

## Calendar No. 210

115TH CONGRESS  
1ST SESSION**S. 1631**

To authorize the Department of State for Fiscal Year 2018, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 25, 2017

Mr. CORKER introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

SEPTEMBER 6, 2017

Reported by Mr. CORKER, with amendments

[Omit the part struck through and insert the part printed in italic]

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**A BILL**

To authorize the Department of State for Fiscal Year 2018, and for other purposes.

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

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

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Department of State Authorities Act, Fiscal Year 2018”.

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 OF THE DEPARTMENT OF STATE

- Sec. 101. Sense of Congress on importance of Department of State's work.
- Sec. 102. Reorganization authority.
- Sec. 103. *Sense of Congress regarding need for congressional authorization prior to USAID reorganization.*
- Sec. ~~103~~104. National diplomacy and development strategy.
- Sec. ~~104~~105. Office of Global Women's Issues.
- Sec. ~~105~~106. Office of International Religious Freedom.
- Sec. ~~106~~107. Bureau of Democracy, Human Rights, and Labor.
- Sec. ~~107~~108. Assistant Secretary for International Narcotics and Law Enforcement Affairs.
- Sec. ~~108~~109. Office of International Disability Rights.

#### TITLE II—EMBASSY CONSTRUCTION

- Sec. 201. Standard design in capital construction.
- Sec. 202. Capital construction transparency.
- Sec. 203. Contractor performance information.
- Sec. 204. Growth projections for new embassies and consulates.
- Sec. 205. Consolidation of small diplomatic posts.
- Sec. 206. Long-range planning process.
- Sec. 207. Value engineering and risk assessment.
- Sec. 208. Business volume.
- Sec. 209. Comptroller General report on project management skills.
- Sec. 210. Embassy security requests and deficiencies.

#### TITLE III—PERSONNEL ISSUES

- Sec. 301. Special appointments.
- Sec. 302. Defense Base Act insurance waivers.
- Sec. 303. Allowances.
- Sec. 304. Science and technology fellowships.
- Sec. 305. Travel for separated families.
- Sec. 306. Home leave travel for separated families.
- Sec. 307. *Sense of Congress regarding certain fellowship programs.*

#### TITLE IV—DIVERSITY

- Sec. 401. Definitions.
- Sec. 402. Collection, analysis, and dissemination of workforce data.
- Sec. 403. Exit interviews or surveys.
- Sec. 404. Recruitment.
- Sec. 405. Payne fellowship authorization.
- Sec. 406. Voluntary participation.

#### TITLE V—INFORMATION SECURITY

- Sec. 501. Definitions.
- Sec. 502. Information technology system security.
- Sec. 503. Improving FOIA process.
- Sec. 504. Annual report on security violations.
- Sec. 505. Classified information spillage.

Sec. 506. Emergency refresher training on the handling of classified information.

*Sec. 507. Prohibition on contracting with certain telecommunications providers.*

*Sec. 508. Report on contracts with Kaspersky Labs and Huawei.*

#### TITLE VI—PUBLIC DIPLOMACY

Sec. 601. American Spaces review.

Sec. 602. Improving research and evaluation of public diplomacy.

#### TITLE VII—COMBATING PUBLIC CORRUPTION

Sec. 701. Definitions.

Sec. 702. Sense of Congress.

Sec. 703. Annual report.

Sec. 704. Additional factors for assessing government efforts to combat public corruption.

Sec. 705. Designation of embassy anti-corruption points of contact.

Sec. 706. Interagency working group.

Sec. 707. Transparency and accountability.

Sec. 708. Resources and reporting requirements.

#### TITLE VIII—MISCELLANEOUS

Sec. 801. Recurring reports.

Sec. 802. Case-Zablocki reform.

Sec. 803. Reporting on implementation of GAO recommendations.

### 1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
4 TEES.—The term “appropriate congressional com-  
5 mittees” means—

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

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

10 (C) the Committee on Foreign Affairs of  
11 the House of Representatives; and

12 (D) the Committee on Appropriations of  
13 the House of Representatives.

1           (2) DEPARTMENT.—Unless otherwise specified,  
2           the term “Department” means the Department of  
3           State.

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

## 6   **TITLE I—ORGANIZATION OF THE** 7           **DEPARTMENT OF STATE**

### 8   **SEC. 101. SENSE OF CONGRESS ON IMPORTANCE OF DE-** 9           **PARTMENT OF STATE’S WORK.**

10          It is the sense of Congress that—

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

13               (2) United States leadership is indispensable in  
14               light of the many complex and interconnected  
15               threats facing the United States and the world;

16               (3) challenges such as the global refugee and  
17               migration crises, terrorism, historic famine and food  
18               insecurity, and fragile or repressive societies cannot  
19               be addressed without sustained and robust United  
20               States diplomatic and development leadership;

21               (4) the United States Government must use all  
22               of the instruments of national security and foreign  
23               policy at our disposal to protect United States citi-  
24               zens, promote United States interests and values,  
25               and support global stability and prosperity;

1           (5) United States security and prosperity de-  
2       pend on having partners and allies who share our in-  
3       terests and values, and these partnerships are nur-  
4       tured through United States diplomatic engagement,  
5       security partnership, economic statecraft, and assist-  
6       ance that helps to develop shared responses to nat-  
7       ural and humanitarian disasters, economic develop-  
8       ment, and good governance, including the rule of law  
9       and democratic institutions;

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

19          (7) the work of the Department and USAID  
20       makes the United States and the world safer and  
21       more prosperous by alleviating global poverty and  
22       hunger, fighting HIV/AIDS and other infectious dis-  
23       eases, strengthening alliances, expanding educational  
24       opportunities for women and girls, promoting good  
25       governance and democracy, supporting anti-corrup-

1       tion efforts, driving economic development and  
 2       trade, preventing armed conflicts and humanitarian  
 3       crises, and creating American jobs and export oppor-  
 4       tunities; and

5               (8) the Department and USAID are vital na-  
 6       tional security agencies, whose work is critical to the  
 7       projection of American power and leadership world-  
 8       wide, and without which Americans would be less  
 9       safe, our economic power would be diminished, and  
 10      global stability and prosperity would suffer.

11 **SEC. 102. REORGANIZATION AUTHORITY.**

12       (a) NOTIFICATION.—Not later than 60 days before  
 13 the Office of Management and Budget (OMB) submits its  
 14 final Government-wide Reform Plan pursuant to the  
 15 ~~March 31, 2017~~ *March 13, 2017*, Executive Order 13781  
 16 entitled, “Comprehensive Plan for Reorganizing the Exec-  
 17 utive Branch”, the Secretary, in coordination with the Di-  
 18 rector of OMB and the USAID Administrator, shall report  
 19 to the appropriate congressional committees on the details  
 20 of the plans for the reorganization of the Department and  
 21 USAID.

22       ~~(b) ELEMENTS.—The report referred to in subsection~~  
 23 ~~(a) may be a brief or a written report and shall include~~  
 24 ~~the following elements:~~

1           ~~(1) The principles and goals of such reorganiza-~~  
 2           ~~tion.~~

3           ~~(2) The justification for the reorganization.~~

4           ~~(3) An assessment of the projected impact of~~  
 5           ~~the reorganization.~~

6           ~~(4) Recommendations for any legislative au-~~  
 7           ~~thorities required to implement the proposed reorga-~~  
 8           ~~nization.~~

9           (b) *ELEMENTS.*—*The report referred to in subsection*  
 10          *(a) may be a brief or a written report and shall include*  
 11          *the following elements:*

12               (1) *The principles and goals of such reorganiza-*  
 13               *tion, including the timeline under which the proposed*  
 14               *organizational changes will be implemented.*

15               (2) *The justification for the reorganization, spe-*  
 16               *cifically with reference to the bureaus, offices, or posi-*  
 17               *tions of the Department or of USAID that would be*  
 18               *proposed to be eliminated, created, or altered by such*  
 19               *reorganization.*

20               (3) *An assessment of the projected impact of the*  
 21               *reorganization on United States diplomacy and devel-*  
 22               *opment efforts.*

23               (4) *Recommendations for any legislative authori-*  
 24               *ties required to implement the proposed reorganiza-*  
 25               *tion.*

1       (c) CONSULTATION.—Not later than 30 days after  
 2 the notification referred to in subsection (a), the Sec-  
 3 retary, in coordination with the Director of OMB and the  
 4 USAID Administrator, shall consult with the appropriate  
 5 congressional committees regarding the reorganization  
 6 plan.

7       (d) REPORTING OR BRIEFING REQUIREMENT.—Not  
 8 later than 60 days after the notification referred to in sub-  
 9 section (a), the Secretary, in coordination with the Direc-  
 10 tor of OMB and the USAID Administrator, shall—

11           (1) brief or submit a report to the appropriate  
 12 congressional committees on how advice received  
 13 pursuant to subsection (c) will be incorporated into  
 14 the reform plan; or

15           (2) submit the plan to such committees.

16       ~~(e) TEMPORARY LIMITATION.—The Department and~~  
 17 ~~USAID may not implement any provisions of the Govern-~~  
 18 ~~ment-wide Reform Plan until 30 days after the plan is~~  
 19 ~~submitted pursuant to subsection (a).~~

20       (e) *TEMPORARY LIMITATION.—The Department and*  
 21 *USAID shall not implement any provisions of the Govern-*  
 22 *ment-wide Reform Plan until 60 days after it is submitted*  
 23 *by OMB.*

24       (f) *LIMITATION.—Any plan for the reorganization of*  
 25 *the Department and USAID—*



1           (1) *shall preserve the independence of USAID*  
 2           *and its authority to directly oversee its mission to*  
 3           *end extreme poverty and promote resilient, demo-*  
 4           *cratic societies, while advancing the security and*  
 5           *prosperity of the United States; and*

6           (2) *may not involve the subordination of USAID*  
 7           *to the Department or any other Federal agency.*

8       (~~f~~)(g) **RULE OF CONSTRUCTION.**—Nothing in this  
 9 section may be construed as superseding any law that re-  
 10 quires the establishment of certain bureaus and offices of  
 11 the Department or USAID.

12 **SEC. 103. SENSE OF CONGRESS REGARDING NEED FOR**  
 13 **CONGRESSIONAL AUTHORIZATION PRIOR TO**  
 14 **USAID REORGANIZATION.**

15       *It is the sense of Congress that, pursuant to section*  
 16 *1413 of the Foreign Affairs Reform and Restructuring Act*  
 17 *of 1998 (22 U.S.C. 6563), congressional authorization is a*  
 18 *prerequisite to any reorganization of the United States*  
 19 *Agency for International Development that would change*  
 20 *its current status as an independent establishment within*  
 21 *the Executive branch.*

22 **SEC. ~~103~~104. NATIONAL DIPLOMACY AND DEVELOPMENT**  
 23 **STRATEGY.**

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

1           (1) the latest iteration of the Joint Strategic  
2 Plan developed by the Department and USAID does  
3 not adequately address the strategic priorities of the  
4 United States, identify key threats and opportuni-  
5 ties, or offer the rationale for making hard choices  
6 with regard to limited resources; and

7           (2) additional requirements to the Joint Stra-  
8 tegic Plan are necessary to encourage the develop-  
9 ment of a national diplomacy and development strat-  
10 egy, elements of which shall be provided to Congress  
11 in classified form.

12       (b) ENHANCEMENT OF JOINT STRATEGIC PLAN FOR  
13 THE DEPARTMENT AND USAID.—In addition to meeting  
14 the requirements described in section 306 of title 5,  
15 United States Code, the strategic plan developed by the  
16 Department and USAID shall—

17           (1) refer to and support the most recent na-  
18 tional security strategy report submitted pursuant to  
19 section 108 of the National Security Act of 1947  
20 (50 U.S.C. 3043);

21           (2) be integrated and coordinated with other  
22 relevant national-level plans and with the strategic  
23 plans of other Federal departments and agencies, in-  
24 cluding the current National Defense Strategy;

1           (3) prioritize the leading worldwide diplomatic  
2           and development interests and objectives of the  
3           United States and the leading threats and challenges  
4           associated with those interests and objectives;

5           (4) identify the major diplomatic, economic, and  
6           assistance approaches designed to support and fur-  
7           ther the worldwide interests, goals, commitments,  
8           and policies that are vital to the national security of  
9           the United States;

10          (5) describe how the diplomatic and develop-  
11          ment community will utilize personnel, partnerships,  
12          alliances, industry, technology, international and  
13          nongovernmental organizations, and other capabili-  
14          ties to execute the efforts described in paragraph  
15          (4);

16          (6) outline the organizational roles and missions  
17          of the elements of the diplomatic and development  
18          community as part of an integrated enterprise, and  
19          how those elements coordinate and collaborate with  
20          other Federal departments and agencies supporting  
21          the national security strategy of the United States;

22          (7) include an assessment of each bureau head-  
23          ed by an Assistant Secretary of State or an Assist-  
24          ant Administrator of USAID regarding its current  
25          and anticipated contribution to the overall strategic

1 plan, including analysis of personnel, responsibilities,  
 2 performance, and chain of management;

3 (8) identify sources of strategic, institutional,  
 4 programmatic, fiscal, and technological risk;

5 (9) analyze factors that may affect the diplo-  
 6 matic and development community's performance in  
 7 pursuing the efforts described in paragraph (3 4)  
 8 during the following 10-year period; and

9 (10) identify extraordinary resources and statu-  
 10 tory authorities that may be necessary to implement  
 11 this strategy.

12 (c) FORM.—The plan required under subsection (b)  
 13 shall be transmitted in both classified and unclassified  
 14 form.

15 (d) SUBMISSION TO CONGRESS.—Not later than 30  
 16 days after submission of the strategic plan required under  
 17 section 306 of title 5, United States Code, the Secretary  
 18 shall submit the classified annex under subsection (c) to  
 19 the appropriate congressional committees and to the Com-  
 20 mittees on Armed Services of the Senate and the House  
 21 of Representatives.

22 **SEC. ~~1041~~105. OFFICE OF GLOBAL WOMEN'S ISSUES.**

23 (a) IN GENERAL.—The Secretary should establish an  
 24 Office of Global Women's Issues (referred to in this sec-

1 tion as the “Office”), and place the Office within the De-  
2 partment as the Secretary sees fit.

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

7 (c) DUTIES.—The Office—

8 (1) should serve as the principal advisor to the  
9 Secretary regarding gender equality, women’s em-  
10 powerment, and violence against women and girls as  
11 a foreign policy matter;

12 (2) should represent the United States in diplo-  
13 matic and multilateral fora on matters relevant to  
14 the status of women and girls;

15 (3) should advise the Secretary and provide  
16 input on all activities, policies, programs, and fund-  
17 ing relating to gender equality and the advancement  
18 of women and girls internationally for all bureaus  
19 and offices of the Department and in the inter-  
20 national programs of all other Federal agencies;

21 (4) should work to ensure that efforts to ad-  
22 vance gender equality and women’s empowerment  
23 are fully integrated into the programs, structures,  
24 processes, and capacities of all bureaus and offices

1 of the Department and in the international pro-  
 2 grams of other Federal agencies;

3 (5) should direct, as appropriate, United States  
 4 resources to respond to needs for gender equality  
 5 and empowerment of women in United States for-  
 6 eign policies and international programs;

7 (6) may design, support, and implement activi-  
 8 ties regarding empowerment of women internation-  
 9 ally; and

10 (7) should conduct regular consultation with  
 11 civil society organizations working to advance gender  
 12 equality and empower women and girls internation-  
 13 ally.

14 (d) SUPERVISION.—The Office should be headed  
 15 ~~by~~— *an Ambassador-at-large for Global Women’s Issues*  
 16 *who exercises significant authority, reports to the President*  
 17 *or Secretary, and is appointed by the President or Sec-*  
 18 *retary with the advice and consent of the Senate.*

19 ~~(1) a senior advisor to the appropriate Assist-~~  
 20 ~~ant Secretary; or~~

21 ~~(2) an officer exercising significant authority~~  
 22 ~~who reports to the President or Secretary, appointed~~  
 23 ~~by and with the advice and consent of the Senate.~~

24 (e) REPORT.—Not later than 180 days after the date  
 25 of the enactment of this Act, the Secretary shall provide

1 a report or briefing to the appropriate congressional com-  
 2 mittees of the steps taken to fulfill the duties of the Office  
 3 set forth in subsection (c).

4 **SEC. ~~105~~106. OFFICE OF INTERNATIONAL RELIGIOUS FREE-**  
 5 **DOM.**

6 (a) IN GENERAL.—Section 101(c)(4) of the Inter-  
 7 national Religious Freedom Act of 1998 (22 U.S.C.  
 8 6411(c)(4)) is amended—

9 (1) in subparagraph (A), by striking “; and”  
 10 and inserting a semicolon;

11 (2) in subparagraph (B), by striking the period  
 12 at the end and inserting “; and”; and

13 (3) by adding at the end the following new sub-  
 14 paragraph:

15 “(C) shall supervise any special envoy, spe-  
 16 cial representative, or office with responsibility  
 17 for protecting international religious freedom,  
 18 protecting religious minorities, or advising the  
 19 Secretary on matters relating to religion.”.

20 (b) IN GENERAL.—Section 59(a)(2) of the State De-  
 21 partment Basic Authorities Act of 1956 is amended by  
 22 adding at the end the following new subparagraph:

23 “(C) OVERSIGHT.—To promote a cohesive  
 24 and integrated foreign policy regarding inter-  
 25 national religious freedom, the Special Envoy

1           shall be placed under the supervision of the  
 2           Ambassador at Large for International Reli-  
 3           gious Freedom.”.

4 **SEC. 106107. BUREAU OF DEMOCRACY, HUMAN RIGHTS,**  
 5 **AND LABOR.**

6           (a) IN GENERAL.—Subtitle A of the ADVANCE De-  
 7 mocracy Act of 2007 (22 U.S.C. 8211 et seq.) is amended  
 8 by adding at the end the following new section:

9 **“SEC. 2114. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND**  
 10 **LABOR.**

11           “(a) ESTABLISHMENT.—There ~~should~~ *shall* be estab-  
 12 lished in the Department a Bureau of Democracy, Human  
 13 Rights, and Labor (referred to in this section as the ‘Bu-  
 14 reau’), which ~~should~~ *shall* be headed by the Assistant Sec-  
 15 retary. All special envoys, ambassadors, and coordinators  
 16 located within the Bureau shall report directly to the As-  
 17 sistant Secretary.

18           “(b) DUTIES.—The Bureau is authorized—

19                   “(1) to promote democracy and actively support  
 20 human rights throughout the world in accordance  
 21 with this subtitle;

22                   “(2) to promote the rule of law and good gov-  
 23 ernance throughout the world;

24                   “(3) to strengthen civil society programs and  
 25 organizations;



1 “(4) to produce the annual Country Reports on  
 2 Human Rights, in conjunction with embassies and  
 3 regional bureaus;

4 “(5) to lead the implementation of section  
 5 620M of the Foreign Assistance Act of 1961 (22  
 6 U.S.C. 2378d; commonly known as the ‘Leahy Law’)  
 7 and the Child Soldiers Act (22 U.S.C. 2370c et  
 8 seq.), and to implement those provisions of the Arms  
 9 Export Control Act (22 U.S.C. 2751 et seq.) related  
 10 to human rights concerns; and

11 “(6) coordinate programs to implement the May  
 12 2011 Department of State International Cyberspace  
 13 Policy Strategy.

14 “(c) BILATERAL ECONOMIC ASSISTANCE PRO-  
 15 GRAMS.—The Bureau is authorized to provide bilateral  
 16 economic assistance from amounts appropriated or other-  
 17 wise made available for the Economic Support Fund and  
 18 other foreign assistance accounts to support activities de-  
 19 scribed in subsection (b) and for the purpose of oversight  
 20 and control of—

21 “(1) the Human Rights and Democracy Fund;

22 “(2) the Human Rights Defenders Fund;

23 “(3) the Global Equality Fund;

24 “(4) the Global Anti-Corruption Consortium;

25 and

1 “(5) the Global Internet Freedom Fund;

2 “(d) EFFICIENCY.—The Assistant Secretary shall  
3 take whatever actions may be necessary to minimize the  
4 duplication of efforts within the Bureau.

5 “(e) LOCAL OVERSIGHT.—United States missions, to  
6 the extent practicable, should assist in exercising oversight  
7 authority and coordinate with the Bureau to ensure that  
8 funds are appropriately used and comply with anti-corruption  
9 practices.”.

10 (b) CLERICAL AMENDMENT.—The table of contents  
11 in section 1(b) of the Implementing Recommendations of  
12 the 9/11 Commission Act of 2007 (Public Law 110–53)  
13 is amended by inserting after the item relating to section  
14 2113 the following new item:

“2114. Bureau of Democracy, Human Rights, and Labor.”.

15 **SEC. ~~107108~~. ASSISTANT SECRETARY FOR INTERNATIONAL**  
16 **NARCOTICS AND LAW ENFORCEMENT AF-**  
17 **FAIRS.**

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

20 (1) by redesignating paragraph (3) as para-  
21 graph (4); and

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

1           “(3) ASSISTANT SECRETARY FOR INTER-  
2 NATIONAL NARCOTICS AND LAW ENFORCEMENT AF-  
3 FAIRS.—

4           “(A) IN GENERAL.—There ~~should~~ *shall* be  
5 in the Department of State an Assistant Sec-  
6 retary for International Narcotics and Law En-  
7 forcement Affairs who ~~should~~ *shall* be respon-  
8 sible to the Secretary for matters pertaining to  
9 international narcotics and law enforcement af-  
10 fairs in the conduct of foreign policy and such  
11 other related duties as the Secretary may from  
12 time to time designate.

13           “(B) AREAS OF RESPONSIBILITY.—The  
14 Assistant Secretary for International Narcotics  
15 and Law Enforcement Affairs ~~should~~ *shall*  
16 maintain continuous observation of and review  
17 all matters pertaining to international narcotics  
18 and law enforcement in the conduct of foreign  
19 policy, including the following matters:

20           “(i) Combatting international nar-  
21 cotics production and trafficking, including  
22 the illicit cultivation of crops used to  
23 produce narcotics.

24           “(ii) Strengthening foreign justice sys-  
25 tems, including judicial and prosecutorial

1 capacity, appeals systems, law enforcement  
2 agencies, and prison systems.

3 “(iii) Training foreign military and  
4 police, including vetting all foreign per-  
5 sonnel who receive such assistance from  
6 the United States Government.

7 “(iv) Ensuring the inclusion of human  
8 rights issues in law enforcement programs,  
9 in consultation with the Assistant Sec-  
10 retary for Democracy, Human Rights, and  
11 Labor.

12 “(v) Combating all forms of illicit  
13 trafficking, including human trafficking  
14 arms trafficking, and the illicit smuggling  
15 of bulk cash.

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

21 **SEC. 108109. OFFICE OF INTERNATIONAL DISABILITY**  
22 **RIGHTS.**

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

1 (b) DUTIES.—The Office should—

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

5 (2) promote the human rights and full partici-  
6 pation of persons with disabilities in all international  
7 development activities funded by the United States  
8 Government; and

9 (3) promote disability inclusive practices and  
10 the training of Department staff on soliciting quality  
11 programs that are fully inclusive of people with dis-  
12 abilities.

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

14 (1) a senior advisor to the appropriate Assist-  
15 ant Secretary; or

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

19 (d) CONFORMING AMENDMENT.—Section 579(b) of  
20 the Foreign Operations, Export Financing, and Related  
21 Programs Appropriations Act, 2005 (division D of Public  
22 Law 108–447) is amended by striking subsection (b).

## **TITLE II—EMBASSY CONSTRUCTION**

### **SEC. 201. STANDARD DESIGN IN CAPITAL CONSTRUCTION.**

(a) FINDINGS.—Congress finds that the decision by the Department’s Bureau of Overseas Buildings Operations (“OBO”) to transition from Standard Embassy Design to Design Excellence has in some cases—

(1) increased the cost of building new embassies and consulates;

(2) delayed the move of thousands of staff from facilities that do not meet current security standards to new, secure facilities;

(3) exacerbated certain deficiencies in the quality of the Bureau’s program management; and

(4) been a factor in reduced competition for capital construction projects.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the OBO should give appropriate consideration to Standard Embassy Design, in which each new embassy and consulate starts with a standard design and keeps customization to a minimum.

(c) CONSULTATION.—The Secretary shall carry out any new embassy compound or new consulate compound project that is in the design phase or pre-design phase as of the date of the enactment of this Act and that utilizes

1 a non-standard design in consultation with the appropriate  
2 congressional committees. The Department shall provide  
3 the appropriate congressional committees, for each such  
4 project, the following documentation:

5 (1) A comparison of the estimated full lifecycle  
6 costs of the project to the estimated full lifecycle  
7 costs of the project if it were to use a standard em-  
8 bassy design.

9 (2) A comparison of the estimated completion  
10 date of the project to the estimated completion date  
11 of the project if it were to use a standard embassy  
12 design.

13 (3) A comparison of the security of the com-  
14 pleted project to the security of the completed  
15 project if it were to use a standard embassy design.

16 (4) A justification for the Secretary's selection  
17 of a non-standard design over a standard design for  
18 the project.

19 (d) NON-STANDARD DESIGN DEFINED.—In this sec-  
20 tion the term “non-standard design” means a new em-  
21 bassy compound or new consulate compound design that  
22 does not utilize a standardized design template for the  
23 structural, spatial and security requirements of the com-  
24 pound, or a new embassy compound or new consulate com-

1 pound project that does not utilize a design-build delivery  
2 method.

3 **SEC. 202. CAPITAL CONSTRUCTION TRANSPARENCY.**

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

7 (1) in the section heading , by striking “**AN-**  
8 **NUAL REPORT ON EMBASSY CONSTRUCTION**  
9 **COSTS**” and inserting “**QUARTERLY REPORT ON**  
10 **OVERSEAS CAPITAL CONSTRUCTION**  
11 **PROJECTS**”; and

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

14 “(a) IN GENERAL.—Not later than 180 days after  
15 the date of the enactment of this Act, and every 90 days  
16 thereafter, the Secretary shall submit to the appropriate  
17 congressional committees a comprehensive report regard-  
18 ing all ongoing overseas capital construction projects and  
19 major embassy security upgrade projects.

20 “(b) CONTENTS.—Each report required under sub-  
21 section (a) shall include the following with respect to each  
22 ongoing overseas capital construction project and major  
23 embassy security upgrade project:

24 “(1) The initial cost estimate as specified in the  
25 proposed allocation of capital construction and main-



1       tenance funds required by the Committees on Appro-  
2       priations for Acts making appropriations for the De-  
3       partment of State, foreign operations, and related  
4       programs.

5               “(2) The current cost estimate.

6               “(3) The value of each request for equitable ad-  
7       justment received by the Department of State to  
8       date.

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

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

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

17              “(7) An enumerated list of each request for eq-  
18      uitable adjustment and certified claim that has been  
19      fully adjudicated or that the Department has settled,  
20      and the final dollar amount of each adjudication or  
21      settlement.

22              “(8) The date of estimated completion specified  
23      in the proposed allocation of capital construction  
24      and maintenance funds required by the Committees  
25      on Appropriations not later than 45 days after that

1 date of the enactment of an Act making appropria-  
2 tions for the Department of State, foreign oper-  
3 ations, and related programs.

4 “(9) The current date of estimated comple-  
5 tion.”.

6 **SEC. 203. CONTRACTOR PERFORMANCE INFORMATION.**

7 (a) DEADLINE FOR COMPLETION.—The Secretary  
8 shall complete all contractor performance evaluations re-  
9 quired by subpart 42.15 of the Federal Acquisition Regu-  
10 lation by October 1, 2020.

11 (b) PRIORITIZATION SYSTEM.—

12 (1) IN GENERAL.—Not later than 90 days after  
13 the date of the enactment of this Act, the Secretary  
14 shall develop a prioritization system for clearing the  
15 current backlog of required evaluations.

16 (2) ELEMENTS.—The system required under  
17 paragraph (1) should prioritize the evaluations as  
18 follows:

19 (A) Project completion evaluations should  
20 be prioritized over annual evaluations.

21 (B) Evaluations for relatively large con-  
22 tracts should have priority.

23 (C) Evaluations that would be particularly  
24 informative for the awarding of government  
25 contracts should have priority.

1       (c) BRIEFING.—Not later than 90 days after the date  
2 of the enactment of this Act, the Secretary shall brief the  
3 appropriate congressional committees on the Depart-  
4 ment’s plan for completing all evaluations by October 1,  
5 2020, and the prioritization system developed pursuant to  
6 this section.

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

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

12           (2) the Department should develop a forum  
13       where contractors can rate the Department’s project  
14       management performance.

15 **SEC. 204. GROWTH PROJECTIONS FOR NEW EMBASSIES**  
16 **AND CONSULATES.**

17       (a) IN GENERAL.—For each new embassy compound  
18 (NEC) and new consulate compound project (NCC) in or  
19 not yet in the design phase as of the date of the enactment  
20 of this Act, the Office of Management Policy, Rightsizing,  
21 and Innovation shall project growth over the estimated life  
22 of the facility using all available and relevant data, includ-  
23 ing—

1           (1) relevant historical trends for Department  
2           personnel and personnel from other agencies rep-  
3           resented at post;

4           (2) an analysis of the tradeoffs between risk  
5           and the needs of United States Government policy  
6           conducted as part of the most recent Vital Presence  
7           Validation Process, if applicable; ~~and~~

8           ~~(3) reasonable assumptions about the strategic~~  
9           ~~importance of the post over the life of the building.~~

10          (3) *reasonable assumptions about the strategic*  
11          *importance of the post over the life of the building;*  
12          *and*

13          (4) *any other data that would be helpful in pro-*  
14          *jecting the future growth of the post.*

15          (b) OTHER AGENCIES.—Other agencies represented  
16          at the post shall provide to the Department, upon request,  
17          growth projections for their own personnel over the esti-  
18          mated life of the facility.

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

22          ~~(d) ZERO NET GROWTH REQUIREMENT.—The~~  
23          ~~growth assumed for NECs and NCCs pursuant to sub-~~  
24          ~~section (c) should be offset by staff reductions at other~~  
25          ~~posts such that there is zero net growth over the period~~

1 covered by the Long-Range Overseas Building Plan re-  
2 quired under section 206.

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

7 **SEC. 205. CONSOLIDATION OF SMALL DIPLOMATIC POSTS.**

8 (a) *NEW EMBASSIES AND CONSULATES.*—Prior to  
9 initiating the site selection process for any new embassy  
10 or consulate for a diplomatic post that has employed 10  
11 or fewer United States Government employees on average  
12 over the 3 years prior to the date of the enactment of  
13 this Act, the Secretary shall conduct an analysis of alter-  
14 natives, including consolidating such post with other near-  
15 by diplomatic posts.

16 (b) *NOTIFICATION.*—Not later than 30 days after  
17 conducting an analysis of alternatives pursuant to sub-  
18 section (a), the Secretary shall notify the appropriate con-  
19 gressional committees of the results of the analysis.

20 (c) *EXISTING SMALL DIPLOMATIC POSTS.*—Not later  
21 than 305 days after the date of the enactment of this Act,  
22 the Department shall complete a cost-benefit analysis for  
23 maintaining any consulate that has employed five or fewer  
24 United States Government employees on average over the

1 three years prior to the date of the enactment of this Act.

2 Each analysis shall include, at minimum—

3 (1) the full cost of maintaining the consulate;

4 (2) any policy value or value that other United  
5 States Government tenants derive from having a  
6 presence at such location;

7 (3) the value of having a consular presence in  
8 such location, including for the provision of United  
9 States citizen services;

10 (4) input from the consulate on any unique  
11 operational or policy value it provides; and

12 (5) alternative locations for consular and  
13 United States citizen services.

14 (d) REPORT.—Not later than one year after the date  
15 of the enactment of this Act, the Department shall brief  
16 or report to Congress on the results of the analyses re-  
17 quired under this section.

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

19 (a) PLANS REQUIRED.—

20 (1) IN GENERAL.—The Department shall annu-  
21 ally develop—

22 (A) a comprehensive 6-year plan docu-  
23 menting the Department’s overseas building  
24 program for the replacement of the least secure  
25 embassies and consulates around the world,

1 known as a Long-Range Overseas Buildings  
2 Plan (LROBP); and

3 (B) a comprehensive 6-year plan detailing  
4 the Department's long-term planning for the  
5 maintenance and sustainment of completed fa-  
6 cilities, known as a Long-Range Overseas Main-  
7 tenance Plan (LROMP).

8 (2) UPDATED INFORMATION.—The annual up-  
9 dates of the plans developed pursuant to paragraph  
10 (1) shall highlight any changes from the previous  
11 year's plan to the ordering of construction and  
12 maintenance projects.

13 (b) REPORTING REQUIREMENTS.—

14 (1) SUBMISSION OF PLANS TO CONGRESS.—Not  
15 later than 60 days after the completion of the  
16 LROBP and the LROMP, the Department shall  
17 submit the plans to the appropriate congressional  
18 committees.

19 (2) REFERENCE IN BUDGET JUSTIFICATION  
20 MATERIALS.—In the budget justification materials  
21 submitted to the appropriate congressional commit-  
22 tees in support of the Department's budget for any  
23 fiscal year (as submitted with the budget of the  
24 President under section 1105(a) of title 31), the  
25 plans outlined in the LROBP and LROMP shall be

1 referenced to justify funding requested for building  
2 and maintenance projects overseas.

3 (3) FORM OF REPORT.—The report required  
4 under paragraph (1) shall be submitted in unclassi-  
5 fied form but may include a classified index.

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

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

9 (1) Federal departments and agencies are re-  
10 quired to use value engineering (VE) as a manage-  
11 ment tool, where appropriate, to reduce program and  
12 acquisition costs pursuant to OMB Circular A–131,  
13 Value Engineering, dated December 31, 2013.

14 (2) OBO has a Standard Operation Procedure,  
15 dated March 7, 2005, on conducting risk assessment  
16 studies in the International Project Risk Assessment  
17 (IPRA) method on all international construction  
18 projects.

19 (b) NOTIFICATION REQUIREMENTS.—

20 (1) SUBMISSION TO AUTHORIZING COMMIT-  
21 TEES.—The proposed allocation of capital construc-  
22 tion and maintenance funds that is required by the  
23 Committees on Appropriations not later than 45  
24 days after the date of the enactment of an Act mak-  
25 ing appropriations for the Department of State, for-



1        eign operations, and related programs shall also be  
 2        submitted to the Committee on Foreign Relations of  
 3        the Senate and the Committee on Foreign Affairs of  
 4        the House of Representatives.

5            (2) REQUIREMENT TO CONFIRM COMPLETION  
 6        OF VALUE ENGINEERING AND RISK ASSESSMENT  
 7        STUDIES.—The notifications required under para-  
 8        graph (1) shall include confirmation that the De-  
 9        partment has completed the requisite VE and risk  
 10       assessment studies described in subsection (a).

11        (c) REPORTING AND BRIEFING REQUIREMENTS.—  
 12       The Department shall provide to the appropriate congres-  
 13       sional committees upon request—

14            (1) a description of each recommendation from  
 15        each study described in subsection (a) and a table  
 16        detailing which recommendations were accepted and  
 17        which were rejected; and

18            (2) a report or briefing detailing the rationale  
 19        for not implementing recommendations made by VE  
 20        studies that may yield significant cost savings to the  
 21        Department, if implemented.

22       **SEC. 208. BUSINESS VOLUME.**

23        Section 402(c)(2)(E) of the Omnibus Diplomatic Se-  
 24        curity and Antiterrorism Act of 1986 (22 U.S.C.

1 4852(c)(2)(E)) is amended by striking “in 3 years” and  
2 inserting “cumulatively over 3 years”.

3 **SEC. 209. COMPTROLLER GENERAL REPORT ON PROJECT**  
4 **MANAGEMENT SKILLS.**

5 Not later than 270 days after the date of the enact-  
6 ment of this Act, the Comptroller General of the United  
7 States shall submit to the appropriate congressional com-  
8 mittees a report on the Department’s development of con-  
9 struction engineers and program management practices,  
10 including—

11 (1) an evaluation of the Department’s efforts  
12 to—

13 (A) recruit qualified construction engi-  
14 neers;

15 (B) improve the skills of its construction  
16 engineers, especially in the area of project man-  
17 agement; and

18 (C) rate the performance of its construc-  
19 tion engineers, especially during their assign-  
20 ments as project directors of new embassy com-  
21 pounds or new consulate compounds;

22 (2) an evaluation of the Department’s imple-  
23 mentation of the Program Management Improve-  
24 ment Accountability Act of 2016; and

1           (3) recommendations stemming from the eval-  
2       uations conducted pursuant to paragraphs (1) and  
3       (2).

4 **SEC. 210. EMBASSY SECURITY REQUESTS AND DEFICI-**  
5 **ENCIES.**

6       The Secretary shall provide to the appropriate con-  
7       gressional committees upon request information on secu-  
8       rity deficiencies at United States diplomatic posts, includ-  
9       ing—

10           (1) requests made over the previous year by  
11       United States diplomatic posts abroad for security  
12       upgrades; and

13           (2) significant security deficiencies at United  
14       States diplomatic posts abroad that are not oper-  
15       ating out of a new embassy compound or new con-  
16       sulate compound.

17 **TITLE III—PERSONNEL ISSUES**

18 **SEC. 301. SPECIAL APPOINTMENTS.**

19       (a) REPORT ON POSITIONS.—Not later than 30 days  
20       after the date of the enactment of this Act, the Secretary  
21       shall submit to the appropriate congressional committees  
22       a report including—

23           (1) recommendations regarding whether to  
24       maintain in the Department each currently existing  
25       Special Envoy, Special Representative, Special Coor-

1       dinator, Special Negotiator, Envoy, Representative,  
2       Coordinator, or Special Advisor, including those list-  
3       ed in the report submitted by the Department to the  
4       Committee on Foreign Relations of the Senate on  
5       April 14, 2017, pursuant to section 418 of the De-  
6       partment of State Authorities Act, Fiscal Year 2017  
7       (Public Law 114–323), that is not expressly author-  
8       ized by a provision of law enacted by Congress; and  
9       (2) the justification supporting each of the Sec-  
10      retary’s recommendations made under paragraph  
11      (1).

12      (b) ADVICE AND CONSENT.—Not later than 90 days  
13      after the report required by subsection (a) is submitted  
14      to the appropriate congressional committees, the Secretary  
15      shall present any Special Envoy, Special Representative,  
16      Special Coordinator, Special Negotiator, Envoy, Rep-  
17      resentative, Coordinator, or Special Advisor that is to be  
18      maintained by the Department and that is not expressly  
19      authorized by a provision of law enacted by Congress to  
20      the Committee on Foreign Relations for the advice and  
21      consent of the Senate.

22      (c) RULE OF CONSTRUCTION REGARDING ESTAB-  
23      LISHMENT OF POSITIONS.—Nothing in this section shall  
24      be construed as prohibiting the Secretary from estab-  
25      lishing or maintaining any Special Envoy, Special Rep-

1 representative, Special Coordinator, Special Negotiator,  
 2 Envoy, Representative, Coordinator, or Special Advisor  
 3 position so long as the appointee is established for a speci-  
 4 fied term and presented to the Committee on Foreign Re-  
 5 lations for the advice and consent of the Senate within  
 6 90 days of appointment.

7 (d) LIMITED EXCEPTION FOR THE TEMPORARY AP-  
 8 POINTMENT.—The Secretary may maintain or establish a  
 9 position with the title Special Envoy, Special Representa-  
 10 tive, Special Coordinator, Special Negotiator, or Special  
 11 Advisor for a limited period not longer than 180 days  
 12 without seeking the advice and consent of the Senate if  
 13 the Secretary notifies the Committee on Foreign Relations  
 14 of the Senate at least 15 days prior to appointment, in-  
 15 cluding—

16 (1) a certification that the position is not ex-  
 17 pected to demand the exercise of significant author-  
 18 ity pursuant to the laws of the United States;

19 (2) a description of the duties and purpose of  
 20 the appointment; and

21 (3) the rationale for assigning the specific title.

22 (e) RENEWAL OF TEMPORARY APPOINTMENT.—  
 23 Nothing in this section shall be construed as prohibiting  
 24 the Secretary from renewing any position established

1 under subsection (d) so long as the Secretary complies  
2 with the notification requirements contained therein.

3 (f) FUNDING RESTRICTIONS.—

4 (1) POSITIONS NOT PRESENTED FOR ADVICE  
5 AND CONSENT.—Beginning not later than 120 days  
6 after the date of the enactment of this Act, no funds  
7 may be obligated or expended for—

8 (A) any Special Envoy, Special Represent-  
9 ative, Special Coordinator, Special Negotiator,  
10 Envoy, Representative, Coordinator, or Special  
11 Advisor position at the Department exercising  
12 significant authority pursuant to the laws of the  
13 United States that is not being served by an in-  
14 dividual who has been presented to the Com-  
15 mittee on Foreign Relations for the advice and  
16 consent of the Senate pursuant to subsection  
17 (b); or

18 (B) any staff or resources related to such  
19 a position until such time as the appointed indi-  
20 vidual has been presented to the Committee on  
21 Foreign Relations for the advice and consent of  
22 the Senate.

23 (2) TEMPORARY POSITIONS.—No funds may be  
24 obligated or expended for any position described in  
25 subsection (d) or for any staff or resources related

1 to such position unless the Secretary has complied  
 2 with the notification provisions contained therein.

3 (g) CONFIRMATION FOR AUTHORIZED POSITIONS.—

4 No Special Envoy, Special Representative, Special Coordi-  
 5 nator, Special Negotiator, Envoy, Representative, Coordi-  
 6 nator, or Special Advisor authorized by a provision of law  
 7 enacted by Congress (*except the position authorized by sec-*  
 8 *tion 621 of the Tibetan Policy Act of 2002 (subtitle B of*  
 9 *title VI of Public Law 107–228; 22 U.S.C. 6901 note)) shall*  
 10 be appointed absent the advice and consent of the Senate.

11 (h) ELIMINATION OF SPECIAL REPRESENTATIVE  
 12 AND POLICY COORDINATOR FOR BURMA.—Section 7 of  
 13 the Tom Lantos Block Burmese Jade Act of 2008 (Public  
 14 Law 110–286; 50 U.S.C. 1701 note) is hereby repealed.

15 **SEC. 302. DEFENSE BASE ACT INSURANCE WAIVERS.**

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

23 (b) CERTIFICATION REQUIREMENT.—Not later than  
 24 45 days after the date of the enactment of this Act, the  
 25 Secretary shall certify to the appropriate congressional

1 committees that the requirement in subsection (a) has  
2 been met.

3 **SEC. 303. ALLOWANCES.**

4 (a) STATEMENT OF POLICY.—It is the policy of the  
5 United States that—

6 (1) pay differentials for staffing overseas posts  
7 should reflect the various factors affecting the desir-  
8 ability of such posts, including the preference of em-  
9 ployees bidding and the dangers or overall hardships  
10 of serving in a particular location, as perceived by  
11 the actual employees eligible to bid for positions in  
12 such locations; and

13 (2) the Secretary should periodically analyze  
14 fluctuations in such bidding patterns to ensure that  
15 pay differentials reflect—

16 (A) the changing conditions in each post;  
17 and

18 (B) the impact of staffing incentives  
19 through pay differentials offered during the  
20 previous year.

21 (b) STAFFING INCENTIVE.—

22 (1) IN GENERAL.—Chapter 59 of title 5, United  
23 States Code, is amended—

24 (A) by striking sections 5925 and 5928;  
25 and



1 (B) by inserting after section 5924 the fol-  
2 lowing new section:

3 **“§ 5925. Staffing incentive**

4 “(a) AUTHORIZATION.—A staffing incentive, not to  
5 exceed 70 percent of the basic pay of the employee, may  
6 be granted to an employee serving at an overseas post  
7 based on the recruitment and retention needs for filling  
8 positions at that post if such incentive—

9 “(1) compensates the employee for conditions of  
10 environment that are substantially and unfavorably  
11 different than conditions of environment in the con-  
12 tinental United States;

13 “(2) compensates the employee for exposure to  
14 conditions of civil insurrection, civil war, terrorism,  
15 or wartime conditions that threaten physical harm  
16 or imminent danger to the health or well-being of  
17 the employee; or

18 “(3) motivates the employee to serve at a post  
19 that is in low demand despite compensation for  
20 hardship and danger conditions.

21 “(b) EXTENDED DETAIL IN A FOREIGN AREA.—A  
22 staffing incentive may be granted to an employee who is  
23 officially stationed in the United States and is on extended  
24 detail in a foreign area for as long as the employee con-  
25 tinues to serve on such extended detail.

1       “(c) NOTIFICATION REQUIREMENT.—The Secretary  
2 of State shall notify the appropriate congressional commit-  
3 tees of—

4           “(1) the implementation of each staffing incen-  
5 tive authorized under this section that applies to em-  
6 ployees of the Department of State stationed at an  
7 overseas post; and

8           “(2) each instance in which implementation of  
9 a staffing incentive under this section for an over-  
10 seas post results in an increase of 5 percent or more  
11 or a decrease of 5 percent or more from the staffing  
12 incentive offered for service at that post during the  
13 previous year.

14       “(d) HARDSHIP INDEX; DANGER LEVEL.—The Sec-  
15 retary of State shall—

16           “(1) annually publish a hardship index for each  
17 diplomatic post that is based on conditions of envi-  
18 ronment at that post that differ substantially from  
19 conditions of environment in the continental United  
20 States; and

21           “(2) semiannually rate the danger level of each  
22 post based on the Security Environment Threat  
23 List.

24       “(e) NUMBER OF BIDS.—The Secretary of State  
25 shall—

1           “(1) track the number of bids made and how  
2           they are ranked for each open position at each over-  
3           seas post within the Department of State and collect  
4           both quantitative and qualitative survey data from  
5           eligible bidders on their bid decision-making;

6           “(2) collect data from the other foreign service  
7           agencies subject to this section on the factors that  
8           incentivize their employees to serve at each overseas  
9           post;

10          “(3) use the information described in para-  
11          graphs (1) and (2) to set appropriate staffing incen-  
12          tives at such overseas posts; and

13          “(4) make the information described in para-  
14          graphs (1) and (2) available, upon request, to the  
15          appropriate congressional committees.

16          “(f) APPROPRIATE CONGRESSIONAL COMMITTEES  
17          DEFINED.—in this section, the term ‘appropriate congres-  
18          sional committees’ means—

19               “(1) the Committee on Foreign Relations of the  
20               Senate; and

21               “(2) the Committee on Foreign Affairs of the  
22               House of Representatives.”.

23               (2) CLERICAL AMENDMENT.—The analysis for  
24               chapter 59 of title 5, United States Code, is amend-  
25               ed—

1 (A) by striking the items relating to sec-  
 2 tions 5925 and 5928; and

3 (B) by inserting after the item relating to  
 4 section 5924 the following new item:

“5925. Staffing incentive.”.

5 (c) IMPLEMENTATION.—Not later than 270 days  
 6 after the date of the enactment of this Act, the head of  
 7 each Federal agency subject to the amendment made by  
 8 subsection (b) shall submit a plan to the Speaker of the  
 9 House of Representatives and the Majority Leader of the  
 10 Senate that describes how the agency intends—

11 (1) to comply with the policy set forth in sub-  
 12 section (a); and

13 (2) to implement the staffing incentives set  
 14 forth in section 5925 of title 5, United States Code,  
 15 as added by subsection (b).

16 **SEC. 304. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

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

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

23 “(1) IN GENERAL.—The Secretary is authorized  
 24 to make grants or enter into cooperative agreements  
 25 related to Department of State science and tech-

1 nology fellowship programs, including, for assistance  
 2 in recruiting fellows and the payment of stipends,  
 3 travel, and other appropriate expenses to fellows.

4 “(2) EXCLUSION FROM CONSIDERATION AS  
 5 COMPENSATION.—Stipends shall not be considered  
 6 compensation for purposes of section 209 of title 18,  
 7 United States Code (18 U.S.C. 209).

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

11 **SEC. 305. TRAVEL FOR SEPARATED FAMILIES.**

12 Section 901(15) of the Foreign Service Act of 1980  
 13 (22 U.S.C. 4081(15)) is amended—

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

19 (2) in subparagraph (A)—

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

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

24 (3) in subparagraph (B)—

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

3 (B) by striking “resides,” and inserting  
 4 “resides; or”;

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

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

14 (5) by striking “a payment” and inserting “the  
 15 cost of a round-trip”.

16 **SEC. 306. HOME LEAVE TRAVEL FOR SEPARATED FAMILIES.**

17 Section 903(b) of the Foreign Service Act of 1980  
 18 (22 U.S.C. 4083(b)) is amended by adding at the end the  
 19 following: “In cases where the member’s family members  
 20 reside apart from the member at authorized locations out-  
 21 side the United States because they are prevented by offi-  
 22 cial order from residing at the member’s post of assign-  
 23 ment, the member may take the leave ordered under this  
 24 section where that member’s family members reside.”.

1 **SEC. 307. SENSE OF CONGRESS REGARDING CERTAIN FEL-**  
 2 **LOWSHIP PROGRAMS.**

3 *It is the Sense of Congress that—*

4 *(1) the Charles B. Rangel International Affairs*  
 5 *Graduate Fellowship Program, the Thomas R. Pick-*  
 6 *ering Foreign Affairs Fellowship Program, and the*  
 7 *Donald M. Payne International Development Fellow-*  
 8 *ship Program represent smart investments vital for*  
 9 *building a strong, capable, and representative na-*  
 10 *tional security workforce; and*

11 *(2) the Secretary of State and the Administrator*  
 12 *of the United States Agency for International Devel-*  
 13 *opment should fulfill their obligations to each of the*  
 14 *Fellows as defined in their original contractual agree-*  
 15 *ment with each Fellow.*

16 **TITLE IV—DIVERSITY**

17 **SEC. 401. DEFINITIONS.**

18 In this title:

19 (1) **APPLICANT FLOW DATA.**—The term “appli-  
 20 cant flow data” means data that tracks the rate of  
 21 applications for job positions among demographic  
 22 categories.

23 (2) **DIVERSITY.**—The term “diversity” means—

24 (A) those classes of persons protected  
 25 under the Civil Rights Act of 1964 (42 U.S.C.  
 26 2000a et seq.) and the Americans with Disabil-

ities Act of 1990 (42 U.S.C. 12101 et seq.);  
and

(B) veterans (as defined in section 3.1(d)  
of title 38, Code of Federal Regulations).

(3) FOREIGN SERVICE.—The term “Foreign  
Service” has the meaning given that term in section  
102 of the Foreign Service Act of 1980 (22 U.S.C.  
3902).

(4) MEMBER OF THE FOREIGN SERVICE.—The  
term “member of the Foreign Service” means an in-  
dividual listed in section 103 of the Foreign Service  
Act of 1980 (22 U.S.C. 3903).

(5) WORKFORCE.—The term “workforce”  
means all individuals serving in a position—

(A) in the civil service (as defined in sec-  
tion 2101 of title 5, United States Code); or

(B) as a member of the Foreign Service.

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

(a) INITIAL REPORT.—Not later than 180 days after  
the date of the enactment of this Act, the Secretary shall  
provide a report to the public that includes aggregate de-  
mographic data and other information regarding the diver-  
sity of the workforce of the Department.

(b) DATA.—The report under subsection (a)—



1 (1) shall include aggregate demographic data—

2 (A) by segment of the workforce of the De-  
3 partment and grade or rank;

4 (B) by foreign service code and civil service  
5 job code;

6 (C) relating to attrition and promotion  
7 rates;

8 (D) that addresses Department compliance  
9 with validated inclusion metrics;

10 (E) that provides demographic compari-  
11 sons to the relevant civilian labor force;

12 (F) on the diversity of selection boards;

13 (G) on the employment of minority and  
14 service-disabled veterans during the most recent  
15 10-year period, including—

16 (i) the number hired through direct  
17 hires, internships, and fellowship pro-  
18 grams;

19 (ii) the number promoted to senior  
20 positions, including positions at class 1 of  
21 the Foreign Service Schedule, at level 15  
22 of the General Schedule, in the Senior Ex-  
23 ecutive Service, or in the Senior Foreign  
24 Service; and

1 (iii) attrition rates by grade, in the  
2 civil service and foreign service, and in the  
3 senior positions described in clause (ii);  
4 and

5 (H) on mentorship and retention pro-  
6 grams;

7 (2) shall include an analysis of applicant flow  
8 data, including the percentage, actual numbers, and  
9 level of positions for which data are collected, and a  
10 discussion of any resulting policy changes or rec-  
11 ommendations;

12 (3) shall include demographic data relating to  
13 participants in professional development programs of  
14 the Department, and the rate of placement into sen-  
15 ior positions for participants in such programs;

16 (4) shall include any demographic data relating  
17 to the membership of any external advisory com-  
18 mittee or board to which individuals in senior posi-  
19 tions in the Department appoint members;

20 (5) shall be organized in terms of real numbers  
21 and percentages at all levels; and

22 (6) shall be made available in a searchable  
23 database format.

24 (c) RECOMMENDATION.—The Secretary may submit  
25 a recommendation to the Office of Management and

1 Budget and to the appropriate congressional committees  
2 regarding whether the Department should collect more de-  
3 tailed data on demographic categories in addition to the  
4 race and ethnicity categories specified in the Office of  
5 Management and Budget statistical policy directive enti-  
6 tled “Standards for Maintaining, Collecting, and Pre-  
7 senting Federal Data on Race and Ethnicity” (81 Fed.  
8 Reg. 67398).

9 (d) OTHER CONTENTS.—The report under sub-  
10 section (a) shall describe the efforts of the Department—

11 (1) to propagate fairness, impartiality, and in-  
12 clusion in the work environment domestically and  
13 abroad;

14 (2) to ensure that harassment, intolerance, and  
15 discrimination are not tolerated;

16 (3) to refrain from engaging in unlawful dis-  
17 crimination in any phase of the employment process,  
18 including recruitment, hiring, evaluation, assign-  
19 ments, promotion, retention, and training;

20 (4) to prevent illegal retaliation against employ-  
21 ees for participating in a protected equal employ-  
22 ment opportunity activity;

23 (5) to provide reasonable accommodation for  
24 qualified employees and applicants with disabilities;

1           (6) to resolve workplace conflicts, confronta-  
2           tions, and complaints in a prompt, impartial, con-  
3           structive, and timely manner;

4           (7) to recruit a diverse workforce by—

5                 (A) recruiting women, minorities, veterans,  
6                 and undergraduate and graduate students;

7                 (B) recruiting at historically Black colleges  
8                 and universities, Hispanic serving institutions,  
9                 women’s colleges, and colleges that typically  
10                serve majority minority populations;

11               (C) sponsoring and recruiting at job fairs  
12               in urban communities;

13               (D) placing job advertisements in news-  
14               papers, magazines, and job sites oriented to-  
15               ward women and people of color;

16               (E) providing opportunities through the  
17               Foreign Service Internship Program and other  
18               hiring initiatives; and

19               (F) recruiting mid-level and senior-level  
20               professionals through programs designed to in-  
21               crease minority representation in international  
22               affairs; and

23           (8) provide opportunities through—

24                 (A) the Charles B. Rangel International  
25                 Affairs Fellowship Program;

1 (B) the Thomas R. Pickering Foreign Af-  
2 fairs Fellowship Program; and

3 (C) the Donald M. Payne International  
4 Development Fellowship Program.

5 (e) ANNUAL UPDATES.—Not later than one year  
6 after the publication of the report under subsection (a),  
7 and annually thereafter, the Secretary shall provide a re-  
8 port to the public, which may be included in another an-  
9 nual report required under another provision of law, that  
10 includes, in a searchable database format—

11 (1) demographic data and information on the  
12 status of diversity and inclusion efforts of the De-  
13 partment;

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

15 (3) demographic data relating to participants in  
16 professional development programs of the Depart-  
17 ment and the rate of placement into senior positions  
18 for participants in such programs.

19 **SEC. 403. EXIT INTERVIEWS OR SURVEYS.**

20 (a) RETAINED MEMBERS.—The Director General of  
21 the Foreign Service should conduct periodic interviews or  
22 surveys with a representative and diverse cross-section of  
23 the workforce of the Department—

24 (1) to understand the reasons of the members  
25 for remaining in a position in the Department; and

1           (2) to receive feedback on workplace policies,  
2           professional development opportunities, and other  
3           issues affecting the decision of the members to re-  
4           main in the Department.

5           (b) DEPARTING MEMBERS.—The Director General of  
6           the Foreign Service shall provide an opportunity for an  
7           exit interview or survey to each member of the workforce  
8           of the Department who separates from service with the  
9           Department to better understand the member’s reasons  
10          for leaving such service.

11          (c) USE OF ANALYSIS FROM INTERVIEWS AND SUR-  
12          VEYS.—The Director General of the Foreign Service shall  
13          analyze information obtained through interviews and sur-  
14          veys under subsections (a) and (b) to determine—

15               (1) if and how the diversity of those partici-  
16               pating in such interviews and surveys impacts the  
17               results; and

18               (2) whether to implement any policy changes or  
19               make any recommendations as part of the report re-  
20               quired under section 402.

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

22               (1) track demographic data relating to partici-  
23               pants in professional development programs and the  
24               rate of placement into senior positions for partici-  
25               pants in such programs;

1 (2) annually evaluate such data—

2 (A) to identify ways to improve outreach  
3 and recruitment for such programs, consistent  
4 with merit system principles; and

5 (B) to understand how participation in any  
6 program offered or sponsored by the Depart-  
7 ment under paragraph (1) differs among the di-  
8 versity groups of the workforce; and

9 (3) actively encourage participation from a  
10 range of demographic categories, especially from cat-  
11 egories with consistently low participation.

12 **SEC. 404. RECRUITMENT.**

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

14 (1) continue to seek a diverse and talented pool  
15 of applicants; and

16 (2) instruct the Director of Human Resources  
17 to have a diversity recruitment goal, which should  
18 include outreach at appropriate colleges, universities,  
19 diversity organizations, and professional associa-  
20 tions.

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

23 (1) recruiting at historically Black colleges and  
24 universities, Hispanic-serving institutions, women’s

1 colleges, and colleges that typically serve majority  
2 minority populations;

3 (2) sponsoring and recruiting at job fairs in  
4 urban communities;

5 (3) placing job advertisements in newspapers,  
6 magazines, and job sites oriented toward diverse  
7 groups;

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

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

15 **SEC. 405. PAYNE FELLOWSHIP AUTHORIZATION.**

16 (a) IN GENERAL.—Undergraduate and graduate  
17 components of the Donald M. Payne International Devel-  
18 opment Fellowship Program may conduct outreach to at-  
19 tract outstanding students who represent diverse ethnic  
20 and socioeconomic backgrounds with an interest in pur-  
21 suing a Foreign Service career.

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



1 **SEC. 406. VOLUNTARY PARTICIPATION.**

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

8 (b) PRIVACY PROTECTION.—Any data collected  
9 under this title shall be subject to the relevant privacy pro-  
10 tection statutes and regulations applicable to Federal em-  
11 ployees.

12 **TITLE V—INFORMATION**  
13 **SECURITY**

14 **SEC. 501. DEFINITIONS.**

15 In this title:

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

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

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

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

25 (2) VIOLATION.—The term “violation” means  
26 any knowing, willful, or negligent action—

1 (A) that could reasonably be expected to  
 2 result in an unauthorized disclosure of classified  
 3 information;

4 (B) to classify or continue the classifica-  
 5 tion of information contrary to the require-  
 6 ments of an active Executive order or its imple-  
 7 menting directives; or

8 (C) to create or continue a special access  
 9 program contrary to the requirements of an ac-  
 10 tive Executive order.

11 **SEC. 502. INFORMATION TECHNOLOGY SYSTEM SECURITY.**

12 (a) DEFINITIONS.—In this section:

13 (1) INCIDENT.—The term “incident” has the  
 14 meaning given the term in section 3552(b) of title  
 15 44, United States Code.

16 (2) INFORMATION SYSTEM.—The term “infor-  
 17 mation system” has the meaning given the term in  
 18 section 3502 of title 44, United States Code.

19 (3) PENETRATION TEST.—The term “penetra-  
 20 tion test” means a test methodology in which asses-  
 21 sors attempt to circumvent or defeat the security  
 22 features of an information system.

23 (b) CONSULTATIONS PROCESS.—Not later than 60  
 24 days after the date of the enactment of this Act, the Sec-  
 25 retary shall establish a process for conducting semiannual

1 consultations with the Secretary of Defense, the Director  
2 of National Intelligence, the Secretary of Homeland Secu-  
3 rity, and any other department or agency representative  
4 that the Secretary determines to be appropriate regarding  
5 the security of United States Government and nongovern-  
6 mental information systems used or operated by the De-  
7 partment, a contractor of the Department, or another or-  
8 ganization on behalf of the Department, including any  
9 such systems or networks facilitating the use of sensitive  
10 or classified information.

11 (c) INDEPENDENT PENETRATION TESTING OF IN-  
12 FORMATION SYSTEMS.—In coordination with the consulta-  
13 tions under subsection (b), the Secretary shall commission  
14 independent, semiannual penetration tests, which shall be  
15 carried out by an appropriate Federal agency other than  
16 the Department, such as the Department of Homeland Se-  
17 curity or the National Security Agency, to ensure that  
18 adequate policies and protections are implemented to de-  
19 tect and prevent penetrations or compromises of such in-  
20 formation systems, including malicious intrusions by any  
21 unauthorized individual, state actor, or other entity.

22 (d) WAIVER.—The Secretary may waive the require-  
23 ment under subsection (c) for up to 180 days if the Sec-  
24 retary—

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

4           (2) not later than 30 days after the commence-  
5       ment of such a waiver, submits a written justifica-  
6       tion to the relevant congressional committees that  
7       describes how such penetration tests would under-  
8       mine national security or the diplomatic mission of  
9       the Department.

10       (e) INCIDENT REPORTING.—Not later than 180 days  
11   after the date of the enactment of this Act, and every 180  
12   days thereafter for five years, the Secretary, in consulta-  
13   tion with the Secretary of Defense, the Director of the  
14   National Intelligence, the Secretary of Homeland Security,  
15   and any other department or agency representative that  
16   the Secretary determines to be appropriate, shall securely  
17   submit a classified report to the relevant congressional  
18   committees that describes in detail—

19           (1) for the first reporting period, all known and  
20       suspected incidents of the information systems speci-  
21       fied in subsection (b) that occurred during the 180-  
22       day period immediately preceding the date of the en-  
23       actment of this Act; and

24           (2) for all subsequent reporting periods, all  
25       known and suspected incidents of the information

1 systems specified in subsection (b) that occurred  
2 since the submission of the most recent report.

3 (f) CONTENTS.—Each report under subsection (e)  
4 shall include, for the relevant reporting period—

5 (1) a description of the relevant information  
6 system, as specified in subsection (b), that experi-  
7 enced a known or suspected incident;

8 (2) an assessment of the date and time each  
9 such incident occurred;

10 (3) an assessment of the duration over which  
11 each such incident took place, including whether it  
12 is ongoing;

13 (4) an assessment of the volume and sensitivity  
14 of information accessed, compromised, or potentially  
15 compromised by each incident, including any such  
16 information contained on information systems  
17 owned, operated, managed, or utilized by any other  
18 Federal department or agency;

19 (5) an assessment of whether such information  
20 system was compromised by a malicious intrusion,  
21 including an assessment of—

22 (A) the known or suspected perpetrators,  
23 including state actors;

24 (B) the methods used to carry out the inci-  
25 dent; and

1 (C) the known or suspected intent of the  
2 actors in accessing the information system; and

3 (6) a description of the actions the Department  
4 has taken or plans to take, including timelines and  
5 descriptions of any progress on plans described in  
6 prior reports, to prevent future, similar incidents of  
7 such information systems.

8 (g) INSPECTOR GENERAL OVERSIGHT.—The Sec-  
9 retary shall—

10 (1) notify the Inspector General for the Depart-  
11 ment of State and the Broadcasting Board of Gov-  
12 ernors about all planned penetration tests required  
13 under subsection (c); and

14 (2) provide the Inspector General for the De-  
15 partment of State and the Broadcasting Board of  
16 Governors with any reports, conclusions, or analyses  
17 that are a result of such testing.

18 **SEC. 503. IMPROVING FOIA PROCESS.**

19 (a) REFORM PLAN.—Not later than 90 days after the  
20 date of the enactment of this Act, the Secretary shall sub-  
21 mit a plan to the relevant congressional committees that  
22 describes how the reforms described in subsection (b) will  
23 be completed within one year after the date of the enact-  
24 ment of this Act.

1 (b) REFORMS.—The Secretary, in consultation with  
2 the Director of National Intelligence, shall develop and im-  
3 plement a cost-effective plan for training and maintaining  
4 an appropriate number of officials of the Department in—

5 (1) the identification of marked or unmarked  
6 classified information in documents or media subject  
7 to requests under section 552 of title 5, United  
8 States Code (commonly referred to as the “Freedom  
9 of Information Act”), including information origi-  
10 nating with the intelligence community; and

11 (2) appropriate procedures for coordinating  
12 with intelligence officials to ensure that such offi-  
13 cials have an opportunity to make a classification  
14 determination regarding the classification status and  
15 level, if any, of any information potentially origi-  
16 nating with the intelligence community.

17 (c) ACCOUNTABILITY.—Not later than 14 months  
18 after the date of the enactment of this Act, the Inspector  
19 General of the Intelligence Community, in consultation  
20 with the Inspector General of the Department of State  
21 and the Broadcasting Board of Governors, shall—

22 (1) review the Department’s implementation of  
23 the plan required under subsection (a); and

24 (2) submit a report to the relevant congres-  
25 sional committees that assesses the extent to which

1 the Department has implemented the reforms re-  
2 quired under subsection (b).

3 **SEC. 504. ANNUAL REPORT ON SECURITY VIOLATIONS.**

4 (a) ANNUAL REPORT.—Not later than 90 days after  
5 the date of the enactment of this Act, and annually there-  
6 after for five years, the Secretary shall submit a report  
7 to the relevant congressional committees that includes in-  
8 formation on the security violations that occurred during  
9 the most recently completed fiscal year, including the un-  
10 authorized transfer of marked or unmarked classified in-  
11 formation into documents, electronic media or systems,  
12 electronic transmissions, or other records or storage not  
13 certified for the handling, storage, or transmittal of such  
14 information.

15 (b) ELEMENTS.—The reporting of security violations  
16 submitted under subsection (a) shall include—

17 (1) the total number of security violations that  
18 occurred during the current reporting period, includ-  
19 ing the number of violations that occurred within  
20 each office or bureau of the Department;

21 (2) the number of violations where there was an  
22 indication that classified information was com-  
23 promised or potentially compromised;



1           (3) the number of violations committed by an  
2           employee with a history of one or more prior viola-  
3           tions; and

4           (4) the number and nature of actions taken by  
5           the Department in response to security violations,  
6           including—

7                   (A) disciplinary actions taken or criminal  
8                   referrals; and

9                   (B) the administration of remedial training  
10           in response to any violation or violations.

11 **SEC. 505. CLASSIFIED INFORMATION SPILLAGE.**

12           (a) DETECTION OF CLASSIFIED INFORMATION  
13 SPILLAGE.—Not later than 90 days after the date of the  
14 enactment of this Act, the Secretary shall submit a plan  
15 to the relevant congressional committees that describes  
16 how the reforms described in subsection (b) will be com-  
17 pleted within one year after the date of the enactment of  
18 this Act.

19           (b) TRAINING PROGRAM.—The Secretary, in con-  
20 sultation with the Director of National Intelligence, shall  
21 develop a training program for appropriate officials of the  
22 Bureau of Diplomatic Security in the best practices for  
23 detecting and recognizing classified information spillage,  
24 including information originating from the Intelligence  
25 Community.

1 (c) RANDOMIZED SAMPLING TO DETECT SPILL-  
2 AGE.—The officials receiving the training described in  
3 subsection (b) shall, not less frequently than quarterly—

4 (1) collect statistically valid random samples of  
5 electronic mail sent by or received from employees of  
6 the Department who hold a security clearance grant-  
7 ing such employees authorized access to information  
8 classified at the level of Secret or above; and

9 (2) use such samples, in a manner provided for  
10 in the training described in subsection (b), to detect  
11 classified information spillage as part of the Depart-  
12 ment's program for safeguarding classified informa-  
13 tion.

14 (d) ACCOUNTABILITY.—Not later than 90 days after  
15 the implementation of the training program described in  
16 subsection (b), the Inspector General for the Department  
17 of State and the Broadcasting Board of Governors, in con-  
18 sultation with the Inspector General for the Intelligence  
19 Community, shall—

20 (1) conduct an audit of the program and activi-  
21 ties carried out under this section; and

22 (2) submit a report containing the results of  
23 the audit conducted under paragraph (1) to the rel-  
24 evant congressional committees.

1 **SEC. 506. EMERGENCY REFRESHER TRAINING ON THE HAN-**  
2 **DLING OF CLASSIFIED INFORMATION.**

3 (a) EMERGENCY REFRESHER TRAINING.—Except as  
4 provided in subsection (d), not later than 180 days after  
5 the date of the enactment of this Act, the Secretary shall  
6 submit a written certification to the relevant congressional  
7 committees that all Department personnel who possess a  
8 security clearance have completed special emergency re-  
9 fresher training, developed by the Secretary, in consulta-  
10 tion with the Director of National Intelligence, in the rules  
11 and procedures governing the appropriate identification  
12 and handling of classified information, including informa-  
13 tion originating from the Intelligence Community.

14 (b) CERTIFICATION BY PERSONNEL UNDERGOING  
15 TRAINING.—Each employee of the Department who un-  
16 dergoes the training required under subsection (a) shall  
17 certify in writing that the employee—

18 (1) has received such training;

19 (2) has read and understands the rules and  
20 procedures for identifying and handling classified in-  
21 formation, including information originating from  
22 the Intelligence Community;

23 (3) understands the grave responsibilities ac-  
24 companying the privilege of access to classified infor-  
25 mation; and

1           (4) commits to following such rules and proce-  
2           dures, under penalty of all applicable laws, regula-  
3           tions, and policies of the Department.

4           (c) PRIORITIZATION.—In administering the emer-  
5           gency refresher training required under subsection (a), the  
6           Secretary shall prioritize the retraining of employees in  
7           the following order:

8           (1) Employees who possess a security clearance  
9           at the Top Secret/Sensitive Compartmented Infor-  
10          mation level.

11          (2) Employees who possess a security clearance  
12          at the Top Secret level.

13          (3) Employees who possess a security clearance  
14          at the Secret level.

15          (4) Employees who possess a security clearance  
16          at the Confidential Information level.

17          (d) DELAY IN TRAINING.—

18          (1) IN GENERAL.—The Secretary may delay the  
19          provision of emergency refresher training required  
20          under subsection (a), for up to 30 days, for any spe-  
21          cific official or employee of the Department or any  
22          group of officials or employees, up to the level of an  
23          individual office, if the Secretary considers such  
24          delay to be critical to the foreign policy interests of  
25          the United States.

1           (2) NOTICE TO CONGRESS.—Not later than 30  
2       days after authorizing a delay under paragraph (1)  
3       the Secretary shall submit a written notice of such  
4       delay, including a justification for the delay, to the  
5       relevant congressional committees.

6   **SEC. 507. PROHIBITION ON CONTRACTING WITH CERTAIN**  
7                           **TELECOMMUNICATIONS PROVIDERS.**

8       (a) *LIST OF COVERED CONTRACTORS.*—Not later than  
9   30 days after the date of the enactment of this Act, the Sec-  
10   retary, in consultation with the Director of National Intel-  
11   ligence, shall develop a list of covered contractors to be up-  
12   dated as frequently as the Secretary determines appro-  
13   priate.

14       (b) *PROHIBITION ON CONTRACTS.*—The Secretary may  
15   not enter into a contract with a covered contractor on the  
16   list described under subsection (a).

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

24       (d) *WAIVERS.*—

1           (1) *IN GENERAL.*—*The President, or the Assist-*  
2           *ant to the President for National Security Affairs,*  
3           *may waive the requirements under subsection (b) if*  
4           *the President, or the Assistant to the President, deter-*  
5           *mines that such waiver is justified for national secu-*  
6           *rity reasons.*

7           (2) *SECRETARY OF STATE.*—*The Secretary may*  
8           *waive the requirements under subsection (b) for*  
9           *United States diplomatic posts or diplomatic per-*  
10          *sonnel overseas if the Secretary, in consultation with*  
11          *the Director of National Intelligence, determines that*  
12          *no suitable alternatives are available.*

13          (e) *COVERED CONTRACTOR DEFINED.*—*In this section,*  
14          *the term “covered contractor” means a provider of tele-*  
15          *communications, telecommunications equipment, or infor-*  
16          *mation technology equipment, including hardware, software*  
17          *and services, that has knowingly assisted or facilitated a*  
18          *cyber attack or conducted surveillance, including passive or*  
19          *active monitoring, carried out against the United States by,*  
20          *or on behalf of, any government, or persons associated with*  
21          *such government, listed as a cyber threat actor in the*  
22          *United States Intelligence Community’s 2017 assessment of*  
23          *worldwide threats to United States national security or any*  
24          *following worldwide threat assessment of the United States*  
25          *intelligence community.*

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

4       **SEC. 508. REPORT ON CONTRACTS WITH KASPERSKY LABS**  
 5                               **AND HUAWEI.**

6       (a) *DETERMINATION.*—*Not later than 30 days after the*  
 7       *date of the enactment of this Act, the Secretary of State*  
 8       *shall develop a process and timeframe for determining*  
 9       *whether or not the Department of State purchased software,*  
 10       *hardware, or services from Kaspersky Lab, Huawei, ZTE*  
 11       *Corporation, or from any affiliates where Kaspersky Lab,*  
 12       *Huawei, or ZTE Corporation equipment, software, or serv-*  
 13       *ices may be contained, and if so, if any of those products*  
 14       *or services are still in use.*

15       (b) *REPORT.*—*Not later than 180 days after the date*  
 16       *of the enactment of this Act, the Secretary of State shall*  
 17       *submit to the appropriate congressional committees a report*  
 18       *on the findings pursuant to the review under subsection (a),*  
 19       *and shall provide updates every 30 days thereafter until*  
 20       *the review is complete.*

21       **TITLE VI—PUBLIC DIPLOMACY**

22       **SEC. 601. AMERICAN SPACES REVIEW.**

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

1 shall submit a report to the appropriate congressional  
2 committees that includes—

3 (1) the full costs incurred by the Department to  
4 provide American Spaces, including—

5 (A) American Centers, American Corners,  
6 Binational Centers, Information Resource Cen-  
7 ters, and Science Centers; and

8 (B) the total costs of all associated—

9 (i) employee salaries, including mem-  
10 bers of the foreign service, other United  
11 States civilian personnel, and locally em-  
12 ployed staff;

13 (ii) programming expenses;

14 (iii) operating expenses;

15 (iv) contracting expenses; and

16 (v) security expenses;

17 (2) a breakdown of the total costs described in  
18 paragraph (1) by each space and type of space;

19 (3) the total fees collected for entry to, or the  
20 use of, American Spaces and related resources, in-  
21 cluding a breakdown by the type of fee for each  
22 space and type of space;

23 (4) the total usage rates, including by type of  
24 service, for each space and type of space; and



1           (5) an assessment of the significance, utility,  
2           and benefit of the American Spaces program in pro-  
3           moting mutual understanding and the value of  
4           American culture.

5 **SEC. 602. IMPROVING RESEARCH AND EVALUATION OF**  
6 **PUBLIC DIPLOMACY.**

7           (a) IN GENERAL.—The Secretary shall—

8           (1) conduct regular research and evaluation of  
9           public diplomacy programs and activities of the De-  
10          partment, including through the routine use of audi-  
11          ence research, digital analytics, and impact evalua-  
12          tions, to plan and execute such programs and activi-  
13          ties; and

14          (2) make the findings of the research and eval-  
15          uations conducted under paragraph (1) available to  
16          Congress.

17          (b) DIRECTOR OF RESEARCH AND EVALUATION.—

18           (1) APPOINTMENT.—Not later than 90 days  
19           after the date of the enactment of this Act, the Sec-  
20           retary shall appoint a Director of Research and  
21           Evaluation in the Office of Policy, Planning, and  
22           Resources for the Under Secretary for Public Diplo-  
23           macy and Public Affairs.

24           (2) LIMITATION ON APPOINTMENT.—The ap-  
25           pointment of a Director of Research and Evaluation

1       pursuant to paragraph (1) shall not result in an in-  
2       crease in the overall full-time equivalent positions  
3       within the Department.

4               (3) RESPONSIBILITIES.—The Director of Re-  
5       search and Evaluation shall—

6               (A) coordinate and oversee the research  
7       and evaluation of public diplomacy programs of  
8       the Department—

9               (i) to improve public diplomacy strate-  
10      gies and tactics; and

11              (ii) to ensure that programs are in-  
12      creasing the knowledge, understanding,  
13      and trust of the United States by relevant  
14      target audiences;

15              (B) report to the Director of Policy and  
16      Planning;

17              (C) routinely organize and oversee audi-  
18      ence research, digital analytics, and impact  
19      evaluations across all public diplomacy bureaus  
20      and offices of the Department;

21              (D) support embassy public affairs sec-  
22      tions;

23              (E) share appropriate public diplomacy re-  
24      search and evaluation information within the

1 Department and with other Federal depart-  
2 ments and agencies;

3 (F) regularly design and coordinate stand-  
4 ardized research questions, methodologies, and  
5 procedures to ensure that public diplomacy ac-  
6 tivities across all public diplomacy bureaus and  
7 offices are designed to meet appropriate foreign  
8 policy objectives; and

9 (G) report quarterly to the United States  
10 Advisory Commission on Public Diplomacy,  
11 through the Commission's Subcommittee on Re-  
12 search and Evaluation established pursuant to  
13 subsection (e), regarding the research and eval-  
14 uation of all public diplomacy bureaus and of-  
15 fices of the Department.

16 (4) GUIDANCE AND TRAINING.—Not later than  
17 180 days after the appointment of the Director of  
18 Research and Evaluation pursuant to paragraph (1),  
19 the Director shall create guidance and training for  
20 all public diplomacy officers regarding the reading  
21 and interpretation of public diplomacy program eval-  
22 uation findings to ensure that such findings and les-  
23 sons learned are implemented in the planning and  
24 evaluation of all public diplomacy programs and ac-  
25 tivities throughout the Department.

1 (c) PRIORITIZING RESEARCH AND EVALUATION.—

2 (1) IN GENERAL.—The Director of Policy,  
3 Planning, and Resources shall ensure that research  
4 and evaluation, as coordinated and overseen by the  
5 Director of Research and Evaluation, supports stra-  
6 tegic planning and resource allocation across all pub-  
7 lic diplomacy bureaus and offices of the Department.

8 (2) ALLOCATION OF RESOURCES.—Amounts al-  
9 located for the purposes of research and evaluation  
10 of public diplomacy programs and activities pursu-  
11 ant to subsection (a) shall be made available to be  
12 disbursed at the direction of the Director of Re-  
13 search and Evaluation among the research and eval-  
14 uation staff across all public diplomacy bureaus and  
15 offices of the Department.

16 (3) SENSE OF CONGRESS.—It is the sense of  
17 Congress that the Department should allocate, for  
18 the purposes of research and evaluation of public di-  
19 plomacy activities and programs pursuant to sub-  
20 section (a)—

21 (A) 3 to 5 percent of program funds made  
22 available under the heading “EDUCATIONAL  
23 AND CULTURAL EXCHANGE PROGRAMS”; and

24 (B) 3 to 5 percent of program funds allo-  
25 cated for public diplomacy programs under the

1 heading “DIPLOMATIC AND CONSULAR PRO-  
2 GRAMS”.

3 (d) LIMITED EXEMPTION.—Chapter 35 of title 44,  
4 United States Code (commonly known as the “Paperwork  
5 Reduction Act”) shall not apply to collections of informa-  
6 tion directed at foreign individuals conducted by, or on  
7 behalf of, the Department for the purpose of audience re-  
8 search and impact evaluations, in accordance with the re-  
9 quirements under this section and in connection with the  
10 Department’s activities conducted pursuant to the United  
11 States Information and Educational Exchange Act of  
12 1948 (22 U.S.C. 1431 et seq.) or the Mutual Educational  
13 and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et  
14 seq.).

15 (e) LIMITED EXEMPTION TO THE PRIVACY ACT.—  
16 The Department shall maintain, collect, use, and dissemi-  
17 nate records (as such term is defined in section 552a(a)(4)  
18 of title 5, United States Code) for research and data anal-  
19 ysis of public diplomacy efforts intended for foreign audi-  
20 ences. Such research and data analysis shall be reasonably  
21 tailored to meet the purposes of this subsection and shall  
22 be carried out with due regard for privacy and civil lib-  
23 erties guidance and oversight.

24 (f) ADVISORY COMMISSION ON PUBLIC DIPLO-  
25 MACY.—

1           (1) SUBCOMMITTEE FOR RESEARCH AND EVAL-  
 2           UATION.—The Advisory Commission on Public Di-  
 3           plomacy shall establish a Subcommittee for Research  
 4           and Evaluation to monitor and advise on the re-  
 5           search and evaluation activities of the Department  
 6           and the Broadcasting Board of Governors.

7           (2) REPORT.—The Subcommittee for Research  
 8           and Evaluation established pursuant to paragraph  
 9           (1) shall submit an annual report to Congress in  
 10          conjunction with the Commission on Public Diplo-  
 11          macy’s Comprehensive Annual Report on the per-  
 12          formance of the Department and the Broadcasting  
 13          Board of Governors in carrying out research and  
 14          evaluations of their respective public diplomacy pro-  
 15          gramming.

16          (g) DEFINITIONS.—In this section:

17           (1) AUDIENCE RESEARCH.—The term “audi-  
 18           ence research” means research conducted at the out-  
 19           set of public diplomacy program or campaign plan-  
 20           ning and design on specific audience segments to un-  
 21           derstand the attitudes, interests, knowledge, and be-  
 22           haviors of such audience segments.

23           (2) DIGITAL ANALYTICS.—The term “digital  
 24           analytics” means the analysis of qualitative and  
 25           quantitative data, accumulated in digital format, to

1 indicate the outputs and outcomes of a public diplo-  
2 macy program or campaign.

3 (3) IMPACT EVALUATION.—The term “impact  
4 evaluation” means an assessment of the changes in  
5 the audience targeted by a public diplomacy program  
6 or campaign that can be attributed to such program  
7 or campaign.

## 8 **TITLE VII—COMBATING PUBLIC** 9 **CORRUPTION**

### 10 **SEC. 701. DEFINITIONS.**

11 In this title:

12 (1) CORRUPT ACTOR.—The term “corrupt  
13 actor” means—

14 (A) any foreign person or entity that is a  
15 government official or government entity re-  
16 sponsible for, or complicit in, an act of public  
17 corruption; and

18 (B) any company, in which a person or en-  
19 tity described in subparagraph (A) has a sig-  
20 nificant stake, which is responsible for, or  
21 complicit in, an act of public corruption.

22 (2) FOREIGN ASSISTANCE.—The term “foreign  
23 assistance” means assistance made available  
24 under—

1 (A) the Foreign Assistance Act of 1961  
 2 (22 U.S.C. 2151 et seq.); or

3 (B) the Arms Export Control Act (22  
 4 U.S.C. 2751 et seq.).

5 (3) GRAND CORRUPTION.—The term “grand  
 6 corruption” means public corruption committed at a  
 7 high level of government that—

8 (A) distorts policies or the central func-  
 9 tioning of the country; and

10 (B) enables leaders to benefit at the ex-  
 11 pense of the public good.

12 (4) PETTY CORRUPTION.—The term “petty cor-  
 13 ruption” means the unlawful exercise of entrusted  
 14 public power for private gain by low- or mid-level  
 15 public officials in their interactions with ordinary  
 16 citizens, including by bribery, nepotism, fraud, or  
 17 embezzlement.

18 (5) PUBLIC CORRUPTION.—The term “public  
 19 corruption” means the unlawful exercise of entrusted  
 20 public power for private gain, including by bribery,  
 21 nepotism, fraud, or embezzlement.

22 **SEC. 702. SENSE OF CONGRESS.**

23 It is the sense of Congress that—

24 (1) it is in the foreign policy interest of the  
 25 United States to help other countries promote good



1 governance and combat public corruption, particu-  
2 larly grand corruption;

3 (2) multiple departments and agencies across  
4 the United States Government operate programs  
5 that promote good governance in foreign countries  
6 and enhance foreign countries' ability to combat  
7 public corruption;

8 (3) the Department should promote coordina-  
9 tion among programs described in paragraph (2) to  
10 improve their effectiveness and efficiency; and

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

15 **SEC. 703. ANNUAL REPORT.**

16 The Secretary shall annually submit to the appro-  
17 priate congressional committees and publish, on a publicly  
18 accessible website, a report that—

19 (1) groups foreign countries, by quintile, based  
20 on—

21 (A) the World Bank Worldwide Govern-  
22 ance Indicator on Control of Corruption; and

23 (B) the World Bank Worldwide Govern-  
24 ance Indicator on Voice and Accountability;

1           (2) adds context and commentary, as appro-  
 2       priate, to the World Bank Worldwide Governance  
 3       Indicator on Control of Corruption and the World  
 4       Bank Worldwide Governance Indicator on Voice and  
 5       Accountability groupings under paragraph (1), as  
 6       appropriate, based on the factors outlined in section  
 7       704;

8           (3) describes, based on the World Bank World-  
 9       wide Governance Indicators and the factors outlined  
 10      in section 704, the status of foreign governments' ef-  
 11      forts to combat public corruption; and

12          (4) describes the status of each foreign coun-  
 13      try's active membership in voluntary multi-sectoral  
 14      global governance initiatives as evidence of the coun-  
 15      try's government-led efforts to combat public corrup-  
 16      tion.

17 **SEC. 704. ADDITIONAL FACTORS FOR ASSESSING GOVERN-**  
 18 **MENT EFFORTS TO COMBAT PUBLIC COR-**  
 19 **RUPTION.**

20       (a) **FACTORS FOR ASSESSING GOVERNMENT EF-**  
 21 **FORTS TO COMBAT PUBLIC CORRUPTION.**—In assessing  
 22 a government's efforts to combat public corruption, the  
 23 Secretary should consider, to the extent reliable informa-  
 24 tion is available—

25           (1) whether the country—

1           (A) has enacted laws and established gov-  
2           ernment structures, policies, and practices that  
3           prohibit public corruption, including grand cor-  
4           ruption and petty corruption; and

5           (B) enforces such laws through a fair judi-  
6           cial process;

7           (2) whether the country prescribes appropriate  
8           punishment for grand corruption that is commensu-  
9           rate with the punishment prescribed for serious  
10          crimes;

11          (3) whether the country prescribes appropriate  
12          punishment for petty corruption that provides a suf-  
13          ficiently stringent deterrent and adequately reflects  
14          the nature of the offense;

15          (4) the extent to which the government of the  
16          country—

17               (A) vigorously investigates and prosecutes  
18               acts of public corruption; and

19               (B) convicts and sentences persons respon-  
20               sible for such acts that take place wholly or  
21               partly within such country, including, as appro-  
22               priate, requiring the incarceration of individuals  
23               convicted of such acts;

24          (5) the extent to which the government of the  
25          country vigorously investigates, prosecutes, convicts,

1 and sentences public officials who participate in or  
2 facilitate public corruption, including nationals of  
3 the country who are deployed in foreign military as-  
4 signments, trade delegations abroad, or other similar  
5 missions who engage in or facilitate severe forms of  
6 public corruption;

7 (6) the extent to which the government of the  
8 country has adopted measures to prevent public cor-  
9 ruption, such as measures to inform and educate the  
10 public, including potential victims, about the causes  
11 and consequences of public corruption;

12 (7) steps taken by the government of the coun-  
13 try to prohibit government officials from partici-  
14 pating in, facilitating, or condoning public corrup-  
15 tion, including the investigation, prosecution, and  
16 conviction of such officials;

17 (8) the extent to which the country government  
18 provides access, or, as appropriate, makes adequate  
19 resources available, to civil society organizations and  
20 other institutions to combat public corruption, in-  
21 cluding reporting, investigating, and monitoring;

22 (9) the extent to which an independent judici-  
23 ary or judicial body in the country is responsible for,  
24 and effectively capable of, deciding public corruption  
25 cases impartially, on the basis of facts and in ac-

1 cordance with the law, without any improper restric-  
2 tions, influences, inducements, pressures, threats, or  
3 interferences (direct or indirect) from any source or  
4 for any reason;

5 (10) the extent to which the government of the  
6 country is assisting in international investigations of  
7 transnational public corruption networks and in  
8 other cooperative efforts to combat grand corrup-  
9 tion, including cooperating with the governments of  
10 other countries to extradite corrupt actors;

11 (11) the extent to which the government of the  
12 country recognizes the rights of victims of public  
13 corruption, ensures their access to justice, and takes  
14 steps to prevent victims from being further victim-  
15 ized or persecuted by corrupt actors, government of-  
16 ficials, or others;

17 (12) the extent to which the government of the  
18 country refrains from prosecuting legitimate victims  
19 of public corruption or whistleblowers due to such  
20 persons having assisted in exposing public corrup-  
21 tion, and refrains from other discriminatory treat-  
22 ment of such persons; and

23 (13) such other information relating to public  
24 corruption as the Secretary considers appropriate.

1 **SEC. 705. DESIGNATION OF EMBASSY ANTI-CORRUPTION**

2 **POINTS OF CONTACT.**

3 (a) DESIGNATED COUNTRIES.—The Secretary shall  
4 annually designate an anti-corruption point of contact at  
5 the United States Mission to each country that he or she  
6 determines is in need of such a point of contact.

7 (b) POINTS OF CONTACT DUTIES.—Each designated  
8 anti-corruption point of contact shall be responsible for co-  
9 ordinating a whole-of-government approach to combating  
10 public corruption in his or her posted country among rel-  
11 evant United States Government departments or agencies  
12 with a presence in that country, including, as applicable,  
13 the Department of State, the Department of Justice, the  
14 Department of the Treasury, the Department of Home-  
15 land Security, and USAID.

16 (c) TRAINING.—The Secretary shall develop and im-  
17 plement appropriate training for designated anti-corrup-  
18 tion points of contact.

19 (d) INTERNAL REPORTING.—Each anti-corruption  
20 point of contact shall submit an annual report to the Sec-  
21 retary regarding anti-corruption activities within his or  
22 her posted country that—

23 (1) evaluates the effectiveness of current pro-  
24 grams that promote good governance and have an  
25 effect of combating public corruption; and

1           (2) identifies areas in which the United States  
2       Government's approach could be enhanced, including  
3       specific programs that could be used to enhance the  
4       whole-of-government approach.

5   **SEC. 706. INTERAGENCY WORKING GROUP.**

6       (a) IN GENERAL.—The Secretary shall have primary  
7       responsibility for managing a whole-of-government effort  
8       to improve coordination among United States Government  
9       departments and agencies that have a role in promoting  
10      good governance in foreign countries and enhancing for-  
11      eign countries' ability to combat public corruption.

12      (b) TASK FORCE.—

13           (1) INITIAL MEETING.—Not later than 180  
14      days after the date of the enactment of this Act, the  
15      Secretary shall establish and convene an initial  
16      meeting of an interagency task force, which shall be  
17      composed of—

18           (A) representatives appointed by the Presi-  
19      dent from the departments and agency listed in  
20      section 705(b); and

21           (B) representatives from any other United  
22      States Government departments or agencies, as  
23      determined by the Secretary.

1           (2) ADDITIONAL MEETINGS.—The task force  
2       described in paragraph (1) shall meet not less fre-  
3       quently than twice per year.

4           (c) TASK FORCE DUTIES.—The task force estab-  
5       lished pursuant to subsection (b) shall—

6           (1) assist the Secretary in managing the whole-  
7       of-government effort described in subsection (a);

8           (2) evaluate, on a general basis, the effective-  
9       ness of current programs that have an effect of com-  
10      bating public corruption;

11          (3) identify general areas in which the United  
12      States Government's approach could be enhanced;  
13      and

14          (4) identify specific programs for specific coun-  
15      tries that could be used to enhance the whole-of-gov-  
16      ernment approach.

17   **SEC. 707. TRANSPARENCY AND ACCOUNTABILITY.**

18          (a) IN GENERAL.—Not later than 60 days after pub-  
19      lishing the report required under section 703, and prior  
20      to obligation by any United States agency of foreign as-  
21      sistance to the government of a country ranked in the low-  
22      est 2 quintiles in the World Bank Worldwide Governance  
23      Indicator on Control of Corruption grouping described in  
24      section 703(1), the Secretary, in coordination with the Ad-  
25      ministrator of USAID, as appropriate, shall—



1           (1) conduct a corruption risk assessment and  
2           create a corruption mitigation strategy for all United  
3           States foreign assistance programs to that country;

4           (2) require the inclusion of anti-corruption  
5           clauses for all foreign assistance contracts, grants,  
6           and cooperative agreements, which allow for the ter-  
7           mination of the contract, grant, or cooperative  
8           agreement without penalty if credible indicators of  
9           public corruption are discovered;

10          (3) require the inclusion of appropriate  
11          clawback clauses for all foreign assistance that has  
12          been misappropriated through corruption;

13          (4) require the appropriate disclosure to the  
14          United States Government, in confidential form, if  
15          necessary, of the beneficial ownership of contractors,  
16          subcontractors, grantees, cooperative agreement par-  
17          ticipants, and other organizations receiving funding  
18          from the United States Government for foreign as-  
19          sistance programs; and

20          (5) establish a mechanism for investigating alle-  
21          gations of misappropriated foreign assistance funds  
22          or equipment.

23          (b) EXCEPTIONS AND WAIVER.—

1           (1) EXCEPTIONS.—Subsection (a) shall not  
2       apply to humanitarian assistance, disaster assist-  
3       ance, or assistance to combat corruption.

4           (2) WAIVER.—The Secretary may waive the re-  
5       quirement to delay foreign assistance under sub-  
6       section (a) if the Secretary certifies to the appro-  
7       priate congressional committees that such waiver is  
8       important to the national security interests of the  
9       United States.

10 **SEC. 708. RESOURCES AND REPORTING REQUIREMENTS.**

11       (a) ANNUAL REPORT.—

12           (1) IN GENERAL.—Not later than one year  
13       after the date of the enactment of this Act, and an-  
14       nually thereafter, the Secretary shall submit a report  
15       to the appropriate congressional committees that  
16       outlines the resources needed to meet the objectives  
17       of this title, including—

18                   (A) personnel needs; and

19                   (B) a description of the bureaucratic struc-  
20       ture of the offices within the Department and  
21       USAID that are engaged in anti-corruption ac-  
22       tivities.

23       (b) ANNUAL BRIEFING.—

24           (1) IN GENERAL.—Not later than one year  
25       after the date of the enactment of this Act, and an-

1 nually thereafter, the Secretary shall brief the ap-  
2 propriate congressional committees on the implemen-  
3 tation of this title, including—

4 (A) the designation of anti-corruption  
5 points of contact for countries under section  
6 705(a);

7 (B) the training implemented under sec-  
8 tion 705(c);

9 (C) the reports received from anti-corrup-  
10 tion points of contact under section 705(d);

11 (D) the management of the whole-of-gov-  
12 ernment effort to improve coordination under  
13 section 706(a);

14 (E) the establishment of the task force  
15 under section 706(b); and

16 (F) the activities of the task force under  
17 section 706(c).

18 (2) FORM OF BRIEFING.—The briefings under  
19 subsection (b) shall be conducted on an in-person  
20 basis to members or staff of the appropriate con-  
21 gressional committees. Portions of the briefings may  
22 be conducted in a classified setting, as needed.

23 (c) ONLINE PLATFORM.—The Secretary and the  
24 USAID Administrator shall consolidate existing reports

1 with anti-corruption components into one online, public  
2 platform, which shall—

3 (1) include—

4 (A) the Human Rights Report;

5 (B) the Fiscal Transparency Report;

6 (C) the Investment Climate Statement re-  
7 ports;

8 (D) the International Narcotics Control  
9 Strategy Report; and

10 (E) any other relevant public reports;

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

14 (A) the International Finance Corpora-  
15 tion's Doing Business surveys;

16 (B) the International Budget Partnership's  
17 Open Budget Index; and

18 (C) multilateral peer review anti-corruption  
19 compliance mechanisms, such as the  
20 Organisation for Economic Co-operation and  
21 Development's Working Group on Bribery in  
22 International Business Transactions and the  
23 United Nations Convention Against Corruption,  
24 done at New York October 31, 2003, to further

1 highlight expert international views on country  
2 challenges and country efforts.

3 (d) TRAINING.—The Secretary and the USAID Ad-  
4 ministrator shall incorporate anti-corruption components  
5 into existing Foreign Service and Civil Service training  
6 courses—

7 (1) to increase the ability of Department and  
8 USAID personnel to support anti-corruption as a  
9 foreign policy and development priority; and

10 (2) to strengthen their ability to design, imple-  
11 ment, and evaluate more effective anti-corruption  
12 programming around the world, including enhancing  
13 skills to better evaluate and mitigate public corrup-  
14 tion risks in assistance programs.

## 15 **TITLE VIII—MISCELLANEOUS**

### 16 **SEC. 801. RECURRING REPORTS.**

17 Not later than 30 days after the date of the enact-  
18 ment of this Act, the Secretary shall submit a list to the  
19 appropriate congressional committees that identifies all re-  
20 curring reports that the Department is statutorily re-  
21 quired to complete, including a statutory citation and brief  
22 description of each such report.

### 23 **SEC. 802. CASE-ZABLOCKI REFORM.**

24 Section 112b(b) of title 1, United States Code, is  
25 amended to read as follows:

1 “(b) Each department or agency of the United States  
2 Government that enters into any international agreement  
3 described in subsection (a), on behalf of the United States,  
4 shall designate a Chief International Agreements Officer,  
5 who—

6 “(1) shall be a current employee of such depart-  
7 ment or agency;

8 “(2) shall serve concurrently as Chief Inter-  
9 national Agreements Officer; and

10 “(3) subject to the authority of the head of the  
11 department or agency, shall have department- or  
12 agency-wide responsibility for efficient and appro-  
13 priate compliance with subsection (a) to transmit the  
14 text of any international agreement to the Depart-  
15 ment of State not later than 20 days after such  
16 agreement has been signed.”.

17 **SEC. 803. REPORTING ON IMPLEMENTATION OF GAO REC-**  
18 **COMMENDATIONS.**

19 (a) INITIAL REPORT.—Not later than 30 days after  
20 the date of the enactment of this Act, the Secretary shall  
21 submit a report to the appropriate congressional commit-  
22 tees that lists all of the Government Accountability Of-  
23 fice’s recommendations relating to the Department that  
24 have not been fully implemented.

1       (b) COMPTROLLER GENERAL REPORT.—Not later  
2 than 30 days after the Secretary submits the report under  
3 subsection (a), the Comptroller General of the United  
4 States shall submit a report to the appropriate congressional  
5 committees that identifies any discrepancies between  
6 the list of recommendations included in such report  
7 and the Government Accountability Office’s list of outstanding  
8 recommendations for the Department.

9       (c) IMPLEMENTATION REPORT.—

10           (1) IN GENERAL.—Not later than 120 days  
11 after the date of the enactment of this Act, the Secretary  
12 shall submit a report to the appropriate congressional  
13 committees that describes the implementation status of each  
14 recommendation from the Government Accountability Office  
15 included in the report submitted under subsection (a).  
16

17           (2) JUSTIFICATION.—The report under paragraph  
18 (1) shall include—

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

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

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

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

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





**Calendar No. 210**

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1631**

**A BILL**

To authorize the Department of State for Fiscal  
Year 2018, and for other purposes.

SEPTEMBER 6, 2017

Reported with amendments