

117TH CONGRESS
1ST SESSION

H. R. 5643

To require additional disclosures with respect to nominees to serve as chiefs of missions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 2021

Mr. LEVIN of Michigan (for himself and Mr. MELJER) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To require additional disclosures with respect to nominees to serve as chiefs of missions, 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.**

4 This Act may be cited as the “Bolstering the Effec-
5 tiveness, Success, and Transparency of Ambassadors Act”
6 or the “BEST Ambassadors Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

9 (1) The Foreign Service Act of 1980 (Public
10 Law 96–465) states, “An individual appointed or as-

1 signed to be a chief of mission should possess clearly
2 demonstrated competence to perform the duties of a
3 chief of mission, including, to the maximum extent
4 practicable, a useful knowledge of the principal lan-
5 guage or dialect of the country in which the indi-
6 vidual is to serve, and knowledge and understanding
7 of the history, the culture, the economic and political
8 institutions, and the interests of that country and its
9 people” and continues that, accordingly, “positions
10 as chief of mission should normally be accorded to
11 career members of the [Foreign] Service.”.

12 (2) The percentage of ambassadorships filled by
13 political appointees has increased over the past 40
14 years. During President Jimmy Carter’s term, be-
15 tween 1977 and 1981, about 26 percent of ambas-
16 sadorships were filled by political appointees. During
17 President Ronald Reagan’s terms, between 1981 and
18 1989, about 38 percent were. More recently, under
19 President Barack Obama, about 30 percent of am-
20 bassadors were political appointees, while about 43
21 percent were under President Donald J. Trump as
22 of September 14, 2020.

23 (3) The United States practice of appointing
24 political ambassadors is atypical globally. According
25 to a 2017 University of Texas at Austin study, “At

1 the senior level, the United States is an extreme
2 outlier among foreign services in the number of po-
3 litical appointees as ambassadors, even in key
4 posts.”.

5 (4) Political appointees are not necessarily un-
6 successful ambassadors. According to the 2017 Uni-
7 versity of Texas study, “there have been highly ac-
8 complished political appointees who have been su-
9 perb ambassadors.” The report continues, however,
10 “there have been many more patronage appointees
11 with no relevant qualifications, having been chosen
12 principally for their support in presidential election
13 campaigns. Contrast these U.S. ambassadors with
14 their counterparts from other countries, who typi-
15 cally speak several languages, are well versed in the
16 country to which they are assigned and are career
17 professionals with extensive knowledge of their home
18 ministries.”.

19 (5) The Foreign Service Act of 1980 states,
20 “Contributions to political campaigns should not be
21 a factor in the appointment of an individual as a
22 chief of mission.”. However, this law has not fore-
23 stalled the appointment—by both Democratic and
24 Republican presidents—of campaign donors without
25 apparent qualifications to serve in these posts.

1 (6) To ensure the United States has the best
2 representation possible abroad, it will be necessary
3 to preserve the option to appoint political ambas-
4 sadors while enacting safeguards to ensure these ap-
5 pointees are nominated because of their qualifica-
6 tions, not their campaign contributions.

7 **SEC. 3. ADDITIONAL DISCLOSURES REQUIRED WITH RE-**
8 **SPECT TO NOMINEES.**

9 Section 304 of the Foreign Service Act of 1980 (22
10 U.S.C. 3944) is amended as follows:

11 (1) In paragraph (4) of subsection (a), by add-
12 ing at the end the following new sentence: “If, as of
13 the date of the submission of such report, such indi-
14 vidual has not served as a career member of the
15 Service, the President shall also include in such re-
16 port a justification explaining whether a career
17 member is available to fill such position and the
18 manner and extent to which the nominee is never-
19 theless uniquely qualified to serve in such position.”.

20 (2) In paragraph (2) of subsection (b)—

21 (A) by striking “fourth calendar year” and
22 inserting “tenth calendar year”; and

23 (B) by inserting “and the Secretary of
24 State shall publish each such report and each
25 ‘Certificate of Competency’ issued pursuant to

1 this section on a publicly available website of
2 the Department of State” after “Congressional
3 Record”.

4 (3) At the end of subsection (b), by adding the
5 following new paragraphs:

6 “(3) With respect to each nomination for an in-
7 dividual to be a chief of mission, the President shall
8 certify to the Committee on Foreign Relations of the
9 Senate that any campaign contributions made by the
10 nominee or members of his or her immediate family,
11 whether or not included in the report described in
12 paragraph (2), played no role in such nomination.

13 “(4) Each individual nominated by the Presi-
14 dent to be a chief of mission shall include in his or
15 her statement to the Committee on Foreign Rela-
16 tions of the Senate an explanation of the manner
17 and extent to which such individual meets the cri-
18 teria described in paragraph (1) of subsection (a),
19 including the source and extent of such individual’s
20 knowledge and understanding of the history, culture,
21 economic and political institutions, and interests of
22 the people of such country, and level of familiarity
23 with the country’s principal language or dialect, in-
24 cluding, if relevant, the scores received in speaking

- 1 and reading examinations taken at the Foreign
- 2 Service Institute for that language.”.

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