to which the Office will report;

1 (ii) the organizational structure of the
2 Office;

3 (iii) the specific mechanisms through
4 which the Working Group and Coordinator
5 could improve coordination among bureaus
6 and offices of the Department involved in
7 the planning or implementation of security
8 assistance programs and activities; and

9 (iv) the process by which the require-
10 ment for training described in section 812
11 will be fulfilled.

12 (C) The benefits, feasibility, and steps nec-
13 essary to detail personnel—

14 (i) on a reimbursable basis from the
15 relevant bureaus and offices of the Depart-
16 ment to provide staff to the Office; and

17 (ii) from USAID, the Department of
18 Defense, and other relevant Federal de-
19 partments and agencies to provide staff to
20 the Office.

21 (D) An identification of lessons learned
22 from the Security Governance Initiative (SGI),
23 an assessment of the utility of expanding the
24 SGI or a similar initiative globally, and a de-

1 description of where best to locate the SGI or
2 similar initiative within the Department.

3 (E) An identification of an appropriate bu-
4 reau or office of the Department, whose head
5 does not report to the Under Secretary de-
6 scribed in subsection (b)(1), to select and retain
7 the independent research entity described in
8 section 813(c)(4).

9 (F) A list of recommendations for any ad-
10 ditional legislative measures necessary to im-
11 prove the capacity and capabilities of the De-
12 partment to plan and implement security assist-
13 ance programs and activities.

14 (3) FORM.—The plan required under paragraph
15 (1) shall be submitted in unclassified form, but may
16 include a classified annex if necessary.

17 (4) CONSULTATION.—Not later than 90 days
18 after the date of the enactment of this Act, the Sec-
19 retary shall consult with the Committee on Foreign
20 Affairs of the House of Representatives and the
21 Committee on Foreign Relations of the Senate re-
22 garding the development and implementation of the
23 plan required under paragraph (1).

1 **SEC. 812. WORKFORCE DEVELOPMENT.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Secretary shall carry out the fol-
4 lowing:

5 (1) Establish curriculum at the Department's
6 Foreign Service Institute to provide employees of the
7 Department of State with specialized training with
8 respect to security assistance. The training should
9 be aligned with the Security Cooperation Workforce
10 Development Program and developed in coordination
11 with the Defense Security Cooperation Agency, in-
12 cluding through an agreement under section 1535(a)
13 of title 31, United States Code (commonly referred
14 to as the "Economy Act") or any other appropriate
15 agency-specific authority. The training shall include
16 the following:

17 (A) Awareness of the full range of agen-
18 cies, offices, personnel, statutory authorities,
19 funds, and programs involved in security assist-
20 ance and transfers and the respective decision-
21 making timelines.

22 (B) Familiarity with relevant military and
23 police security force systems and structures and
24 institutions at the time such training is occur-
25 ring.

1 (C) Familiarity with security assistance re-
2 form, research regarding options for improve-
3 ment, and United States interagency and exter-
4 nal resources and experts.

5 (D) Familiarity with planning, implemen-
6 tation, and monitoring and evaluation for pro-
7 grammatic activities.

8 (E) Familiarity with implementation of—

9 (i) section 620M of the Foreign As-
10 sistance Act of 1961 (22 U.S.C. 2378d)
11 and section 362 of title 10, United States
12 Code;

13 (ii) arms transfer requirements under
14 the Arms Export Control Act (22 U.S.C.
15 2751 et seq.); and

16 (iii) best practices related to human
17 rights and civilian protection.

18 (F) Awareness of common risks to effec-
19 tiveness of security assistance, including corrup-
20 tion, political instability, and challenges relating
21 to absorptive capacity, partner commitment,
22 and transparency.

23 (2) Coordinate with the Secretary of Defense,
24 to the extent feasible, to ensure that, in addition to
25 the training described paragraph (1), individuals

1 who serve in priority recipient countries or countries
2 that do not meet baseline norms of governance, as
3 determined by the Under Secretary for purposes of
4 subsections (d)(1) and (d)(4) of section 813, obtain
5 higher-level certification through the Defense Security
6 Cooperation Agency's Defense Institute of Security
7 Cooperation Studies or through a commensurate
8 program developed at the Department's Foreign
9 Service Institute prior to serving at the United
10 States diplomatic post in such country.

11 **SEC. 813. SECURITY ASSISTANCE PLANNING.**

12 (a) FRAMEWORK AND STANDARDS FOR SECURITY
13 ASSISTANCE.—Not later than 18 months after the date
14 of the enactment of this Act, the Coordinator shall create
15 and submit to the Committee on Foreign Affairs of the
16 House of Representatives and the Committee on Foreign
17 Relations of the Senate a framework to be used by relevant
18 bureaus and diplomatic posts to guide regional and
19 country-specific planning, such as joint regional strategies
20 or integrated country strategies, with respect to security
21 assistance. Such framework shall include the following:

22 (1) Identification and prioritization of overall
23 goals and objectives for security assistance, in accordance
24 with the relevant National Security Strategy.
25

1 (2) Criteria for—

2 (A) determining the commitment and polit-
3 ical will of countries receiving assistance to use
4 such assistance in a manner that achieves
5 United States objectives;

6 (B) identifying opportunities and risks cre-
7 ated by the provision of security assistance; and

8 (C) tailoring and sequencing such assist-
9 ance accordingly.

10 (3) Guidance for—

11 (A) incorporating the assessment, moni-
12 toring, and evaluation program described in
13 subsection (c) into the strategic planning cycle;

14 (B) increasing coordination, as appro-
15 priate, with other major international donors to
16 maximize resources and unity of efforts;

17 (C) aligning the security assistance pro-
18 grams, projects, and activities of the Depart-
19 ment with other United States goals of engage-
20 ment with foreign countries, such as the pro-
21 motion of democracy, human rights, govern-
22 ance, and economic growth, as well as with
23 other United States assistance authorities, re-
24 sources, programmatic capabilities, and activi-
25 ties.

1 (4) Metrics for assessing the effectiveness of se-
2 curity assistance in—

3 (A) increasing the operational access and
4 influence of the United States;

5 (B) improving partner capacity and com-
6 mitment to counter shared threats;

7 (C) reducing the underlying drivers of
8 state fragility; and

9 (D) contributing to the maintenance of ex-
10 isting peace treaties between recipients of as-
11 sistance.

12 (5) A process to ensure that transfers regulated
13 by the Department that are outside the scope of se-
14 curity assistance, such as certain direct commercial
15 sales, are factored into—

16 (A) the implementation of the assessment,
17 monitoring, and evaluation program described
18 in subsection (c); and

19 (B) the planning process described in sub-
20 section (d).

21 (b) DEFINITIONS PROMULGATED BY THE WORKING
22 GROUP.—Not later than 18 months after the date of the
23 enactment of this Act, the Working Group shall—

24 (1) in consultation with the Coordinator and
25 bureaus and offices of the Department that are in-

1 volved in the planning, coordination, integration, im-
2 plementation, or evaluation of security assistance,
3 develop and promulgate a definition of the level of
4 security assistance programs, projects, or activities
5 that mark a country as a recipient of “significant”
6 security assistance to merit inclusion in the assess-
7 ment, monitoring, and evaluation process described
8 in subsection (c); and

9 (2) in consultation with the Coordinator, the
10 Bureau of Democracy, Human Rights, and Labor,
11 and the heads of other relevant bureaus of the De-
12 partment, develop and promulgate a definition of
13 baseline norms for governance and the rule of law,
14 including a rubric to assess whether a recipient of
15 security assistance is abiding by such baseline.

16 (c) ASSESSMENT, MONITORING, AND EVALUATION.—

17 (1) IN GENERAL.—Not later than 18 months
18 after the date of the enactment of this Act, the Co-
19 ordinator shall develop an assessment, monitoring,
20 and evaluation program to be conducted for any
21 country receiving significant security assistance, as
22 defined in accordance with subsection (b)(1).

23 (2) ELEMENTS.—The program described in
24 paragraph (1) shall include each of the following ele-
25 ments:

1 (A) Baseline assessments that consider
2 factors, including—

3 (i) recipient country threat percep-
4 tions and the manner in which such per-
5 ceptions may inform the use of security as-
6 sistance;

7 (ii) the recipient's approach to govern-
8 ance and commitment to rule of law, in-
9 cluding the transparency and account-
10 ability of security forces, and the manner
11 in which such approach is likely to be in-
12 fluenced by security assistance;

13 (iii) the recipient's capacity to absorb
14 the security assistance given and to achieve
15 the objectives of such assistance;

16 (iv) the human rights record of the re-
17 cipient, including for purposes of section
18 620M of the Foreign Assistance Act of
19 1961 (22 U.S.C. 2378d) and section 362
20 of title 10, United States Code, and any
21 relevant attempts by such recipient to rem-
22 edy such record;

23 (v) country- or region-specific oppor-
24 tunities and risks that could enhance or

1 impair the outcomes associated with pro-
2 viding security assistance; and

3 (vi) indicators of efficacy for security
4 assistance programs, projects, and activi-
5 ties, for purposes of planning, monitoring,
6 and evaluation.

7 (B) Monitoring implementation of security
8 assistance programs, projects, and activities to
9 measure progress toward achieving specific tar-
10 gets, metrics, or indicators, as well as desired
11 outcomes.

12 (C) Evaluation of the efficiency and effec-
13 tiveness of security assistance in achieving de-
14 sired outcomes.

15 (D) Identification of lessons learned in car-
16 rying out security assistance and recommenda-
17 tions for improving future assistance.

18 (3) OVERSIGHT AND FRAMEWORK.—The Coor-
19 dinator shall guide and support, in coordination with
20 relevant regional and functional bureaus, the assess-
21 ment and monitoring described in paragraph (1) and
22 shall create a common evaluation framework.

23 (4) INDEPENDENT RESEARCH ENTITY.—Not
24 later than 18 months after the date of the enact-
25 ment of this Act, the Secretary shall enter into a

1 contract with an independent research entity, such
2 as a federally funded research and development cen-
3 ter or other nonprofit entity, that demonstrates ap-
4 propriate expertise and analytical capability to evalu-
5 ate the capacity of security assistance to achieve de-
6 sired outcomes in accordance with the framework
7 created pursuant to paragraph (3).

8 (5) SENSE OF CONGRESS.—It is the sense of
9 Congress that the ability of the Department to
10 measure and assess the effects of United States se-
11 curity assistance programs and activities on govern-
12 ance, rule of law, professionalism of recipient secu-
13 rity forces, and institutional capacity weaknesses of
14 recipient security forces would benefit from the in-
15 creased availability of independent research and
16 data.

17 (d) SECURITY ASSISTANCE PLANNING.—

18 (1) PRIORITIZATION.—Not later than two years
19 after the date of the enactment of this Act, and an-
20 nually thereafter, the Working Group shall develop
21 a list of priority recipient countries to receive secu-
22 rity assistance, on the basis of policy objectives de-
23 termined by the Department, and submit such infor-
24 mation in accordance with subsection (f).

1 (2) INCLUSION IN REGIONAL AND COUNTRY
2 STRATEGIES.—Any comprehensive regional strategy,
3 such as a joint regional strategy or its equivalent,
4 and any country strategy, such as an integrated
5 country strategy or its equivalent, that is produced
6 on or after the date that is 2 years after the date
7 of the enactment of this Act, and each successor
8 strategy to such strategy, shall integrate security as-
9 sistance planning in a manner that incorporates the
10 elements of the framework created pursuant to sub-
11 section (a) and include an annex relating to security
12 assistance, which shall include—

13 (A) the assessment, monitoring, and eval-
14 uation metrics described in subsection (c);

15 (B) requests to allocate security assistance
16 with respect to the area covered by the strategy;
17 and

18 (C) a description of the manner in which
19 such resources will be used.

20 (3) SECURITY ASSISTANCE, GOVERNANCE, AND
21 RULE OF LAW.—Not later than two years after the
22 date of the enactment of this Act, any annex relat-
23 ing to security assistance described in paragraph (2)
24 that is included in a country strategy shall include
25 an assessment by the Under Secretary responsible

1 for civilian security, democracy, and human rights
2 whether such country abides by baseline norms for
3 governance and the rule of law using the rubric pro-
4 mulgated in accordance with subsection (b)(2). A se-
5 curity assistance annex developed in accordance with
6 paragraph (2) for a country receiving a negative de-
7 termination shall also include the following:

8 (A) Reforms the recipient could undertake,
9 where practicable, to improve governance and
10 rule of law in order to create more effective se-
11 curity.

12 (B) Conditions, which may also be included
13 in the compacts described in subsection (e),
14 under which the United States might—

15 (i) expand or increase security assist-
16 ance upon verifiable progress made toward
17 such reforms; and

18 (ii) restrict or end security assistance
19 as a result of lack of progress toward such
20 reforms or further deterioration of norms
21 for governance or the rule of law.

22 (C) An assessment of the benefits and like-
23 lihood of reaching agreement with the recipient
24 country to devote 1 percent of the total value
25 of all security assistance to such country for

1 training in-country civilian professionals on
2 methods to evaluate the fiscal and functional ef-
3 fectiveness of the security institutions in such
4 country.

5 (D) The manner in which security assist-
6 ance will be used to improve governance, rule of
7 law, and human rights reforms in such country.

8 (E) Steps to ensure consultation with the
9 national legislature and with civil society groups
10 that operate in such country on the provision of
11 security assistance, including for the formula-
12 tion of a compact in accordance with subsection
13 (e)(2).

14 (e) SECURITY ASSISTANCE COMPACTS.—

15 (1) IN GENERAL.—Not later than two years
16 after the date of the enactment of this Act, the Sec-
17 retary shall seek to enter into multi-year compacts
18 where appropriate with the governments of countries
19 that receive security assistance. Such compacts
20 should include the following elements:

21 (A) A joint diagnosis of the strengths and
22 challenges of the recipient country's security in-
23 stitutions, including priority capacity and capa-
24 bility requirements.

1 (B) A plan for bilateral security assistance
2 and cooperation that includes—

3 (i) a commitment by the recipient
4 specifying the manner in which security as-
5 sistance will be used, within a defined
6 timeframe;

7 (ii) plans for sustainment by the re-
8 cipient of any capacity or capabilities built
9 as a result of such assistance; and

10 (iii) mutually agreed oversight mecha-
11 nisms for security assistance and metrics,
12 to determine whether such assistance is ac-
13 complishing the agreed-upon objectives.

14 (2) SPECIAL PROVISIONS.—If the Under Sec-
15 retary described in subsection (d)(3) assesses that a
16 country is not abiding by baseline norms for govern-
17 ance or the rule of law, a compact under this sub-
18 section with such country should, where practicable,
19 be formulated in consultation with the national legis-
20 lature and domestic civil society groups and include
21 mutually agreed upon reforms and conditions based
22 on those established as a result of such determina-
23 tion in accordance with subsection (d)(4).

24 (f) REPORTING REQUIREMENTS.—Beginning three
25 years after the date of the enactment of this Act and an-

1 nually thereafter, the Secretary shall include with any ma-
2 terials submitted in support of the budget for that fiscal
3 year that is submitted to Congress by the President under
4 section 1105(a) of title 31 an unclassified report, that may
5 include a classified annex, with the following:

6 (1) A list of priority security assistance recipi-
7 ents, along with descriptions of the policy objectives
8 that the Secretary seeks to achieve by providing
9 such assistance to such recipients, developed pursu-
10 ant to subsection (d)(1).

11 (2) A description of the results of the evalua-
12 tions conducted pursuant to subsection (c)(4).

13 (3) A description of the manner in which the
14 Department will allocate, monitor, and evaluate all
15 security assistance pursuant to the program de-
16 scribed in subsection (c) and the planning process
17 described in subsection (d).

18 (4) A description of any updates made during
19 the previous year to the framework described in sub-
20 section (d)(1) and annex relating to security assist-
21 ance required under subsection (d)(2).

22 (5) The status and impact on United States ob-
23 jectives of any compacts entered into in accordance
24 with subsection (e) and of any ongoing efforts to

1 enter into new compacts in accordance with such
2 subsection.

3 **SEC. 814. INTERAGENCY COORDINATION OF SECURITY AS-**
4 **SISTANCE, TRANSFERS, AND SECURITY CO-**
5 **OPERATION.**

6 (a) CREATION OF A COMMON DATABASE.—Not later
7 than two years after the date of the enactment of this Act,
8 the Secretary, in coordination with the Secretary of De-
9 fense and other appropriate Federal departments and
10 agencies, shall maintain a common database of informa-
11 tion to permit the identification of security assistance pro-
12 grams, funding, and transfers by recipient country.

13 (b) COORDINATION WITH THE DEPARTMENT OF DE-
14 FENSE.—

15 (1) IN GENERAL.—Not later than one year
16 after the date of the enactment of this Act, the Sec-
17 retary, in coordination with the Secretary of De-
18 fense, shall submit a report to the appropriate con-
19 gressional committees that assesses existing mecha-
20 nisms, including provisions under title 10, United
21 States Code, that require the concurrence of the
22 Secretary of State, and other applicable provisions of
23 law that provide for coordination between security
24 assistance programs, projects, and activities of the
25 Department of State and security cooperation pro-

grams, projects, and activities of the Department of Defense that includes the following:

(A) An identification of existing coordination mechanisms for planning, executing, and overseeing security assistance and security cooperation programs, projects, and activities, the purpose of such mechanisms, and their efficacy in practice.

(B) An identification of additional measures that would improve the speed, simplicity, or agility of each identified mechanism, with a focus on mechanisms requiring the concurrence of the Secretary.

(C) An identification of any programs, authorities, or resources that do not require coordination under existing law.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

1 (c) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the Secretary of State and the Secretary of De-
3 fense should jointly establish a pilot program to evaluate
4 the advisability and feasibility of a joint entity to conduct
5 collaborative planning of security assistance and security
6 cooperation. The pilot program should—

7 (1) establish one or more joint planning cells to
8 conduct collaborative planning between the Depart-
9 ment of State and the Department of Defense for
10 security assistance and security cooperation pro-
11 grams, projects, and activities in a specific region or
12 regions;

13 (2) assign personnel from relevant offices and
14 agencies within each Department to staff the joint
15 planning cell or cells; and

16 (3) assess the advantages and disadvantages of
17 collaborative interagency planning of security assist-
18 ance, and determine whether there are organiza-
19 tional, legal, policy, or resource barriers to broader
20 adoption of such a model.

21 **SEC. 815. RULE OF CONSTRUCTION.**

22 Nothing in this subtitle shall affect the implementa-
23 tion of subsection (h) of section 36 of the Arms Export
24 Control Act (22 U.S.C. 2776).

**Subtitle B—Foreign Military
Assistance**

SEC. 821. STRATEGIC ALLOCATION OF EXCESS DEFENSE

ARTICLES.

(a) IN GENERAL.—Section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), is amended—

(1) in subsection (b)—

(A) by striking “(1) The President” and inserting “The President”;

(B) by redesignating subparagraphs (A) through (F) as paragraphs (1) through (6), respectively, and moving the margins of each such paragraph two ems to the left;

(C) in paragraph (2), as redesignated, by inserting “except as provided in subsection (c)(3),” before “funds available”; and

(D) by striking “(2) Accordingly,” and all that follows through “1990.”;

(2) in subsection (c)—

(A) by striking paragraph (2) and inserting the following:

“(2) PRIORITY.—Notwithstanding any other provision of law, excess defense articles under this section shall be transferred in accordance with United States foreign policy, including national secu-

1 rity priorities as jointly determined by the Secretary
2 of State, in consultation with the Secretary of De-
3 fense, to the maximum extent feasible.”; and

4 (B) by adding at the end the following:

5 “(3) SUPPORTING COSTS.—Funds available to
6 the Department of State for security assistance may
7 be expended for the refurbishment or upgrade of ex-
8 cess defense articles transferred under the authority
9 of this section and for training of foreign security
10 forces directly in relation to excess defense articles
11 transferred under the authority of this section, if—

12 “(A) such assistance is necessary to ad-
13 vance the national security objectives of the
14 United States in relation to the recipient coun-
15 try or countries; and

16 “(B) such costs do not exceed \$10 million
17 in relation to a single transfer of excess defense
18 articles under this section.”;

19 (3) in subsection (f)(1), by striking
20 “\$7,000,000” and inserting “\$25,000,000”; and

21 (4) in subsection (g)(1), by striking
22 “\$500,000,000” and inserting “\$600,000,000”.

1 **SEC. 822. MODIFICATION OF PURPOSES FOR WHICH MILI-**
2 **TARY SALES BY THE UNITED STATES ARE AU-**
3 **THORIZED.**

4 Section 4 of the Arms Export Control Act (22 U.S.C.
5 2754) is amended in the first sentence by striking “inter-
6 nal security” and inserting “legitimate internal security
7 (including for anti-terrorism purposes)”.

8 **SEC. 823. RETURN OF DEFENSE ARTICLES.**

9 Section 21(m)(1)(B) of the Arms Export Control Act
10 (22 U.S.C. 2761(m)(1)(B)) is amended—

11 (1) by striking “(B) is not” and inserting
12 “(B)(i) is not”;

13 (2) by striking “; and” and inserting “; or”;
14 and

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

16 “(ii) is significant military equipment (as
17 defined in section 47(9) of this Act) and the
18 Secretary of State has provided prior approval
19 of the return of such defense article from the
20 foreign country or international organization;
21 and”.

22 **SEC. 824. REQUIREMENTS RELATING TO EXEMPTIONS FOR**
23 **LICENSING OF DEFENSE ITEMS.**

24 Section 38(j) of the Arms Export Control Act (22
25 U.S.C. 2778(j)) is amended—

26 (1) in the subsection heading—

1 (A) by striking “COUNTRY”; and

2 (B) by striking “TO FOREIGN COUN-
3 TRIES”;

4 (2) in paragraph (1)(A)—

5 (A) in the matter preceding clause (i)—

6 (i) by striking “a foreign country”
7 and inserting “the North Atlantic Treaty
8 Organization, any member country of that
9 Organization, the Republic of Korea, Aus-
10 tralia, New Zealand, Japan, or Israel”;

11 (ii) by inserting “(except that the
12 President may not so exempt such Organi-
13 zation, member country, or other country
14 that is not eligible to acquire defense items
15 under any other provision of law)” after
16 “with respect to exports of defense items”;
17 and

18 (iii) by striking “the foreign country”
19 and inserting “such Organization, member
20 country, or other country”; and

21 (B) in clause (ii)—

22 (i) by striking “the foreign country”
23 and inserting “such Organization, member
24 country, or other country”; and

1 (ii) by striking “under their domestic
2 laws”;

3 (3) in paragraph (2)—

4 (A) in subparagraph (A)—

5 (i) in the matter preceding clause
6 (i)—

7 (I) by striking “, at a min-
8 imum,”;

9 (II) by striking “the foreign
10 country” and inserting “the Organiza-
11 tion, member country, or other coun-
12 try referred to in paragraph (1)”;

13 (III) by striking “to revise its
14 policies and practices, and promulgate
15 or enact necessary modifications to its
16 laws and regulations to establish” and
17 inserting “to establish and maintain”;

18 (ii) in clause (i), by striking “the for-
19 eign country” and inserting “such Organi-
20 zation, member country, or other country”;
21 and

22 (iii) in clause (ii), by striking “re-
23 transfer control commitments, including
24 securing” and inserting “retransfer con-
25 trols that secure”;

1 (B) in subparagraph (B)—

2 (i) in the matter preceding clause

3 (i)—

4 (I) by striking “, at a min-
5 imum,”;

6 (II) by striking “the foreign
7 country” and inserting “the Organiza-
8 tion, member country, or other coun-
9 try referred to in paragraph (1)”; and

10 (III) by striking “to revise its
11 policies and practices, and promulgate
12 or enact necessary modifications to its
13 laws and regulations”; and

14 (ii) in clause (iv), by striking “the for-
15 eign country” and inserting “the member
16 country or other country”; and

17 (4) in paragraph (3)—

18 (A) in the matter preceding subparagraph
19 (A), by striking “a foreign country” and insert-
20 ing “the Organization, member country, or
21 other country referred to in paragraph (1)”; and

22 (B) in subparagraph (A), by striking “that
23 foreign country” and inserting “such Organiza-
24 tion, member country, or other country”; and

25 (C) in subparagraph (B)—

1 (i) by striking “the foreign country”
 2 and inserting “such Organization, member
 3 country, or other country”; and

4 (ii) by striking “has promulgated or
 5 enacted all necessary modifications to its
 6 laws and regulations to comply” and in-
 7 serting “has taken such actions to com-
 8 ply”; and

9 (D) in subparagraph (C)—

10 (i) by striking “a foreign country”
 11 and inserting “such Organization, member
 12 country, or other country”; and

13 (ii) by striking “that country” and in-
 14 serting “such Organization, member coun-
 15 try, or other country”.

16 **SEC. 825. AMENDMENT TO GENERAL PROVISIONS.**

17 Section 42(a) of the Arms Export Control Act (22
 18 U.S.C. 2791(a)) is amended in the first sentence by insert-
 19 ing “on a competitive basis” after “procurement in the
 20 United States”.

21 **SEC. 826. TECHNICAL AMENDMENTS TO ARMS EXPORT**
 22 **CONTROL ACT.**

23 Section 36(b)(6) of the Arms Export Control Act (22
 24 U.S.C. 2776(b)(6)) is amended by inserting “the North

1 Atlantic Treaty Organization or” before “a member coun-
2 try”.

3 **SEC. 827. SENSE OF CONGRESS ON LICENSING UNDER**
4 **UNITED STATES ARMS EXPORT CONTROL**
5 **PROGRAMS.**

6 It is the sense of Congress that, in implementing re-
7 forms of United States arms export licensing regimes, the
8 President should prioritize the development of a new
9 framework to improve and streamline licensing, including
10 by seeking to revise the Special Comprehensive Export Au-
11 thorizations for exports to the North Atlantic Treaty Or-
12 ganization, any member country of that Organization,
13 Sweden, or any other country described in section
14 36(c)(2)(A) of the Arms Export Control Act (22 U.S.C.
15 2776(c)(2)(A)) under section 126.14 of title 15, Code of
16 Federal Regulations (relating to the International Traffic
17 in Arms Regulations).

18 **SEC. 828. EXTENSION OF WAR RESERVE STOCKPILE AU-**
19 **THORITY.**

20 (a) DEPARTMENT OF DEFENSE APPROPRIATIONS
21 ACT, 2005.—Section 12001(d) of the Department of De-
22 fense Appropriations Act, 2005 (Public Law 108–287;
23 118 Stat. 1011) is amended by striking “2020” and in-
24 serting “2021”.

1 (b) STOCKPILING OF DEFENSE ARTICLES FOR FOR-
 2 EIGN COUNTRIES.—Section 514(b)(2)(A) of the Foreign
 3 Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is
 4 amended by striking “and 2020” and inserting “2020,
 5 and 2021”.

6 **SEC. 829. PEACEKEEPING OPERATIONS AND OTHER NA-**
 7 **TIONAL SECURITY PROGRAMS.**

8 (a) AUTHORITY.—

9 (1) IN GENERAL.—Section 551 of the Foreign
 10 Assistance Act of 1961 (22 U.S.C. 2348) is amend-
 11 ed—

12 (A) in the first sentence, by striking “The
 13 President” and inserting “(a) The President”;
 14 and

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

16 “(b) Funds authorized to be appropriated under this
 17 chapter may also be used to provide assistance to enhance
 18 the capacity of foreign civilian security forces (as such
 19 term is defined in section 841(c) of the International Se-
 20 curity Assistance Act of 2019) to participate in peace-
 21 keeping and counterterrorism operations.

22 “(c) Funds authorized to be appropriated under this
 23 chapter to provide assistance to friendly foreign countries
 24 for purposes other than support for multilateral peace-
 25 keeping operations shall be subject to the certification re-

1 quirements of section 36 of the Arms Export Control Act
2 (22 U.S.C. 2776).”.

3 (2) DISARMAMENT AND REINTEGRATION.—

4 (A) IN GENERAL.—Notwithstanding any
5 other provision of law, funds authorized to be
6 appropriated under any provision of law for
7 peacekeeping operations may be made available
8 to support programs to disarm, demobilize, and
9 reintegrate into civilian society former members
10 of foreign terrorist organizations.

11 (B) CONSULTATION.—The Secretary shall
12 consult with the Committee on Foreign Affairs
13 of the House of Representatives and the Com-
14 mittee on Foreign Relations of the Senate prior
15 to obligating funds described in subparagraph
16 (A).

17 (C) DEFINITION.—In this paragraph, the
18 term “foreign terrorist organization” means an
19 organization designated as a terrorist organiza-
20 tion under section 219(a) of the Immigration
21 and Nationality Act (8 U.S.C. 1189(a)).

22 (b) NOTIFICATION.—The Secretary shall notify the
23 Committee on Foreign Affairs of the House of Representa-
24 tives and the Committee on Foreign Relations of the Sen-

1 ate at least 15 days prior to obligating funds under any
 2 provision of law for peacekeeping operations.

3 (c) CONFORMING AMENDMENT.—The heading for
 4 chapter 6 of part II of the Foreign Assistance Act of 1961
 5 (22 U.S.C. 2348 et seq.) is amended by adding at the end
 6 the following: “AND OTHER NATIONAL SECURITY PRO-
 7 GRAMS”.

8 **SEC. 830. OTHER AMENDMENTS TO MILITARY ASSISTANCE**
 9 **AUTHORITIES.**

10 The Foreign Assistance Act of 1961 is amended as
 11 follows:

12 (1) In section 516 (22 U.S.C. 2321j)—

13 (A) in subsection (a), by striking “coun-
 14 tries” and inserting “countries, regional organi-
 15 zations, and international organizations”;

16 (B) in subsection (b)(1)(E), by striking
 17 “countries” and inserting “countries, regional
 18 organizations, and international organizations”;

19 (C) in subsection (c)—

20 (i) in paragraph (1), by striking “re-
 21 cipient country” and inserting “recipient
 22 country or organization”; and

23 (ii) in paragraph (2), by striking
 24 “other countries” and inserting “other
 25 countries or organizations”;

1 (D) in subsection (f)(2)—

2 (i) in subparagraph (A), by striking
3 “country” and inserting “country or orga-
4 nization”; and

5 (ii) in subparagraph (C), by striking
6 “countries” and inserting “countries or or-
7 ganizations”; and

8 (E) in subsection (h), by striking “coun-
9 try” and inserting “country and organization”.

10 (2) In section 620M (22 U.S.C. 2378d)—

11 (A) in subsection (d)(7), by striking “to
12 the maximum extent practicable” and inserting
13 “unless such disclosure would endanger the
14 safety of human sources or reveal sensitive in-
15 telligence sources and methods”; and

16 (B) by adding at the end the following:

17 “(e) REPORT.—

18 “(1) IN GENERAL.—Not later than January 31
19 of each year, the Secretary of State shall submit to
20 the Committee on Foreign Affairs and the Com-
21 mittee on Appropriations of the House of Represent-
22 atives and the Committee on Foreign Relations and
23 the Committee on Appropriations of the Senate, a
24 report on the vetting process of units of security

1 forces of foreign countries established to comply with
2 this section.

3 “(2) MATTERS TO BE INCLUDED.—The report
4 required under paragraph (1) shall include the fol-
5 lowing:

6 “(A) The total number of units submitted
7 for vetting during the prior calendar year, and
8 the number of such units that were approved,
9 suspended, or rejected for human rights rea-
10 sons.

11 “(B) The name of such units rejected dur-
12 ing the prior calendar year and a description of
13 the steps taken to assist the government of the
14 foreign country in bringing the responsible
15 members of such units to justice, in accordance
16 with subsection (c).

17 “(C) An updated list of the units with re-
18 spect to which no assistance is to be furnished
19 pursuant to subsection (a).”.

20 (3) In section 622(c) (22 U.S.C. 2382(c)), by
21 inserting “law enforcement and justice sector assist-
22 ance,” before “military assistance,”.

23 (4) In section 656(a)(1) (22 U.S.C.
24 2416(a)(1)), by striking “January 31” and inserting
25 “March 1”.

1 **SEC. 831. REPEAL OF REPORTS.**

2 (a) REPEAL OF ANNUAL REPORT ON WORLD MILI-
3 TARY EXPENDITURES AND ARMS TRANSFERS.—Section
4 404 of the Arms Control and Disarmament Act (22
5 U.S.C. 2593b) is hereby repealed.

6 (b) REPEAL OF ANNUAL REPORT RELATING TO THE
7 COMMISSION ON SECURITY AND COOPERATION IN EU-
8 ROPE.—Section 5 of the Act entitled “An Act to establish
9 a Commission on Security and Cooperation in Europe”
10 (22 U.S.C. 3005) is hereby repealed.

11 (c) REPEAL OF REPORT ON ASSISTANCE RELATING
12 TO INTERNATIONAL TERRORISM.—Section 502 of the
13 International Security and Development Cooperation Act
14 of 1985 (22 U.S.C. 2349aa–7) is amended—

15 (1) by striking subsection (b); and

16 (2) by redesignating subsection (c) as sub-
17 section (b).

18 **SEC. 832. DEFENSE TRADE CONTROLS REGISTRATION**
19 **FEES.**

20 Section 45 of the State Department Basic Authorities
21 Act of 1956 (22 U.S.C. 2717) is amended—

22 (1) in the first sentence—

23 (A) by inserting “defense trade controls”
24 after “100 percent of the”; and

25 (B) by striking “the Office of Defense
26 Trade Controls of”; and

1 (2) in the second sentence—

2 (A) in the matter preceding paragraph (1),
3 by inserting “management, licensing, compli-
4 ance, and policy activities in the defense trade
5 controls function, including” after “incurred
6 for”;

7 (B) in paragraph (1), by striking “contract
8 personnel to assist in”;

9 (C) in paragraph (2), by striking “and” at
10 the end;

11 (D) in paragraph (3), by striking the pe-
12 riod at the end and inserting a semicolon; and

13 (E) by adding at the end the following:

14 “(4) the facilitation of defense trade policy de-
15 velopment and implementation, review of commodity
16 jurisdiction determinations, public outreach to indus-
17 try and foreign parties, and analysis of scientific and
18 technological developments as they relate to the ex-
19 ercise of defense trade control authorities; and

20 “(5) contract personnel to assist in such activi-
21 ties.”.

1 **SEC. 833. WITHHOLDING OF ASSISTANCE TO UNITS OF FOR-**
2 **EIGN SECURITY FORCES THAT ENGAGED IN**
3 **SEXUAL EXPLOITATION OR ABUSE IN PEACE-**
4 **KEEPING OPERATIONS.**

5 The Foreign Assistance Act of 1961 is amended by
6 inserting after section 554 the following:

7 **“SEC. 555. WITHHOLDING OF ASSISTANCE TO UNITS OF**
8 **FOREIGN SECURITY FORCES THAT ENGAGED**
9 **IN SEXUAL EXPLOITATION OR ABUSE IN**
10 **PEACEKEEPING OPERATIONS.**

11 “(a) IN GENERAL.—The Secretary of State should
12 withhold assistance to any unit of the security forces of
13 a foreign country if the Secretary has credible information
14 that such unit has engaged in sexual exploitation or abuse,
15 including while serving in a United Nations peacekeeping
16 operation, until the Secretary determines that the govern-
17 ment of such country is taking effective steps to hold the
18 responsible members of such unit accountable and to pre-
19 vent future incidents.

20 “(b) NOTICE.—The Secretary of State—

21 “(1) shall promptly notify the government of
22 each country subject to any withholding of assist-
23 ance pursuant to this section; and

24 “(2) shall notify the appropriate congressional
25 committees of such withholding not later than 10

1 days after a determination to withhold such assist-
 2 ance is made.

3 “(c) ASSISTANCE.—The Secretary of State shall, to
 4 the maximum extent practicable, assist the government of
 5 each country subject to any withholding of assistance pur-
 6 suant to this section in bringing the responsible members
 7 of such unit of the security forces of the country to justice.

8 “(d) APPROPRIATE CONGRESSIONAL COMMITTEES
 9 DEFINED.—In this section, the term ‘appropriate congres-
 10 sional committees’ means—

11 “(1) the Committee on Foreign Affairs and the
 12 Committee on Appropriations of the House of Rep-
 13 resentatives; and

14 “(2) the Committee on Foreign Relations and
 15 the Committee on Appropriations of the Senate.”.

16 **Subtitle C—Studies on Authorities** 17 **and Programs**

18 **SEC. 841. REQUIREMENT FOR STUDY BY BUREAU OF INTER-** 19 **NATIONAL NARCOTICS AND LAW ENFORCE-** 20 **MENT AFFAIRS.**

21 (a) IN GENERAL.—Not later than one year after the
 22 date of enactment of this Act, the Assistant Secretary for
 23 the Bureau of International Narcotics and Law Enforce-
 24 ment, in consultation with the heads of other relevant bu-
 25 reaus of the Department, shall submit to the Committee

1 on Foreign Affairs of the House of Representatives and
2 the Committee on Foreign Relations of the Senate a re-
3 port detailing all existing programs, and their statutory
4 authorities, that provide training, advice, equipment, and
5 other support to eligible foreign civilian security forces and
6 institutions.

7 (b) MATTERS TO BE INCLUDED.—Such a report
8 shall assess the following:

9 (1) The benefits and costs of consolidating the
10 number of such programs and expanding the scope
11 of such programs, as appropriate.

12 (2) The prospects for improving coordination
13 among such programs.

14 (3) The impact of repealing section 660 of the
15 Foreign Assistance Act of 1961 (22 U.S.C. 2420),
16 including—

17 (A) the potential opportunities such repeal
18 would create for expanding existing programs
19 or establishing new programs to improve the ca-
20 pacity, capabilities, and professionalism of such
21 civilian security forces and institutions, includ-
22 ing with respect to pay and promotions, bene-
23 fits, leadership, and administration; and

1 (B) the required elements necessary to en-
2 sure that any such program would enhance rule
3 of law and safeguard human rights.

4 (c) CIVILIAN SECURITY FORCES.—In this section,
5 the term “civilian security forces” includes non-military
6 security forces at the national, State, district, or local level
7 that are responsible for internal security, do not report
8 to a defense ministry or similar or related defense or mili-
9 tary entity of a foreign government, and are assigned re-
10 sponsibility for one or more of the following:

- 11 (1) Law enforcement.
- 12 (2) Border security.
- 13 (3) Maritime and port security.
- 14 (4) Customs law enforcement.
- 15 (5) Sanctions monitoring and enforcement.
- 16 (6) Counterterrorism.
- 17 (7) Counternarcotics.
- 18 (8) Counterproliferation.
- 19 (9) Countertransnational organized crime.
- 20 (10) Improving the administration of justice.
- 21 (11) Promoting respect for human rights.
- 22 (12) Promoting the rule of law.

1 **SEC. 842. REQUIREMENT FOR INDEPENDENT STUDY OF EX-**
2 **ISTING SECURITY ASSISTANCE AUTHORITIES.**

3 (a) IN GENERAL.—Not later than 60 days after the
4 date of the enactment of this Act, the Secretary shall enter
5 into a contract with a federally funded research and devel-
6 opment center with appropriate expertise and analytical
7 capability to carry out the study described in subsection
8 (b).

9 (b) STUDY.—The study required by subsection (a)
10 shall provide for a comprehensive examination of—

11 (1) the history and evolution of existing security
12 assistance authorities and the original intent of such
13 authorities;

14 (2) areas in which—

15 (A) such authorities have deviated from
16 such original intent and explanations why; and

17 (B) such authorities overlap or compete
18 with one another; and

19 (3) recommendations for consolidating, replac-
20 ing, or otherwise adapting such authorities, as well
21 as for establishing new ones, to include recommenda-
22 tions for differentiating authorities based on the ca-
23 pacity and capabilities they build as opposed to by
24 issue or purpose.

25 (c) REPORT.—

1 (1) TO THE SECRETARY.—Not later than one
2 year after the date on which the Secretary enters
3 into a contract pursuant to subsection (a), the inde-
4 pendent research entity that has entered into a con-
5 tract with the Secretary shall submit to the Sec-
6 retary a report containing—

7 (A) the results of the study required by
8 subsection (a); and

9 (B) such recommendations to improve the
10 effectiveness of existing security assistance au-
11 thorities as the entity considers to be appro-
12 priate.

13 (2) TO CONGRESS.—Not later than 30 days
14 after receipt of the report under paragraph (1), the
15 Secretary shall submit such report, together with
16 any additional views or recommendations of the Sec-
17 retary, to the Committee on Foreign Affairs of the
18 House of Representatives and the Committee on
19 Foreign Relations of the Senate.

20 **TITLE IX—MISCELLANEOUS**

21 **SEC. 901. CASE-ZABLOCKI ACT REFORM.**

22 Section 112b of title 1, United States Code, is
23 amended—

1 (1) in subsection (a), by striking “Committee
2 on International Relations” and inserting “Com-
3 mittee on Foreign Affairs”; and

4 (2) by amending subsection (b) to read as fol-
5 lows:

6 “(b) Each department or agency of the United States
7 Government that enters into any international agreement
8 described in subsection (a) on behalf of the United States,
9 shall designate a Chief International Agreements Officer,
10 who—

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

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

15 “(3) subject to the authority of the head of
16 such department or agency, shall have department
17 or agency-wide responsibility for efficient and appro-
18 priate compliance with subsection (a) to transmit the
19 text of any international agreement to the Depart-
20 ment of State not later than 20 days after such
21 agreement has been signed.”.

22 **SEC. 902. LIMITATION ON ASSISTANCE TO COUNTRIES IN**
23 **DEFAULT.**

24 Section 620(q) of the Foreign Assistance Act (22
25 U.S.C. 2370(q)) is amended—

1 (1) by striking “No assistance” and inserting
2 the following:

3 “(1) No assistance”;

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

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

8 (4) by striking “determines” and all that fol-
9 lows and inserting “determines, after consultation
10 with the Committee on Foreign Affairs and the
11 Committee on Appropriations of the House of Rep-
12 resentatives and the Committee on Foreign Rela-
13 tions and the Committee on Appropriations of the
14 Senate, that assistance for such country is in the na-
15 tional interest of the United States.”; and

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

17 “(2) No assistance shall be furnished under this
18 Act, the Peace Corps Act, the Millennium Challenge
19 Act of 2003, the African Development Foundation
20 Act, the BUILD Act of 2018, section 504 of the
21 FREEDOM Support Act, or section 23 of the Arms
22 Export Control Act to the government of any coun-
23 try which is in default during a period in excess of
24 1 calendar year in payment to the United States of
25 principal or interest or any loan made to the govern-

1 ment of such country by the United States pursuant
2 to a program for which funds are appropriated
3 under such Act unless the President determines, fol-
4 lowing consultation with the congressional commit-
5 tees specified in paragraph (1), that assistance for
6 such country is in the national interest of the United
7 States.”.

8 **SEC. 903. PROHIBITION ON ASSISTANCE TO GOVERNMENTS**
9 **SUPPORTING INTERNATIONAL TERRORISM.**

10 (a) PROHIBITION.—Subsection (a) of section 620A of
11 the Foreign Assistance Act of 1961 (22 U.S.C. 2371) is
12 amended by striking “that the government of that coun-
13 try” and all that follows and inserting “that the govern-
14 ment of that country—

15 “(1) has repeatedly provided support for acts of
16 international terrorism;

17 “(2) grants sanctuary from prosecution to any
18 individual or group which has committed an act of
19 international terrorism;

20 “(3) otherwise supports international terrorism;
21 or

22 “(4) is controlled by an organization designated
23 as a foreign terrorist organization under section 219
24 of the Immigration and Nationality Act (8 U.S.C.
25 1189).”.

1 (b) RESCISSION.—Subsection (c) of such section is
2 amended by striking “and the Chairman of the Committee
3 on Foreign Relations of the Senate” and inserting “, the
4 Committee on Foreign Affairs of the House of Representa-
5 tives, the Committee on Foreign Relations of the Senate,
6 and the Committees on Appropriations of the House of
7 Representatives and the Senate”.

8 (c) WAIVER.—Subsection (d)(2) of such section is
9 amended by striking “and the chairman of the Committee
10 on Foreign Relations of the Senate” and inserting “, the
11 Committee on Foreign Affairs of the House of Representa-
12 tives, the Committee on Foreign Relations of the Senate,
13 and the Committees on Appropriations of the House of
14 Representatives and the Senate”.

15 (d) PROHIBITION ON LETHAL MILITARY EQUIPMENT
16 EXPORTS.—Such section, as so amended, is further
17 amended by adding at the end the following:

18 “(e) PROHIBITION ON LETHAL MILITARY EQUIP-
19 MENT EXPORTS.—

20 “(1) PROHIBITION.—

21 “(A) IN GENERAL.—The United States
22 shall not provide any assistance under this Act
23 or section 23 of the Arms Export Control Act
24 to any foreign government that provides lethal
25 military equipment to a country the government

1 of which the Secretary of State has determined
2 supports international terrorism for purposes of
3 section 1754(c) of the Export Control Reform
4 Act of 2018.

5 “(B) TERMINATION.—The prohibition on
6 assistance under subparagraph (A) with respect
7 to a foreign government shall terminate 12
8 months after such government ceases to provide
9 the lethal military equipment described in such
10 subparagraph.

11 “(C) APPLICABILITY.—This subsection ap-
12 plies with respect to lethal military equipment
13 provided under a contract entered into after Oc-
14 tober 1, 1997.

15 “(2) WAIVER.—The President may waive the
16 prohibition on assistance under paragraph (1) with
17 respect to a foreign government if the President de-
18 termines that to do so is important to the national
19 interest of the United States.

20 “(3) REPORT.—Upon the exercise of the waiver
21 authority pursuant to paragraph (2), the President
22 shall submit to the appropriate congressional com-
23 mittees a report with respect to the furnishing of as-
24 sistance under the waiver authority, including—

1 “(A) a detailed explanation of the assist-
2 ance to be provided;

3 “(B) the estimated dollar amount of such
4 assistance; and

5 “(C) an explanation of how the assistance
6 furthers the national interest of the United
7 States.

8 “(4) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES DEFINED.—In this subsection, the term ‘ap-
10 propriate congressional committees’ means—

11 “(A) the Committee on Foreign Affairs
12 and the Committee on Appropriations of the
13 House of Representatives; and

14 “(B) the Committee on Foreign Relations
15 and the Committee on Appropriations of the
16 Senate.”.

○