

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

S. 4653

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

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. MENENDEZ

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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 2022”.

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. Modernizing the Bureau of Arms Control, Verification, and Compli-
ance and the Bureau of International Security and Non-
proliferation.

Sec. 102. Notification to Congress for United States nationals unlawfully or
wrongfully detained abroad.

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- Sec. 103. Family Engagement Coordinator.
- Sec. 104. Rewards for Justice.
- Sec. 105. Ensuring geographic diversity and accessibility of passport agencies.
- Sec. 106. Cultural Antiquities Task Force.
- Sec. 107. Briefing on “China House”.
- Sec. 108. Office of Sanctions Coordination.

TITLE II—PERSONNEL ISSUES

- Sec. 201. Department of State paid Student Internship Program.
- Sec. 202. Improvements to the prevention of, and the response to, harassment, discrimination, sexual assault, and related retaliation.
- Sec. 203. Increasing the maximum amount authorized for science and technology fellowship grants and cooperative agreements.
- Sec. 204. Additional personnel to address backlogs in hiring and investigations.
- Sec. 205. Commission on Reform and Modernization of the Department of State.
- Sec. 206. Foreign affairs training.
- Sec. 207. Security clearance approval process.
- Sec. 208. Addendum for study on foreign service allowances.
- Sec. 209. Curtailments, removals from post, and waivers of privileges and immunities.
- Sec. 210. Report on worldwide availability.
- Sec. 211. Professional development.
- Sec. 212. Management assessments at diplomatic and consular posts.
- Sec. 213. Independent review of promotion policies.
- Sec. 214. Third party verification of permanent change of station (PCS) orders.
- Sec. 215. Post-employment restrictions on Senate-confirmed officials at the Department of State.
- Sec. 216. Expansion of authorities regarding special rules for certain monthly workers’ compensation payments and other payments.

TITLE III—EMBASSY SECURITY AND CONSTRUCTION

- Sec. 301. Amendments to Secure Embassy Construction and Counterterrorism Act of 1999.
- Sec. 302. Diplomatic support and security.
- Sec. 303. Establishment of United States embassies in Vanuatu, Kiribati, and Tonga.

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

- Sec. 401. Report on barriers to applying for employment with the Department of State.
- Sec. 402. Collection, analysis, and dissemination of workforce data.
- Sec. 403. Centers of Excellence in Foreign Affairs and Assistance.
- Sec. 404. Institute for Transatlantic Engagement.
- Sec. 405. Rule of construction.

TITLE V—INFORMATION SECURITY AND CYBER DIPLOMACY

- Sec. 501. United States international cyberspace policy.
- Sec. 502. Bureau of Cyberspace and Digital Policy.
- Sec. 503. International cyberspace and digital policy strategy.
- Sec. 504. Government Accountability Office report on cyber diplomacy.

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- Sec. 505. Report on diplomatic programs to detect and respond to cyber threats against allies and partners.
- Sec. 506. Cybersecurity recruitment and retention.
- Sec. 507. Short course on emerging technologies for senior officials.
- Sec. 508. Establishment and expansion of Regional Technology Officer Program.
- Sec. 509. Vulnerability disclosure policy and bug bounty program report.

TITLE VI—PUBLIC DIPLOMACY

- Sec. 601. United States participation in international fairs and expositions.
- Sec. 602. Press freedom curriculum.
- Sec. 603. Global Engagement Center.
- Sec. 604. Under Secretary for Public Diplomacy.

TITLE VII—OTHER MATTERS

- Sec. 701. Supporting the employment of United States citizens by international organizations.
- Sec. 702. Increasing housing availability for certain employees assigned to the United States Mission to the United Nations.
- Sec. 703. Limitation on United States contributions to peacekeeping operations not authorized by the United Nations Security Council.
- Sec. 704. Boards of Radio Free Europe/Radio Liberty, Radio Free Asia, the Middle East Broadcasting Networks, and the Open Technology Fund.
- Sec. 705. Broadcasting entities no longer required to consolidate into a single private, nonprofit corporation.
- Sec. 706. International broadcasting activities.
- Sec. 707. Global internet freedom.
- Sec. 708. Arms Export Control Act alignment with the Export Control Reform Act.
- Sec. 709. Increasing the maximum annual lease payment available without approval by the Secretary.
- Sec. 710. Report on United States access to critical mineral resources abroad.
- Sec. 711. Ensuring the integrity of communications cooperation.
- Sec. 712. Congressional oversight, quarterly review, and authority relating to concurrence provided by chiefs of mission for the provision of support relating to certain United States Government operations.
- Sec. 713. Provision of parking services and retention of parking fees.
- Sec. 714. Diplomatic reception areas.
- Sec. 715. Consular and border security programs visa services cost recovery proposal.
- Sec. 716. Return of supporting documents for passport applications through United States Postal Service certified mail.
- Sec. 717. Report on distribution of personnel and resources related to ordered departures and post closures.
- Sec. 718. Elimination of obsolete reports.
- Sec. 719. Locality pay for Federal employees working overseas under Domestic Employee Teleworking Overseas agreements.
- Sec. 720. Department of State diplomacy in response to the United Nations Independent International Commission of Inquiry on Israel.
- Sec. 721. Prohibition on entry of officials of foreign governments involved in significant corruption or gross violations of human rights.
- Sec. 722. Modifications to sanctions with respect to human rights violations.

- Sec. 723. Report of shooting of Palestinian-American journalist in Jenin.
Sec. 724. Report on countering the activities of malign actors.

TITLE VIII—EXTENSION OF AUTHORITIES

- Sec. 801. Consulting services.
Sec. 802. Diplomatic facilities.
Sec. 803. Extension of existing authorities.
Sec. 804. War reserves stockpile and military training report.

TITLE IX—COMBATING GLOBAL CORRUPTION

- Sec. 901. Short title.
Sec. 902. Definitions.
Sec. 903. Publication of tiered ranking list.
Sec. 904. Minimum standards for the elimination of corruption and assessment of efforts to combat corruption.
Sec. 905. Imposition of sanctions under Global Magnitsky Human Rights Accountability Act.
Sec. 906. Designation of embassy anti-corruption points of contact.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the United
5 States Agency for International Development.

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

11 (3) DEPARTMENT.—Unless otherwise specified,
12 the term “Department” means the Department of
13 State.

14 (4) SECRETARY.—Unless otherwise specified,
15 the term “Secretary” means the Secretary of State.

1 (5) USAID.—The term “USAID” means the
2 United States Agency for International Develop-
3 ment.

4 **TITLE I—ORGANIZATION AND**
5 **OPERATIONS OF THE DE-**
6 **PARTMENT OF STATE**

7 **SEC. 101. MODERNIZING THE BUREAU OF ARMS CONTROL,**
8 **VERIFICATION, AND COMPLIANCE AND THE**
9 **BUREAU OF INTERNATIONAL SECURITY AND**
10 **NONPROLIFERATION.**

11 It is the sense of Congress that—

12 (1) the Secretary should take steps to address
13 staffing shortfalls in the chemical, biological, and
14 nuclear weapons issue areas in the Bureau of Arms
15 Control, Verification, and Compliance and in the
16 Bureau of International Security and Nonprolifera-
17 tion;

18 (2) maintaining a fully staffed and resourced
19 Bureau of Arms Control, Verification, and Compli-
20 ance and Bureau of International Security and Non-
21 proliferation is necessary to effectively confront the
22 threat of increased global proliferation; and

23 (3) the Bureau of Arms Control, Verification,
24 and Compliance and the Bureau of International Se-
25 curity and Nonproliferation should increase efforts

1 and dedicate resources to combat the dangers posed
2 by the People’s Republic of China’s conventional and
3 nuclear build-up, the Russian Federation’s tactical
4 nuclear weapons and new types of nuclear weapons,
5 bioweapons proliferation, dual use of life sciences re-
6 search, and chemical weapons.

7 **SEC. 102. NOTIFICATION TO CONGRESS FOR UNITED**
8 **STATES NATIONALS UNLAWFULLY OR**
9 **WRONGFULLY DETAINED ABROAD.**

10 Section 302 of the Robert Levinson Hostage Recov-
11 ery and Hostage-Taking Accountability Act (22 U.S.C.
12 1741) is amended—

13 (1) in subsection (a), by inserting “, as expedi-
14 tiously as possible,” after “review”; and

15 (2) by amending subsection (b) to read as fol-
16 lows:

17 “(b) REFERRALS TO SPECIAL ENVOY; NOTIFICATION
18 TO CONGRESS.—

19 “(1) IN GENERAL.—Upon a determination by
20 the Secretary of State, based on the totality of the
21 circumstances, that there is credible information
22 that the detention of a United States national
23 abroad is unlawful or wrongful, and regardless of
24 whether the detention is by a foreign government or
25 a nongovernmental actor, the Secretary shall—

1 “(A) expeditiously transfer responsibility
2 for such case from the Bureau of Consular Af-
3 fairs of the Department of State to the Special
4 Envoy for Hostage Affairs; and

5 “(B) not later than 14 days after such de-
6 termination, notify the Committee on Foreign
7 Relations of the Senate and the Committee on
8 Foreign Affairs of the House of Representatives
9 of such determination and provide such commit-
10 tees with a summary of the facts that led to
11 such determination.

12 “(2) FORM.—The notification described in
13 paragraph (1)(B) may be classified, if necessary.”.

14 **SEC. 103. FAMILY ENGAGEMENT COORDINATOR.**

15 Section 303 of the Robert Levinson Hostage Recov-
16 ery and Hostage-Taking Accountability Act (22 U.S.C.
17 1741a) is amended by adding at the end the following:

18 “(d) FAMILY ENGAGEMENT COORDINATOR.—There
19 shall be, in the Office of the Special Presidential Envoy
20 for Hostage Affairs, a Family Engagement Coordinator,
21 who shall ensure—

22 “(1) for a United States national unlawfully or
23 wrongfully detained abroad, that—

1 “(A) any interaction by executive branch
2 officials with any family member of such United
3 States national occurs in a coordinated fashion;

4 “(B) such family member receives con-
5 sistent and accurate information from the
6 United States Government; and

7 “(C) appropriate coordination with the
8 Family Engagement Coordinator described in
9 section 304(c)(2); and

10 “(2) for a United States national held hostage
11 abroad, that any engagement with a family member
12 is coordinated with, consistent with, and not duplica-
13 tive of the efforts of the Family Engagement Coordi-
14 nator described in section 304(c)(2).”.

15 **SEC. 104. REWARDS FOR JUSTICE.**

16 Section 36(b) of the State Department Basic Au-
17 thorities Act of 1956 (22 U.S.C. 2708(b)) is amended—

18 (1) in paragraph (4), by striking “or (10);” and
19 inserting “(10), or (14);”;

20 (2) in paragraph (12), by striking “or” at the
21 end;

22 (3) in paragraph (13), by striking the period at
23 the end and inserting “; or”; and

24 (4) by adding at the end the following:

1 “(14) the prevention, frustration, or resolution
2 of the hostage taking of a United States person, the
3 identification, location, arrest, or conviction of a per-
4 son responsible for the hostage taking of a United
5 States person, or the location of a United States
6 person who has been taken hostage, in any coun-
7 try.”.

8 **SEC. 105. ENSURING GEOGRAPHIC DIVERSITY AND ACCES-**
9 **SIBILITY OF PASSPORT AGENCIES.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that Department initiatives to expand passport serv-
12 ices and accessibility, including through online moderniza-
13 tion projects, should include the construction of new phys-
14 ical passport agencies.

15 (b) REVIEW.—The Secretary shall conduct a review
16 of the geographic diversity and accessibility of existing
17 passport agencies to identify—

18 (1) the geographic areas in the United States
19 that are farther than 6 hours’ driving distance from
20 the nearest passport agency;

21 (2) the per capita demand for passport services
22 in the areas described in paragraph (1); and

23 (3) a plan to ensure that in-person services at
24 physical passport agencies are accessible to all eligi-
25 ble Americans, including Americans living in large

1 population centers, in rural areas, and in States with
2 a high per capita demand for passport services.

3 (c) CONSIDERATIONS.—The Secretary shall consider
4 the metrics identified in paragraphs (1) and (2) of sub-
5 section (b) when determining locations for the establish-
6 ment of new physical passport agencies.

7 (d) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act, the Secretary shall submit
9 a report to the Committee on Foreign Relations of the
10 Senate, the Committee on Appropriations of the Senate,
11 the Committee on Foreign Affairs of the House of Rep-
12 resentatives, and the Committee on Appropriations of the
13 House of Representatives that contains the findings of the
14 review conducted pursuant to subsection (b).

15 **SEC. 106. CULTURAL ANTIQUITIES TASK FORCE.**

16 The Secretary is authorized to use up to \$1,000,000
17 for grants to carry out the activities of the Cultural Antiq-
18 uities Task Force.

19 **SEC. 107. BRIEFING ON “CHINA HOUSE”.**

20 Not later than 90 days after the date of the enact-
21 ment of this Act, the Secretary of State shall brief the
22 appropriate congressional committees regarding the orga-
23 nizational structure, personnel, resources, and mission of
24 the Department of State’s “China House” team.

1 **SEC. 108. OFFICE OF SANCTIONS COORDINATION.**

2 (a) EXTENSION OF AUTHORITIES.—Section 1 of the
3 State Department Basic Authorities Act of 1956 (22
4 U.S.C. 2651a) is amended, in paragraph (4)(B) of sub-
5 section (l), as redesignated by section 502(a)(2) of this
6 Act, by striking “the date that is two years after the date
7 of the enactment of this subsection” and inserting “De-
8 cember 31, 2024”.

9 (b) BRIEFING.—Not later than 90 days after the date
10 of the enactment of this Act, the Office of Sanctions Co-
11 ordination shall brief the appropriate congressional com-
12 mittees with respect to the steps the Office has taken to
13 coordinate its activities with the Office of Foreign Assets
14 Control and humanitarian aid programs, in an effort to
15 help ensure appropriate flows of humanitarian assistance
16 and goods to countries subject to United States sanctions.

17 **TITLE II—PERSONNEL ISSUES**

18 **SEC. 201. DEPARTMENT OF STATE PAID STUDENT INTERN-**
19 **SHIP PROGRAM.**

20 (a) IN GENERAL.—The Secretary shall establish the
21 Department of State Student Internship Program (re-
22 ferred to in this section as the “Program”) to offer intern-
23 ship opportunities at the Department to eligible students
24 to raise awareness of the essential role of diplomacy in
25 the conduct of United States foreign policy and the real-
26 ization of United States foreign policy objectives.

1 (b) ELIGIBILITY.—An applicant is eligible to partici-
2 pate in the Program if the applicant—

3 (1) is enrolled at least half-time at—

4 (A) an institution of higher education (as
5 such term is defined in section 102(a) of the
6 Higher Education Act of 1965 (20 U.S.C.
7 1002(a)); or

8 (B) an institution of higher education
9 based outside the United States, as determined
10 by the Secretary of State; and

11 (2) is eligible to receive and hold an appropriate
12 security clearance.

13 (c) SELECTION.—The Secretary shall establish selec-
14 tion criteria for students to be admitted into the Program
15 that includes a demonstrated interest in a career in for-
16 eign affairs.

17 (d) OUTREACH.—The Secretary shall—

18 (1) widely advertise the Program, including—

19 (A) on the internet;

20 (B) through the Department’s Diplomats
21 in Residence program; and

22 (C) through other outreach and recruiting
23 initiatives targeting undergraduate and grad-
24 uate students; and

1 (2) conduct targeted outreach to encourage par-
2 ticipation in the Program from—

3 (A) individuals belonging to an underrep-
4 resented group; and

5 (B) students enrolled at minority-serving
6 institutions (which shall include any institution
7 listed in section 371(a) of the Higher Education
8 Act of 1965 (20 U.S.C. 1067q(a)).

9 (e) COMPENSATION.—

10 (1) HOUSING ASSISTANCE.—

11 (A) ABROAD.—The Secretary shall provide
12 housing assistance to any student participating
13 in the Program whose permanent address is
14 within the United States if the location of the
15 internship in which such student is partici-
16 pating is outside of the United States.

17 (B) DOMESTIC.—The Secretary may pro-
18 vide housing assistance to a student partici-
19 pating in the Program whose permanent ad-
20 dress is within the United States if the location
21 of the internship in which such student is par-
22 ticipating is more than 50 miles away from
23 such student's permanent address.

24 (2) TRAVEL ASSISTANCE.—The Secretary shall
25 provide a student participating in the Program

1 whose permanent address is within the United
2 States with financial assistance that is sufficient to
3 cover the travel costs of a single round trip by air,
4 train, bus, or other appropriate transportation be-
5 tween the student's permanent address and the loca-
6 tion of the internship in which such student is par-
7 ticipating if such location is—

8 (A) more than 50 miles from the student's
9 permanent address; or

10 (B) outside of the United States.

11 (f) WORKING WITH INSTITUTIONS OF HIGHER EDU-
12 CATION.—The Secretary, to the maximum extent prac-
13 ticable, shall structure internships to ensure that such in-
14 ternships satisfy criteria for academic credit at the institu-
15 tions of higher education in which participants in such in-
16 ternships are enrolled.

17 (g) TRANSITION PERIOD.—

18 (1) IN GENERAL.—Except as provided in para-
19 graphs (2) and (3), beginning not later than 2 years
20 after the date of the enactment of this Act—

21 (A) the Secretary shall convert unpaid in-
22 ternship programs of the Department, including
23 the Foreign Service Internship Program, to in-
24 ternship programs that offer compensation; and

1 (B) upon selection as a candidate for entry
2 into an internship program of the Department,
3 a participant in such internship program may
4 refuse compensation, including if doing so al-
5 lows such participant to receive college or uni-
6 versity curricular credit.

7 (2) EXCEPTION.—The transition required
8 under paragraph (1) shall not apply to unpaid in-
9 ternship programs of the Department that are part
10 of the Virtual Student Federal Service internship
11 program.

12 (3) WAIVER.—

13 (A) IN GENERAL.—The Secretary may
14 waive the requirement under paragraph (1)(A)
15 with respect to a particular unpaid internship
16 program if the Secretary, not later than 30
17 days after making a determination that the con-
18 version of such internship program to a com-
19 pensated internship program would not be con-
20 sistent with effective management goals, sub-
21 mits a report explaining such determination
22 to—

23 (i) the appropriate congressional com-
24 mittees;

1 (ii) the Committee on Appropriations
2 of the Senate; and

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

5 (B) REPORT.—The report required under
6 subparagraph (A) shall—

7 (i) describe the reasons why con-
8 verting an unpaid internship program of
9 the Department to an internship program
10 that offers compensation would not be con-
11 sistent with effective management goals;
12 and

13 (ii)(I) provide justification for main-
14 taining such unpaid status indefinitely; or

15 (II) identify any additional authorities
16 or resources that would be necessary to
17 convert such unpaid internship program to
18 offer compensation in the future.

19 (h) REPORTS.—Not later than 18 months after the
20 date of the enactment of this Act, the Secretary of State
21 shall submit a report to the committees referred to in sub-
22 section (g)(3)(A) that includes—

23 (1) data, to the extent the collection of such in-
24 formation is permissible by law, regarding the num-
25 ber of students who applied to the Program, were of-

1 ferred a position, and participated, respectively,
2 disaggregated by race, ethnicity, gender, institution
3 of higher education, home State, State where each
4 student graduated from high school, and disability
5 status;

6 (2) data regarding the number of security clear-
7 ance investigations initiated for the students de-
8 scribed in paragraph (1), including the timeline for
9 such investigations, whether such investigations were
10 completed, and when an interim security clearance
11 was granted;

12 (3) information on Program expenditures; and

13 (4) information regarding the Department's
14 compliance with subsection (g).

15 (i) VOLUNTARY PARTICIPATION.—

16 (1) IN GENERAL.—Nothing in this section may
17 be construed to compel any student who is a partici-
18 pant in an internship program of the Department to
19 participate in the collection of the data or divulge
20 any personal information. Such students shall be in-
21 formed that their participation in the data collection
22 under this section is voluntary.

23 (2) PRIVACY PROTECTION.—Any data collected
24 under this section shall be subject to the relevant

1 privacy protection statutes and regulations applica-
2 ble to Federal employees.

3 (j) SPECIAL HIRING AUTHORITY.—Notwithstanding
4 any other provision of law, the Secretary, in consultation
5 with the Director of the Office of Personnel Management,
6 with respect to the number of interns to be hired each
7 year, may—

8 (1) select, appoint, and employ individuals for
9 up to 1 year through compensated internships in the
10 excepted service; and

11 (2) remove any compensated intern employed
12 pursuant to paragraph (1) without regard to the
13 provisions of law governing appointments in the
14 competitive excepted service.

15 (k) AVAILABILITY OF APPROPRIATIONS.—Intern-
16 ships offered and compensated by the Department under
17 this section shall be funded solely by available amounts
18 appropriated under the heading “Diplomatic Programs”.

19 **SEC. 202. IMPROVEMENTS TO THE PREVENTION OF, AND**
20 **THE RESPONSE TO, HARASSMENT, DISCRIMI-**
21 **NATION, SEXUAL ASSAULT, AND RELATED RE-**
22 **TALIATION.**

23 (a) COORDINATION WITH OTHER AGENCIES.—The
24 Secretary, in coordination with the heads of other Federal
25 agencies that provide personnel to serve in overseas posts

1 under Chief of Mission authority, should develop inter-
2 agency policies regarding harassment, discrimination, sex-
3 ual assault, and related retaliation, including policies
4 for—

5 (1) addressing, reporting, and providing
6 transitioning support;

7 (2) advocacy, service referrals, and travel ac-
8 commodations; and

9 (3) disciplining anyone who violates Depart-
10 ment policies regarding harassment, discrimination,
11 sexual assault, or related retaliation occurring be-
12 tween covered individuals and noncovered individ-
13 uals.

14 (b) DISCIPLINARY ACTION.—

15 (1) SEPARATION FOR CAUSE.—Section
16 610(a)(1) of the Foreign Service Act of 1980 (22
17 U.S.C. 4010(a)(1)), is amended—

18 (A) by striking “decide to”; and

19 (B) by inserting “upon receiving notifica-
20 tion from the Bureau of Diplomatic Security
21 that such member has engaged in criminal mis-
22 conduct, such as murder, rape, or other sexual
23 assault” before the period at the end.

24 (2) UPDATE TO MANUAL.—The Director of
25 Global Talent shall—

1 (A) update the “Grounds for Disciplinary
2 Action” and “List of Disciplinary Offenses and
3 Penalties” sections of the Foreign Affairs Man-
4 ual to reflect the amendments made under
5 paragraph (1); and

6 (B) communicate such updates to Depart-
7 ment staff through publication in Department
8 Notices.

9 (c) SEXUAL ASSAULT PREVENTION AND RESPONSE
10 VICTIM ADVOCATES.—

11 (1) PLACEMENT.—The Secretary shall ensure
12 that the Diplomatic Security Service’s Victims’ Re-
13 source Advocacy Program—

14 (A) is appropriately staffed by advocates
15 who are physically present at—

16 (i) the headquarters of the Depart-
17 ment; and

18 (ii) major domestic and international
19 facilities and embassies, as determined by
20 the Secretary;

21 (B) considers the logistics that are nec-
22 essary to allow for the expedient travel of vic-
23 tims from Department facilities that do not
24 have advocates; and

1 (C) uses funds available to the Department
2 to provide emergency food, shelter, clothing,
3 and transportation for victims involved in mat-
4 ters being investigated by the Diplomatic Secu-
5 rity Service.

6 **SEC. 203. INCREASING THE MAXIMUM AMOUNT AUTHOR-**
7 **IZED FOR SCIENCE AND TECHNOLOGY FEL-**
8 **LOWSHIP GRANTS AND COOPERATIVE**
9 **AGREEMENTS.**

10 Section 504(e)(3) of the Foreign Relations Author-
11 ization Act, Fiscal Year 1979 (22 U.S.C. 2656d(e)(3)) is
12 amended by striking “\$500,000” and inserting
13 “\$2,000,000”.

14 **SEC. 204. ADDITIONAL PERSONNEL TO ADDRESS BACK-**
15 **LOGS IN HIRING AND INVESTIGATIONS.**

16 (a) IN GENERAL.—The Secretary shall seek to in-
17 crease the number of personnel within the Bureau of Glob-
18 al Talent Management and the Office of Civil Rights to
19 address backlogs in hiring and investigations into com-
20 plaints conducted by the Office of Civil Rights.

21 (b) EMPLOYMENT TARGETS.—The Secretary shall
22 seek to employ—

23 (1) not fewer than 15 additional personnel in
24 the Bureau of Global Talent Management and the
25 Office of Civil Rights (compared to the number of

1 personnel so employed as of the day before the date
2 of the enactment of this Act) by the date that is 180
3 days after such date of enactment; and

4 (2) not fewer than 15 additional personnel in
5 such Bureau and Office (compared to the number of
6 personnel so employed as of the day before the date
7 of the enactment of this Act) by the date that is 1
8 year after such date of enactment.

9 **SEC. 205. COMMISSION ON REFORM AND MODERNIZATION**
10 **OF THE DEPARTMENT OF STATE.**

11 (a) **SHORT TITLE.**—This section may be cited as the
12 “Commission on Reform and Modernization of the De-
13 partment of State Act”.

14 (b) **ESTABLISHMENT OF COMMISSION.**—There is es-
15 tablished, in the legislative branch, the Commission on Re-
16 form and Modernization of the Department of State (re-
17 ferred to in this section as the “Commission”).

18 (c) **PURPOSES.**—The purposes of the Commission
19 are—

20 (1) to examine the changing nature of diplo-
21 macy in the 21st century and the ways in which the
22 Department and its personnel can modernize to ad-
23 vance the interests of the United States; and

24 (2) to offer recommendations to the President
25 and Congress related to—

1 (A) the organizational structure of the De-
2 partment, including a review of the jurisdic-
3 tional responsibilities of all of the Department's
4 regional bureaus (the Bureau of African Af-
5 fairs, the Bureau of East Asian and Pacific Af-
6 fairs, the Bureau of European and Eurasian
7 Affairs, the Bureau of Near Eastern Affairs,
8 the Bureau of South and Central Asian Affairs,
9 and the Bureau of Western Hemisphere Af-
10 fairs);

11 (B) personnel-related matters, including
12 recruitment, promotion, training, and retention
13 of the Department's workforce in order to re-
14 tain the best and brightest personnel and foster
15 effective diplomacy worldwide, including meas-
16 ures to strengthen diversity and inclusion to en-
17 sure that the Department's workforce rep-
18 resents all of America;

19 (C) the Department of State's infrastruc-
20 ture (both domestic and overseas), including in-
21 frastructure relating to information technology,
22 transportation, and security;

23 (D) the link among diplomacy and defense,
24 intelligence, development, commercial, health,

1 law enforcement, and other core United States
2 interests;

3 (E) core legislation that authorizes United
4 States diplomacy, including the Foreign Service
5 Act of 1980 (Public Law 96–465);

6 (F) related regulations, rules, and proc-
7 esses that define United States diplomatic ef-
8 forts, including the Foreign Affairs Manual;

9 (G) Chief of Mission authority at United
10 States diplomatic missions overseas, including
11 authority over employees of other Federal de-
12 partments and agencies; and

13 (H) treaties that impact United States
14 overseas presence.

15 (d) MEMBERSHIP.—

16 (1) COMPOSITION.—The Commission shall be
17 composed of 8 members, of whom—

18 (A) 1 member shall be appointed by the
19 chairperson of the Committee on Foreign Rela-
20 tions of the Senate, who shall serve as co-chair
21 of the Commission;

22 (B) 1 member shall be appointed by the
23 ranking member of the Committee on Foreign
24 Relations of the Senate, who shall serve as co-
25 chair of the Commission;

1 (C) 1 member shall be appointed by the
2 chairperson of the Committee on Foreign Af-
3 fairs of the House of Representatives;

4 (D) 1 member shall be appointed by the
5 ranking member of the Committee on Foreign
6 Affairs of the House of Representatives;

7 (E) 1 member shall be appointed by the
8 majority leader of the Senate;

9 (F) 1 member shall be appointed by the
10 Speaker of the House of Representatives;

11 (G) 1 member shall be appointed by the
12 minority leader of the Senate; and

13 (H) 1 member shall be appointed by the
14 minority leader of the House of Representa-
15 tives.

16 (2) QUALIFICATIONS; MEETINGS.—

17 (A) MEMBERSHIP.—The members of the
18 Commission should be prominent United States
19 citizens, with national recognition and signifi-
20 cant depth of experience in international rela-
21 tions and with the Department.

22 (B) POLITICAL PARTY AFFILIATION.—Not
23 more than 4 members of the Commission may
24 be from the same political party.

25 (C) MEETINGS.—

1 (i) INITIAL MEETING.—The Commis-
2 sion shall hold the first meeting and begin
3 operations as soon as practicable.

4 (ii) FREQUENCY.—The Commission
5 shall meet at the call of the co-chairs.

6 (iii) QUORUM.—Five members of the
7 Commission shall constitute a quorum for
8 purposes of conducting business, except
9 that 2 members of the Commission shall
10 constitute a quorum for purposes of receiv-
11 ing testimony.

12 (D) VACANCIES.—Any vacancy in the
13 Commission shall not affect the powers of the
14 Commission, but shall be filled in the same
15 manner as the original appointment.

16 (e) FUNCTIONS OF COMMISSION.—

17 (1) IN GENERAL.—The Commission shall act by
18 resolution agreed to by a majority of the members
19 of the Commission voting and present.

20 (2) PANELS.—The Commission may establish
21 panels composed of less than the full membership of
22 the Commission for purposes of carrying out the du-
23 ties of the Commission under this section. The ac-
24 tions of any such panel shall be subject to the review
25 and control of the Commission. Any findings and de-

1 terminations made by such a panel may not be con-
2 sidered the findings and determinations of the Com-
3 mission unless such findings and determinations are
4 approved by the Commission.

5 (3) DELEGATION.—Any member, agent, or staff
6 of the Commission may, if authorized by the co-
7 chairs of the Commission, take any action which the
8 Commission is authorized to take pursuant to this
9 section.

10 (f) POWERS OF COMMISSION.—

11 (1) HEARINGS AND EVIDENCE.—The Commis-
12 sion or any panel or member of the Commission, as
13 delegated by the co-chairs, may, for the purpose of
14 carrying out this section—

15 (A) hold such hearings and meetings, take
16 such testimony, receive such evidence, and ad-
17 minister such oaths as the Commission or such
18 designated subcommittee or designated member
19 considers necessary;

20 (B) require the attendance and testimony
21 of such witnesses and the production of such
22 correspondence, memoranda, papers, and docu-
23 ments, as the Commission or such designated
24 subcommittee or designated member considers
25 necessary; and

1 (C) subject to applicable privacy laws and
2 relevant regulations, secure directly from any
3 Federal department or agency information and
4 data necessary to enable it to carry out its mis-
5 sion, which shall be provided by the head or
6 acting representative of the department or
7 agency not later than 30 days after the Com-
8 mission provides a written request for such in-
9 formation and data.

10 (2) CONTRACTS.—The Commission, to such ex-
11 tent and in such amounts as are provided in appro-
12 priations Acts, may enter into contracts to enable
13 the Commission to discharge its duties under this
14 section.

15 (3) INFORMATION FROM FEDERAL AGENCIES.—

16 (A) IN GENERAL.—The Commission may
17 secure directly from any executive department,
18 bureau, agency, board, commission, office, inde-
19 pendent establishment, or instrumentality of the
20 Government, information, suggestions, esti-
21 mates, and statistics for the purposes of this
22 section.

23 (B) FURNISHING INFORMATION.—Each
24 department, bureau, agency, board, commission,
25 office, independent establishment, or instrumen-

1 tality, to the extent authorized by law, shall fur-
2 nish such information, suggestions, estimates,
3 and statistics directly to the Commission, upon
4 request made by a co-chair, the chair of any
5 panel created by a majority of the Commission,
6 or any member designated by a majority of the
7 Commission.

8 (C) HANDLING.—Information may only be
9 received, handled, stored, and disseminated by
10 members of the Commission and its staff in ac-
11 cordance with all applicable statutes, regula-
12 tions, and Executive orders.

13 (4) ASSISTANCE FROM FEDERAL AGENCIES.—

14 (A) SECRETARY OF STATE.—The Sec-
15 retary shall provide to the Commission, on a
16 nonreimbursable basis, such administrative
17 services, funds, staff, facilities, and other sup-
18 port services as are necessary for the perform-
19 ance of the Commission's duties under this sec-
20 tion.

21 (B) OTHER DEPARTMENTS AND AGEN-
22 CIES.—Other Federal departments and agencies
23 may provide the Commission such services,
24 funds, facilities, staff, and other support as

1 such departments and agencies consider advis-
2 able and as may be authorized by law.

3 (C) COOPERATION.—The Commission shall
4 receive the full and timely cooperation of any
5 official, department, or agency of the Federal
6 Government whose assistance is necessary, as
7 jointly determined by the co-chairs of the Com-
8 mission, for the fulfillment of the duties of the
9 Commission, including the provision of full and
10 current briefings and analyses.

11 (5) ASSISTANCE FROM INDEPENDENT ORGANI-
12 ZATIONS.—

13 (A) IN GENERAL.—In order to inform its
14 work, the Commission should review reports
15 that were written during the 15-year period
16 ending on the date of the enactment of this Act
17 by independent organizations and outside ex-
18 perts relating to reform and modernization of
19 the Department.

20 (B) AVOIDING DUPLICATION.—In ana-
21 lyzing the reports referred to in subparagraph
22 (A), the Commission should pay particular at-
23 tention to any specific reform proposals that
24 have been recommended by 2 or more of such
25 reports.

1 (6) POSTAL SERVICES.—The Commission may
2 use the United States mails in the same manner and
3 under the same conditions as other departments and
4 agencies of the Federal Government.

5 (7) GIFTS.—The Commission may accept, use,
6 and dispose of gifts or donations of services or prop-
7 erty.

8 (8) CONGRESSIONAL CONSULTATION.—Not less
9 frequently than quarterly, the Commission shall pro-
10 vide a briefing to the appropriate congressional com-
11 mittees about the work of the Commission.

12 (g) STAFF AND COMPENSATION.—

13 (1) STAFF.—

14 (A) COMPENSATION.—The co-chairs of the
15 Commission, in accordance with rules estab-
16 lished by the Commission, shall appoint and fix
17 the compensation of a staff director and such
18 other personnel as may be necessary to enable
19 the Commission to carry out its duties, without
20 regard to the provisions of title 5, United
21 States Code, governing appointments in the
22 competitive service, and without regard to the
23 provisions of chapter 51 and subchapter III of
24 chapter 53 of such title relating to classification
25 and General Schedule pay rates, except that no

1 rate of pay fixed under this subsection may ex-
2 ceed the equivalent of that payable to a person
3 occupying a position at level V of the Executive
4 Schedule under section 5316 of such title.

5 (B) DETAIL OF GOVERNMENT EMPLOY-
6 EES.—A Federal Government employee may be
7 detailed to the Commission without reimburse-
8 ment, and such detail shall be without interrup-
9 tion or loss of civil service status or privilege.

10 (C) PROCUREMENT OF TEMPORARY AND
11 INTERMITTENT SERVICES.—The co-chairs of
12 the Commission may procure temporary and
13 intermittent services under section 3109(b) of
14 title 5, United States Code, at rates for individ-
15 uals that do not exceed the daily equivalent of
16 the annual rate of basic pay prescribed for level
17 IV of the Executive Schedule under section
18 5315 of such title.

19 (2) COMMISSION MEMBERS.—

20 (A) COMPENSATION.—

21 (i) IN GENERAL.—Except as provided
22 in paragraph (2), each member of the
23 Commission may be compensated at a rate
24 not to exceed the daily equivalent of the
25 annual rate of basic pay in effect for a po-

1 sition at level IV of the Executive Schedule
2 under section 5315 of title 5, United
3 States Code, for each day during which
4 that member is engaged in the actual per-
5 formance of the duties of the Commission
6 under this section.

7 (ii) WAIVER OF CERTAIN PROVI-
8 SIONS.—Subsections (a) through (d) of
9 section 824 of the Foreign Service Act of
10 1980 (22 U.S.C. 4064) are waived for an
11 annuitant on a temporary basis so as to be
12 compensated for work performed as part of
13 the Commission.

14 (3) TRAVEL EXPENSES.—While away from
15 their homes or regular places of business in the per-
16 formance of service for the Commission, members
17 and staff of the Commission, and any Federal Gov-
18 ernment employees detailed to the Commission, shall
19 be allowed travel expenses, including per diem in lieu
20 of subsistence, in the same manner as persons em-
21 ployed intermittently in Government service are al-
22 lowed expenses under section 5703(b) of title 5,
23 United States Code.

24 (4) SECURITY CLEARANCES FOR COMMISSION
25 MEMBERS AND STAFF.—The appropriate Federal

1 agencies or departments shall cooperate with the
2 Commission in expeditiously providing to Commis-
3 sion members and staff appropriate security clear-
4 ances to the extent possible pursuant to existing pro-
5 cedures and requirements, except that no person
6 shall be provided access to classified information
7 under this section without the appropriate security
8 clearances.

9 (h) REPORT.—

10 (1) IN GENERAL.—Not later than 18 months
11 after the date of the enactment of this Act, the
12 Commission shall submit a final report to the Presi-
13 dent and to Congress that—

14 (A) examines all substantive aspects of De-
15 partment personnel, management, and oper-
16 ations; and

17 (B) contains such findings, conclusions,
18 and recommendations for corrective measures
19 as have been agreed to by a majority of Com-
20 mission members.

21 (2) ELEMENTS.—The report required under
22 paragraph (1) shall include findings, conclusions,
23 and recommendations related to—

24 (A) the organizational structure of the De-
25 partment, including recommendations on wheth-

1 er any of the jurisdictional responsibilities
2 among the bureaus referred to in subsection
3 (c)(2)(A) should be adjusted, with particular
4 focus on the opportunities and costs of adjust-
5 ing jurisdictional responsibility between the Bu-
6 reau of Near Eastern Affairs to the Bureau of
7 African Affairs, the Bureau of East Asian and
8 Pacific Affairs, the Bureau of South and Cen-
9 tral Asian Affairs, and any other bureaus as
10 may be necessary to advance United States ef-
11 forts to strengthen its diplomatic engagement in
12 the Indo-Pacific region;

13 (B) personnel-related matters, including
14 recruitment, promotion, training, and retention
15 of the Department's workforce in order to re-
16 tain the best and brightest personnel and foster
17 effective diplomacy worldwide, including meas-
18 ures to strengthen diversity and inclusion to en-
19 sure that the Department's workforce rep-
20 resents all of America;

21 (C) the Department of State's infrastruc-
22 ture (both domestic and overseas), including in-
23 frastructure relating to information technology,
24 transportation, and security;

1 (D) the link between diplomacy and de-
2 fense, intelligence, development, commercial,
3 health, law enforcement, and other core United
4 States interests;

5 (E) core legislation that authorizes United
6 States diplomacy;

7 (F) related regulations, rules, and proc-
8 esses that define United States diplomatic ef-
9 forts, including the Foreign Affairs Manual;

10 (G) treaties that impact United States
11 overseas presence;

12 (H) the authority of Chiefs of Mission at
13 United States diplomatic missions overseas, in-
14 cluding the degree of authority that Chiefs of
15 Mission exercise in reality over Department em-
16 ployees and other Federal employees at overseas
17 posts;

18 (I) any other areas that the Commission
19 considers necessary for a complete appraisal of
20 United States diplomacy and Department man-
21 agement and operations; and

22 (J) the amount of time, manpower, and fi-
23 nancial resources that would be necessary to
24 implement the recommendations specified under
25 this paragraph.

1 (3) DEPARTMENT RESPONSE.—The Secretary
2 shall have the right to review and respond to all
3 Commission recommendations—

4 (A) before the Commission submits its re-
5 port to the President and to Congress; and

6 (B) not later than 90 days after receiving
7 such recommendations from the Commission.

8 (i) TERMINATION OF COMMISSION.—

9 (1) IN GENERAL.—The Commission, and all the
10 authorities under this section, shall terminate on the
11 date that is 60 days after the date on which the
12 final report is submitted pursuant to subsection (h).

13 (2) ADMINISTRATIVE ACTIVITIES BEFORE TER-
14 MINATION.—The Commission may use the 60-day
15 period referred to in paragraph (1) for the purpose
16 of concluding its activities, including providing testi-
17 mony to committees of Congress concerning its re-
18 ports and disseminating the report.

19 (j) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—There is authorized to be
21 appropriated to the Commission to carry out this
22 section \$2,000,000 for fiscal year 2023.

23 (2) AVAILABILITY.—Amounts made available to
24 the Commission pursuant to paragraph (1) shall re-

1 main available until the date on which the Commis-
2 sion is terminated pursuant to subsection (i)(1).

3 (k) INAPPLICABILITY OF CERTAIN ADMINISTRATIVE
4 PROVISIONS.—

5 (1) FEDERAL ADVISORY COMMITTEE ACT.—The
6 Federal Advisory Committee Act (5 U.S.C. App.)
7 shall not apply to the Commission.

8 (2) FREEDOM OF INFORMATION ACT.—The pro-
9 visions of section 552 of title 5, United States Code
10 (commonly referred to as the “Freedom of Informa-
11 tion Act”) shall not apply to the activities, records,
12 and proceedings of the Commission.

13 **SEC. 206. FOREIGN AFFAIRS TRAINING.**

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

16 (1) the Department is a crucial national secu-
17 rity agency, whose employees, both Foreign Service
18 and Civil Service, require the best possible training
19 and professional development at every stage of their
20 careers to prepare them to promote and defend
21 United States national interests and the health and
22 safety of United States citizens abroad;

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

1 continual, high-quality training and professional de-
2 velopment of its personnel;

3 (3) the new and evolving challenges of national
4 security in the 21st century necessitate the expan-
5 sion of standardized training and professional devel-
6 opment opportunities linked to equitable, account-
7 able, and transparent promotion and leadership
8 practices for Department and other national security
9 agency personnel; and

10 (4) consistent with gift acceptance authority of
11 the Department and other applicable laws in effect
12 as of the date of the enactment of this Act, the De-
13 partment and the Foreign Service Institute may ac-
14 cept funds and other resources from foundations,
15 not-for-profit corporations, and other appropriate
16 sources to help the Department and the Institute en-
17 hance the quantity and quality of training and pro-
18 fessional development offerings, especially in the in-
19 troduction of new, innovative, and pilot model
20 courses.

21 (b) DEFINED TERM.—In this section, the term “ap-
22 propriate committees of Congress” means—

23 (1) the Committee on Foreign Relations of the
24 Senate;

1 (2) the Committee on Appropriations of the
2 Senate;

3 (3) the Committee on Foreign Affairs of the
4 House of Representatives; and

5 (4) the Committee on Appropriations of the
6 House of Representatives.

7 (c) TRAINING AND PROFESSIONAL DEVELOPMENT
8 PRIORITIZATION.—In order to provide the Civil Service of
9 the Department and the Foreign Service with the level of
10 professional development and training needed to effec-
11 tively advance United States interests across the world,
12 the Secretary shall—

13 (1) increase relevant offerings provided by the
14 Department—

15 (A) of interactive virtual instruction to
16 make training and professional development
17 more accessible and useful to personnel de-
18 ployed throughout the world; or

19 (B) at partner organizations, including
20 universities, industry entities, and nongovern-
21 mental organizations, throughout the United
22 States to provide useful outside perspectives to
23 Department personnel by providing such per-
24 sonnel—

1 (i) a more comprehensive outlook on
2 different sectors of United States society;
3 and

4 (ii) practical experience dealing with
5 commercial corporations, universities, labor
6 unions, and other institutions critical to
7 United States diplomatic success;

8 (2) offer courses using computer-based or com-
9 puter-assisted simulations, allowing civilian officers
10 to lead decision making in a crisis environment, and
11 encourage officers of the Department, and recip-
12 rocally, officers of other Federal departments to par-
13 ticipate in similar exercises held by the Department
14 or other government organizations and the private
15 sector;

16 (3) increase the duration and expand the focus
17 of certain training and professional development
18 courses, including by extending—

19 (A) the A-100 entry-level course to as long
20 as 12 weeks, which better matches the length of
21 entry-level training and professional develop-
22 ment provided to the officers in other national
23 security departments and agencies; and

24 (B) the Chief of Mission course to as long
25 as 6 weeks for first time Chiefs of Mission and

1 creating comparable courses for new Assistant
2 Secretaries and Deputy Assistant Secretaries to
3 more accurately reflect the significant respon-
4 sibilities accompanying such roles; and

5 (4) ensure that Foreign Service officers who are
6 assigned to a country experiencing significant popu-
7 lation displacement due to the impacts of climatic
8 and non-climatic shocks and stresses, including ris-
9 ing sea levels and lack of access to affordable and
10 reliable energy and electricity, receive specific in-
11 struction on United States policy with respect to re-
12 siliency and adaptation to such climatic and non-cli-
13 matic shocks and stresses.

14 (d) FELLOWSHIPS.—The Director General of the
15 Foreign Service shall—

16 (1) expand and establish new fellowship pro-
17 grams for Foreign Service and Civil Service officers
18 that include short- and long-term opportunities at
19 organizations, including—

20 (A) think tanks and nongovernmental or-
21 ganizations;

22 (B) the Department of Defense, the ele-
23 ments of the intelligence community (as defined
24 in section 3 of the National Security Act of

1 1947 (50 U.S.C. 3003)), and other relevant
2 Federal agencies;

3 (C) industry entities, especially such enti-
4 ties related to technology, global operations, fi-
5 nance, and other fields directly relevant to
6 international affairs; and

7 (D) schools of international relations and
8 other relevant programs at universities through-
9 out the United States; and

10 (2) not later than 180 days after the date of
11 the enactment of this Act, submit a report to Con-
12 gress that describes how the Department could ex-
13 pand the Pearson Fellows Program for Foreign
14 Service Officers and the Brookings Fellow Program
15 for Civil Servants to provide fellows in such pro-
16 grams with the opportunity to undertake a follow-on
17 assignment within the Department in an office in
18 which fellows will gain practical knowledge of the
19 people and processes of Congress, including offices
20 other than the Legislative Affairs Bureau, includ-
21 ing—

22 (A) an assessment of the current state of
23 congressional fellowships, including the demand
24 for fellowships and the value the fellowships

1 provide to both the career of the officer and to
2 the Department; and

3 (B) an assessment of the options for mak-
4 ing congressional fellowships for both the For-
5 eign and Civil Services more career-enhancing.

6 (e) BOARD OF VISITORS OF THE FOREIGN SERVICE
7 INSTITUTE.—

8 (1) ESTABLISHMENT.—Not later than 1 year
9 after the date of the enactment of this Act, the Sec-
10 retary of State shall establish a Board of Visitors of
11 the Foreign Service Institute (referred to in this
12 subsection as the “Board”).

13 (2) DUTIES.—The Board shall provide the Sec-
14 retary with independent advice and recommenda-
15 tions regarding organizational management, stra-
16 tegic planning, resource management, curriculum de-
17 velopment, and other matters of interest to the For-
18 eign Service Institute, including regular observations
19 about how well the Department is integrating train-
20 ing and professional development into the work of
21 the Bureau for Global Talent Management.

22 (3) MEMBERSHIP.—

23 (A) IN GENERAL.—The Board shall be—

24 (i) nonpartisan; and

1 (ii) composed of 12 members, of
2 whom—

3 (I) 2 members shall be appointed
4 by the Chairperson of the Committee
5 on Foreign Relations of the Senate;

6 (II) 2 members shall be ap-
7 pointed by the ranking member of the
8 Committee on Foreign Relations of
9 the Senate;

10 (III) 2 members shall be ap-
11 pointed by the Chairperson of the
12 Committee on Foreign Affairs of the
13 House of Representatives;

14 (IV) 2 members shall be ap-
15 pointed by the ranking member of the
16 Committee on Foreign Affairs of the
17 House of Representatives; and

18 (V) 4 members shall be ap-
19 pointed by the Secretary.

20 (B) QUALIFICATIONS.—Members of the
21 Board shall be appointed from among individ-
22 uals who—

23 (i) are not officers or employees of the
24 Federal Government; and

1 (ii) are eminent authorities in the
2 fields of diplomacy, national security, man-
3 agement, leadership, economics, trade,
4 technology, or advanced international rela-
5 tions education.

6 (C) OUTSIDE EXPERTISE.—

7 (i) IN GENERAL.—Not fewer than 6
8 members of the Board shall have a min-
9 imum of 10 years of relevant expertise out-
10 side the field of diplomacy.

11 (ii) PRIOR SENIOR SERVICE AT THE
12 DEPARTMENT.—Not more than 6 members
13 of the Board may be persons who pre-
14 viously served in the Senior Foreign Serv-
15 ice or the Senior Executive Service at the
16 Department.

17 (4) TERMS.—Each member of the Board shall
18 be appointed for a term of 3 years, except that of
19 the members first appointed—

20 (A) 4 members shall be appointed for a
21 term of 3 years;

22 (B) 4 members shall be appointed for a
23 term of 2 years; and

24 (C) 4 members shall be appointed for a
25 term of 1 year.

1 (5) REAPPOINTMENT; REPLACEMENT.—A mem-
2 ber of the Board may be reappointed or replaced at
3 the discretion of the official who made the original
4 appointment.

5 (6) CHAIRPERSON; CO-CHAIRPERSON.—

6 (A) APPROVAL.—The Chairperson and
7 Vice Chairperson of the Board shall be ap-
8 proved by the Secretary of State based upon a
9 recommendation from the members of the
10 Board.

11 (B) SERVICE.—The Chairperson and Vice
12 Chairperson shall serve at the discretion of the
13 Secretary.

14 (7) MEETINGS.—The Board shall meet—

15 (A) at the call of the Director of the For-
16 eign Service Institute and the Chairperson; and

17 (B) not fewer than 2 times per year.

18 (8) COMPENSATION.—Each member of the
19 Board shall serve without compensation, except that
20 a member of the Board shall be allowed travel ex-
21 penses, including per diem in lieu of subsistence, at
22 rates authorized for employees of agencies under
23 subchapter I of chapter 57 of title 5, United States
24 Code, while away from their homes or regular places
25 of business in the performance of service for the

1 Board. Notwithstanding section 1342 of title 31,
2 United States Code, the Secretary may accept the
3 voluntary and uncompensated service of members of
4 the Board.

5 (9) APPLICABILITY OF FEDERAL ADVISORY
6 COMMITTEE ACT.—The Federal Advisory Committee
7 Act (5 U.S.C. App.) shall apply to the Board estab-
8 lished under this subsection.

9 (f) ESTABLISHMENT OF PROVOST OF THE FOREIGN
10 SERVICE INSTITUTE.—

11 (1) ESTABLISHMENT.—There is established in
12 the Foreign Service Institute the position of Provost.

13 (2) APPOINTMENT; REPORTING.—The Provost
14 shall—

15 (A) be appointed by the Secretary; and

16 (B) report to the Director of the Foreign
17 Service Institute.

18 (3) QUALIFICATIONS.—The Provost shall be—

19 (A) an eminent authority in the field of di-
20 plomacy, national security, education, manage-
21 ment, leadership, economics, history, trade,
22 adult education, or technology; and

23 (B) a person with significant experience
24 outside the Department, whether in other na-
25 tional security agencies or in the private sector,

1 and preferably in positions of authority in edu-
2 cational institutions or the field of professional
3 development and mid-career training with over-
4 sight for the evaluation of academic programs.

5 (4) DUTIES.—The Provost shall—

6 (A) oversee, review, evaluate, and coordi-
7 nate the academic curriculum for all courses
8 taught and administered by the Foreign Service
9 Institute;

10 (B) coordinate the development of an eval-
11 uation system to ascertain how well participants
12 in Foreign Service Institute courses have ab-
13 sorbed and utilized the information, ideas, and
14 skills imparted by each such course, such that
15 performance assessments can be included in the
16 personnel records maintained by the Bureau of
17 Global Talent Management and utilized in For-
18 eign Service Selection Boards, which may in-
19 clude—

20 (i) the implementation of a letter or
21 numerical grading system; and

22 (ii) assessments done after the course
23 has concluded; and

24 (C) report not less frequently than quar-
25 terly to the Board of Visitors regarding the de-

1 velopment of curriculum and the performance
2 of Foreign Service officers.

3 (5) TERM.—The Provost shall serve for a term
4 of not fewer than 5 years and may be reappointed
5 for 1 additional 5-year term.

6 (6) COMPENSATION.—The Provost shall receive
7 a salary commensurate with the rank and experience
8 of a member of the Senior Foreign Service or the
9 Senior Executive Service, as determined by the Sec-
10 retary.

11 (g) OTHER AGENCY RESPONSIBILITIES AND OPPOR-
12 TUNITIES FOR CONGRESSIONAL STAFF.—

13 (1) OTHER AGENCIES.—National security agen-
14 cies other than the Department should be afforded
15 the ability to increase the enrollment of their per-
16 sonnel in courses at the Foreign Service Institute
17 and other training and professional development fa-
18 cilities of the Department to promote a whole-of-gov-
19 ernment approach to mitigating national security
20 challenges.

21 (2) CONGRESSIONAL STAFF.—Not later than
22 180 days after the date of the enactment of this Act,
23 the Secretary shall submit a report to the appro-
24 priate committees of Congress that describes—

1 (A) the training and professional develop-
2 ment opportunities at the Foreign Service Insti-
3 tute and other Department facilities available to
4 congressional staff;

5 (B) the budget impacts of offering such
6 opportunities to congressional staff; and

7 (C) potential course offerings.

8 (h) STRATEGY FOR ADAPTING TRAINING REQUIRE-
9 MENTS FOR MODERN DIPLOMATIC NEEDS.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of the enactment of this Act, the Secretary
12 shall develop and submit to the appropriate commit-
13 tees of Congress a strategy for adapting and evol-
14 ving training requirements to better meet the Depart-
15 ment’s current and future needs for 21st century di-
16 plomacy.

17 (2) ELEMENTS.—The strategy required under
18 subsection (a) shall include the following elements:

19 (A) Integrating training requirements into
20 the Department’s promotion policies, including
21 establishing educational and professional devel-
22 opment standards for training and attainment
23 to be used as a part of tenure and promotion
24 guidelines.

1 (B) Addressing multiple existing and
2 emerging national security challenges, includ-
3 ing—

4 (i) democratic backsliding and
5 authoritarianism;

6 (ii) countering, and assisting United
7 States allies to address, state-sponsored
8 disinformation, including through the
9 Global Engagement Center;

10 (iii) cyber threats;

11 (iv) the aggression and malign influ-
12 ence of Russia, Cuba, Iran, North Korea,
13 the Maduro Regime, and the Chinese Com-
14 munist Party’s multi-faceted and com-
15 prehensive challenge to the rules-based
16 order;

17 (v) the implications of climate change
18 for United States diplomacy; and

19 (vi) nuclear threats.

20 (C) An examination of the likely advan-
21 tages and disadvantages of establishing residen-
22 tial training for the A-100 orientation course
23 administered by the Foreign Service Institute
24 and evaluating the feasibility of residential

1 training for other long-term training opportuni-
2 ties.

3 (D) An examination of the likely advan-
4 tages and disadvantages of establishing a press
5 freedom curriculum for the National Foreign
6 Affairs Training Center that enables Foreign
7 Service officers to better understand issues of
8 press freedom and the tools that are available
9 to help protect journalists and promote freedom
10 of the press norms, which may include—

11 (i) the historic and current issues fac-
12 ing press freedom, including countries of
13 specific concern;

14 (ii) the Department's role in pro-
15 moting press freedom as an American
16 value, a human rights issue, and a national
17 security imperative;

18 (iii) ways to incorporate press freedom
19 promotion into other aspects of diplomacy;
20 and

21 (iv) existing tools to assist journalists
22 in distress and methods for engaging for-
23 eign governments and institutions on be-
24 half of individuals engaged in journalistic
25 activity who are at risk of harm.

1 (E) The expansion of external courses of-
2 ferred by the Foreign Service Institute at aca-
3 demic institutions or professional associations
4 on specific topics, including in-person and vir-
5 tual courses on monitoring and evaluation, au-
6 dience analysis, and the use of emerging tech-
7 nologies in diplomacy.

8 (3) UTILIZATION OF EXISTING RESOURCES.—In
9 examining the advantages and disadvantages of es-
10 tablishing a residential training program pursuant to
11 paragraph (2)(C), the Secretary shall—

12 (A) collaborate with other national security
13 departments and agencies that employ residen-
14 tial training for their orientation courses; and

15 (B) consider using the Department’s For-
16 eign Affairs Security Training Center in Black-
17 stone, Virginia.

18 (i) REPORT AND BRIEFING REQUIREMENTS.—

19 (1) REPORT.—Not later than 1 year after the
20 date of the enactment of this Act, the Secretary
21 shall submit a report to the appropriate committees
22 of Congress that includes—

23 (A) a strategy for broadening and deep-
24 ening professional development and training at

1 the Department, including assessing current
2 and future needs for 21st century diplomacy;

3 (B) the process used and resources needed
4 to implement the strategy referred to in sub-
5 paragraph (A) throughout the Department; and

6 (C) the results and impact of the strategy
7 on the workforce of the Department, particu-
8 larly the relationship between professional de-
9 velopment and training and promotions for De-
10 partment personnel, and the measurement and
11 evaluation methods used to evaluate such re-
12 sults.

13 (2) BRIEFING.—Not later than 1 year after the
14 date on which the Secretary submits the report re-
15 quired under paragraph (1), and annually thereafter
16 for 2 years, the Secretary shall provide to the appro-
17 priate committees of Congress a briefing on the in-
18 formation required to be included in the report.

19 (j) FOREIGN LANGUAGE MAINTENANCE INCENTIVE
20 PROGRAM.—

21 (1) AUTHORIZATION.—The Secretary is author-
22 ized to establish and implement an incentive pro-
23 gram, with a similar structure as the Foreign Lan-
24 guage Proficiency Bonus offered by the Department
25 of Defense, to encourage members of the Foreign

1 Service who possess language proficiency in any of
2 the languages that qualify for additional incentive
3 pay, as determined by the Secretary, to maintain
4 critical foreign language skills.

5 (2) REPORT.—Not later than 90 days after the
6 date of the enactment of this Act, the Secretary of
7 State shall submit a report to the appropriate com-
8 mittees of Congress that includes a detailed plan for
9 implementing the program authorized under para-
10 graph (1), including anticipated resource require-
11 ments to carry out such program.

12 (k) DEPARTMENT OF STATE WORKFORCE MANAGE-
13 MENT.—

14 (1) SENSE OF CONGRESS.—It is the sense of
15 Congress that informed, data-driven, and long-term
16 workforce management, including with respect to the
17 Foreign Service, the Civil Service, locally employed
18 staff, and contractors, is needed to align diplomatic
19 priorities with the appropriate personnel and re-
20 sources.

21 (2) ANNUAL WORKFORCE REPORT.—

22 (A) IN GENERAL.—In order to understand
23 the Department's long-term trends with respect
24 to its workforce, the Secretary, in consultation
25 with relevant bureaus and offices, including the

1 Bureau of Global Talent Management and the
2 Center for Analytics, shall submit a report to
3 the appropriate committees of Congress that
4 details the Department's workforce,
5 disaggregated by Foreign Service, Civil Service,
6 locally employed staff, and contractors, includ-
7 ing, with respect to the reporting period—

8 (i) the number of personnel who were
9 hired;

10 (ii) the number of personnel whose
11 employment or contract was terminated or
12 who voluntarily left the Department;

13 (iii) the number of personnel who
14 were promoted, including the grade to
15 which they were promoted;

16 (iv) the demographic breakdown of
17 personnel; and

18 (v) the distribution of the Depart-
19 ment's workforce based on domestic and
20 overseas assignments, including a break-
21 down of the number of personnel in geo-
22 graphic and functional bureaus, and the
23 number of personnel in overseas missions
24 by region.

1 (B) INITIAL REPORT.—Not later than 180
2 days after the date of the enactment of this
3 Act, the Secretary shall submit the report de-
4 scribed in subparagraph (A) for each of the fis-
5 cal years 2016 through 2022.

6 (C) RECURRING REPORT.—Not later than
7 December 31, 2023, and annually thereafter for
8 the following 5 years, the Secretary shall sub-
9 mit the report described in subparagraph (A)
10 for the most recently concluded fiscal year.

11 (D) USE OF REPORT DATA.—The data in
12 each of the reports required under this para-
13 graph shall be used by Congress, in coordina-
14 tion with the Secretary, to inform recommenda-
15 tions on the appropriate size and composition of
16 the Department.

17 (I) SENSE OF CONGRESS ON THE IMPORTANCE OF
18 FILLING THE POSITION OF UNDERSECRETARY FOR PUB-
19 LIC DIPLOMACY AND PUBLIC AFFAIRS.—It is the sense
20 of Congress that since a vacancy in the position of Under
21 Secretary for Public Diplomacy and Public Affairs is det-
22 rimental to the national security interests of the United
23 States, the President should expeditiously nominate a
24 qualified individual to such position whenever such va-

1 cancy occurs to ensure that the bureaus reporting to such
2 position are able to fulfill their mission of—

3 (1) expanding and strengthening relationships
4 between the people of the United States and citizens
5 of other countries; and

6 (2) engaging, informing, and understanding the
7 perspectives of foreign audiences.

8 (m) REPORT ON PUBLIC DIPLOMACY.—Not later
9 than 120 days after the date of the enactment of this Act,
10 the Secretary shall submit a report to the appropriate
11 committees of Congress that includes—

12 (1) an evaluation of the May 2019 merger of
13 the Bureau of Public Affairs and the Bureau of
14 International Information Programs into the Bureau
15 of Global Public Affairs with respect to—

16 (A) the efficacy of the current configura-
17 tion of the bureaus reporting to the Under Sec-
18 retary for Public Diplomacy and Public Affairs
19 in achieving the mission of the Department;

20 (B) the metrics before and after such
21 merger, including personnel data, disaggregated
22 by position and location, content production,
23 opinion polling, program evaluations, and media
24 appearances;

1 (C) the results of a survey of public diplo-
2 macy practitioners to determine their opinion of
3 the efficacy of such merger and any adjust-
4 ments that still need to be made;

5 (D) a plan for evaluating and monitoring,
6 not less frequently than once every 2 years, the
7 programs, activities, messaging, professional de-
8 velopment efforts, and structure of the Bureau
9 of Global Public Affairs, and submitting a sum-
10 mary of each such evaluation to the appropriate
11 committees of Congress; and

12 (2) a review of recent outside recommendations
13 for modernizing diplomacy at the Department with
14 respect to public diplomacy efforts, including—

15 (A) efforts in each of the bureaus report-
16 ing to the Under Secretary for Public Diplo-
17 macy and Public Affairs to address issues of di-
18 versity and inclusion in their work, structure,
19 data collection, programming, and personnel,
20 including any collaboration with the Chief Offi-
21 cer for Diversity and Inclusion;

22 (B) proposals to collaborate with think
23 tanks and academic institutions working on
24 public diplomacy issues to implement recent
25 outside recommendations; and

1 (C) additional authorizations and appro-
2 priations necessary to implement such rec-
3 ommendations.

4 **SEC. 207. SECURITY CLEARANCE APPROVAL PROCESS.**

5 (a) RECOMMENDATIONS.—Not later than 270 days
6 after the date of the enactment of this Act, the Secretary
7 shall submit recommendations to the appropriate congres-
8 sional committees for streamlining the security clearance
9 approval process within the Bureau of Diplomatic Security
10 so that the security clearance approval process for Civil
11 Service and Foreign Service applicants is completed within
12 6 months, on average, and within 1 year, in the vast ma-
13 jority of cases.

14 (b) REPORT.—Not later than 90 days after the rec-
15 ommendations are submitted pursuant to subsection (a),
16 the Secretary shall submit a report to the appropriate con-
17 gressional committees that—

18 (1) describes the status of the efforts of the De-
19 partment to streamline the security clearance ap-
20 proval process; and

21 (2) identifies any remaining obstacles pre-
22 venting security clearances from being completed
23 within the time frames set forth in subsection (a),
24 including lack of cooperation or other actions by
25 other Federal departments and agencies.

1 **SEC. 208. ADDENDUM FOR STUDY ON FOREIGN SERVICE**
2 **ALLOWANCES.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary shall sub-
5 mit to the appropriate congressional committees an adden-
6 dum to the report required under section 5302 of the De-
7 partment of State Authorization Act of 2021 (division E
8 of Public Law 117–81), which shall be entitled the “Re-
9 port on Bidding for Domestic and Overseas Posts and
10 Filling Unfilled Positions”. The addendum shall be pre-
11 pared using input from the same federally funded research
12 and development center that prepared the analysis con-
13 ducted for purposes of such report.

14 (b) ELEMENTS.—The addendum required under sub-
15 section (a) shall include—

16 (1) the total number of domestic and overseas
17 positions open during the most recent summer bid-
18 ding cycle;

19 (2) the total number of bids each position re-
20 ceived;

21 (3) the number of unfilled positions at the con-
22 clusion of the most recent summer bidding cycle,
23 disaggregated by bureau; and

24 (4) detailed recommendations and a timeline
25 for—

1 (A) increasing the number of qualified bid-
2 ders for underbid positions; and

3 (B) minimizing the number of unfilled po-
4 sitions at the end of bidding season.

5 **SEC. 209. CURTAILMENTS, REMOVALS FROM POST, AND**
6 **WAIVERS OF PRIVILEGES AND IMMUNITIES.**

7 (a) CURTAILMENTS REPORT.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of the enactment of this Act, and
10 every 180 days thereafter, the Secretary shall sub-
11 mit a report to the appropriate congressional com-
12 mittees regarding curtailments of Department per-
13 sonnel from overseas posts.

14 (2) CONTENTS.—The Secretary shall include in
15 the report required under paragraph (1)—

16 (A) relevant information about any post
17 that, during the 6-month period preceding the
18 report—

19 (i) had more than 5 curtailments; or

20 (ii) had curtailments representing
21 more than 5 percent of Department per-
22 sonnel at such post; and

23 (B) for each post referred to in subpara-
24 graph (A), the number of curtailments,
25 disaggregated by month of occurrence.

1 (b) REMOVAL OF DIPLOMATS.—Not later than 5
2 days after the date on which any United States personnel
3 under Chief of Mission authority is declared persona non
4 grata by a host government, the Secretary shall—

5 (1) notify the appropriate congressional com-
6 mittees of such declaration; and

7 (2) include with such notification—

8 (A) the official reason for such declaration
9 (if provided by the host government);

10 (B) the date of the declaration; and

11 (C) whether the Department responded by
12 declaring a host government's diplomat in the
13 United States persona non grata.

14 (c) WAIVER OF PRIVILEGES AND IMMUNITIES.—Not
15 later than 15 days after any waiver of privileges and im-
16 munities pursuant to the Vienna Convention on Diplo-
17 matic Relations, done at Vienna April 18, 1961, that is
18 applicable to an entire diplomatic post or to the majority
19 of United States personnel under Chief of Mission author-
20 ity, the Secretary shall notify the appropriate congres-
21 sional committees of such waiver and the reason for such
22 waiver.

23 (d) TERMINATION.—This section shall terminate on
24 the date that is 5 years after the date of the enactment
25 of this Act.

1 **SEC. 210. REPORT ON WORLDWIDE AVAILABILITY.**

2 (a) IN GENERAL.—Not later than 270 days after en-
3 actment of this Act, the Secretary shall submit a report
4 to the appropriate congressional committees on the feasi-
5 bility of requiring that each member of the Foreign Serv-
6 ice, at the time of entry into the Foreign Service and
7 thereafter, be worldwide available, as determined by the
8 Secretary.

9 (b) CONTENTS.—The report required under sub-
10 section (a) shall include—

11 (1) the feasibility of a worldwide availability re-
12 quirement for all members of the Foreign Service;

13 (2) considerations if such a requirement were to
14 be implemented, including the potential effect on re-
15 cruitment and retention; and

16 (3) recommendations for exclusions and limita-
17 tions, including exemptions for medical reasons, dis-
18 ability, and other circumstances.

19 **SEC. 211. PROFESSIONAL DEVELOPMENT.**

20 (a) REQUIREMENTS.—The Secretary shall strongly
21 encourage that Foreign Service officers seeking entry into
22 the Senior Foreign Service participate in professional de-
23 velopment described in subsection (c).

24 (b) REQUIREMENTS.—Not later than 180 days after
25 the date of the enactment of this Act, the Secretary shall
26 submit recommendations on requiring that Foreign Serv-

1 ice officers complete professional development described in
2 subsection (c) to be eligible for entry into the Senior For-
3 eign Service.

4 (c) PROFESSIONAL DEVELOPMENT DESCRIBED.—
5 Professional development described in this subsection is
6 not less than 6 months of training or experience outside
7 of the Department, including time spent—

8 (1) as a detailee to another government agency,
9 including Congress or a State, Tribal, or local gov-
10 ernment;

11 (2) in Department-sponsored and -funded uni-
12 versity training that results in an advanced degree,
13 excluding time spent at a university that is fully
14 funded or operated by the Federal Government.

15 (d) PROMOTION PRECEPTS.—The Secretary shall in-
16 struct promotion boards to consider positively long-term
17 training and out-of-agency detail assignments.

18 **SEC. 212. MANAGEMENT ASSESSMENTS AT DIPLOMATIC**
19 **AND CONSULAR POSTS.**

20 (a) IN GENERAL.—Beginning not later than 1 year
21 after the date of the enactment of this Act, the Secretary
22 shall annually conduct, at each diplomatic and consular
23 post, a voluntary survey, which shall be offered to all staff
24 assigned to that post who are citizens of the United States
25 (excluding the Chief of Mission) to assess the management

1 and leadership of that post by the Chief of Mission, the
2 Deputy Chief of Mission, and the Charge d’Affaires.

3 (b) ANONYMITY.—All responses to the survey shall
4 be—

5 (1) fully anonymized; and

6 (2) made available to the Director General of
7 the Foreign Service.

8 (c) SURVEY.—The survey shall seek to assess—

9 (1) the general morale at post;

10 (2) the presence of any hostile work environ-
11 ment;

12 (3) the presence of any harassment, discrimina-
13 tion, retaliation, or other mistreatment; and

14 (4) effective leadership and collegial work envi-
15 ronment.

16 (d) DIRECTOR GENERAL RECOMMENDATIONS.—
17 Upon compilation and review of the surveys, the Director
18 General of the Foreign Service shall issue recommenda-
19 tions to posts, as appropriate, based on the findings of
20 the surveys.

21 (e) REFERRAL.—If the surveys reveal any action that
22 is grounds for referral to the Inspector General of the De-
23 partment of State and the Foreign Service, the Director
24 General of the Foreign Service may refer the matter to
25 the Inspector General of the Department of State and the

1 Foreign Service, who shall, as the Inspector General con-
2 siders appropriate, conduct an inspection of the post in
3 accordance with section 209(b) of the Foreign Service Act
4 of 1980 (22 U.S.C. 3929(b)).

5 (f) ANNUAL REPORT.—The Director General of the
6 Foreign Service shall submit an annual report to the ap-
7 propriate congressional committees that includes—

8 (1) any trends or summaries from the surveys;

9 (2) the posts where corrective action was rec-
10 ommended or taken in response to any issues identi-
11 fied by the surveys; and

12 (3) the number of referrals to the Inspector
13 General of the Department of State and the Foreign
14 Service, as applicable.

15 (g) INITIAL BASIS.—The Secretary shall carry out
16 the surveys required under this section on an initial basis
17 for 5 years.

18 **SEC. 213. INDEPENDENT REVIEW OF PROMOTION POLI-**

19 **CIES.**

20 Not later than 18 months after the date of the enact-
21 ment of this Act, the Comptroller General of the United
22 States shall conduct a comprehensive review of the poli-
23 cies, personnel, organization, and processes related to pro-
24 motions within the Department, including—

25 (1) a review of—

1 (A) the selection and oversight of Foreign
2 Service promotion panels; and

3 (B) the use of quantitative data and
4 metrics in such panels;

5 (2) an assessment of the promotion practices of
6 the Department, including how promotion processes
7 are communicated to the workforce and appeals
8 processes; and

9 (3) recommendations for improving promotion
10 panels and promotion practices.

11 **SEC. 214. THIRD PARTY VERIFICATION OF PERMANENT**
12 **CHANGE OF STATION (PCS) ORDERS.**

13 Not later than 180 days after the date of the enact-
14 ment of this Act, the Secretary shall establish a mecha-
15 nism for third parties to verify the employment of, and
16 the validity of permanent change of station (PCS) orders
17 received by, members of the Foreign Service, in a manner
18 that protects the safety, security, and privacy of sensitive
19 employee information.

20 **SEC. 215. POST-EMPLOYMENT RESTRICTIONS ON SENATE-**
21 **CONFIRMED OFFICIALS AT THE DEPART-**
22 **MENT OF STATE.**

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

1 (1) Congress and the executive branch have rec-
2 ognized the importance of preventing and mitigating
3 the potential for conflicts of interest following gov-
4 ernment service, including with respect to senior
5 United States officials working on behalf of foreign
6 governments; and

7 (2) Congress and the executive branch should
8 jointly evaluate the status and scope of post-employ-
9 ment restrictions.

10 (b) RESTRICTIONS.—Section 1 of the State Depart-
11 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a)
12 is amended by adding at the end the following:

13 “(m) EXTENDED POST-EMPLOYMENT RESTRICTIONS
14 FOR CERTAIN SENATE-CONFIRMED OFFICIALS.—

15 “(1) SECRETARY OF STATE AND DEPUTY SEC-
16 RETARY OF STATE.—With respect to a person serv-
17 ing as the Secretary of State or Deputy Secretary of
18 State, the restrictions described in section 207(f)(1)
19 of title 18, United States Code, shall apply to rep-
20 resenting, aiding, or advising a foreign governmental
21 entity before an officer or employee of the executive
22 branch of the United States at any time after the
23 termination of that person’s service as Secretary or
24 Deputy Secretary.

1 “(2) UNDER SECRETARIES, ASSISTANT SECRE-
2 TARIES, AND AMBASSADORS.—With respect to a per-
3 son serving as an Under Secretary, Assistant Sec-
4 retary, or Ambassador at the Department of State
5 or the United States Permanent Representative to
6 the United Nations, the restrictions described in sec-
7 tion 207(f)(1) of title 18, United States Code, shall
8 apply to representing, aiding, or advising a foreign
9 governmental entity before an officer or employee of
10 the executive branch of the United States for 3
11 years after the termination of that person’s service
12 in a position described in this paragraph, or the du-
13 ration of the term or terms of the President who ap-
14 pointed that person to their position, whichever is
15 longer.

16 “(3) ENHANCED RESTRICTIONS FOR POST-EM-
17 PLOYMENT WORK ON BEHALF OF CERTAIN COUN-
18 TRIES OF CONCERN.—

19 “(A) IN GENERAL.—With respect to all
20 former officials listed in this subsection, the re-
21 strictions described in paragraphs (1) and (2)
22 shall apply to representing, aiding, or advising
23 a country of concern described in subparagraph
24 (B) before an officer or employee of the execu-
25 tive branch of the United States at any time

1 after the termination of that person's service in
2 a position described in paragraph (1) or (2).

3 “(B) COUNTRIES SPECIFIED.—In this
4 paragraph, the term ‘country of concern’
5 means—

6 “(i) the People's Republic of China;

7 “(ii) the Russian Federation;

8 “(iii) the Islamic Republic of Iran;

9 “(iv) the Democratic People's Repub-
10 lic of Korea;

11 “(v) the Republic of Cuba; and

12 “(vi) the Syrian Arab Republic.

13 “(4) PENALTIES AND INJUNCTIONS.—Any vio-
14 lations of the restrictions in paragraphs (1) or (2)
15 shall be subject to the penalties and injunctions pro-
16 vided for under section 216 of title 18, United
17 States Code.

18 “(5) DEFINITIONS.—In this subsection:

19 “(A) FOREIGN GOVERNMENT ENTITY.—
20 The term ‘foreign governmental entity’ in-
21 cludes—

22 “(i) any person employed by—

23 “(I) any department, agency, or
24 other entity of a foreign government
25 at the national, regional, or local level;

1 “(II) any governing party or coa-
2 lition of a foreign government at the
3 national, regional, or local level; or

4 “(III) any entity majority-owned
5 or majority-controlled by a foreign
6 government at the national, regional,
7 or local level; and

8 “(ii) in the case of a country de-
9 scribed in paragraph (3)(B), any company,
10 economic project, cultural organization, ex-
11 change program, or nongovernmental orga-
12 nization that is more than 33 percent
13 owned or controlled by the government of
14 such country.

15 “(B) REPRESENTATION.—The term ‘rep-
16 resentation’ does not include representation by
17 an attorney, who is duly licensed and author-
18 ized to provide legal advice in a United States
19 jurisdiction, of a person or entity in a legal ca-
20 pacity or for the purposes of rendering legal ad-
21 vice.

22 “(6) NOTICE OF RESTRICTIONS.—Any person
23 subject to the restrictions of this subsection shall be
24 provided notice of these restrictions by the Depart-
25 ment of State upon appointment by the President,

1 and subsequently upon termination of service with
2 the Department of State.

3 “(7) EFFECTIVE DATE.—The restrictions under
4 this subsection shall apply only to persons who are
5 appointed by the President to the positions ref-
6 erenced in this subsection on or after 120 days after
7 the date of the enactment of the Department of
8 State Authorization Act of 2022.

9 “(8) SUNSET.—The enhanced restrictions
10 under paragraph (3) shall expire on the date that is
11 7 years after the date of the enactment of this
12 Act.”.

13 **SEC. 216. EXPANSION OF AUTHORITIES REGARDING SPE-**
14 **CIAL RULES FOR CERTAIN MONTHLY WORK-**
15 **ERS’ COMPENSATION PAYMENTS AND OTHER**
16 **PAYMENTS.**

17 Section 901 of division J of the Further Consolidated
18 Appropriations Act, 2020 (22 U.S.C. 2680b) is amended
19 by adding at the end the following:

20 “(j) EXPANSION OF AUTHORITIES.—The head of any
21 Federal agency may exercise the authorities of this sec-
22 tion, including to designate an incident, whether the inci-
23 dent occurred in the United States or abroad, for purposes
24 of subparagraphs (A)(ii) and (B)(ii) of subsection (e)(4)
25 when the incident affects United States Government em-

1 ployees of the agency or their dependents who are not
2 under the security responsibility of the Secretary of State
3 as set forth in section 103 of the Omnibus Diplomatic Se-
4 curity and Antiterrorism Act of 1986 (22 U.S.C. 4802)
5 or when operational control of overseas security responsi-
6 bility for such employees or dependents has been delegated
7 to the head of the agency.”.

8 **TITLE III—EMBASSY SECURITY**
9 **AND CONSTRUCTION**

10 **SEC. 301. AMENDMENTS TO SECURE EMBASSY CONSTRUC-**
11 **TION AND COUNTERTERRORISM ACT OF 1999.**

12 (a) **SHORT TITLE.**—This section may be cited as the
13 “Secure Embassy Construction and Counterterrorism Act
14 of 2022”.

15 (b) **FINDINGS.**—Congress makes the following find-
16 ings:

17 (1) The Secure Embassy Construction and
18 Counterterrorism Act of 1999 (title VI of division A
19 of appendix G of Public Law 106–113) was a nec-
20 essary response to bombings on August 7, 1998, at
21 the United States embassies in Nairobi, Kenya, and
22 in Dar es Salaam, Tanzania, that were destroyed by
23 simultaneously exploding bombs. The resulting ex-
24 plosions killed 220 persons and injured more than
25 4,000 others. Twelve Americans and 40 Kenyan and

1 Tanzanian employees of the United States Foreign
2 Service were killed in the attacks.

3 (2) Those bombings, followed by the expedi-
4 tionary diplomatic efforts in Iraq and Afghanistan,
5 demonstrated the need to prioritize the security of
6 United States posts and personnel abroad above
7 other considerations.

8 (3) Between 1999 and 2022, the risk calculus
9 of the Department impacted the ability of United
10 States diplomats around the world to advance the
11 interests of the United States through access to local
12 populations, leaders, and places.

13 (4) America's competitors and adversaries do
14 not have the same restrictions that United States
15 diplomats have, especially in critically important me-
16 dium-threat and high-threat posts.

17 (5) The Department's 2021 Overseas Security
18 Panel report states that—

19 (A) the requirement for setback and col-
20 location of diplomatic posts under paragraphs
21 (2) and (3) of section 606(a) of the Secure Em-
22 bassy Construction and Counterterrorism Act of
23 1999 (22 U.S.C. 4865(a)) has led to sky-
24 rocketing costs of new embassies and con-
25 sulates; and

1 (B) the locations of such posts have be-
2 come less desirable, creating an extremely sub-
3 optimal nexus that further hinders United
4 States diplomats who are willing to accept more
5 risk in order to advance United States inter-
6 ests.

7 (c) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that—

9 (1) the setback and collocation requirements re-
10 ferred to in subsection (b)(5)(A), even with available
11 waivers, no longer provide the security such require-
12 ments used to provide because of advancement in
13 technologies, such as remote controlled drones, that
14 can evade walls and other such static barriers;

15 (2) the Department should focus on creating
16 performance security standards that—

17 (A) attempt to keep the setback require-
18 ments of diplomatic posts as limited as possible;
19 and

20 (B) provide diplomats access to local popu-
21 lations as much as possible, while still providing
22 a necessary level of security;

23 (3) collocation of diplomatic facilities is often
24 not feasible or advisable, particularly for public di-
25 plomacy spaces whose mission is to reach and be ac-

1 cessible to wide sectors of the public, including in
2 countries with repressive governments, since such
3 spaces are required to permit the foreign public to
4 enter and exit the space easily and openly;

5 (4) the Bureau of Diplomatic Security should—

6 (A) fully utilize the waiver process pro-
7 vided under paragraphs (2)(B) and (3)(B) of
8 section 606(a) of the Secure Embassy Con-
9 struction and Counterterrorism Act of 1999 (22
10 U.S.C. 4865(a)); and

11 (B) appropriately exercise such waiver
12 process as a tool to right-size the appropriate
13 security footing at each diplomatic post rather
14 than only approving waivers in extreme cir-
15 cumstances;

16 (5) the return of great power competition re-
17 quires—

18 (A) United States diplomats to do all they
19 can to outperform our adversaries; and

20 (B) the Department to better optimize use
21 of taxpayer funding to advance United States
22 national interests; and

23 (6) this section will better enable United States
24 diplomats to compete in the 21st century, while sav-
25 ing United States taxpayers millions in reduced

1 property and maintenance costs at embassies and
2 consulates abroad.

3 (d) DEFINITION OF UNITED STATES DIPLOMATIC
4 FACILITY.—Section 603 of the Secure Embassy Construc-
5 tion and Counterterrorism Act of 1999 (title VI of division
6 A of appendix G of Public Law 106–113) is amended to
7 read as follows:

8 **“SEC. 603. UNITED STATES DIPLOMATIC FACILITY DE-**
9 **FINED.**

10 “In this title, the terms ‘United States diplomatic fa-
11 cility’ and ‘diplomatic facility’ mean any chancery, con-
12 sulate, or other office that—

13 “(1) is considered by the Secretary of State to
14 be diplomatic or consular premises, consistent with
15 the Vienna Convention on Diplomatic Relations,
16 done at Vienna April 18, 1961, and the Vienna Con-
17 vention on Consular Relations, done at Vienna April
18 24, 1963, and was notified to the host government
19 as such; or

20 “(2) is otherwise subject to a publicly available
21 bilateral agreement with the host government (con-
22 tained in the records of the United States Depart-
23 ment of State) that recognizes the official status of
24 the United States Government personnel present at
25 the facility.”.

1 (e) GUIDANCE AND REQUIREMENTS FOR DIPLO-
2 MATIC FACILITIES.—

3 (1) GUIDANCE FOR CLOSURE OF PUBLIC DIPLO-
4 MACY FACILITIES.—Section 5606(a) of the Public
5 Diplomacy Modernization Act of 2021 (Public Law
6 117–81; 22 U.S.C. 1475g note) is amended to read
7 as follows:

8 “(a) IN GENERAL.—In order to preserve public diplo-
9 macy facilities that are accessible to the publics of foreign
10 countries, not later than 180 days after the date of the
11 enactment of the Secure Embassy Construction and
12 Counterterrorism Act of 2022, the Secretary of State shall
13 adopt guidelines to collect and utilize information from
14 each diplomatic post at which the construction of a new
15 embassy compound or new consulate compound could re-
16 sult in the closure or co-location of an American Space
17 that is owned and operated by the United States Govern-
18 ment, generally known as an American Center, or any
19 other public diplomacy facility under the Secure Embassy
20 Construction and Counterterrorism Act of 1999 (22
21 U.S.C. 4865 et seq.).”.

22 (2) SECURITY REQUIREMENTS FOR UNITED
23 STATES DIPLOMATIC FACILITIES.—Section 606(a) of
24 the Secure Embassy Construction and Counterter-

1 rorism Act of 1999 (22 U.S.C. 4865(a)) is amend-
2 ed—

3 (A) in paragraph (1)(A), by striking “the
4 threat” and inserting “a range of threats, in-
5 cluding that”;

6 (B) in paragraph (2)—

7 (i) in subparagraph (A)—

8 (I) by inserting “in a location
9 that has certain minimum ratings
10 under the Security Environment
11 Threat List as determined by the Sec-
12 retary in his or her discretion” after
13 “abroad”; and

14 (II) by inserting “, personnel of
15 the Peace Corps, and personnel of any
16 other type or category of facility that
17 the Secretary may identify” after
18 “military commander”; and

19 (ii) in subparagraph (B)—

20 (I) by amending clause (i) to
21 read as follows:

22 “(i) IN GENERAL.—Subject to clause
23 (ii), the Secretary of State may waive sub-
24 paragraph (A) if the Secretary, in con-
25 sultation with, as appropriate, the head of

1 each agency employing personnel that
2 would not be located at the site, if applica-
3 ble, determines that it is in the national in-
4 terest of the United States after taking ac-
5 count of any considerations the Secretary
6 in his or her discretion considers relevant,
7 which may include security conditions.”;
8 and

9 (II) in clause (ii), by striking

10 “(ii) CHANCERY OR CONSULATE
11 BUILDING.—” and all that follows
12 through “15 days prior” and inserting
13 the following:

14 “(ii) CHANCERY OR CONSULATE
15 BUILDING.—Prior”; and

16 (C) in paragraph (3)—

17 (i) by amending subparagraph (A) to
18 read as follows:

19 “(A) REQUIREMENT.—

20 “(i) IN GENERAL.—Each newly ac-
21 quired United States diplomatic facility in
22 a location that has certain minimum rat-
23 ings under the Security Environment
24 Threat List as determined by the Sec-

1 retary of State in his or her discretion
2 shall—

3 “(I) be constructed or modified
4 to meet the measured building blast
5 performance standard applicable to a
6 diplomatic facility sited not less than
7 100 feet from the perimeter of the
8 property on which the facility is situ-
9 ated; or

10 “(II) fulfill the criteria described
11 in clause (ii).

12 “(ii) ALTERNATIVE ENGINEERING
13 EQUIVALENCY STANDARD REQUIRE-
14 MENT.—Each facility referred to in clause
15 (i) may, instead of meeting the require-
16 ment under such clause, fulfill such other
17 criteria as the Secretary is authorized to
18 employ to achieve an engineering standard
19 of security and degree of protection that is
20 equivalent to the numerical perimeter dis-
21 tance setback described in such clause
22 seeks to achieve.”; and

23 (ii) in subparagraph (B)—

24 (I) in clause (i)—

1 (aa) by striking “security
2 considerations permit and”; and

3 (bb) by inserting “after tak-
4 ing account of any considerations
5 the Secretary in his or her discre-
6 tion considers relevant, which
7 may include security conditions”
8 after “national interest of the
9 United States”;

10 (II) in clause (ii), by striking
11 “(ii) CHANCERY OR CONSULATE
12 BUILDING.—” and all that follows
13 through “15 days prior” and inserting
14 the following:

15 “(ii) CHANCERY OR CONSULATE
16 BUILDING.—Prior”; and

17 (III) in clause (iii), by striking
18 “an annual” and inserting “a quar-
19 terly”.

20 **SEC. 302. DIPLOMATIC SUPPORT AND SECURITY.**

21 (a) **SHORT TITLE.**—This section may be cited as the
22 “Diplomatic Support and Security Act of 2022”.

23 (b) **FINDINGS.**—Congress makes the following find-
24 ings:

1 (1) A robust overseas diplomatic presence is
2 part of an effective foreign policy, particularly in
3 volatile environments where a flexible and timely
4 diplomatic response can be decisive in preventing
5 and addressing conflict.

6 (2) Diplomats routinely put themselves and
7 their families at great personal risk to serve their
8 country overseas where they face threats related to
9 international terrorism, violent conflict, and public
10 health.

11 (3) The Department has a remarkable record of
12 protecting personnel while enabling an enormous
13 amount of global diplomatic activity, often in unse-
14 cure and remote places and facing a variety of evol-
15 ving risks and threats. With support from Congress,
16 the Department of State has revised policy, im-
17 proved physical security through retrofitting and re-
18 placing old facilities, deployed additional security
19 personnel and armored vehicles, and greatly en-
20 hanced training requirements and training facilities,
21 including the new Foreign Affairs Security Training
22 Center in Blackstone, Virginia.

23 (4) Diplomatic missions rely on robust staffing
24 and ambitious external engagement to advance
25 United States interests as diverse as competing with

1 China's malign influence around the world, fighting
2 terrorism and transnational organized crime, pre-
3 venting and addressing violent conflict and humani-
4 tarian disasters, promoting United States businesses
5 and trade, protecting the rights of marginalized
6 groups, addressing climate change, and preventing
7 pandemic disease.

8 (5) Efforts to protect personnel overseas have
9 often resulted in inhibiting diplomatic activity and
10 limiting engagement between embassy personnel and
11 local governments and populations.

12 (6) Given that Congress currently provides an-
13 nual appropriations in excess of \$1,900,000,000 for
14 embassy security, construction, and maintenance,
15 the Department should be able ensure a robust over-
16 seas presence without inhibiting the ability of dip-
17 lomats to—

18 (A) meet outside United States secured fa-
19 cilities with foreign leaders to explain, defend,
20 and advance United States priorities;

21 (B) understand and report on foreign po-
22 litical, social, and economic conditions through
23 meeting and interacting with community offi-
24 cials outside of United States facilities;

1 (C) provide United States citizen services;
2 and

3 (D) collaborate and, at times, compete
4 with other diplomatic missions, particularly
5 those, such as that of the People's Republic of
6 China, that do not have restrictions on meeting
7 locations.

8 (7) Given these stakes, Congress has a respon-
9 sibility to empower, support, and hold the Depart-
10 ment accountable for implementing an aggressive
11 strategy to ensure a robust overseas presence that
12 mitigates potential risks and adequately considers
13 the myriad direct and indirect consequences of a
14 lack of diplomatic presence.

15 (c) ENCOURAGING EXPEDITIONARY DIPLOMACY.—

16 (1) PURPOSE.—Section 102(b) of the Diplo-
17 matic Security Act of 1986 (22 U.S.C. 4801(b)) is
18 amended—

19 (A) by amending paragraph (3) to read as
20 follows:

21 “(3) to promote strengthened security meas-
22 ures, institutionalize a culture of learning, and, in
23 the case of apparent gross negligence or breach of
24 duty, recommend that the Secretary investigate ac-

1 countability for United States Government personnel
2 with security-related responsibilities;”;

3 (B) by redesignating paragraphs (4) and
4 (5) as paragraphs (5) and (6), respectively; and

5 (C) by inserting after paragraph (3) the
6 following:

7 “(4) to support a culture of risk management,
8 instead of risk avoidance, that enables the Depart-
9 ment of State to pursue its vital goals with full
10 knowledge that it is neither desirable nor possible
11 for the Department to avoid all risks;”.

12 (2) BRIEFINGS ON EMBASSY SECURITY.—Sec-
13 tion 105(a)(1) of the Diplomatic Security Act of
14 1986 (22 U.S.C. 4804(a)) is amended—

15 (A) by striking “any plans to open or re-
16 open a high risk, high threat post” and insert-
17 ing “progress towards opening or reopening a
18 high risk, high threat post, and the risk to na-
19 tional security of the continued closure or any
20 suspension of operations and remaining barriers
21 to doing so”;

22 (B) in subparagraph (A), by inserting “the
23 risk to United States national security of the
24 post’s continued closure or suspension of oper-

1 ations,” after “national security of the United
2 States,”; and

3 (C) in subparagraph (C), by inserting “the
4 type and level of security threats such post
5 could encounter, and” before “security
6 ‘tripwires’”.

7 (d) SECURITY REVIEW COMMITTEES.—

8 (1) IN GENERAL.—Section 301 of the Diplo-
9 matic Security Act of 1986 (22 U.S.C. 4831) is
10 amended—

11 (A) in the section heading, by striking
12 “**ACCOUNTABILITY REVIEW BOARDS**” and
13 inserting “**SECURITY REVIEW COMMIT-**
14 **TEES**”;

15 (B) in subsection (a)—

16 (i) by amending paragraph (1) to read
17 as follows:

18 “(1) CONVENING THE SECURITY REVIEW COM-
19 MITTEE.—In any case of a serious security incident
20 involving loss of life, serious injury, or significant
21 destruction of property at, or related to, a United
22 States Government diplomatic mission abroad (re-
23 ferred to in this title as a ‘Serious Security Inci-
24 dent’), and in any case of a serious breach of secu-
25 rity involving intelligence activities of a foreign gov-

1 ernment directed at a United States Government
2 mission abroad, the Secretary of State shall convene
3 a Security Review Committee, which shall issue a re-
4 port providing a full account of what occurred, con-
5 sistent with section 304.”;

6 (C) by redesignating paragraphs (2) and
7 (3) as paragraphs (3) and (4), respectively;

8 (D) by inserting after paragraph (1) the
9 following:

10 “(2) COMMITTEE COMPOSITION.—The Sec-
11 retary shall designate a Chairperson and may des-
12 ignate additional personnel of commensurate senior-
13 ity to serve on the Security Review Committee,
14 which shall include—

15 “(A) the Director of the Office of Manage-
16 ment Strategy and Solutions;

17 “(B) the Assistant Secretary responsible
18 for the region where the incident occurred;

19 “(C) the Assistant Secretary of State for
20 Diplomatic Security;

21 “(D) the Assistant Secretary of State for
22 Intelligence and Research;

23 “(E) an Assistant Secretary-level rep-
24 resentative from any involved United States
25 Government department or agency; and

1 another agency in accordance with section
2 106;

3 “(iii) if the incident is a cybersecurity
4 incident and is covered by other review
5 mechanisms; or

6 “(iv) in the case”; and

7 (III) by striking “In any such
8 case” and inserting the following:

9 “(B) DEPARTMENT OF DEFENSE INVES-
10 TIGATIONS.—In the case of an incident de-
11 scribed in subparagraph (A)(iv)”; and

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

13 “(5) RULEMAKING.—The Secretary of State
14 shall promulgate regulations defining the member-
15 ship and operating procedures for the Security Re-
16 view Committee and provide such guidance to the
17 Chair and ranking members of the Committee on
18 Foreign Relations of the Senate and the Committee
19 on Foreign Affairs of the House of Representa-
20 tives.”;

21 (2) in subsection (b)—

22 (A) in the subsection heading, by striking
23 “BOARDS” and inserting “SECURITY REVIEW
24 COMMITTEES”; and

1 (B) by amending paragraph (1) to read as
2 follows:

3 “(1) IN GENERAL.—The Secretary of State
4 shall convene an SRC not later than 60 days after
5 the occurrence of an incident described in subsection
6 (a)(1), or 60 days after the Department first be-
7 comes aware of such an incident, whichever is ear-
8 lier, except that the 60-day period for convening an
9 SRC may be extended for one additional 60-day pe-
10 riod if the Secretary determines that the additional
11 period is necessary.”; and

12 (3) by amending subsection (c) to read as fol-
13 lows:

14 “(c) CONGRESSIONAL NOTIFICATION.—Whenever the
15 Secretary of State convenes a Security Review Committee,
16 the Secretary shall promptly inform the chair and ranking
17 member of the Committee on Foreign Relations of the
18 Senate and the chair and ranking member of the Com-
19 mittee on Foreign Affairs of the House of Representa-
20 tives.”.

21 (e) TECHNICAL AND CONFORMING AMENDMENTS.—
22 Section 302 of the Diplomatic Security Act of 1986 (22
23 U.S.C. 4832) is amended—

1 “(A) an assessment of what occurred, who
2 perpetrated or is suspected of having per-
3 petrated the Serious Security Incident, and
4 whether applicable security procedures were fol-
5 lowed;

6 “(B) in the event the Serious Security In-
7 cident involved a United States diplomatic com-
8 pound, motorcade, residence, or other facility,
9 an assessment of whether adequate security
10 countermeasures were in effect based on known
11 threat at the time of the incident;

12 “(C) if the incident involved an individual
13 or group of officers, employees, or family mem-
14 bers under Chief of Mission security responsi-
15 bility conducting approved operations or move-
16 ments outside the United States mission, an as-
17 sessment of whether proper security briefings
18 and procedures were in place and whether
19 weighing of risk of the operation or movement
20 took place; and

21 “(D) an assessment of whether the failure
22 of any officials or employees to follow proce-
23 dures or perform their duties contributed to the
24 security incident.

1 “(3) INVESTIGATIVE TEAM.—The investigative
2 team assembled pursuant to paragraph (2) shall
3 consist of individuals from the Diplomatic Security
4 Service who shall provide an independent examina-
5 tion of the facts surrounding the incident and what
6 occurred. The Secretary, or the Secretary’s designee,
7 shall review the makeup of the investigative team for
8 a conflict, appearance of conflict, or lack of inde-
9 pendence that could undermine the results of the in-
10 vestigation and may remove or replace any members
11 of the team to avoid such an outcome.

12 “(b) REPORT OF INVESTIGATION.—Not later than 90
13 days after the occurrence of a Serious Security Incident,
14 the investigative team investigating the incident shall pre-
15 pare and submit a Report of Investigation to the Security
16 Review Committee that includes—

17 “(1) a detailed description of the matters set
18 forth in subparagraphs (A) through (D) of sub-
19 section (a)(2), including all related findings;

20 “(2) a complete and accurate account of the
21 casualties, injuries, and damage resulting from the
22 incident; and

23 “(3) a review of security procedures and direc-
24 tives in place at the time of the incident.

1 “(1) review the Report of Investigation pre-
2 pared pursuant to section 303(b), and all other evi-
3 dence, reporting, and relevant information relating
4 to a Serious Security Incident at a United States
5 mission abroad, including an examination of the
6 facts and circumstances surrounding any serious in-
7 juries, loss of life, or significant destruction of prop-
8 erty resulting from the incident; and

9 “(2) determine, in writing—

10 “(A) whether the incident was security re-
11 lated and constituted a Serious Security Inci-
12 dent;

13 “(B) if the incident involved a diplomatic
14 compound, motorcade, residence, or other mis-
15 sion facility—

16 “(i) whether the security systems, se-
17 curity countermeasures, and security pro-
18 cedures operated as intended; and

19 “(ii) whether such systems worked to
20 materially mitigate the attack or were
21 found to be inadequate to mitigate the
22 threat and attack;

23 “(C) if the incident involved an individual
24 or group of officers conducting an approved op-
25 eration outside the mission, whether a valid

1 process was followed in evaluating the requested
2 operation and weighing the risk of the oper-
3 ation, which determination shall not seek to as-
4 sign accountability for the incident unless the
5 Security Review Committee determines that an
6 official breached his or her duty;

7 “(D) the impact of intelligence and infor-
8 mation availability, and whether the mission
9 was aware of the general operating threat envi-
10 ronment or any more specific threat intelligence
11 or information and took that into account in
12 ongoing and specific operations; and

13 “(E) any other facts and circumstances
14 that may be relevant to the appropriate security
15 management of United States missions abroad.

16 “(b) REPORT.—

17 “(1) SUBMISSION TO SECRETARY OF STATE.—
18 Not later than 60 days after receiving the Report of
19 Investigation prepared pursuant to section 303(b),
20 the Security Review Committee shall submit a report
21 to the Secretary of State that includes—

22 “(A) the findings described in subsection
23 (a); and

24 “(B) any related recommendations.

1 “(2) SUBMISSION TO CONGRESS.—Not later
2 than 90 days after receiving the report pursuant to
3 paragraph (1), the Secretary of State shall submit
4 a copy of the report to the Committee on Foreign
5 Relations of the Senate and the Committee on For-
6 eign Affairs of the House of Representatives.

7 “(c) PERSONNEL RECOMMENDATIONS.—If in the
8 course of conducting an investigation under section 303,
9 the investigative team finds reasonable cause to believe
10 any individual described in section 303(a)(2)(D) has
11 breached the duty of that individual or finds lesser failures
12 on the part of an individual in the performance of his or
13 her duties related to the incident, it shall be reported to
14 the SRC. If the SRC find reasonable cause to support the
15 determination, it shall be reported to the Secretary for ap-
16 propriate action.”.

17 (h) RELATION TO OTHER PROCEEDINGS.—Section
18 305 of the Diplomatic Security Act of 1986 (22 U.S.C.
19 4835) is amended—

20 (1) by inserting “(a) NO EFFECT ON EXISTING
21 REMEDIES OR DEFENSES.—” before “Nothing in
22 this title”; and

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

24 “(b) FUTURE INQUIRIES.—Nothing in this title may
25 be construed to preclude the Secretary of State from con-

1 vening a followup public board of inquiry to investigate
2 any security incident if the incident was of such magnitude
3 or significance that an internal process is deemed insuffi-
4 cient to understand and investigate the incident. All mate-
5 rials gathered during the procedures provided under this
6 title shall be provided to any related board of inquiry con-
7 vened by the Secretary.”.

8 **SEC. 303. ESTABLISHMENT OF UNITED STATES EMBASSIES**
9 **IN VANUATU, KIRIBATI, AND TONGA.**

10 (a) FINDINGS.—Congress makes the following find-
11 ings:

12 (1) The Pacific Islands are vital to United
13 States national security and national interests in the
14 Indo-Pacific region and globally.

15 (2) The Pacific Islands region spans 15 percent
16 of the world’s surface area and controls access to
17 open waters in the Central Pacific, sea lanes to the
18 Western Hemisphere, supply lines to United States
19 forward-deployed forces in East Asia, and economi-
20 cally important fisheries.

21 (3) The Pacific Islands region is home to the
22 State of Hawaii, 11 United States territories, United
23 States Naval Base Guam, and United States Ander-
24 sen Air Force Base.

1 (4) Pacific Island countries cooperate with the
2 United States and United States partners on mari-
3 time security and efforts to stop illegal, unreported,
4 and destructive fishing.

5 (5) The Pacific Islands are rich in biodiversity
6 and are on the frontlines of environmental chal-
7 lenges and climate issues.

8 (6) The People's Republic of China (PRC)
9 seeks to increase its influence in the Pacific Islands
10 region, including through infrastructure development
11 under the PRC's One Belt, One Road Initiative and
12 its new security agreement with the Solomon Is-
13 lands.

14 (7) The United States Embassy in Papua New
15 Guinea manages the diplomatic affairs of the United
16 States to the Republic of Vanuatu, and the United
17 States Embassy in Fiji manages the diplomatic af-
18 fairs of the United States to the Republic of Kiribati
19 and the Kingdom of Tonga.

20 (8) The United States requires a physical diplo-
21 matic presence in the Republic of Vanuatu, the Re-
22 public of Kiribati, and the Kingdom of Tonga, to en-
23 sure the physical and operational security of our ef-
24 forts in those countries to deepen relations, protect

1 United States national security, and pursue United
2 States national interests.

3 (9) Increasing the number of United States em-
4 bassies dedicated solely to a Pacific Island country
5 demonstrates the United States' ongoing commit-
6 ment to the region and to the Pacific Island coun-
7 tries.

8 (b) ESTABLISHMENT OF EMBASSIES.—

9 (1) IN GENERAL.—As soon as possible, and not
10 later than 2 years after the date of the enactment
11 of this Act, the Secretary of State shall establish
12 physical United States embassies in the Republic of
13 Kiribati and the Kingdom of Tonga, and a physical
14 presence in the Republic of Vanuatu.

15 (2) OTHER STRATEGIES.—

16 (A) PHYSICAL INFRASTRUCTURE.—In es-
17 tablishing embassies pursuant to paragraph (1)
18 and creating the physical infrastructure to en-
19 sure the physical and operational safety of em-
20 bassy personnel, the Secretary may pursue rent
21 or purchase existing buildings or co-locate per-
22 sonnel in embassies of like-minded partners,
23 such as Australia and New Zealand.

24 (B) PERSONNEL.—In establishing a phys-
25 ical presence in the Republic of Vanuatu pursu-

1 ant to paragraph (1), the Secretary may assign
2 1 or more United States Government personnel
3 to the Republic of Vanuatu as part of the
4 United States mission in Papua New Guinea.

5 (3) WAIVER AUTHORITY.—The President may
6 waive the requirements under paragraph (1) for a
7 period of one year if the President determines and
8 reports to Congress in advance that such waiver is
9 necessary to protect the national security interests of
10 the United States.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—Of the
12 amounts authorized to be appropriated to the Department
13 of State for Embassy Security, Construction, and Mainte-
14 nance, \$40,200,000 is authorized to be appropriated for
15 fiscal year 2023 for establishment and maintenance of the
16 three embassies pursuant to subsection (b), and
17 \$3,000,000 is authorized to be appropriated for fiscal year
18 2024 to maintain the embassies.

19 (d) REPORT.—

20 (1) DEFINED TERM.—In this subsection, the
21 term “appropriate committees of Congress”
22 means—

23 (A) the Committee on Foreign Relations of
24 the Senate;

1 (B) the Committee on Appropriations of
2 the Senate;

3 (C) the Committee on Foreign Affairs of
4 the House of Representatives; and

5 (D) the Committee on Appropriations of
6 the House of Representatives.

7 (2) PROGRESS REPORT.—Not later than 180
8 days following the date of the enactment of this Act,
9 the Secretary of State shall submit to the appro-
10 priate committees of Congress a report that in-
11 cludes—

12 (A) a description of the status of activities
13 carried out to achieve the objectives described
14 in this section;

15 (B) an estimate of when embassies and a
16 physical presence will be fully established pur-
17 suant to subsection (b)(1); and

18 (C) an update on events in the Pacific Is-
19 lands region relevant to the establishment of
20 United States embassies, including activities by
21 the People’s Republic of China.

22 (3) REPORT ON FINAL DISPOSITION.—Not later
23 than 2 years after the date of the enactment of this
24 Act, the Secretary shall submit a report to the ap-
25 propriate committees of Congress that—

1 (A) confirms the establishment of the 2
2 embassies and the physical presence required
3 under subsection (b)(1); or

4 (B) if the embassies and physical presence
5 required in subsection (b)(1) has not been es-
6 tablished, a justification for such failure to
7 comply with such requirement.

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

11 **SEC. 401. REPORT ON BARRIERS TO APPLYING FOR EM-**
12 **PLOYMENT WITH THE DEPARTMENT OF**
13 **STATE.**

14 Not later than 120 days after the date of the enact-
15 ment of this Act, the Secretary shall submit a report to
16 the appropriate congressional committees that—

17 (1) identifies any barriers for applicants apply-
18 ing for employment with the Department;

19 (2) provides demographic data of online appli-
20 cants during the most recent 3 years disaggregated
21 by race, ethnicity, gender, age, veteran status, dis-
22 ability, geographic region, and any other categories
23 determined by the Secretary;

24 (3) assesses any barriers that exist for applying
25 online for employment with the Department,

1 disaggregated by race, ethnicity, gender, age, vet-
2 eran status, disability, geographic region, and any
3 other categories determined by the Secretary; and

4 (4) includes recommendations for addressing
5 any disparities identified in the online application
6 process.

7 **SEC. 402. COLLECTION, ANALYSIS, AND DISSEMINATION OF**
8 **WORKFORCE DATA.**

9 (a) INITIAL REPORT.—Not later than 180 days after
10 the date of the enactment of this Act, the Secretary shall
11 submit a report to the appropriate congressional commit-
12 tees that includes disaggregated demographic data and
13 other information regarding the diversity of the workforce
14 of the Department.

15 (b) DATA.—The report required under subsection (a)
16 shall include, to the maximum extent that the collection
17 and dissemination of such data can be done in a way that
18 protects the confidentiality of individuals and is otherwise
19 permissible by law—

20 (1) demographic data on each element of the
21 workforce of the Department during the 5-year pe-
22 riod ending on the date of the enactment of this Act,
23 disaggregated by rank and grade or grade-equiva-
24 lent, with respect to—

25 (A) individuals hired to join the workforce;

1 (B) individuals promoted, including pro-
2 motions to and within the Senior Executive
3 Service or the Senior Foreign Service;

4 (C) individuals serving as special assistants
5 in any of the offices of the Secretary of State,
6 the Deputy Secretary of State, the Counselor of
7 the Department of State, the Secretary's Policy
8 Planning Staff, the Under Secretary of State
9 for Arms Control and International Security,
10 the Under Secretary of State for Civilian Secu-
11 rity, Democracy, and Human Rights, the Under
12 Secretary of State for Economic Growth, En-
13 ergy, and the Environment, the Under Sec-
14 retary of State for Management, the Under
15 Secretary of State for Political Affairs, and the
16 Under Secretary of State for Public Diplomacy
17 and Public Affairs;

18 (D) individuals serving in each bureau's
19 front office;

20 (E) individuals serving as detailees to the
21 National Security Council;

22 (F) individuals serving on applicable selec-
23 tion boards;

24 (G) members of any external advisory com-
25 mittee or board who are subject to appointment

1 by individuals at senior positions in the Depart-
2 ment;

3 (H) individuals participating in profes-
4 sional development programs of the Department
5 and the extent to which such participants have
6 been placed into senior positions within the De-
7 partment after such participation;

8 (I) individuals participating in mentorship
9 or retention programs; and

10 (J) individuals who separated from the
11 agency, including individuals in the Senior Ex-
12 ecutive Service or the Senior Foreign Service;

13 (2) an assessment of agency compliance with
14 the essential elements identified in Equal Employ-
15 ment Opportunity Commission Management Direc-
16 tive 715, effective October 1, 2003; and

17 (3) data on the overall number of individuals
18 who are part of the workforce, the percentages of
19 such workforce corresponding to each element speci-
20 fied in paragraph (1), and the percentages cor-
21 responding to each rank, grade, or grade equivalent.

22 (c) EFFECTIVENESS OF DEPARTMENT EFFORTS.—
23 The report required under subsection (a) shall describe
24 and assess the effectiveness of the efforts of the Depart-
25 ment—

1 (1) to propagate fairness, impartiality, and in-
2 clusion in the work environment, both domestically
3 and abroad;

4 (2) to enforce anti-harassment and anti-dis-
5 crimination policies, both domestically and at posts
6 overseas;

7 (3) to refrain from engaging in unlawful dis-
8 crimination in any phase of the employment process,
9 including recruitment, hiring, evaluation, assign-
10 ments, promotion, retention, and training;

11 (4) to prevent retaliation against employees for
12 participating in a protected equal employment op-
13 portunity activity or for reporting sexual harassment
14 or sexual assault;

15 (5) to provide reasonable accommodation for
16 qualified employees and applicants with disabilities;
17 and

18 (6) to recruit a representative workforce by—

19 (A) recruiting women, persons with disabil-
20 ities, and minorities;

21 (B) recruiting at women’s colleges, histori-
22 cally Black colleges and universities, minority-
23 serving institutions, and other institutions serv-
24 ing a significant percentage of minority stu-
25 dents;

1 (C) placing job advertisements in news-
2 papers, magazines, and job sites oriented to-
3 ward women and minorities;

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

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

12 (F) recruiting mid-level and senior-level
13 professionals through programs designed to in-
14 crease representation in international affairs of
15 people belonging to traditionally under-
16 represented groups;

17 (G) offering the Foreign Service written
18 and oral assessment examinations in several lo-
19 cations throughout the United States or via on-
20 line platforms to reduce the burden of appli-
21 cants having to travel at their own expense to
22 take either or both such examinations;

23 (H) expanding the use of paid internships;
24 and

1 (I) supporting recruiting and hiring oppor-
2 tunities through—

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

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

7 (iii) other initiatives, including agen-
8 cywide policy initiatives.

9 (d) ANNUAL REPORT.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the publication of the report required under sub-
12 section (a), the Secretary of State shall submit a re-
13 port to the appropriate congressional committees,
14 and make such report available on the Department’s
15 website, that includes, without compromising the
16 confidentiality of individuals and to the extent other-
17 wise consistent with law—

18 (A) disaggregated demographic data, to
19 the maximum extent that collection of such
20 data is permissible by law, relating to the work-
21 force and information on the status of diversity
22 and inclusion efforts of the Department;

23 (B) an analysis of applicant flow data, to
24 the maximum extent that collection of such
25 data is permissible by law; and

1 (C) disaggregated demographic data relat-
2 ing to participants in professional development
3 programs of the Department and the rate of
4 placement into senior positions for participants
5 in such programs.

6 (2) COMBINATION WITH OTHER ANNUAL RE-
7 PORT.—The report required under paragraph (1)
8 may be combined with another annual report re-
9 quired by law, to the extent practicable.

10 **SEC. 403. CENTERS OF EXCELLENCE IN FOREIGN AFFAIRS**
11 **AND ASSISTANCE.**

12 (a) PURPOSE.—The purposes of this section are—

13 (1) to advance the values and interests of the
14 United States overseas through programs that foster
15 innovation, competitiveness, and a diversity of back-
16 grounds, views, and experience in the formulation
17 and implementation of United States foreign policy
18 and assistance; and

19 (2) to create opportunities for specialized re-
20 search, education, training, professional develop-
21 ment, and leadership opportunities for individuals
22 belonging to an underrepresented group within the
23 Department and USAID.

24 (b) STUDY.—

1 (1) IN GENERAL.—The Secretary and the Ad-
2 ministrator of USAID shall conduct a study on the
3 feasibility of establishing Centers of Excellence in
4 Foreign Affairs and Assistance (referred to in this
5 section as the “Centers of Excellence”) within insti-
6 tutions that serve individuals belonging to an under-
7 represented group to focus on 1 or more of the areas
8 described in paragraph (2).

9 (2) ELEMENTS.—In conducting the study re-
10 quired under paragraph (1), the Secretary and the
11 Administrator, respectively, shall consider—

12 (A) opportunities to enter into public-pri-
13 vate partnerships that will—

14 (i) increase diversity in foreign affairs
15 and foreign assistance Federal careers;

16 (ii) prepare a diverse cadre of stu-
17 dents (including nontraditional, mid-career,
18 part-time, and heritage students) and non-
19 profit or business professionals with the
20 skills and education needed to meaning-
21 fully contribute to the formulation and exe-
22 cution of United States foreign policy and
23 assistance;

24 (iii) support the conduct of research,
25 education, and extension programs that re-

1 fleet diverse perspectives and a wide range
2 of views of world regions and international
3 affairs—

4 (I) to assist in the development
5 of regional and functional foreign pol-
6 icy skills;

7 (II) to strengthen international
8 development and humanitarian assist-
9 ance programs; and

10 (III) to strengthen democratic in-
11 stitutions and processes in policy-
12 making, including supporting public
13 policies that engender equitable and
14 inclusive societies and focus on chal-
15 lenges and inequalities in education,
16 health, wealth, justice, and other sec-
17 tors faced by diverse communities;

18 (iv) enable domestic and international
19 educational, internship, fellowship, faculty
20 exchange, training, employment or other
21 innovative programs to acquire or
22 strengthen knowledge of foreign languages,
23 cultures, societies, and international skills
24 and perspectives;

1 (v) support collaboration among insti-
2 tutions of higher education, including com-
3 munity colleges, nonprofit organizations,
4 and corporations, to strengthen the en-
5 gagement between experts and specialists
6 in the foreign affairs and foreign assist-
7 ance fields; and

8 (vi) leverage additional public-private
9 partnerships with nonprofit organizations,
10 foundations, corporations, institutions of
11 higher education, and the Federal Govern-
12 ment; and

13 (B) budget and staffing requirements, in-
14 cluding appropriate sources of funding, for the
15 establishment and conduct of operations of such
16 Centers of Excellence.

17 (c) REPORT.—Not later than 120 days after the date
18 of the enactment of this Act, the Secretary shall submit
19 a report to the appropriate congressional committees that
20 contains the findings of the study conducted pursuant to
21 subsection (b).

22 **SEC. 404. INSTITUTE FOR TRANSATLANTIC ENGAGEMENT.**

23 (a) ESTABLISHMENT.—Not later than 180 days after
24 the date of the enactment of this Act, the Secretary is

1 authorized to establish the Institute for Transatlantic En-
2 gagement (referred to in this section as the “Institute”).

3 (b) PURPOSE.—The purpose of the Institute shall be
4 to strengthen national security by highlighting, to a geo-
5 graphically diverse set of populations from the United
6 States and member countries of the European Union, the
7 importance of the transatlantic relationship and the
8 threats posed by adversarial countries, such as the Rus-
9 sian Federation and the People’s Republic of China, to
10 democracy, free-market economic principles, and human
11 rights, with the aim that lessons learned from the Institute
12 will be shared across the United States and Europe.

13 (c) DIRECTOR.—The Institute shall be headed by a
14 Director, who shall have expertise in transatlantic rela-
15 tions and diverse populations in the United States and Eu-
16 rope.

17 (d) SCOPE AND ACTIVITIES.—The Institute shall—

18 (1) strengthen knowledge of the formation and
19 implementation of transatlantic policies critical to
20 national security, including the threats posed by the
21 Russian Federation and the People’s Republic of
22 China;

23 (2) increase awareness of the roles of govern-
24 ment and nongovernmental actors, such as multilat-
25 eral organizations, businesses, civil society actors,

1 academia, think tanks, and philanthropic institu-
2 tions, in transatlantic policy development and execu-
3 tion;

4 (3) increase understanding of the manner in
5 which diverse backgrounds and perspectives affect
6 the development of transatlantic policies;

7 (4) enhance the skills, abilities, and effective-
8 ness of government officials at national and inter-
9 national levels;

10 (5) increase awareness of the importance of,
11 and interest in, international public service careers;

12 (6) annually invite not fewer than 30 individ-
13 uals to participate in programs of the Institute;

14 (7) not less than 3 times annually, convene rep-
15 resentatives of United States and European Union
16 governments for a program offered by the Institute
17 that is not less than 2 days in duration; and

18 (8) develop metrics to track the success and ef-
19 ficacy of the program.

20 (e) ELIGIBILITY TO PARTICIPATE.—Participants in
21 the programs of the Institute shall include elected govern-
22 ment officials—

23 (1) serving at national, regional, or local levels
24 in the United States and member countries of the
25 European Union; and

1 (2) who represent geographically diverse back-
2 grounds or constituencies in the United States and
3 Europe.

4 (f) SELECTION OF PARTICIPANTS.—

5 (1) UNITED STATES PARTICIPANTS.—Partici-
6 pants from the United States shall be appointed in
7 an equally divided manner by the chairpersons and
8 ranking members of the appropriate congressional
9 committees.

10 (2) EUROPEAN UNION PARTICIPANTS.—Partici-
11 pants from European Union member countries shall
12 be appointed by the Secretary, in consultation with
13 the chairpersons and ranking members of the appro-
14 priate congressional committees.

15 (g) RESTRICTIONS.—

16 (1) UNPAID PARTICIPATION.—Participants in
17 the Institute may not be paid a salary for such par-
18 ticipation.

19 (2) REIMBURSEMENT.—The Institute may pay
20 or reimburse participants for reasonable travel, lodg-
21 ing, and food in connection with participation in the
22 program.

23 (3) TRAVEL.—No funds authorized to be appro-
24 priated under subsection (h) may be used for travel

1 for Members of Congress to participate in Institute
2 activities.

3 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$750,000 for fiscal year 2023.

6 **SEC. 405. RULE OF CONSTRUCTION.**

7 Nothing in this Act may be construed as altering ex-
8 isting law regarding merit system principles.

9 **TITLE V—INFORMATION SECU-**
10 **RITY AND CYBER DIPLOMACY**

11 **SEC. 501. UNITED STATES INTERNATIONAL CYBERSPACE**
12 **POLICY.**

13 (a) IN GENERAL.—It is the policy of the United
14 States—

15 (1) to work internationally to promote an open,
16 interoperable, reliable, and secure internet governed
17 by the multi-stakeholder model, which—

18 (A) promotes democracy, the rule of law,
19 and human rights, including freedom of expres-
20 sion;

21 (B) supports the ability to innovate, com-
22 municate, and promote economic prosperity;
23 and

24 (C) is designed to protect privacy and
25 guard against deception, fraud, and theft;

1 (2) to encourage and aid United States allies
2 and partners in improving their own technological
3 capabilities and resiliency to pursue, defend, and
4 protect shared interests and values, free from coer-
5 cion and external pressure; and

6 (3) in furtherance of the efforts described in
7 paragraphs (1) and (2)—

8 (A) to provide incentives to the private sec-
9 tor to accelerate the development of the tech-
10 nologies referred to in such paragraphs;

11 (B) to modernize and harmonize with allies
12 and partners export controls and investment
13 screening regimes and associated policies and
14 regulations; and

15 (C) to enhance United States leadership in
16 technical standards-setting bodies and avenues
17 for developing norms regarding the use of dig-
18 ital tools.

19 (b) IMPLEMENTATION.—In implementing the policy
20 described in subsection (a), the President, in consultation
21 with outside actors, as appropriate, including private sec-
22 tor companies, nongovernmental organizations, security
23 researchers, and other relevant stakeholders, in the con-
24 duct of bilateral and multilateral relations, shall strive—

1 (1) to clarify the applicability of international
2 laws and norms to the use of information and com-
3 munications technology (referred to in this sub-
4 section as “ICT”);

5 (2) to reduce and limit the risk of escalation
6 and retaliation in cyberspace, damage to critical in-
7 frastructure, and other malicious cyber activity that
8 impairs the use and operation of critical infrastruc-
9 ture that provides services to the public;

10 (3) to cooperate with like-minded countries that
11 share common values and cyberspace policies with
12 the United States, including respect for human
13 rights, democracy, and the rule of law, to advance
14 such values and policies internationally;

15 (4) to encourage the responsible development of
16 new, innovative technologies and ICT products that
17 strengthen a secure internet architecture that is ac-
18 cessible to all;

19 (5) to secure and implement commitments on
20 responsible country behavior in cyberspace, including
21 commitments by countries—

22 (A) to not conduct, or knowingly support,
23 cyber-enabled theft of intellectual property, in-
24 cluding trade secrets or other confidential busi-
25 ness information, with the intent of providing

1 competitive advantages to companies or com-
2 mercial sectors;

3 (B) to take all appropriate and reasonable
4 efforts to keep their territories clear of inten-
5 tionally wrongful acts using ICT in violation of
6 international commitments;

7 (C) not to conduct or knowingly support
8 ICT activity that intentionally damages or oth-
9 erwise impairs the use and operation of critical
10 infrastructure providing services to the public,
11 in violation of international law;

12 (D) to take appropriate measures to pro-
13 tect the country's critical infrastructure from
14 ICT threats;

15 (E) not to conduct or knowingly support
16 malicious international activity that harms the
17 information systems of authorized emergency
18 response teams (also known as "computer
19 emergency response teams" or "cybersecurity
20 incident response teams") of another country or
21 authorize emergency response teams to engage
22 in malicious international activity, in violation
23 of international law;

24 (F) to respond to appropriate requests for
25 assistance to mitigate malicious ICT activity

1 emanating from their territory and aimed at the
2 critical infrastructure of another country;

3 (G) to not restrict cross-border data flows
4 or require local storage or processing of data;
5 and

6 (H) to protect the exercise of human rights
7 and fundamental freedoms on the internet,
8 while recognizing that the human rights that
9 people have offline also need to be protected on-
10 line; and

11 (6) to advance, encourage, and support the de-
12 velopment and adoption of internationally recognized
13 technical standards and best practices.

14 **SEC. 502. BUREAU OF CYBERSPACE AND DIGITAL POLICY.**

15 (a) IN GENERAL.—Section 1 of the State Depart-
16 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a),
17 is amended—

18 (1) by redesignating subsections (i) and (j) as
19 subsection (j) and (k), respectively;

20 (2) by redesignating subsection (h) (as added
21 by section 361(a)(1) of division FF of the Consoli-
22 dated Appropriations Act, 2021 (Public Law 116-
23 260)) as subsection (l); and

24 (3) by inserting after subsection (h) the fol-
25 lowing:

1 “(i) BUREAU OF CYBERSPACE AND DIGITAL POL-
2 ICY.—

3 “(1) IN GENERAL.—There is established, within
4 the Department of State, the Bureau of Cyberspace
5 and Digital Policy (referred to in this subsection as
6 the ‘Bureau’). The head of the Bureau shall have
7 the rank and status of ambassador and shall be ap-
8 pointed by the President, by and with the advice and
9 consent of the Senate.

10 “(2) DUTIES.—

11 “(A) IN GENERAL.—The head of the Bu-
12 reau shall perform such duties and exercise
13 such powers as the Secretary of State shall pre-
14 scribe, including implementing the policy de-
15 scribed in section 501(a) of the Department of
16 State Authorization Act of 2022.

17 “(B) DUTIES DESCRIBED.—The principal
18 duties and responsibilities of the head of the
19 Bureau shall be—

20 “(i) to serve as the principal cyber-
21 space policy official within the senior man-
22 agement of the Department of State and
23 as the advisor to the Secretary of State for
24 cyberspace and digital issues;

1 “(ii) to lead, coordinate, and execute,
2 in coordination with other relevant bureaus
3 and offices, the Department of State’s dip-
4 lomatic cyberspace, cybersecurity (includ-
5 ing efforts related to data privacy, data
6 flows, internet governance, information and
7 communications technology standards, and
8 other issues that the Secretary has as-
9 signed to the Bureau);

10 “(iii) to advance United States na-
11 tional security and foreign policy interests
12 in cyberspace and to coordinate cyberspace
13 policy and other relevant functions with
14 the Department of State and with other
15 components of the Federal Government;

16 “(iv) to promote an open, interoper-
17 able, reliable, and secure information and
18 communications technology infrastructure
19 globally;

20 “(v) to represent the Secretary of
21 State in interagency efforts to develop and
22 advance Federal Government cyber prior-
23 ities and activities, including efforts to de-
24 velop credible national capabilities, strate-
25 gies, and policies to deter and counter

1 cyber adversaries, and carry out the pur-
2 poses of title V of the Department of State
3 Authorization Act of 2022;

4 “(vi) to engage civil society, the pri-
5 vate sector, academia, and other public and
6 private entities on relevant international
7 cyberspace and information and commu-
8 nications technology issues;

9 “(vii) to lead United States Govern-
10 ment efforts to uphold and further develop
11 global deterrence frameworks for malicious
12 cyber activity;

13 “(viii) to advise the Secretary of State
14 and coordinate with foreign governments
15 regarding responses to national security-
16 level cyber incidents, including coordina-
17 tion on diplomatic response efforts to sup-
18 port allies and partners threatened by ma-
19 licious cyber activity, in conjunction with
20 members of the North Atlantic Treaty Or-
21 ganization and like-minded countries;

22 “(ix) to promote the building of for-
23 eign capacity relating to cyberspace policy
24 priorities;

1 “(x) to promote an open, interoper-
2 able, reliable, and secure information and
3 communications technology infrastructure
4 globally and an open, interoperable, secure,
5 and reliable internet governed by the
6 multi-stakeholder model;

7 “(xi) to promote an international reg-
8 ulatory environment for technology invest-
9 ments and the internet that benefits
10 United States economic and national secu-
11 rity interests;

12 “(xii) to promote cross-border flow of
13 data and combat international initiatives
14 seeking to impose unreasonable require-
15 ments on United States businesses;

16 “(xiii) to promote international poli-
17 cies to protect the integrity of United
18 States and international telecommuni-
19 cations infrastructure from foreign-based
20 threats, including cyber-enabled threats;

21 “(xiv) to lead engagement, in coordi-
22 nation with relevant executive branch agen-
23 cies, with foreign governments on relevant
24 international cyberspace, cybersecurity,
25 cybercrime, and digital economy issues de-

1 scribed in title V of the Department of
2 State Authorization Act of 2022;

3 “(xv) to promote international policies
4 to secure radio frequency spectrum for
5 United States businesses and national se-
6 curity needs;

7 “(xvi) to promote and protect the ex-
8 ercise of human rights, including freedom
9 of speech and religion, through the inter-
10 net;

11 “(xvii) to build capacity of United
12 States diplomatic officials to engage on
13 cyberspace issues;

14 “(xviii) to encourage the development
15 and adoption by foreign countries of inter-
16 nationally recognized standards, policies,
17 and best practices;

18 “(xix) to support efforts by the Global
19 Engagement Center to counter cyber-en-
20 abled information operations against the
21 United States or its allies and partners;
22 and

23 “(xx) to conduct such other matters
24 as the Secretary of State may assign.

1 “(3) QUALIFICATIONS.—The head of the Bu-
2 reau should be an individual of demonstrated com-
3 petency in the fields of—

4 “(A) cybersecurity and other relevant
5 cyberspace and information and communica-
6 tions technology policy issues; and

7 “(B) international diplomacy.

8 “(4) ORGANIZATIONAL PLACEMENT.—

9 “(A) INITIAL PLACEMENT.—Except as
10 provided in subparagraph (B), the head of the
11 Bureau shall report to the Deputy Secretary of
12 State.

13 “(B) SUBSEQUENT PLACEMENT.—The
14 head of the Bureau may report to an Under
15 Secretary of State or to an official holding a
16 higher position than Under Secretary if, not
17 later than 15 days before any change in such
18 reporting structure, the Secretary of State—

19 “(i) consults with the Committee on
20 Foreign Relations of the Senate and the
21 Committee on Foreign Affairs of the
22 House of Representatives; and

23 “(ii) submits a report to such commit-
24 tees that—

1 “(I) indicates that the Secretary,
2 with respect to the reporting structure
3 of the Bureau, has consulted with and
4 solicited feedback from—

5 “(aa) other relevant Federal
6 entities with a role in inter-
7 national aspects of cyber policy;
8 and

9 “(bb) the elements of the
10 Department of State with respon-
11 sibility for aspects of cyber pol-
12 icy, including the elements re-
13 porting to—

14 “(AA) the Under Sec-
15 retary of State for Political
16 Affairs;

17 “(BB) the Under Sec-
18 retary of State for Civilian
19 Security, Democracy, and
20 Human Rights;

21 “(CC) the Under Sec-
22 retary of State for Economic
23 Growth, Energy, and the
24 Environment;

1 “(DD) the Under Sec-
2 retary of State for Arms
3 Control and International
4 Security Affairs;

5 “(EE) the Under Sec-
6 retary of State for Manage-
7 ment; and

8 “(FF) the Under Sec-
9 retary of State for Public
10 Diplomacy and Public Af-
11 fairs;

12 “(II) describes the new reporting
13 structure for the head of the Bureau
14 and the justification for such new
15 structure; and

16 “(III) includes a plan describing
17 how the new reporting structure will
18 better enable the head of the Bureau
19 to carry out the duties described in
20 paragraph (2), including the security,
21 economic, and human rights aspects
22 of cyber diplomacy.

23 “(5) SPECIAL HIRING AUTHORITIES.—The Sec-
24 retary of State may—

1 “(A) appoint employees without regard to
2 the provisions of title 5, United States Code, re-
3 garding appointments in the competitive serv-
4 ice; and

5 “(B) fix the basic compensation of such
6 employees without regard to chapter 51 and
7 subchapter III of chapter 53 of such title re-
8 garding classification and General Schedule pay
9 rates.

10 “(6) RULE OF CONSTRUCTION.—Nothing in
11 this subsection may be construed to preclude the
12 head of the Bureau from being designated as an As-
13 sistant Secretary, if such an Assistant Secretary po-
14 sition does not increase the number of Assistant
15 Secretary positions at the Department above the
16 number authorized under subsection (e)(1).”.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the Bureau established under section 1(i) of
19 the State Department Basic Authorities Act of 1956, as
20 added by subsection (a), should have a diverse workforce
21 composed of qualified individuals, including individuals be-
22 longing to an underrepresented group.

23 (c) UNITED NATIONS.—The Permanent Representa-
24 tive of the United States to the United Nations should
25 use the voice, vote, and influence of the United States to

1 oppose any measure that is inconsistent with the policy
2 described in section 501(a).

3 **SEC. 503. INTERNATIONAL CYBERSPACE AND DIGITAL POL-**
4 **ICY STRATEGY.**

5 (a) STRATEGY REQUIRED.—Not later than 1 year
6 after the date of the enactment of this Act, the President,
7 acting through the Secretary, and in coordination with the
8 heads of other relevant Federal departments and agencies,
9 shall develop an international cyberspace and digital policy
10 strategy.

11 (b) ELEMENTS.—The strategy required under sub-
12 section (a) shall include—

13 (1) a review of actions and activities under-
14 taken to support the policy described in section
15 501(a);

16 (2) a plan of action to guide the diplomacy of
17 the Department with regard to foreign countries, in-
18 cluding—

19 (A) conducting bilateral and multilateral
20 activities—

21 (i) to develop and support the imple-
22 mentation of norms of responsible country
23 behavior in cyberspace consistent with the
24 objectives specified in section 501(b)(5);

1 (ii) to reduce the frequency and sever-
2 ity of cyberattacks on United States indi-
3 viduals, businesses, governmental agencies,
4 and other organizations;

5 (iii) to reduce cybersecurity risks to
6 United States and allied critical infrastruc-
7 ture;

8 (iv) to improve allies' and partners'
9 collaboration with the United States on cy-
10 bersecurity issues, including information
11 sharing, regulatory coordination and im-
12 provement, and joint investigatory and law
13 enforcement operations related to
14 cybercrime; and

15 (v) to share best practices and ad-
16 vance proposals to strengthen civilian and
17 private sector resiliency to threats and ac-
18 cess to opportunities in cyberspace; and

19 (B) reviewing the status of existing efforts
20 in relevant multilateral fora, as appropriate, to
21 obtain commitments on international norms re-
22 garding cyberspace;

23 (3) a review of alternative concepts for inter-
24 national norms regarding cyberspace offered by for-
25 eign countries;

1 (4) a detailed description of new and evolving
2 threats regarding cyberspace from foreign adver-
3 saries, state-sponsored actors, and non-state actors
4 to—

5 (A) United States national security;

6 (B) the Federal and private sector cyber-
7 space infrastructure of the United States;

8 (C) intellectual property in the United
9 States; and

10 (D) the privacy and security of citizens of
11 the United States;

12 (5) a review of the policy tools available to the
13 President to deter and de-escalate tensions with for-
14 eign countries, state-sponsored actors, and private
15 actors regarding—

16 (A) threats in cyberspace;

17 (B) the degree to which such tools have
18 been used; and

19 (C) whether such tools have been effective
20 deterrents;

21 (6) a review of resources required to conduct
22 activities to build responsible norms of international
23 cyber behavior;

24 (7) a review to determine whether the budg-
25 etary resources, technical expertise, legal authorities,

1 and personnel available to the Department and other
2 relevant Federal agencies are adequate to achieve
3 the actions and activities undertaken to support the
4 policy described in section 501(a);

5 (8) a review to determine whether the Depart-
6 ment is properly organized and coordinated with
7 other Federal agencies to achieve the objectives de-
8 scribed in section 501(b); and

9 (9) a plan of action, developed in consultation
10 with relevant Federal departments and agencies as
11 the President may direct, to guide the diplomacy of
12 the Department with respect to the inclusion of
13 cyber issues in mutual defense agreements.

14 (c) FORM OF STRATEGY.—

15 (1) PUBLIC AVAILABILITY.—The strategy re-
16 quired under subsection (a) shall be available to the
17 public in unclassified form, including through publi-
18 cation in the Federal Register.

19 (2) CLASSIFIED ANNEX.—The strategy required
20 under subsection (a) may include a classified annex.

21 (d) BRIEFING.—Not later than 30 days after the
22 completion of the strategy required under subsection (a),
23 the Secretary shall brief the appropriate congressional
24 committees regarding the strategy, including any material
25 contained in a classified annex.

1 (e) UPDATES.—The strategy required under sub-
2 section (a) shall be updated—

3 (1) not later than 90 days after any material
4 change to United States policy described in such
5 strategy; and

6 (2) not later than 1 year after the inauguration
7 of each new President.

8 **SEC. 504. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**
9 **ON CYBER DIPLOMACY.**

10 Not later than 18 months after the date of the enact-
11 ment of this Act, the Comptroller General of the United
12 States shall submit a report and provide a briefing to the
13 appropriate congressional committees that includes—

14 (1) an assessment of the extent to which United
15 States diplomatic processes and other efforts with
16 foreign countries, including through multilateral
17 fora, bilateral engagements, and negotiated cyber-
18 space agreements, advance the full range of United
19 States interests regarding cyberspace, including the
20 policy described in section 501(a);

21 (2) an assessment of the Department's organi-
22 zational structure and approach to managing its dip-
23 lomatic efforts to advance the full range of United
24 States interests regarding cyberspace, including a
25 review of—

1 (A) the establishment of a Bureau within
2 the Department to lead the Department's inter-
3 national cyber mission;

4 (B) the current or proposed diplomatic
5 mission, structure, staffing, funding, and activi-
6 ties of such Bureau;

7 (C) how the establishment of such Bureau
8 has impacted or is likely to impact the structure
9 and organization of the Department; and

10 (D) what challenges, if any, the Depart-
11 ment has faced or will face in establishing such
12 Bureau; and

13 (3) any other matters that the Comptroller
14 General determines to be relevant.

15 **SEC. 505. REPORT ON DIPLOMATIC PROGRAMS TO DETECT**
16 **AND RESPOND TO CYBER THREATS AGAINST**
17 **ALLIES AND PARTNERS.**

18 Not later than 180 days after the date of the enact-
19 ment of this Act, the Secretary, in coordination with the
20 heads of other relevant Federal agencies, shall submit a
21 report to the appropriate congressional committees that
22 assesses the capabilities of the Department to provide ci-
23 vilian-led support for acute cyber incident response in ally
24 and partner countries that includes—

1 (1) a description and assessment of the Depart-
2 ment's coordination with cyber programs and oper-
3 ations of the Department of Defense and the De-
4 partment of Homeland Security;

5 (2) recommendations on how to improve coordi-
6 nation and executive of Department involvement in
7 programs or operations to support allies and part-
8 ners in responding to acute cyber incidents; and

9 (3) the budgetary resources, technical expertise,
10 legal authorities, and personnel needed for the De-
11 partment to formulate and implement the programs
12 described in this section.

13 **SEC. 506. CYBERSECURITY RECRUITMENT AND RETEN-**
14 **TION.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that improving computer programming language
17 proficiency will improve—

18 (1) the cybersecurity effectiveness of the De-
19 partment; and

20 (2) the ability of foreign service officers to en-
21 gage with foreign audiences on cybersecurity mat-
22 ters.

23 (b) TECHNOLOGY TALENT ACQUISITION.—

24 (1) ESTABLISHMENT.—The Secretary shall es-
25 tablish positions within the Bureau of Global Talent

1 Management that are solely dedicated to the recruit-
2 ment and retention of Department personnel with
3 backgrounds in cybersecurity, engineering, data
4 science, application development, artificial intel-
5 ligence, critical and emerging technology, and tech-
6 nology and digital policy.

7 (2) GOALS.—The goals of the positions de-
8 scribed in paragraph (1) shall be—

9 (A) to fulfill the critical need of the De-
10 partment to recruit and retain employees for
11 cybersecurity, digital, and technology positions;

12 (B) to actively recruit relevant candidates
13 from academic institutions, the private sector,
14 and related industries;

15 (C) to work with the Office of Personnel
16 Management and the United States Digital
17 Service to develop and implement best strate-
18 gies for recruiting and retaining technology tal-
19 ent; and

20 (D) to inform and train supervisors at the
21 Department on the use of the authorities listed
22 in subsection (c)(1).

23 (3) IMPLEMENTATION PLAN.—Not later than
24 180 days after the date of the enactment of this Act,
25 the Secretary shall submit a plan to the appropriate

1 congressional committees that describes how the ob-
2 jectives and goals set forth in paragraphs (1) and
3 (2) will be implemented.

4 (4) AUTHORIZATION OF APPROPRIATIONS.—

5 There is authorized to be appropriated \$750,000 for
6 each of the fiscal years 2023 through 2027 to carry
7 out this subsection.

8 (c) ANNUAL REPORT ON HIRING AUTHORITIES.—

9 Not later than 1 year after the date of the enactment of
10 this Act, and annually thereafter for the following 5 years,
11 the Secretary shall submit a report to the appropriate con-
12 gressional committees that includes—

13 (1) a list of the hiring authorities available to
14 the Department to recruit and retain personnel with
15 backgrounds in cybersecurity, engineering, data
16 science, application development, artificial intel-
17 ligence, critical and emerging technology, and tech-
18 nology and digital policy;

19 (2) a list of which hiring authorities described
20 in paragraph (1) have been used during the previous
21 5 years;

22 (3) the number of employees in qualified posi-
23 tions hired, aggregated by position and grade level
24 or pay band;

1 (4) the number of employees who have been
2 placed in qualified positions, aggregated by bureau
3 and offices within the Department;

4 (5) the rate of attrition of individuals who begin
5 the hiring process and do not complete the process
6 and a description of the reasons for such attrition;

7 (6) the number of individuals who are inter-
8 viewed by subject matter experts and the number of
9 individuals who are not interviewed by subject mat-
10 ter experts; and

11 (7) recommendations for—

12 (A) reducing the attrition rate referred to
13 in paragraph (5) by 5 percent each year;

14 (B) additional hiring authorities needed to
15 acquire needed technology talent;

16 (C) hiring personnel to hold public trust
17 positions until such personnel can obtain the
18 necessary security clearance; and

19 (D) informing and training supervisors
20 within the Department on the use of the au-
21 thorities listed in paragraph (1).

22 (d) INCENTIVE PAY FOR CYBERSECURITY PROFES-
23 SIONALS.—To increase the number of qualified candidates
24 available to fulfill the cybersecurity needs of the Depart-
25 ment, the Secretary shall—

1 (1) include computer programming languages
2 within the Recruitment Language Program; and

3 (2) provide appropriate language incentive pay.

4 (e) REPORT.—Not later than 1 year after the date
5 of the enactment of this Act, and annually thereafter for
6 the following 5 years, the Secretary shall provide a list
7 to the appropriate congressional committees that identi-
8 fies—

9 (1) the computer programming languages in-
10 cluded within the Recruitment Language Program
11 and the language incentive pay rate; and

12 (2) the number of individuals benefitting from
13 the inclusion of such computer programming lan-
14 guages in the Recruitment Language Program and
15 language incentive pay.

16 **SEC. 507. SHORT COURSE ON EMERGING TECHNOLOGIES**
17 **FOR SENIOR OFFICIALS.**

18 (a) IN GENERAL.—Not later than 1 year after the
19 date of the enactment of this Act, the Secretary shall de-
20 velop and begin providing, for senior officials of the De-
21 partment, a course addressing how the most recent and
22 relevant technologies affect the activities of the Depart-
23 ment.

24 (b) THROUGHPUT OBJECTIVES.—The Secretary
25 should ensure that—

1 (1) during the first year that the course devel-
2 oped pursuant to subsection (a) is offered, not fewer
3 than 20 percent of senior officials are certified as
4 having passed such course; and

5 (2) in each subsequent year, until the date on
6 which 80 percent of senior officials are certified as
7 having passed such course, an additional 10 percent
8 of senior officials are certified as having passed such
9 course.

10 **SEC. 508. ESTABLISHMENT AND EXPANSION OF REGIONAL**
11 **TECHNOLOGY OFFICER PROGRAM.**

12 (a) REGIONAL TECHNOLOGY OFFICER PROGRAM.—

13 (1) ESTABLISHMENT.—The Secretary shall es-
14 tablish a program, which shall be known as the “Re-
15 gional Technology Officer Program” (referred to in
16 this section as the “Program”).

17 (2) GOALS.—The goals of the Program shall in-
18 clude the following:

19 (A) Promoting United States leadership in
20 technology abroad.

21 (B) Working with partners to increase the
22 deployment of critical and emerging technology
23 in support of democratic values.

1 (C) Shaping diplomatic agreements in re-
2 gional and international fora with respect to
3 critical and emerging technologies.

4 (D) Building diplomatic capacity for han-
5 dling critical and emerging technology issues.

6 (E) Facilitating the role of critical and
7 emerging technology in advancing the foreign
8 policy objectives of the United States through
9 engagement with research labs, incubators, and
10 venture capitalists.

11 (F) Maintaining the advantages of the
12 United States with respect to critical and
13 emerging technologies.

14 (b) IMPLEMENTATION PLAN.—Not later than 180
15 days after the date of the enactment of this Act, the Sec-
16 retary shall submit an implementation plan to the appro-
17 priate congressional committees that outlines strategies
18 for—

19 (1) advancing the goals described in subsection

20 (a)(2);

21 (2) hiring Regional Technology Officers and in-
22 creasing the competitiveness of the Program within
23 the Foreign Service bidding process;

24 (3) expanding the Program to include a min-
25 imum of 15 Regional Technology Officers; and

1 (4) assigning not fewer than 2 Regional Tech-
2 nology Officers to posts within—

3 (A) each regional bureau of the Depart-
4 ment; and

5 (B) the Bureau of International Organiza-
6 tion Affairs.

7 (c) ANNUAL BRIEFING REQUIREMENT.—Not later
8 than 180 days after the date of the enactment of this Act,
9 and annually thereafter for the following 5 years, the Sec-
10 retary shall brief the appropriate congressional committees
11 regarding the status of the implementation plan required
12 under subsection (b).

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated \$25,000,000 for each of the
15 fiscal years 2023 through 2027 to carry out this section.

16 **SEC. 509. VULNERABILITY DISCLOSURE POLICY AND BUG**
17 **BOUNTY PROGRAM REPORT.**

18 (a) DEFINITIONS.—In this section:

19 (1) BUG BOUNTY PROGRAM.—The term “bug
20 bounty program” means a program under which an
21 approved individual, organization, or company is
22 temporarily authorized to identify and report
23 vulnerabilities of internet-facing information tech-
24 nology of the Department in exchange for compensa-
25 tion.

1 (2) INFORMATION TECHNOLOGY.—The term
2 “information technology” has the meaning given
3 such term in section 11101 of title 40, United
4 States Code.

5 (b) VULNERABILITY DISCLOSURE POLICY.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act, the Sec-
8 retary shall design, establish, and make publicly
9 known a Vulnerability Disclosure Policy (referred to
10 in this section as the “VDP”) to improve Depart-
11 ment cybersecurity by—

12 (A) creating Department policy and infra-
13 structure to receive reports of and remediate
14 discovered vulnerabilities in line with existing
15 policies of the Office of Management and Budget
16 and the Department of Homeland Security
17 Binding Operational Directive 20–01 or any
18 subsequent directive; and

19 (B) providing a report on such policy and
20 infrastructure to Congress.

21 (2) ANNUAL REPORTS.—Not later than 180
22 days after the establishment of the VDP pursuant to
23 paragraph (1), and annually thereafter for the fol-
24 lowing 5 years, the Secretary shall submit a report
25 on the VDP to the Committee on Foreign Relations

1 of the Senate, the Committee on Homeland Security
2 and Governmental Affairs of the Senate, the Com-
3 mittee on Foreign Affairs of the House of Rep-
4 resentatives, and the Committee on Homeland Secu-
5 rity of the House of Representatives that includes
6 information relating to—

7 (A) the number and severity of all security
8 vulnerabilities reported;

9 (B) the number of previously unidentified
10 security vulnerabilities remediated as a result;

11 (C) the current number of outstanding
12 previously unidentified security vulnerabilities
13 and Department of State remediation plans;

14 (D) the average time between the reporting
15 of security vulnerabilities and remediation of
16 such vulnerabilities;

17 (E) the resources, surge staffing, roles,
18 and responsibilities within the Department used
19 to implement the VDP and complete security
20 vulnerability remediation;

21 (F) how the VDP identified vulnerabilities
22 are incorporated into existing Department vul-
23 nerability prioritization and management proc-
24 esses;

1 (G) any challenges in implementing the
2 VDP and plans for expansion or contraction in
3 the scope of the VDP across Department infor-
4 mation systems; and

5 (H) any other topic that the Secretary de-
6 termines to be relevant.

7 (c) BUG BOUNTY PROGRAM REPORT.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of the enactment of this Act, the Sec-
10 retary shall submit a report to Congress that de-
11 scribes any ongoing efforts by the Department or a
12 third-party vendor under contract with the Depart-
13 ment to establish or carry out a bug bounty program
14 that identifies security vulnerabilities of internet-
15 facing information technology of the Department.

16 (2) REPORT.—Not later than 180 days after
17 the date on which any bug bounty program is estab-
18 lished, the Secretary shall submit a report to the
19 Committee on Foreign Relations of the Senate, the
20 Committee on Homeland Security and Governmental
21 Affairs of the Senate, the Committee on Foreign Af-
22 fairs of the House of Representatives, and the Com-
23 mittee on Homeland Security of the House of Rep-
24 resentatives regarding such program, including in-
25 formation relating to—

1 (A) the number of approved individuals,
2 organizations, or companies involved in such
3 program, disaggregated by the number of ap-
4 proved individuals, organizations, or companies
5 that—

6 (i) registered;

7 (ii) were approved;

8 (iii) submitted security vulnerabilities;

9 and

10 (iv) received compensation;

11 (B) the number and severity of all security
12 vulnerabilities reported as part of such pro-
13 gram;

14 (C) the number of previously unidentified
15 security vulnerabilities remediated as a result of
16 such program;

17 (D) the current number of outstanding
18 previously unidentified security vulnerabilities
19 and Department remediation plans for such
20 outstanding vulnerabilities;

21 (E) the average length of time between the
22 reporting of security vulnerabilities and remedi-
23 ation of such vulnerabilities;

24 (F) the types of compensation provided
25 under such program;

1 (G) the lessons learned from such pro-
2 gram;

3 (H) the public accessibility of contact in-
4 formation for the Department regarding the
5 bug bounty program;

6 (I) the incorporation of bug bounty pro-
7 gram identified vulnerabilities into existing De-
8 partment vulnerability prioritization and man-
9 agement processes; and

10 (J) any challenges in implementing the bug
11 bounty program and plans for expansion or
12 contraction in the scope of the bug bounty pro-
13 gram across Department information systems.

14 **TITLE VI—PUBLIC DIPLOMACY**

15 **SEC. 601. UNITED STATES PARTICIPATION IN INTER-** 16 **NATIONAL FAIRS AND EXPOSITIONS.**

17 (a) IN GENERAL.—Notwithstanding section 204 of
18 the Admiral James W. Nance and Meg Donovan Foreign
19 Relations Authorization Act, Fiscal Years 2000 and 2001
20 (22 U.S.C. 2452b), and subject to subsection (b), amounts
21 available under title I of the Department of State, Foreign
22 Operations, and Related Programs Appropriations Act,
23 2022 (division K of Public Law 117–103), or under prior
24 such Acts, may be made available to pay for expenses re-
25 lated to United States participation in international fairs

1 and expositions abroad, including for construction and op-
2 eration of pavilions or other major exhibits.

3 (b) LIMITATION ON SOLICITATION OF FUNDS.—Sen-
4 ior employees of the Department, in their official capacity,
5 may not solicit funds to pay expenses for a United States
6 pavilion or other major exhibit at any international expo-
7 sition or world’s fair registered by the Bureau of Inter-
8 national Expositions.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated \$20,000,000 to the Depart-
11 ment for United States participation in international fairs
12 and expositions abroad, including for construction and op-
13 eration of pavilions or other major exhibits.

14 **SEC. 602. PRESS FREEDOM CURRICULUM.**

15 The Secretary shall ensure that there is a press free-
16 dom curriculum for the National Foreign Affairs Training
17 Center that enables Foreign Service officers to better un-
18 derstand issues of press freedom and the tools that are
19 available to help protect journalists and promote freedom
20 of the press norms, which may include—

21 (1) the historic and current issues facing press
22 freedom, including countries of specific concern;

23 (2) the Department’s role in promoting press
24 freedom as an American value, a human rights
25 issue, and a national security imperative;

1 (3) ways to incorporate press freedom pro-
2 motion into other aspects of diplomacy; and

3 (4) existing tools to assist journalists in distress
4 and methods for engaging foreign governments and
5 institutions on behalf of individuals engaged in jour-
6 nalistic activity who are at risk of harm.

7 **SEC. 603. GLOBAL ENGAGEMENT CENTER.**

8 (a) IN GENERAL.—Section 1287(j) of the National
9 Defense Authorization Act for Fiscal Year 2017 (22
10 U.S.C. 2656 note) is amended by striking “the date that
11 is 8 years after the date of the enactment of this Act”
12 and inserting “December 31, 2027”.

13 (b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT
14 CENTER.—Notwithstanding any other provision of law,
15 the Secretary, during the 5-year period beginning on the
16 date of the enactment of this Act and solely to carry out
17 the functions of the Global Engagement Center described
18 in section 1287(b) of the National Defense Authorization
19 Act for Fiscal Year 2017 (22 U.S.C. 2656 note), may—

20 (1) appoint employees without regard to ap-
21 pointment in the competitive service; and

22 (2) fix the basic compensation of such employ-
23 ees regarding classification and General Schedule
24 pay rates.

1 **SEC. 604. UNDER SECRETARY FOR PUBLIC DIPLOMACY.**

2 Section 1(b)(3) of the State Department Basic Au-
3 thorities Act of 1956 (22 U.S.C. 2651a) is amended—

4 (1) in subparagraph (D), by striking “and” at
5 the end;

6 (2) in subparagraph (E), by striking the period
7 at the end and inserting “; and”; and

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

9 “(F) coordinate the allocation and manage-
10 ment of the financial and human resources for
11 public diplomacy, including for—

12 “(i) the Bureau of Educational and
13 Cultural Affairs;

14 “(ii) the Bureau of Global Public Af-
15 fairs;

16 “(iii) the Office of Policy, Planning,
17 and Resources for Public Diplomacy and
18 Public Affairs;

19 “(iv) the Global Engagement Center;
20 and

21 “(v) the public diplomacy functions
22 within the regional and functional bu-
23 reaus.”.

1 **TITLE VII—OTHER MATTERS**

2 **SEC. 701. SUPPORTING THE EMPLOYMENT OF UNITED**
3 **STATES CITIZENS BY INTERNATIONAL ORGA-**
4 **NIZATIONS.**

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

7 (1) the Department should continue to elimi-
8 nate the unreasonable barriers United States nation-
9 als face to obtain employment in the United Nations
10 Secretariat, fund, programs, and agencies; and

11 (2) the Department should bolster efforts to in-
12 crease the number of qualified United States nation-
13 als who are candidates for leadership and oversight
14 positions in the United Nations system, agencies,
15 and commissions, and in other international organi-
16 zations.

17 (b) IN GENERAL.—The Secretary is authorized to
18 promote the employment and advancement of United
19 States citizens by international organizations and bodies,
20 including by—

21 (1) providing stipends, consultation, and analyt-
22 ical services to support United States citizen appli-
23 cants; and

24 (2) making grants for the purposes described in
25 paragraph (1).

1 (c) USING DIPLOMATIC PROGRAMS FUNDING TO
2 PROMOTE THE EMPLOYMENT OF UNITED STATES CITI-
3 ZENS BY INTERNATIONAL ORGANIZATIONS.—Amounts
4 appropriated under the heading “DIPLOMATIC PROGRAMS”
5 in any Act making appropriations for the Department of
6 State, Foreign Operations, and Related Programs may be
7 made available for grants, programs, and activities de-
8 scribed in subsection (b).

9 (d) STRATEGY TO ESTABLISH JUNIOR PROFES-
10 SIONAL PROGRAM.—

11 (1) IN GENERAL.—Not later than 120 days
12 after the date of the enactment of this Act, the Sec-
13 retary, in coordination with the Secretary of the
14 Treasury and other relevant cabinet members, shall
15 publish a strategy for encouraging United States
16 citizens to pursue careers with international organi-
17 zations, particularly organizations that—

18 (A) set international scientific, technical,
19 or commercial standards; or

20 (B) are involved in international finance
21 and development.

22 (2) REPORT TO CONGRESS.—Not later than 90
23 days after the date of the enactment of this Act, the
24 Secretary, in coordination with the Secretary of the
25 Treasury and other relevant cabinet members, shall

1 submit a report to the appropriate congressional
2 committees that identifies—

3 (A) the number of United States citizens
4 who are involved in relevant junior professional
5 programs in an international organization;

6 (B) the distribution of individuals de-
7 scribed in subparagraph (A) among various
8 international organizations; and

9 (C) the types of predeployment training
10 that are available to United States citizens
11 through a junior professional program at an
12 international organization.

13 **SEC. 702. INCREASING HOUSING AVAILABILITY FOR CER-**
14 **TAIN EMPLOYEES ASSIGNED TO THE UNITED**
15 **STATES MISSION TO THE UNITED NATIONS.**

16 Section 9(2) of the United Nations Participation Act
17 of 1945 (22 U.S.C. 287e–1(2)), is amended by striking
18 “30” and inserting “41”.

19 **SEC. 703. LIMITATION ON UNITED STATES CONTRIBUTIONS**
20 **TO PEACEKEEPING OPERATIONS NOT AU-**
21 **THORIZED BY THE UNITED NATIONS SECU-**
22 **RITY COUNCIL.**

23 The United Nations Participation Act of 1945 (22
24 U.S.C. 287 et seq.) is amended by adding at the end the
25 following:

1 **“SEC. 12. LIMITATION ON UNITED STATES CONTRIBUTIONS**
2 **TO PEACEKEEPING OPERATIONS NOT AU-**
3 **THORIZED BY THE UNITED NATIONS SECU-**
4 **RITY COUNCIL.**

5 “None of the funds authorized to be appropriated or
6 otherwise made available to pay assessed and other ex-
7 penses of international peacekeeping activities under this
8 Act may be made available for an international peace-
9 keeping operation that has not been expressly authorized
10 by the United Nations Security Council.”.

11 **SEC. 704. BOARDS OF RADIO FREE EUROPE/RADIO LIB-**
12 **ERTY, RADIO FREE ASIA, THE MIDDLE EAST**
13 **BROADCASTING NETWORKS, AND THE OPEN**
14 **TECHNOLOGY FUND.**

15 The United States International Broadcasting Act of
16 1994 (22 U.S.C. 6201 et seq.) is amended by inserting
17 after section 306 (22 U.S.C. 6205) the following:

18 **“SEC. 307. GRANTEE CORPORATE BOARDS OF DIRECTORS.**

19 “(a) IN GENERAL.—The corporate board of directors
20 of each grantee under this title—

21 “(1) shall be bipartisan;

22 “(2) shall, except as otherwise provided in this
23 Act, have the sole responsibility to operate their re-
24 spective grantees within the jurisdiction of their re-
25 spective States of incorporation;

1 “(3) shall be composed of not fewer than 5
2 members, who shall be qualified individuals who are
3 not employed in the public sector; and

4 “(4) shall appoint successors in the event of va-
5 cancies on their respective boards, in accordance
6 with applicable bylaws.

7 “(b) NOT FEDERAL EMPLOYEES.—No employee of
8 any grantee under this title may be a Federal employee.”.

9 **SEC. 705. BROADCASTING ENTITIES NO LONGER REQUIRED**
10 **TO CONSOLIDATE INTO A SINGLE PRIVATE,**
11 **NONPROFIT CORPORATION.**

12 Section 310 of the United States International
13 Broadcasting Act of 1994 (22 U.S.C. 6209) is repealed.

14 **SEC. 706. INTERNATIONAL BROADCASTING ACTIVITIES.**

15 Section 305(a) of the United States International
16 Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amend-
17 ed—

18 (1) by striking paragraph (20);

19 (2) by redesignating paragraphs (21), (22), and
20 (23) as paragraphs (20), (21), and (22), respec-
21 tively; and

22 (3) in paragraph (20), as redesignated, by
23 striking “or between grantees,”.

1 **SEC. 707. GLOBAL INTERNET FREEDOM.**

2 (a) STATEMENT OF POLICY.—It is the policy of the
3 United States to promote internet freedom through pro-
4 grams of the Department and USAID that preserve and
5 expand the internet as an open, global space for freedom
6 of expression and association, which shall be prioritized
7 for countries—

8 (1) whose governments restrict freedom of ex-
9 pression on the internet; and

10 (2) that are important to the national interest
11 of the United States.

12 (b) PURPOSE AND COORDINATION WITH OTHER
13 PROGRAMS.—Global internet freedom programming under
14 this section—

15 (1) shall be coordinated with other United
16 States foreign assistance programs that promote de-
17 mocracy and support the efforts of civil society—

18 (A) to counter the development of repres-
19 sive internet-related laws and regulations, in-
20 cluding countering threats to internet freedom
21 at international organizations;

22 (B) to combat violence against bloggers
23 and other civil society activists who utilize the
24 internet; and

25 (C) to enhance digital security training
26 and capacity building for democracy activists;

1 (2) shall seek to assist efforts—

2 (A) to research key threats to internet
3 freedom;

4 (B) to continue the development of tech-
5 nologies that provide or enhance access to the
6 internet, including circumvention tools that by-
7 pass internet blocking, filtering, and other cen-
8 sorship techniques used by authoritarian gov-
9 ernments; and

10 (C) to maintain the technological advan-
11 tage of the Federal Government over the cen-
12 sorship techniques described in subparagraph
13 (B); and

14 (3) shall be incorporated into country assistance
15 and democracy promotion strategies, as appropriate.

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated for fiscal year 2023—

18 (1) \$75,000,000 to the Department and
19 USAID, which shall be used to continue efforts to
20 promote internet freedom globally, and shall be
21 matched, to the maximum extent practicable, by
22 sources other than the Federal Government, includ-
23 ing the private sector; and

24 (2) \$49,000,000 to the United States Agency
25 for Global Media (referred to in this section as the

1 “USAGM”) and its grantees, which shall be used for
2 internet freedom and circumvention technologies
3 that are designed—

4 (A) for open-source tools and techniques to
5 securely develop and distribute digital content
6 produced by the USAGM and its grantees;

7 (B) to facilitate audience access to such
8 digital content on websites that are censored;

9 (C) to coordinate the distribution of such
10 digital content to targeted regional audiences;
11 and

12 (D) to promote and distribute such tools
13 and techniques, including digital security tech-
14 niques.

15 (d) UNITED STATES AGENCY FOR GLOBAL MEDIA
16 ACTIVITIES.—

17 (1) ANNUAL CERTIFICATION.—For any new
18 tools or techniques authorized under subsection
19 (c)(2), the Chief Executive Officer of the USGAM,
20 in consultation with the President of the Open Tech-
21 nology Fund (referred to in this subsection as the
22 “OTF”) and relevant Federal departments and
23 agencies, shall submit an annual certification to the
24 appropriate congressional committees that verifies
25 they—

1 (A) have evaluated the risks and benefits
2 of such new tools or techniques; and

3 (B) have established safeguards to mini-
4 mize the use of such new tools or techniques for
5 illicit purposes.

6 (2) INFORMATION SHARING.—The Secretary
7 may not direct programs or policy of the USAGM or
8 the OTF, but may share any research and develop-
9 ment with relevant Federal departments and agen-
10 cies for the exclusive purposes of—

11 (A) sharing information, technologies, and
12 best practices; and

13 (B) assessing the effectiveness of such
14 technologies.

15 (3) UNITED STATES AGENCY FOR GLOBAL
16 MEDIA.—The Chief Executive Officer of the
17 USAGM, in consultation with the President of the
18 OTF, shall—

19 (A) coordinate international broadcasting
20 programs and incorporate such programs into
21 country broadcasting strategies, as appropriate;

22 (B) solicit project proposals through an
23 open, transparent, and competitive application
24 process, including by seeking input from tech-
25 nical and subject matter experts; and

1 (C) support internet circumvention tools
2 and techniques for audiences in countries that
3 are strategic priorities for the OTF, in accord-
4 ance with USAGM’s annual language service
5 prioritization review.

6 (e) USAGM REPORT.—Not later than 120 days after
7 the date of the enactment of this Act, the Chief Executive
8 Office of the USAGM shall submit a report to the appro-
9 priate congressional committees that describes—

10 (1) as of the date of the report—

11 (A) the full scope of internet freedom pro-
12 grams within the USAGM, including—

13 (i) the efforts of the Office of Internet
14 Freedom; and

15 (ii) the efforts of the Open Tech-
16 nology Fund;

17 (B) the capacity of internet censorship cir-
18 cumvention tools supported by the Office of
19 Internet Freedom and grantees of the Open
20 Technology Fund that are available for use by
21 individuals in foreign countries seeking to coun-
22 teract censors; and

23 (C) any barriers to the provision of the ef-
24 forts described in clauses (i) and (ii) of sub-

1 paragraph (A), including access to surge fund-
2 ing; and

3 (2) successful examples from the Office of
4 Internet Freedom and Open Technology Fund in-
5 volving—

6 (A) responding rapidly to internet shut-
7 downs in closed societies; and

8 (B) ensuring uninterrupted circumvention
9 services for USAGM entities to promote inter-
10 net freedom within repressive regimes.

11 (f) JOINT REPORT.—Not later than 60 days after the
12 date of the enactment of this Act, the Secretary and the
13 Administrator of USAID shall jointly submit a report,
14 which may include a classified annex, to the appropriate
15 congressional committees that describes—

16 (1) as of the date of the report—

17 (A) the full scope of internet freedom pro-
18 grams within the Department and USAID, in-
19 cluding—

20 (i) Department circumvention efforts;

21 and

22 (ii) USAID efforts to support internet
23 infrastructure;

24 (B) the capacity of internet censorship cir-
25 cumvention tools supported by the Federal Gov-

1 ernment that are available for use by individ-
2 uals in foreign countries seeking to counteract
3 censors; and

4 (C) any barriers to provision of the efforts
5 enumerated in clauses (i) and (ii) of subsection
6 (e)(1)(A), including access to surge funding;
7 and

8 (2) any new resources needed to provide the
9 Federal Government with greater capacity to provide
10 and boost internet access—

11 (A) to respond rapidly to internet shut-
12 downs in closed societies; and

13 (B) to provide internet connectivity to for-
14 eign locations where the provision of additional
15 internet access service would promote freedom
16 from repressive regimes.

17 (g) SECURITY AUDITS.—Before providing any sup-
18 port for open source technologies under this section, such
19 technologies must undergo comprehensive security audits
20 to ensure that such technologies are secure and have not
21 been compromised in a manner that is detrimental to the
22 interest of the United States or to the interests of individ-
23 uals and organizations benefitting from programs sup-
24 ported by such funding.

25 (h) SURGE.—

1 (1) AUTHORIZATION OF APPROPRIATIONS.—

2 Subject to paragraph (2), there is authorized to be
3 appropriated, in addition to amounts otherwise made
4 available for such purposes, \$2,500,000 to support
5 internet freedom programs in closed societies, in-
6 cluding programs that—

7 (A) are carried out in crisis situations by
8 vetted entities that are already engaged in
9 internet freedom programs;

10 (B) involve circumvention tools; or

11 (C) increase the overseas bandwidth for
12 companies that received Federal funding during
13 the previous fiscal year.

14 (2) CERTIFICATION.—Amounts authorized to be
15 appropriated pursuant to paragraph (1) may not be
16 expended until the Secretary has certified to the ap-
17 propriate congressional committees, the Committee
18 on Appropriations of the Senate, and the Committee
19 on Appropriations of the House of Representatives
20 that the use of such funds is in the national interest
21 of the United States.

22 (i) DEFINED TERM.—In this section, the term “inter-
23 net censorship circumvention tool” means a software ap-
24 plication or other tool that an individual can use to evade
25 foreign government restrictions on internet access.

1 **SEC. 708. ARMS EXPORT CONTROL ACT ALIGNMENT WITH**
2 **THE EXPORT CONTROL REFORM ACT.**

3 Section 38(e) of the Arms Export Control Act (22
4 U.S.C. 2778(e)) is amended—

5 (1) by striking “subsections (c), (d), (e), and
6 (g) of section 11 of the Export Administration Act
7 of 1979, and by subsections (a) and (c) of section
8 12 of such Act” and inserting “subsections (c) and
9 (d) of section 1760 of the Export Control Reform
10 Act of 2018 (50 U.S.C. 4819), and by subsections
11 (a)(1), (a)(2), (a)(3), (a)(4), (a)(7), (c), and (h) of
12 section 1761 of such Act (50 U.S.C. 4820)”;

13 (2) by striking “11(c)(2)(B) of such Act” and
14 inserting “1760(c)(2) of such Act (50 U.S.C.
15 4819(e)(2))”;

16 (3) by striking “11(c) of the Export Adminis-
17 tration Act of 1979” and inserting “section 1760(c)
18 of the Export Control Reform Act of 2018 (50
19 U.S.C. 4819(e))”; and

20 (4) by striking “\$500,000” and inserting “the
21 greater of \$1,200,000 or the amount that is twice
22 the value of the transaction that is the basis of the
23 violation with respect to which the penalty is im-
24 posed.”.

1 **SEC. 709. INCREASING THE MAXIMUM ANNUAL LEASE PAY-**
2 **MENT AVAILABLE WITHOUT APPROVAL BY**
3 **THE SECRETARY.**

4 Section 10(a) of the Foreign Service Buildings Act,
5 1926 (22 U.S.C. 301(a)), is amended by striking
6 “\$50,000” and inserting “\$100,000”.

7 **SEC. 710. REPORT ON UNITED STATES ACCESS TO CRIT-**
8 **ICAL MINERAL RESOURCES ABROAD.**

9 Not later than 120 days after the date of the enact-
10 ment of this Act, the Secretary shall submit a report to
11 the appropriate congressional committees that details,
12 with regard to the Department—

13 (1) diplomatic efforts to ensure United States
14 access to critical minerals acquired from outside of
15 the United States that are used to manufacture
16 clean energy technologies; and

17 (2) collaboration with other parts of the Fed-
18 eral Government to build a robust supply chain for
19 critical minerals necessary to manufacture clean en-
20 ergy technologies.

21 **SEC. 711. ENSURING THE INTEGRITY OF COMMUNICATIONS**
22 **COOPERATION.**

23 (a) **DEFINED TERM.**—In this section, the term “ap-
24 propriate congressional committees” means—

25 (1) the Committee on Foreign Relations of the
26 Senate;

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

3 (3) the Committee on Armed Services of the
4 Senate;

5 (4) the Committee on Foreign Affairs of the
6 House of Representatives;

7 (5) the Permanent Select Committee on Intel-
8 ligence of the House of Representatives; and

9 (6) the Committee on Armed Services of the
10 House of Representatives.

11 (b) DETERMINATION.—Notwithstanding any other
12 provision of law, not later than 15 days after any Chief
13 of Mission determines that communications equipment
14 provided by the United States Government to a foreign
15 government has been used for a purpose other than the
16 purpose for which the equipment was authorized, the Sec-
17 retary shall submit to the appropriate congressional com-
18 mittees—

19 (1) an unclassified notification that indicates
20 that such an incident occurred and the country in
21 which it occurred; and

22 (2) a classified notification that describes the
23 incident concerned, including a description of—

24 (A) the Federal department or agency that
25 provided the equipment;

1 (B) the foreign entity or individual that
2 used the equipment for unlawful purposes; and

3 (C) how the equipment was used in an un-
4 lawful manner.

5 **SEC. 712. CONGRESSIONAL OVERSIGHT, QUARTERLY RE-**
6 **VIEW, AND AUTHORITY RELATING TO CON-**
7 **CURRENCE PROVIDED BY CHIEFS OF MIS-**
8 **SION FOR THE PROVISION OF SUPPORT RE-**
9 **LATING TO CERTAIN UNITED STATES GOV-**
10 **ERNMENT OPERATIONS.**

11 (a) NOTIFICATION REQUIRED.—Not later than 30
12 days after the date on which a Chief of Mission provides
13 concurrence for the provision of United States Govern-
14 ment support to entities or individuals engaged in facili-
15 tating or supporting United States Government military-
16 or security-related operations within the area of responsi-
17 bility of the Chief of Mission, the Secretary shall notify
18 the appropriate congressional committees of the provision
19 of such concurrence.

20 (b) SEMIANNUAL REVIEW, DETERMINATION, AND
21 BRIEFING REQUIRED.—Not less frequently than every
22 180 days, the Secretary, in order to ensure that the sup-
23 port described in subsection (a) continues to align with
24 United States foreign policy objectives and the objectives
25 of the Department, shall—

1 (1) conduct a review of any concurrence de-
2 scribed in subsection (a) in effect as of the date of
3 the review;

4 (2) based on the review, determine whether to
5 revoke any such concurrence pending further study
6 and review; and

7 (3) brief the appropriate congressional commit-
8 tees on the results of the review.

9 (c) REVOCATION OF CONCURRENCE.—If the Sec-
10 retary determines to revoke any concurrence described in
11 subsection (a) pursuant to a review conducted under sub-
12 section (b), the Secretary may revoke such concurrence.

13 (d) ANNUAL REPORT REQUIRED.—Not later than
14 January 31 of each year, the Secretary shall submit to
15 the appropriate congressional committees a report that in-
16 cludes the following:

17 (1) A description of any support described in
18 subsection (a) that was provided with the concur-
19 rence of a Chief of Mission during the calendar year
20 preceding the calendar year in which the report is
21 submitted.

22 (2) An analysis of the effects of the support de-
23 scribed in paragraph (1) on diplomatic lines of ef-
24 fort, including with respect to—

1 (A) Nonproliferation, Anti-terrorism,
2 Demining, and Related Programs (NADR) and
3 associated Antiterrorism Assistance (ATA) pro-
4 grams;

5 (B) International Narcotics Control and
6 Law Enforcement (INCLE) programs; and

7 (C) Foreign Military Sales (FMS), Foreign
8 Military Financing (FMF), and associated
9 training programs.

10 **SEC. 713. PROVISION OF PARKING SERVICES AND RETEN-**
11 **TION OF PARKING FEES.**

12 The Secretary of State may—

13 (1) provide parking services, including electric
14 vehicle charging and other parking services, in facili-
15 ties operated by or for the Department; and

16 (2) charge fees for such services that may be
17 deposited into the appropriate account of the De-
18 partment, to remain available until expended for the
19 purposes of such account.

20 **SEC. 714. DIPLOMATIC RECEPTION AREAS.**

21 (a) **DEFINED TERM.**—In this section, the term “re-
22 ception areas” has the meaning given such term in section
23 41(c) of the State Department Basic Authorities Act of
24 1956 (22 U.S.C. 2713(c)).

1 (b) IN GENERAL.—The Secretary may sell goods and
2 services and use the proceeds of such sales for administra-
3 tion and related support of the reception areas consistent
4 with section 41(a) of the State Department Basic Authori-
5 ties Act of 1956 (22 U.S.C. 2713(a)).

6 (c) AMOUNTS COLLECTED.—Amounts collected pur-
7 suant to the authority provided under subsection (b) may
8 be deposited into an account in the Treasury, to remain
9 available until expended.

10 **SEC. 715. CONSULAR AND BORDER SECURITY PROGRAMS**

11 **VISA SERVICES COST RECOVERY PROPOSAL.**

12 Section 103 of the Enhanced Border Security and
13 Visa Entry Reform Act of 2002 (8 U.S.C. 1713) is amend-
14 ed—

15 (1) in subsection (b)—

16 (A) by inserting “or surcharge” after “ma-
17 chine-readable visa fee”; and

18 (B) by adding at the end the following:

19 “The amount of the machine-readable visa fee
20 or surcharge under this subsection may also ac-
21 count for the cost of other consular services
22 that are not otherwise subject to a fee or sur-
23 charge retained by the Department of State.”;
24 and

1 (2) in subsection (d), by inserting “or sur-
2 charges” after “amounts collected as fees”.

3 **SEC. 716. RETURN OF SUPPORTING DOCUMENTS FOR PASS-**
4 **PORT APPLICATIONS THROUGH UNITED**
5 **STATES POSTAL SERVICE CERTIFIED MAIL.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary shall es-
8 tablish a procedure that provides, to any individual apply-
9 ing for a new United States passport or to renew the
10 United States passport of the individual by mail, the op-
11 tion to have supporting documents for the application re-
12 turned to the individual by the United States Postal Serv-
13 ice through certified mail.

14 (b) COST.—

15 (1) RESPONSIBILITY.—The cost of returning
16 supporting documents to an individual as described
17 in subsection (a) shall be the responsibility of the in-
18 dividual.

19 (2) FEE.—The fee charged to the individual by
20 the Secretary for returning supporting documents as
21 described in subsection (a) shall be the sum of—

22 (A) the retail price charged by the United
23 States Postal Service for the service; and

24 (B) the estimated cost of processing the
25 return of the supporting documents.

1 (3) REPORT.—The Secretary shall submit a re-
2 port to the appropriate congressional committees
3 that—

4 (A) details the costs included in the proc-
5 essing fee described in paragraph (2); and

6 (B) includes an estimate of the average
7 cost per request.

8 **SEC. 717. REPORT ON DISTRIBUTION OF PERSONNEL AND**
9 **RESOURCES RELATED TO ORDERED DEPAR-**
10 **TURES AND POST CLOSURES.**

11 Not later than 90 days after the date of the enact-
12 ment of this Act, the Secretary of State shall submit a
13 report to the appropriate congressional committees that
14 describes—

15 (1) how Department personnel and resources
16 dedicated to Mission Afghanistan were reallocated
17 following the closure of diplomatic posts in Afghani-
18 stan in August 2021; and

19 (2) the extent to which Department personnel
20 and resources for Mission Iraq were reallocated fol-
21 lowing ordered departures for diplomatic posts in
22 March 2020, and how such resources were reallo-
23 cated.

1 **SEC. 718. ELIMINATION OF OBSOLETE REPORTS.**

2 (a) CERTIFICATION OF EFFECTIVENESS OF THE
3 AUSTRALIA GROUP.—Section 2(7) of Senate Resolution
4 75 (105th Congress) is amended by striking subparagraph
5 (C).

6 (b) ACTIVITIES OF THE TALIBAN.—Section
7 7044(a)(4) of the Department of State, Foreign Oper-
8 ations, and Related Programs Appropriations Act, 2021
9 (division K of Public Law 116–260) is amended by strik-
10 ing “the following purposes—” and all that follows
11 through “(B)”.

12 (c) PLANS TO IMPLEMENT THE GANDHI-KING
13 SCHOLARLY EXCHANGE INITIATIVE.—The Gandhi-King
14 Scholarly Exchange Initiative Act (subtitle D of title III
15 of division FF of Public Law 116–260) is amended by
16 striking section 336.

17 (d) PROGRESS REPORT ON JERUSALEM EMBASSY.—
18 The Jerusalem Embassy Act of 1995 (Public Law 104–
19 45) is amended by striking section 6.

20 (e) BURMA’S TIMBER TRADE.—The Tom Lantos
21 Block Burmese JADE (Junta’s Anti-Democratic Efforts)
22 Act of 2008 (Public Law 110–286; 50 U.S.C. 1701 note)
23 is amended by striking section 12.

24 (f) MONITORING OF ASSISTANCE FOR AFGHANI-
25 STAN.—Section 103 of the Afghanistan Freedom Support

1 Act of 2002 (22 U.S.C. 7513) is amended by striking sub-
2 section (d).

3 (g) PRESIDENTIAL ANTI-PEDOPHILIA CERTIFI-
4 CATION.—Section 102 of the Foreign Relations Authoriza-
5 tion Act, Fiscal Years 1994 and 1995 (Public Law 103-
6 236) is amended by striking subsection (g).

7 (h) MICROENTERPRISE FOR SELF-RELIANCE RE-
8 PORT.—Title III of the Microenterprise for Self-Reliance
9 and International Anti-Corruption Act of 2000 (Public
10 Law 106-309; 22 U.S.C. 2462 note) is amended by strik-
11 ing section 304.

12 (i) PROMOTING THE RULE OF LAW IN THE RUSSIAN
13 FEDERATION TO SUPPORT UNITED STATES TRADE AND
14 INVESTMENT.—The Sergei Magnitsky Rule of Law Ac-
15 countability Act of 2012 (Public Law 112-208), is amend-
16 ed—

17 (1) in the table of contents, by amending the
18 item relating to section 202 to read as follows:

“Sec. 202. Reporting bribery and corruption in the Russian Federation to sup-
port United States trade and investment.”.

19 (2) by amending section 202 to read as follows:

20 **“SEC. 202. REPORTING BRIBERY AND CORRUPTION IN THE**
21 **RUSSIAN FEDERATION TO SUPPORT UNITED**
22 **STATES TRADE AND INVESTMENT.**

23 “(a) IN GENERAL.—The Secretary of Commerce
24 shall establish and maintain a dedicated phone hotline and

1 secure website, accessible from within and outside the
2 Russian Federation, for the purpose of allowing United
3 States entities—

4 “(1) to report instances of bribery, attempted
5 bribery, or other forms of corruption in the Russian
6 Federation that impact or potentially impact their
7 operations; and

8 “(2) to request the assistance of the United
9 States with respect to issues relating to corruption
10 in the Russian Federation.

11 “(b) REPORT REQUIRED.—

12 “(1) IN GENERAL.—Not later than 1 year after
13 the effective date under section 102(b) of the exten-
14 sion of nondiscriminatory treatment to the products
15 of the Russian Federation, and annually thereafter,
16 the Secretary of Commerce shall submit a report to
17 the Committee on Finance of the Senate and the
18 Committee on Ways and Means of the House of
19 Representatives that includes—

20 “(A) the number of instances in which
21 bribery, attempted bribery, or other forms of
22 corruption have been reported using the hotline
23 or website established pursuant to subsection
24 (a);

1 “(B) a description of the regions in the
2 Russian Federation in which such instances are
3 alleged to have occurred;

4 “(C) a summary of actions taken by the
5 United States to provide assistance to United
6 States entities pursuant to subsection (a)(2);
7 and

8 “(D) a description of the efforts taken by
9 the Secretary of Commerce to inform United
10 States entities conducting business in the Rus-
11 sian Federation, or considering conducting busi-
12 ness in the Russian Federation, of the avail-
13 ability of assistance through the hotline and
14 website established pursuant to subsection (a).

15 “(2) CONFIDENTIALITY.—The Secretary of
16 Commerce may not include, in the report required
17 under paragraph (1), the identity of a United States
18 entity that reports instances of bribery, attempted
19 bribery, or other forms of corruption in the Russian
20 Federation or requests assistance pursuant to sub-
21 section (a).”.

22 **SEC. 719. LOCALITY PAY FOR FEDERAL EMPLOYEES WORK-**
23 **ING OVERSEAS UNDER DOMESTIC EMPLOYEE**
24 **TELEWORKING OVERSEAS AGREEMENTS.**

25 (a) DEFINITIONS.—In this section:

1 (1) CIVIL SERVICE.—The term “civil service”
2 has the meaning given the term in section 2101 of
3 title 5, United States Code.

4 (2) COVERED EMPLOYEE.—The term “covered
5 employee” means an employee who—

6 (A) occupies a position in the civil service;

7 and

8 (B) is working overseas under a Domestic
9 Employee Teleworking Overseas agreement.

10 (3) LOCALITY PAY.—The term “locality pay”
11 means a locality-based comparability payment paid
12 in accordance with subsection (b).

13 (4) NONFOREIGN AREA.—The term “nonforeign
14 area” has the meaning given the term in section
15 591.205 of title 5, Code of Federal Regulations, or
16 any successor regulation.

17 (5) OVERSEAS.—The term “overseas” means
18 any geographic location that is not in—

19 (A) the continental United States; or

20 (B) a nonforeign area.

21 (b) PAYMENT OF LOCALITY PAY.—Each covered em-
22 ployee shall be paid locality pay in an amount that is equal
23 to the lesser of—

24 (1) the amount of a locality-based comparability
25 payment that the covered employee would have been

1 paid under section 5304 or 5304a of title 5, United
2 States Code, had the official duty station of the cov-
3 ered employee not been changed to reflect an over-
4 seas location under the applicable Domestic Em-
5 ployee Teleworking Overseas agreement; or

6 (2) the amount of a locality-based comparability
7 payment that the covered employee would be paid
8 under section 1113 of the Supplemental Appropria-
9 tions Act, 2009 (Public Law 111–32), as limited
10 under section 803(a)(4)(B) of this Act, if the cov-
11 ered employee were an eligible member of the For-
12 eign Service (as defined in subsection (b) of such
13 section 1113).

14 (c) APPLICATION.—Locality pay paid to a covered
15 employee under this section—

16 (1) shall begin to be paid not later than 60
17 days after the date of the enactment of this Act; and

18 (2) shall be treated in the same manner, and
19 subject to the same terms and conditions, as a local-
20 ity-based comparability payment paid under section
21 5304 or 5304a of title 5, United States Code.

22 (d) ANNUITY COMPUTATION.—Notwithstanding any
23 other provision of law, for purposes of any annuity com-
24 putation under chapter 83 or 84 of title 5, United States
25 Code, the basic pay of a covered employee shall—

1 (1) be considered to be the rate of basic pay
2 that would have been paid to the covered employee
3 had the official duty station of the covered employee
4 not been changed to reflect an overseas location
5 under the applicable Domestic Employee Tele-
6 working Overseas agreement; and

7 (2) include locality pay paid to the covered em-
8 ployee under this section.

9 **SEC. 720. DEPARTMENT OF STATE DIPLOMACY IN RE-**
10 **SPONSE TO THE UNITED NATIONS INDE-**
11 **PENDENT INTERNATIONAL COMMISSION OF**
12 **INQUIRY ON ISRAEL.**

13 (a) STATEMENT OF POLICY.—It is the policy of the
14 United States for the Secretary to pursue, during the
15 United Nations General Assembly and in all future par-
16 ticipation in United Nations’ fora, with respect to the
17 United Nations Independent International Commission of
18 Inquiry on the Occupied Palestinian Territory, including
19 East Jerusalem, and in Israel (referred to in this sub-
20 section as the “Commission”)—

21 (1) the establishment of criteria for the dissolu-
22 tion of the Commission, mirroring standard criteria
23 established in other recent Commissions of Inquiry
24 on Syria, Libya, South Sudan, and Venezuela;

1 (2) the dissolution of the Commission in the
2 context of the United States’—

3 (A) participation in the United Nations
4 General Assembly Third Committee; and

5 (B) engagement on the United Nations
6 Human Rights Council;

7 (3) the determination of an expiration date for
8 the Commission that is as soon as possible;

9 (4) continued advocacy in the United Nations
10 General Assembly Fifth Committee to limit re-
11 sources available to the Commission commensurate
12 with other recent Commissions of Inquiry; and

13 (5) continued advocacy for membership in the
14 United Nations Human Rights Council of countries
15 that do not pursue antisemitic or anti-Israel agen-
16 das.

17 (b) REPORT.—Not later than 120 days after the date
18 of the enactment of this Act, the Secretary shall submit
19 a report to the appropriate congressional committees de-
20 scribing the actions taken by the Department in pursuit
21 of the goals set forth in subsection (a).

1 **SEC. 721. PROHIBITION ON ENTRY OF OFFICIALS OF FOR-**
2 **EIGN GOVERNMENTS INVOLVED IN SIGNIFI-**
3 **CANT CORRUPTION OR GROSS VIOLATIONS**
4 **OF HUMAN RIGHTS.**

5 (a) INELIGIBILITY.—

6 (1) IN GENERAL.—Any official of a foreign gov-
7 ernment, and the immediate family members of such
8 an official, about whom the Secretary has credible
9 information has been involved, directly or indirectly,
10 in significant corruption, including corruption re-
11 lated to the extraction of natural resources, or a
12 gross violation of human rights shall be ineligible for
13 entry into the United States.

14 (2) DESIGNATION.—The Secretary shall pub-
15 licly or privately designate or identify each official of
16 a foreign government, and the immediate family
17 members of such official, about whom the Secretary
18 has such credible information related to any act de-
19 scribed in paragraph (1), without regard to whether
20 the official has applied for a visa.

21 (b) EXCEPTION.—Subsection (a)(1) shall not apply
22 to an individual if the entry of the individual into the
23 United States would further important United States law
24 enforcement objectives or is necessary to permit the
25 United States to fulfill its obligations under the Agree-
26 ment regarding the Headquarters of the United Nations,

1 signed at Lake Success June 26, 1947, and entered into
2 force November 21, 1947, between the United Nations
3 and the United States, or any other applicable inter-
4 national obligations of the United States.

5 (c) WAIVER.—The Secretary may waive the applica-
6 tion of subsection (a) if the Secretary determines that
7 such a waiver would serve a compelling national interest
8 or that the circumstances that caused the individual con-
9 cerned to be ineligible for entry or admission to the United
10 States pursuant to subsection (a)(1) or to be designated
11 pursuant to subsection (a)(2) have changed sufficiently.

12 (d) REPORT.—

13 (1) IN GENERAL.—Not later than 30 days after
14 the date of the enactment of this Act, and every 90
15 days thereafter, the Secretary shall submit to the
16 appropriate congressional committees, the Com-
17 mittee on Appropriations of the Senate, and the
18 Committee on Appropriations of the House of Rep-
19 resentatives a report that, for the reporting period—

20 (A) includes the information related to cor-
21 ruption or violation of human rights concerning
22 each individual found to be ineligible for entry
23 into the United States under subsection (a)(1);

24 (B) identifies—

1 (i) each individual whom the Sec-
2 retary designated or identified pursuant to
3 subsection (a)(2); and

4 (ii) each individual who would have
5 been so ineligible but for the application of
6 subsection (b); and

7 (C) includes a list of waivers provided
8 under subsection (c) and a justification for each
9 waiver.

10 (2) FORM.—Each report required by paragraph
11 (1) shall be submitted in unclassified form but may
12 include a classified annex.

13 (3) PUBLIC AVAILABILITY.—The Secretary
14 shall make available to the public on a publicly ac-
15 cessible internet website of the Department of State
16 the unclassified portion of each report required by
17 paragraph (1).

18 (e) REFERRAL FOR FINANCIAL SANCTIONS.—Fol-
19 lowing the application of subsection (a), the Secretary
20 should, as appropriate, refer to the Secretary of the Treas-
21 ury, through the Office of Foreign Assets Control, a list
22 of persons who have been designated pursuant to sub-
23 section (a)(2) and related supporting information for re-
24 view for the imposition of sanctions, in accordance with
25 United States law, to block the transfer of property and

1 interests in property, and all financial transactions, in the
2 United States involving any person described in subsection
3 (a).

4 (f) CLARIFICATION.—For purposes of subsections (a)
5 and (d), the records of the Department and of diplomatic
6 and consular offices of the United States pertaining to the
7 issuance or refusal of visas or permits to enter the United
8 States shall not be considered confidential.

9 **SEC. 722. MODIFICATIONS TO SANCTIONS WITH RESPECT**
10 **TO HUMAN RIGHTS VIOLATIONS.**

11 (a) SENSE OF CONGRESS.—

12 (1) IN GENERAL.—The Global Magnitsky
13 Human Rights Accountability Act (22 U.S.C. 10101
14 et seq.) is amended by inserting after section 1262
15 the following:

16 **“SEC. 1262A. SENSE OF CONGRESS.**

17 “It is the sense of Congress that the President should
18 establish and regularize information sharing and sanc-
19 tions-related decision making with like-minded govern-
20 ments possessing human rights and anti-corruption sanc-
21 tions programs similar in nature to those authorized under
22 this subtitle.”.

23 (2) CLERICAL AMENDMENT.—The table of con-
24 tents in section 2(b) and in title XII of division A
25 of the National Defense Authorization Act for Fiscal

1 Year 2017 (Public Law 114–328) are each amended
2 by inserting after the items relating to section 1262
3 the following:

“Sec. 1262A. Sense of Congress.”.

4 (b) IMPOSITION OF SANCTIONS.—

5 (1) IN GENERAL.—Section 1263(a) of the Glob-
6 al Magnitsky Human Rights Accountability Act (22
7 U.S.C. 10102) is amended by striking paragraphs
8 (2) through (4) and inserting the following:

9 “(2) is a current or former government official,
10 or a person acting for or on behalf of such an offi-
11 cial, who is responsible for or complicit in, or has di-
12 rectly or indirectly engaged in—

13 “(A) corruption, including—

14 “(i) the misappropriation of state as-
15 sets;

16 “(ii) the expropriation of private as-
17 sets for personal gain;

18 “(iii) corruption related to government
19 contracts or the extraction of natural re-
20 sources; or

21 “(iv) bribery; or

22 “(B) the transfer or facilitation of the
23 transfer of the proceeds of corruption;

24 “(3) is or has been a leader or official of—

1 “(A) an entity, including a government en-
2 tity, that has engaged in, or whose members
3 have engaged in, any of the activities described
4 in paragraph (1) or (2) related to the tenure of
5 the leader or official; or

6 “(B) an entity whose property and inter-
7 ests in property are blocked pursuant to this
8 section as a result of activities related to the
9 tenure of the leader or official;

10 “(4) has materially assisted, sponsored, or pro-
11 vided financial, material, or technological support
12 for, or goods or services to or in support of—

13 “(A) an activity described in paragraph (1)
14 or (2) that is conducted by a foreign person;

15 “(B) a person whose property and inter-
16 ests in property are blocked pursuant to this
17 section; or

18 “(C) an entity, including a government en-
19 tity, that has engaged in, or whose members
20 have engaged in, an activity described in para-
21 graph (1) or (2) conducted by a foreign person;
22 or

23 “(5) is owned or controlled by, or has acted or
24 been purported to act for or on behalf of, directly or

1 indirectly, a person whose property and interests in
2 property are blocked pursuant to this section.”.

3 (2) CONSIDERATION OF CERTAIN INFORMA-
4 TION.—Subsection (c)(2) of such section is amended
5 by inserting “corruption and” after “monitor”.

6 (3) REQUESTS BY CONGRESS.—Subsection
7 (d)(2) of such section is amended to read as follows:

8 “(2) REQUIREMENTS.—A request under para-
9 graph (1) with respect to whether a foreign person
10 has engaged in an activity described in subsection
11 (a) shall be submitted to the President in writing
12 jointly by the chairperson and ranking member of
13 one of the appropriate congressional committees.”.

14 (c) REPORTS TO CONGRESS.—Section 1264(a) of the
15 Global Magnitsky Human Rights Accountability Act (22
16 U.S.C. 10103(a)) is amended—

17 (1) in paragraph (5), by striking “; and” and
18 inserting a semicolon;

19 (2) in paragraph (6), by striking the period at
20 the end and inserting a semicolon; and

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

22 “(7) a description of additional steps taken by
23 the President through diplomacy, international en-
24 gagement, and assistance to foreign or security sec-
25 tors to address persistent underlying causes of con-

1 duct giving rise to the imposition of sanctions under
2 this section, as amended on or after the date of the
3 enactment of this paragraph, in each country in
4 which foreign persons with respect to which such
5 sanctions have been imposed are located; and

6 “(8) a description of additional steps taken by
7 the President to ensure the pursuit of judicial ac-
8 countability in appropriate jurisdictions with respect
9 to foreign persons subject to sanctions under this
10 section.”.

11 **SEC. 723. REPORT OF SHOOTING OF PALESTINIAN-AMER-**
12 **ICAN JOURNALIST IN JENIN.**

13 Not later than 14 days after the date of the enact-
14 ment of this Act, the Secretary shall submit to the appro-
15 priate congressional committees a complete copy, in classi-
16 fied or unclassified format, as appropriate, of the report
17 overseen by the United States Security Coordinator for
18 Israel and the Palestinian Authority regarding the cir-
19 cumstances surrounding the shooting of Shireen Abu
20 Akleh in Jenin on May 11, 2022.

21 **SEC. 724. REPORT ON COUNTERING THE ACTIVITIES OF**
22 **MALIGN ACTORS.**

23 (a) REPORT.—

24 (1) IN GENERAL.—Not later than 1 year after
25 the date of the enactment of this Act, the Secretary,

1 in consultation with the Secretary of the Treasury
2 and the Administrator, shall submit a report to the
3 appropriate congressional committees regarding
4 United States diplomatic efforts in Africa in achiev-
5 ing United States policy goals and countering the
6 activities of malign actors.

7 (2) ELEMENTS.—The report required under
8 paragraph (1) shall include—

9 (A) case studies from Mali, Sudan, the
10 Central African Republic, the Democratic Re-
11 public of the Congo, and South Sudan, with the
12 goal of assessing the effectiveness of diplomatic
13 tools during the 5-year period ending on the
14 date of the enactment of this Act; and

15 (B) an assessment of—

16 (i) the extent and effectiveness of cer-
17 tain diplomatic tools to advance United
18 States priorities in the respective case
19 study countries, including—

20 (I) in-country diplomatic pres-
21 ence;

22 (II) humanitarian and develop-
23 ment assistance;

24 (III) support for increased 2-way
25 trade and investment;

1 (IV) United States security as-
2 sistance;

3 (V) public diplomacy; and

4 (VI) accountability measures, in-
5 cluding sanctions;

6 (ii) whether the use of the diplomatic
7 tools described in clause (i) achieved the
8 diplomatic ends for which they were in-
9 tended; and

10 (iii) the means by which the Russian
11 Federation and the People's Republic of
12 China exploited any openings for diplo-
13 matic engagement in the case study coun-
14 tries.

15 (b) FORM.—The report required under subsection (b)
16 shall be submitted in classified form.

17 (c) CLASSIFIED BRIEFING REQUIRED.—Not later
18 than 1 year after the date of the enactment of this Act,
19 the Secretary and the Administrator shall jointly brief
20 Congress regarding the report required under subsection
21 (b).

1 **TITLE VIII—EXTENSION OF**
2 **AUTHORITIES**

3 **SEC. 801. CONSULTING SERVICES.**

4 Any consulting services through procurement con-
5 tracts shall be limited to contracts in which such expendi-
6 tures are a matter of public record and available for public
7 inspection, except where otherwise provided under existing
8 law, or under existing Executive order issued pursuant to
9 existing law.

10 **SEC. 802. DIPLOMATIC FACILITIES.**

11 For the purposes of calculating the costs of providing
12 new United States diplomatic facilities in any fiscal year,
13 in accordance with section 604(e) of the Secure Embassy
14 Construction and Counterterrorism Act of 1999 (22
15 U.S.C. 4865 note), the Secretary of State, in consultation
16 with the Director of the Office of Management and Budg-
17 et, shall determine the annual program level and agency
18 shares for such fiscal year in a manner that is proportional
19 to the contribution of the Department of State for this
20 purpose.

21 **SEC. 803. EXTENSION OF EXISTING AUTHORITIES.**

22 (a) EXTENSION OF AUTHORITIES.—

23 (1) PASSPORT FEES.—Section 1(b)(2) of the
24 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))

1 shall be applied by striking “September 30, 2010”
2 and inserting “September 30, 2024”.

3 (2) INCENTIVES FOR CRITICAL POSTS.—The
4 authority contained in section 1115(d) of the Sup-
5 plemental Appropriations Act, 2009 (Public Law
6 111–32) shall remain in effect through “September
7 30, 2024”.

8 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
9 ER.—Section 625(j)(1)(B) of the Foreign Assistance
10 Act of 1961 (22 U.S.C. 2385(j)(1)(B)) shall be ap-
11 plied by striking “October 1, 2010” and inserting
12 “September 30, 2024”.

13 (4) OVERSEAS PAY COMPARABILITY AND LIM-
14 ITATION.—

15 (A) IN GENERAL.—The authority provided
16 by section 1113 of the Supplemental Appropria-
17 tions Act, 2009 (Public Law 111–32) shall re-
18 main in effect through September 30, 2024.

19 (B) LIMITATION.—The authority described
20 in subparagraph (A) may not be used to pay an
21 eligible member of the Foreign Service (as de-
22 fined in section 1113(b) of the Supplemental
23 Appropriations Act, 2009 (Public Law 111–
24 32)) a locality-based comparability payment
25 (stated as a percentage) that exceeds two-thirds

1 of the amount of the locality-based com-
2 parability payment (stated as a percentage)
3 that would be payable to such member under
4 section 5304 of title 5, United States Code, if
5 such member's official duty station were in the
6 District of Columbia.

7 (5) INSPECTOR GENERAL ANNUITANT WAIV-
8 ER.—The authorities provided in section 1015(b) of
9 the Supplemental Appropriations Act, 2010 (Public
10 Law 111–212)—

11 (A) shall remain in effect through Sep-
12 tember 30, 2024; and

13 (B) may be used to facilitate the assign-
14 ment of persons for oversight of programs in
15 Somalia, South Sudan, Syria, Venezuela, and
16 Yemen.

17 (6) ACCOUNTABILITY REVIEW BOARDS.—The
18 authority provided under section 301(a)(3) of the
19 Omnibus Diplomatic Security and Antiterrorism Act
20 of 1986 (22 U.S.C. 4831(a)(3)) shall remain in ef-
21 fect for facilities in Afghanistan and shall apply to
22 facilities in Ukraine through September 30, 2024,
23 except that the notification and reporting require-
24 ments contained in such section shall include the ap-
25 propriate congressional committees, the Committee

1 on Appropriations of the Senate, and the Committee
2 on Appropriations of the House of Representatives.

3 (7) DEPARTMENT OF STATE INSPECTOR GEN-
4 ERAL WAIVER AUTHORITY.—The Inspector General
5 of the Department may waive the provisions of sub-
6 sections (a) through (d) of section 824 of the For-
7 eign Service Act of 1980 (22 U.S.C. 4064), on a
8 case-by-case basis, for an annuitant reemployed by
9 the Inspector General on a temporary basis, subject
10 to the same constraints and in the same manner by
11 which the Secretary of State may exercise such waiv-
12 er authority pursuant to subsection (g) of such sec-
13 tion.

14 (b) EXTENSION OF PROCUREMENT AUTHORITY.—
15 Section 7077 of the Department of State, Foreign Oper-
16 ations, and Related Programs Appropriations Act, 2012
17 (division I of Public Law 112–74) shall continue in effect
18 until September 30, 2024.

19 **SEC. 804. WAR RESERVES STOCKPILE AND MILITARY**
20 **TRAINING REPORT.**

21 (a) EXTENSION OF WAR RESERVES STOCKPILE AU-
22 THORITY.—Section 12001(d) of the Department of De-
23 fense Appropriations Act, 2005 (Public Law 108–287;
24 118 Stat. 1011) is amended by striking “of this section”

1 and all that follows through the period at the end and
2 inserting “of this section after September 30, 2024.”.

3 (b) ANNUAL FOREIGN MILITARY TRAINING RE-
4 PORT.—For the purposes of implementing section 656 of
5 the Foreign Assistance Act of 1961, the term “military
6 training provided to foreign military personnel by the De-
7 partment of Defense and the Department of State” shall
8 be deemed to include all military training provided by for-
9 eign governments with funds appropriated to the Depart-
10 ment of Defense or the Department of State, except for
11 training provided by the government of a country des-
12 ignated under section 517(b) of such Act (22 U.S.C.
13 2321k(b)) as a major non-North Atlantic Treaty Organi-
14 zation ally. Such third-country training shall be clearly
15 identified in the report submitted pursuant to such section
16 656.

17 **TITLE IX—COMBATING GLOBAL**
18 **CORRUPTION**

19 **SEC. 901. SHORT TITLE.**

20 This title may be cited as the “Combating Global
21 Corruption Act of 2022”.

22 **SEC. 902. DEFINITIONS.**

23 In this title:

24 (1) CORRUPT ACTOR.—The term “corrupt
25 actor” means—

1 (A) any foreign person or entity that is a
2 government official or government entity re-
3 sponsible for, or complicit in, an act of corrup-
4 tion; and

5 (B) any company, in which a person or en-
6 tity described in subparagraph (A) has a sig-
7 nificant stake, which is responsible for, or
8 complicit in, an act of corruption.

9 (2) CORRUPTION.—The term “corruption”
10 means the unlawful exercise of entrusted public
11 power for private gain, including by bribery, nepo-
12 tism, fraud, or embezzlement.

13 (3) SIGNIFICANT CORRUPTION.—The term “sig-
14 nificant corruption” means corruption committed at
15 a high level of government that has some or all of
16 the following characteristics:

17 (A) Illegitimately distorts major decision-
18 making, such as policy or resource determina-
19 tions, or other fundamental functions of govern-
20 ance.

21 (B) Involves economically or socially large-
22 scale government activities.

1 **SEC. 903. PUBLICATION OF TIERED RANKING LIST.**

2 (a) IN GENERAL.—The Secretary shall annually pub-
3 lish, on a publicly accessible website, a tiered ranking of
4 all foreign countries.

5 (b) TIER 1 COUNTRIES.—A country shall be ranked
6 as a tier 1 country in the ranking published under sub-
7 section (a) if the government of such country is complying
8 with the minimum standards set forth in section 904.

9 (c) TIER 2 COUNTRIES.—A country shall be ranked
10 as a tier 2 country in the ranking published under sub-
11 section (a) if the government of such country is making
12 efforts to comply with the minimum standards set forth
13 in section 904, but is not achieving the requisite level of
14 compliance to be ranked as a tier 1 country.

15 (d) TIER 3 COUNTRIES.—A country shall be ranked
16 as a tier 3 country in the ranking published under sub-
17 section (a) if the government of such country is making
18 de minimis or no efforts to comply with the minimum
19 standards set forth in section 904.

20 **SEC. 904. MINIMUM STANDARDS FOR THE ELIMINATION OF**
21 **CORRUPTION AND ASSESSMENT OF EFFORTS**
22 **TO COMBAT CORRUPTION.**

23 (a) IN GENERAL.—The government of a country is
24 complying with the minimum standards for the elimi-
25 nation of corruption if the government—

1 (1) has enacted and implemented laws and es-
2 tablished government structures, policies, and prac-
3 tices that prohibit corruption, including significant
4 corruption;

5 (2) enforces the laws described in paragraph (1)
6 by punishing any person who is found, through a
7 fair judicial process, to have violated such laws;

8 (3) prescribes punishment for significant cor-
9 ruption that is commensurate with the punishment
10 prescribed for serious crimes; and

11 (4) is making serious and sustained efforts to
12 address corruption, including through prevention.

13 (b) **FACTORS FOR ASSESSING GOVERNMENT EF-**
14 **FORTS TO COMBAT CORRUPTION.**—In determining wheth-
15 er a government is making serious and sustained efforts
16 to address corruption, the Secretary of State shall con-
17 sider, to the extent relevant or appropriate, factors such
18 as—

19 (1) whether the government of the country has
20 criminalized corruption, investigates and prosecutes
21 acts of corruption, and convicts and sentences per-
22 sons responsible for such acts over which it has ju-
23 risdiction, including, as appropriate, incarcerating
24 individuals convicted of such acts;

1 (2) whether the government of the country vig-
2 orously investigates, prosecutes, convicts, and sen-
3 tences public officials who participate in or facilitate
4 corruption, including nationals of the country who
5 are deployed in foreign military assignments, trade
6 delegations abroad, or other similar missions, who
7 engage in or facilitate significant corruption;

8 (3) whether the government of the country has
9 adopted measures to prevent corruption, such as
10 measures to inform and educate the public, including
11 potential victims, about the causes and consequences
12 of corruption;

13 (4) what steps the government of the country
14 has taken to prohibit government officials from par-
15 ticipating in, facilitating, or condoning corruption,
16 including the investigation, prosecution, and convic-
17 tion of such officials;

18 (5) the extent to which the country provides ac-
19 cess, or, as appropriate, makes adequate resources
20 available, to civil society organizations and other in-
21 stitutions to combat corruption, including reporting,
22 investigating, and monitoring;

23 (6) whether an independent judiciary or judicial
24 body in the country is responsible for, and effectively
25 capable of, deciding corruption cases impartially, on

1 the basis of facts and in accordance with the law,
2 without any improper restrictions, influences, in-
3 ducements, pressures, threats, or interferences (di-
4 rect or indirect);

5 (7) whether the government of the country is
6 assisting in international investigations of
7 transnational corruption networks and in other coop-
8 erative efforts to combat significant corruption, in-
9 cluding, as appropriate, cooperating with the govern-
10 ments of other countries to extradite corrupt actors;

11 (8) whether the government of the country rec-
12 ognizes the rights of victims of corruption, ensures
13 their access to justice, and takes steps to prevent
14 victims from being further victimized or persecuted
15 by corrupt actors, government officials, or others;

16 (9) whether the government of the country pro-
17 tects victims of corruption or whistleblowers from re-
18 prisal due to such persons having assisted in expos-
19 ing corruption, and refrains from other discrimina-
20 tory treatment of such persons;

21 (10) whether the government of the country is
22 willing and able to recover and, as appropriate, re-
23 turn the proceeds of corruption;

24 (11) whether the government of the country is
25 taking steps to implement financial transparency

1 measures in line with the Financial Action Task
2 Force recommendations, including due diligence and
3 beneficial ownership transparency requirements;

4 (12) whether the government of the country is
5 facilitating corruption in other countries in connec-
6 tion with state-directed investment, loans or grants
7 for major infrastructure, or other initiatives; and

8 (13) such other information relating to corrup-
9 tion as the Secretary of State considers appropriate.

10 (c) ASSESSING GOVERNMENT EFFORTS TO COMBAT
11 CORRUPTION IN RELATION TO RELEVANT INTER-
12 NATIONAL COMMITMENTS.—In determining whether a
13 government is making serious and sustained efforts to ad-
14 dress corruption, the Secretary shall consider the govern-
15 ment of a country’s compliance with the following, as rel-
16 evant:

17 (1) The Inter-American Convention against
18 Corruption of the Organization of American States,
19 done at Caracas March 29, 1996.

20 (2) The Convention on Combating Bribery of
21 Foreign Public Officials in International Business
22 Transactions of the Organisation of Economic Co-
23 operation and Development, done at Paris December
24 21, 1997 (commonly referred to as the “Anti-Brib-
25 ery Convention”).

1 (3) The United Nations Convention against
2 Transnational Organized Crime, done at New York
3 November 15, 2000.

4 (4) The United Nations Convention against
5 Corruption, done at New York October 31, 2003.

6 (5) Such other treaties, agreements, and inter-
7 national standards as the Secretary of State con-
8 siders appropriate.

9 **SEC. 905. IMPOSITION OF SANCTIONS UNDER GLOBAL**
10 **MAGNITSKY HUMAN RIGHTS ACCOUNT-**
11 **ABILITY ACT.**

12 (a) IN GENERAL.—The Secretary, in coordination
13 with the Secretary of the Treasury, should evaluate wheth-
14 er there are foreign persons engaged in significant corrup-
15 tion for the purposes of potential imposition of sanctions
16 under the Global Magnitsky Human Rights Accountability
17 Act (subtitle F of title XII of Public Law 114–328; 22
18 U.S.C. 2656 note)—

19 (1) in all countries identified as tier 3 countries
20 under section 903; or

21 (2) in relation to the planning or construction
22 or any operation of the Nord Stream 2 pipeline.

23 (b) REPORT REQUIRED.—Not later than 180 days
24 after publishing the list required under section 903(a) and

1 annually thereafter, the Secretary shall submit to the com-
2 mittees specified in subsection (f) a report that includes—

3 (1) a list of foreign persons with respect to
4 which the President imposed sanctions pursuant to
5 the evaluation under subsection (a);

6 (2) the dates on which such sanctions were im-
7 posed;

8 (3) the reasons for imposing such sanctions;
9 and

10 (4) a list of all foreign persons found to have
11 been engaged in significant corruption in relation to
12 the planning, construction, or operation of the Nord
13 Stream 2 pipeline.

14 (c) FORM OF REPORT.—Each report required under
15 subsection (b) shall be submitted in unclassified form but
16 may include a classified annex.

17 (d) BRIEFING IN LIEU OF REPORT.—The Secretary,
18 in coordination with the Secretary of the Treasury, may
19 (except with respect to the list required under subsection
20 (b)(4)) provide a briefing to the committees specified in
21 subsection (f) instead of submitting a written report re-
22 quired under subsection (b), if doing so would better serve
23 existing United States anti-corruption efforts or the na-
24 tional interests of the United States.

1 (e) TERMINATION OF REQUIREMENTS RELATING TO
2 NORD STREAM 2.—The requirements under subsections
3 (a)(2) and (b)(4) shall terminate on the date that is 5
4 years after the date of the enactment of this Act.

5 (f) COMMITTEES SPECIFIED.—The committees speci-
6 fied in this subsection are—

7 (1) the Committee on Foreign Relations of the
8 Senate;

9 (2) the Committee on Appropriations of the
10 Senate;

11 (3) the Committee on Banking, Housing, and
12 Urban Affairs of the Senate;

13 (4) the Committee on the Judiciary of the Sen-
14 ate;

15 (5) the Committee on Foreign Affairs of the
16 House of Representatives;

17 (6) the Committee on Appropriations of the
18 House of Representatives;

19 (7) the Committee on Financial Services of the
20 House of Representatives; and

21 (8) the Committee on the Judiciary of the
22 House of Representatives.

1 **SEC. 906. DESIGNATION OF EMBASSY ANTI-CORRUPTION**
2 **POINTS OF CONTACT.**

3 (a) **IN GENERAL.**—The Secretary shall annually des-
4 ignate an anti-corruption point of contact at the United
5 States diplomatic post to each country identified as tier
6 2 or tier 3 under section 3, or which the Secretary other-
7 wise determines is in need of such a point of contact. The
8 point of contact shall be the chief of mission or the chief
9 of mission’s designee.

10 (b) **RESPONSIBILITIES.**—Each anti-corruption point
11 of contact designated under subsection (a) shall be respon-
12 sible for enhancing coordination and promoting the imple-
13 mentation of a whole-of-government approach among the
14 relevant Federal departments and agencies undertaking
15 efforts to—

16 (1) promote good governance in foreign coun-
17 tries; and

18 (2) enhance the ability of such countries—

19 (A) to combat public corruption; and

20 (B) to develop and implement corruption
21 risk assessment tools and mitigation strategies.

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