

118TH CONGRESS
2D SESSION

H. R. 9729

To require the Department of State to improve its emergency response system and planning.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2024

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

A BILL

To require the Department of State to improve its emergency response system and planning.

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 “Overseas Crisis Re-
5 sponse Implementation System and Immediate Strategy
6 Act” or “Overseas CRISIS Act”.

7 **SEC. 2. CRISIS MANAGEMENT AND STRATEGY UNIT.**

8 (a) ESTABLISHMENT.—There is established in the
9 Department of State a Crisis Management and Strategy
10 Unit, within the Operations Center of the Executive Secre-

1 tariat of the Secretary of State. The Crisis Management
2 and Strategy Unit shall be led by a senior official with
3 significant experience in crisis management and response,
4 who shall be so designated by the Secretary.

5 (b) DUTIES.—The Crisis Management and Strategy
6 Unit shall carry out activities such as the following:

7 (1) Coordinate the Department's overall re-
8 sponse to and management of international crises.

9 (2) Serve as the focal point for the Secretary's
10 coordination with other United States Government
11 agencies on matters concerning the response to and
12 management of international crises, including non-
13 combatant evacuation operations.

14 (3) Coordinate with regional and other relevant
15 bureaus within the Department on such crises and
16 other matters relevant to crisis management and re-
17 sponse.

18 (4) Undertake other duties, as determined by
19 the Secretary, relevant to crisis management and re-
20 sponse.

21 (c) FOREIGN AFFAIRS MANUAL.—Within 180 days
22 of enactment of this Act, the Department shall publish
23 information regarding the structure and duties of the Cri-
24 sis Management and Strategy Unit in the Foreign Affairs
25 Manual and shall update this information as necessary.

1 **SEC. 3. TABLETOP EXERCISES AND SIMULATIONS.**

2 (a) IN GENERAL.—Not later than 120 days after the
3 date of the enactment of this Act, and not less frequently
4 than annually thereafter, the Secretary shall direct the rel-
5 evant offices of the Department to ensure a tabletop exer-
6 cise or simulation on international crises is conducted by
7 the Department. The tabletop exercise or simulation
8 should be conducted in the Washington, DC, metropolitan
9 area.

10 (b) MATTERS TO BE INCLUDED.—The Secretary
11 shall ensure that such exercises or simulations address the
12 Department’s crisis response and evacuation require-
13 ments, and should include—

14 (1) the necessary and appropriate information
15 to outline the crisis management roles and respon-
16 sibilities of the Department’s senior leadership;

17 (2) established Department crisis management
18 structures for international crises;

19 (3) required processes, personnel, and resources
20 to conduct Noncombatant Evacuation Operations
21 and civilian-led evacuations; and

22 (4) all procedures relevant to the identification
23 of, coordination with, and the provision of assistance
24 to—

25 (A) private United States citizens;

1 (B) United States Government employees
2 and their dependents;

3 (C) United States allies and partners;

4 (D) local nationals who have assisted
5 United States Government efforts; and

6 (E) third-country nationals.

7 (c) LEADERSHIP; PARTICIPATION.—The Secretary
8 shall ensure that—

9 (1) the Department's Crisis Management and
10 Strategy Unit established by section 2(a), the For-
11 eign Service Institute's Leadership and Management
12 School's Crisis Management Training division, or
13 other Department operating units, as determined to
14 be appropriate by the Secretary, lead such exercises
15 or simulations; and

16 (2) such exercises or simulations include the
17 participation of the Department's relevant senior
18 leadership and staff, including leadership and staff
19 from regional and relevant functional bureaus.

20 (d) CONSULTATION.—Such exercises or simulations
21 may be conducted in consultation with—

22 (1) the Department of Defense;

23 (2) the Department of Homeland Security;

24 (3) the United States Agency for International
25 Development; and

1 (4) Other Federal agencies and State and local
2 government entities.

3 (e) PARTICIPATION.—The Secretary may, as con-
4 sistent with the national security interests of the United
5 States, invite to participate in such exercises or simula-
6 tions—

7 (1) foreign allies and partners; and

8 (2) civil society and nongovernmental organiza-
9 tions, including those that have directly engaged in
10 crisis response efforts in the past.

11 (f) BRIEFING.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (3), not later than 90 days after the comple-
14 tion of any tabletop exercise or simulation required
15 under subsection (a), the Secretary shall brief the
16 appropriate congressional committees on the organi-
17 zation of the tabletop exercise or simulation. The
18 briefing, or particular elements therein, may be pro-
19 vided in a classified format.

20 (2) ELEMENTS.—The briefing required under
21 paragraph (1) should—

22 (A) provide a description of the tabletop
23 exercise or simulation;

24 (B) identify, as appropriate, key partici-
25 pants in the tabletop exercise or simulation;

1 (C) include any deficiencies identified in
2 prior tabletop exercise and plans to mitigate
3 such deficiencies;

4 (D) a summary of the supporting capabili-
5 ties, including infrastructure, prepositioned
6 equipment and supplies, personnel and other
7 supporting logistics capabilities, required to re-
8 spond to the simulated international crisis; and

9 (E) such other information as determined
10 necessary or appropriate by the Secretary.

11 (3) NOTIFICATION IN LIEU OF BRIEFING.—Be-
12 ginning on the date that is 5 years after the date
13 of the enactment of this Act, the Secretary shall, not
14 later than 90 days after the completion of any table-
15 top exercise or simulation required under subsection
16 (a), submit to the appropriate congressional commit-
17 tees a notice of such exercise or simulation which
18 shall be in lieu of a briefing reviewing the tabletop
19 exercise or simulation required under paragraph (1).

20 **SEC. 4. DEPARTMENT OF STATE RESERVE CORPS.**

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

23 (1) the nature of threats to national security
24 and global stability has evolved in recent decades,
25 and in the 21st century, the complexity of these

1 threats requires a diplomatic response that is quick,
2 agile, and sustainable;

3 (2) decades of United States engagement and
4 leadership on the world stage built a workforce of
5 expert national security and foreign policy profes-
6 sionals; and

7 (3) to ensure the United States has the capac-
8 ity to quickly, agilely, and sustainably respond to fu-
9 ture emergency situations, it is important to lever-
10 age existing workforce expertise and establish a
11 corps of experts who can deploy on short notice to
12 posts experiencing crisis, including during times of
13 conflict.

14 (b) AUTHORITY.—The Secretary shall establish re-
15 serve corps, to be known as “Department of State Reserve
16 Corps”, to assist the Secretary, the Department, and the
17 Foreign Service in the discharge of their responsibilities
18 and functions as authorized by law through the mainte-
19 nance of a reserve of trained personnel available for active
20 service when the Secretary, the Department, or the Serv-
21 ice so require.

22 (c) EMPLOYEES.—

23 (1) IN GENERAL.—The head of the Department
24 of State Reserve Corps may appoint in the civil serv-
25 ice, for a period up to 2 years, persons to positions

1 of employment with the Reserve Corps in such num-
2 bers and with such skills as may from time to time
3 be required, without regard to the provisions of
4 chapter 33 of title 5, United States Code (other than
5 sections 3303 and 3328), governing appointments in
6 the competitive service, and may fix the basic com-
7 pensation of such employees without regard to chap-
8 ter 51 and subchapter III of chapter 53 of such
9 title.

10 (2) COMPENSATION AND REAPPOINTMENT.—

11 Notwithstanding section 5373 of title 5, United
12 States Code, the Secretary may fix the basic com-
13 pensation of employees of the Department of State
14 Reserve Corps with experience equivalent to Senior
15 Executive Service, Senior Foreign Service, senior-
16 level (SL) and scientific or professional (ST) posi-
17 tions at a rate not to exceed level II of the Executive
18 Schedule. The head of the Reserve Corps may re-
19 appoint such employees, for additional periods of up
20 to 2 years, with no limit on the number of re-
21 appointments.

22 (3) TRANSPORTATION EXPENSES.—When called

23 to active service in the Department of State Reserve
24 Corps, a member of the Reserve Corps shall be enti-
25 tled to the payment of transportation expenses and

1 per diem in accordance with the Federal Travel Reg-
2 ulation and subchapter I of chapter 57 of title 5,
3 United States Code, for—

4 (A) travel performed from the residence of
5 the member at the time of activation to the
6 place of duty; and

7 (B) travel performed to the residence of
8 the member upon return to an inactive status.

9 (4) APPLICATION OF OTHER AUTHORITY.—All
10 selections for positions of the Department of State
11 Reserve Corps as described in this subsection shall
12 be made subject to the provisions of chapter 23 of
13 title 5, United States Code.

14 (d) RETURN RIGHTS.—

15 (1) IN GENERAL.—Any person whose absence
16 from a position of employment is necessitated by
17 reason of service as an activated member of the De-
18 partment of State Reserve Corps shall be entitled to
19 the reemployment rights and benefits and other em-
20 ployment benefits if—

21 (A) the person (or an appropriate officer of
22 the Reserve Corps in which such service is per-
23 formed) has given advance written or verbal no-
24 tice of such service to such person's employer;

1 (B) the cumulative length of the absence
2 and of all previous absences from a position of
3 employment with that employer by reason of
4 service in the Reserve Corps does not exceed
5 five years; and

6 (C) the person reports to, or submits an
7 application for reemployment to, such employer.

8 (2) REEMPLOYMENT.—A person who is entitled
9 to re-employment rights shall receive the same re-
10 employment protections as a military member re-
11 ceives under sections 4321 to 4327 of title 38,
12 United States Code. The provisions of paragraph (1)
13 shall be interpreted consistent with the provisions in
14 sections 4311 to 4319 of title 38, United States
15 Code.

16 (3) RIGHT OF RETURN.—An employee serving
17 under a career or career conditional appointment or
18 the equivalent in an agency who transfers to or con-
19 verts to an appointment in the Department of State
20 Reserve Corps with the consent of the head of that
21 agency is entitled to be returned to the employee's
22 former position or a position of like seniority, status,
23 and pay without grade or pay retention in the agen-
24 cy if the employee—

1 (A) is being separated from the Reserve
2 Corps for reasons other than misconduct, ne-
3 glect of duty, or malfeasance; and

4 (B) applies for return not later than 30
5 days before the date of the termination of the
6 employment in the Reserve Corps.

7 **SEC. 5. COORDINATOR FOR CRISIS COMMUNICATION.**

8 (a) IN GENERAL.—Not later than 60 days after the
9 date of the enactment of this Act, the Secretary shall des-
10 ignate and maintain a senior official of the Department
11 to serve as the Department’s Coordinator for Crisis Com-
12 munication (in this section referred to as the “Coordi-
13 nator”) who—

14 (1) shall be located in the Department’s Crisis
15 Management and Strategy Unit established by sec-
16 tion 2(a); and

17 (2) shall report to the Department’s senior offi-
18 cial leading crisis response efforts pursuant to sec-
19 tion 6404(a)(2) of the National Defense Authoriza-
20 tion Act for Fiscal Year 2024 (Public Law 118–31;
21 137 stat. 997; 22 U.S.C. 4865 note).

22 (b) DUTIES.—The Coordinator, in cooperation with
23 the relevant bureau office or operating unit, shall oversee
24 the efforts of the Department relating to the following:

1 (1) Coordinating with the Bureau of Consular
2 Affairs on messaging to United States citizens
3 abroad regarding safety.

4 (2) Communicating to civilians in impacted
5 areas during contingencies.

6 (3) Communicating to nongovernmental organi-
7 zations in impacted crisis zones on United States
8 crisis response and emergency planning, to include
9 Noncombatant Evacuation Operations.

10 (4) Holding regular background briefings for
11 Congress and other relevant audiences.

12 (5) Coordinating efforts with the Department
13 spokesperson.

14 **SEC. 6. FOREIGN SERVICE INSTITUTE TRAINING.**

15 The Secretary shall direct the Foreign Service Insti-
16 tute (FSI) to review existing curriculum and courses to
17 determine if other crisis management courses are required,
18 such as a crisis management course for information tech-
19 nology professionals. In addition, the FSI should ensure
20 that the ambassadorial seminar and Deputy Chief of Mis-
21 sion course include curriculum on crisis management, in-
22 cluding one or more of the following:

23 (1) The use of regular internal town halls and
24 targeted messages from the Ambassador or Deputy

1 Chief of Mission to support mission objectives dur-
2 ing crisis periods.

3 (2) Established best practices for internal com-
4 munications specific to high threat posts.

5 (3) Noncombatant Evacuation Operations and
6 civilian-led evacuations.

7 (4) Best practices for leading post efforts to
8 communicate with and assist United States citizens.

9 (5) How to conduct or participate in tabletop
10 exercises and simulations, including those authorized
11 in section 3.

12 (6) Communicating with and assessing the
13 needs of locally employed staff during emergencies.

14 **SEC. 7. ENHANCED AUTHORITIES TO PROTECT LOCALLY**
15 **EMPLOYED STAFF DURING EMERGENCIES.**

16 (a) IN GENERAL.—In emergency situations, in addi-
17 tion to other authorities that may be available in emer-
18 gencies or other exigent circumstances, the Secretary is
19 authorized to use funds made available to the Department
20 to support locally employed staff and their immediate fam-
21 ily members, if appropriate, for—

22 (1) providing transport or relocating locally em-
23 ployed staff and their immediate family members to
24 a safe and secure environment;

1 (2) providing short-term housing or lodging for
2 up to 6 months for locally employed staff and their
3 immediate family members; and

4 (3) procuring or providing other essential items
5 and services to support the safety and security of lo-
6 cally employed staff and their immediate family
7 members.

8 (b) REPORT.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, and an-
11 nually thereafter for 5 years, the Secretary shall
12 submit to the appropriate congressional committees
13 a report describing actions the Department has
14 taken with regard to locally employed staff and their
15 immediate family members following suspensions or
16 closures of United States diplomatic posts in the
17 previous year.

18 (2) ELEMENTS.—The report required under
19 paragraph (1) shall—

20 (A) summarize Department efforts to relo-
21 cate, temporarily house, or otherwise provide
22 support authorized in this section to locally em-
23 ployed staff and their immediate family mem-
24 bers;

1 (B) identify any obstacles to providing sup-
2 port or assistance to locally employed staff and
3 their immediate family members;

4 (C) examine lessons learned and propose
5 recommendations to better protect the safety
6 and security of locally employed staff and their
7 family members, including any additional au-
8 thorities that may be required; and

9 (D) provide an analysis of and offer rec-
10 ommendations on any other steps that could
11 improve efforts to protect the safety and secu-
12 rity of locally employed staff and their imme-
13 diate family members.

14 **SEC. 8. RED TEAM CAPABILITY.**

15 (a) IN GENERAL.—The Secretary shall establish a
16 Red Team capability to inform the Department’s crisis re-
17 sponse and contingency planning.

18 (b) MEETINGS.—The individuals involved in the Red
19 Team capability required by subsection (a) should be con-
20 vened at the direction of—

21 (1) for general meetings, the Department’s Pol-
22 icy Planning Staff and the Department’s Crisis
23 Management and Strategy Unit; and

24 (2) for specific reviews as needed, the Secretary
25 or other Department principals.

1 (c) REPORTING.—Not later than 21 days after the
2 individuals involved in the Red Team capability are con-
3 vened in accordance with subsection (b), such individuals
4 shall submit to the Department’s Policy Planning Staff
5 a report that contains the findings relating to the exercise
6 of such Red Team capability.

7 **SEC. 9. DEPARTMENT OF STATE EMERGENCY RESPONSE**
8 **LESSONS LEARNED CLEARINGHOUSE.**

9 (a) IN GENERAL.—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary shall es-
11 tablish and maintain a clearinghouse of lessons learned
12 and after-action reports relating to evacuation of United
13 States Government employees and their eligible family
14 members or evacuation of private United States citizens
15 or third-country nationals, to be known as the “Depart-
16 ment of State Emergency Response Lessons Learned
17 Clearinghouse” (in this section referred to as the “Clear-
18 ighthouse”).

19 (b) REPOSITORY.—The Clearinghouse should be de-
20 signed to provide—

21 (1) a central electronic repository of lessons
22 learned and after-action reports to be made acces-
23 sible to Department personnel to be used to improve
24 crisis response and contingency planning;

1 (2) a collection of resources for Foreign Service
2 Institute officials to inform and develop new cur-
3 riculum to be responsive to developments in United
4 States crisis response and contingency planning, in-
5 cluding for the ambassadorial seminar and Deputy
6 Chief of Mission course as provided in section 5; and

7 (3) publicly available documents and informa-
8 tion, as appropriate, for civil society, nongovern-
9 mental organizations, academic institutions, and
10 other stakeholders to assist with the Department's
11 development of best practices.

12 **SEC. 10. HIGH-THREAT POSTS.**

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

15 (1) the global diplomatic presence of the United
16 States includes several hundred diplomatic and con-
17 sular posts, including embassies, consulates, and
18 missions;

19 (2) the United States maintains diplomatic and
20 consular posts in potentially volatile areas, including
21 those designated “high risk, high threat” due to se-
22 curity concerns;

23 (3) a sufficient United States diplomatic pres-
24 ence in high-risk areas is critical to the Depart-

1 ment's efforts to prevent and address crises abroad
2 and to ensure United States national security;

3 (4) the Department should make every effort to
4 safely maintain a physical presence in high-risk
5 areas; and

6 (5) drawdowns of personnel at United States
7 diplomatic missions in posts experiencing conflict or
8 emergency conditions should be done in a manner
9 that maintains the Department's commitment to na-
10 tional security and foreign policy and supports De-
11 partment personnel.

12 (b) PLAN TO ASSESS DIPLOMATIC MISSIONS EXPE-
13 RIENCING OR VULNERABLE TO CONFLICT OR EMERGENCY
14 CONDITIONS.—

15 (1) IN GENERAL.—The Secretary should de-
16 velop as necessary a Department-wide plan for as-
17 sessing staffing resources needed at diplomatic mis-
18 sions in posts experiencing conflict or emergency
19 conditions.

20 (2) MATTERS TO BE INCLUDED.—The plan re-
21 quired by this subsection should include the fol-
22 lowing:

23 (A) An assessment of functions, if any,
24 that can be offshored, as consistent with the
25 subsection (a).

1 (B) Options to extend 1-year tours with
2 virtual assignments.

3 (C) An assessment of the benefits and
4 risks of potential offshoring, including when it
5 affects—

6 (i) diplomatic engagement and the ad-
7 vancement of United States national secu-
8 rity and foreign policy interests;

9 (ii) productivity from regular turnover
10 at posts; and

11 (iii) longer-term planning.

12 (c) STAFFING REVIEW.—The Secretary should—

13 (1) require each Chief of Mission serving in
14 high-threat posts to review, not less than once annu-
15 ally, every staff element under Chief of Mission au-
16 thority, including staff from other departments or
17 agencies of the United States, and recommend ap-
18 proval or disapproval of each staff element in ac-
19 cordance with section 409(a) of the Department of
20 State and Related Agency Appropriations Act, 2005
21 (22 U.S.C. 3927a(a)); and

22 (2) implement a process that includes an eval-
23 uation and assessment of which functions could be
24 offshored, consistent with subsection (a), and sets
25 appropriate staffing levels in accordance with section

1 103(c)(2) of the Omnibus Diplomatic Security and
2 Antiterrorism Act of 1986 (22 U.S.C. 4802(c)(2)).

3 **SEC. 11. ADDITIONAL REPORTS TO CONGRESS.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of enactment of this Act, the Secretary shall submit
6 to the appropriate congressional committees a report out-
7 lining and describing the Department of State’s inter-
8 national crisis response efforts, such as the following:

9 (1) Efforts to ensure adherence to the delineation of responsibilities belonging to the Secretary,
10 Chiefs of Missions, and Principal Officers.

12 (2) Process and procedures for quickly appointing a principal-level crisis leader to oversee policy and operations efforts.

15 (3) Process and procedures for standing up crisis management and response task forces, and the specific bureaus and offices to be included in the response.

19 (4) Identification of clear mission objectives and guidance for crisis management and response.

21 (5) Process and procedures for assigning or delegating responsibilities to task force and crisis responders.

24 (6) Coordination with relevant partners at the
25 Department of Defense to identify dedicated points

1 of contact at the Department of State related to the
2 carrying out of such responsibilities.

3 (7) Coordination with civil society and non-
4 governmental organizations, including those that
5 have directly engaged in crisis response efforts in
6 the past.

7 (8) Identification of the technology, equipment,
8 surge capacity, and space necessary to effectively im-
9 plement crisis management and response task forces.

10 (9) Efforts to ensure sufficient staff resources
11 are available to support crisis management task
12 forces for the duration of an international crisis and
13 the Department's response, to include matters such
14 as the following:

15 (A) Barriers to building and maintaining
16 the capability to identify those with requisite
17 training and skills to serve on task forces and
18 potential solutions to address those barriers.

19 (B) Incentives available to encourage exist-
20 ing Department bureaus to second relevant
21 staff needed to support crisis management task
22 forces for extended periods of time, and any ad-
23 ditional authorities needed to enable the Execu-
24 tive Secretariat to hire or second qualified indi-

1 viduals to a task force for extended periods of
2 time.

3 (C) Barriers to establishing a Temporary
4 Duty crisis coordination capability to support
5 personnel during a crisis response, including—

6 (i) bureaucratic hurdles;

7 (ii) inconsistent policy and resource
8 application;

9 (iii) lack of funding; or

10 (iv) access to necessary technology or
11 information technology equipment.

12 (b) PLAN FOR CRISIS MANAGEMENT SOFTWARE.—

13 Not later than 180 days after the date of the enactment
14 of this Act, the Secretary should develop an acquisition
15 plan for enterprise crisis management software by the De-
16 partment, to include an outline of the expected applica-
17 tions of such software for ongoing crisis management ac-
18 tivities and developed or existing courses at FSI.

19 (c) RESPONSIVENESS TO PUBLIC INQUIRIES.—Not

20 later than 180 days after the date of the enactment of
21 this Act, the Secretary shall brief the appropriate congres-
22 sional committees on opportunities to improve responsive-
23 ness to public inquiries in crisis environments, on matters
24 such as the following:

1 (1) The establishment of a virtual contact cen-
2 ter or soft phone solution.

3 (2) Contract opportunities to assist with initial
4 data entry and response on cases of United States
5 citizens.

6 (3) Contract opportunities to respond to public
7 inquiries unrelated to specific cases of United States
8 citizens or individual case management.

9 (4) Department support for mobile-friendly
10 communication platforms, including non-enterprise
11 applications such as WhatsApp and Signal.

12 **SEC. 12. DEFINITIONS.**

13 In this Act:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means—

17 (A) the Committee on Foreign Affairs and
18 the Committee on Appropriations of the House
19 of Representatives; and

20 (B) the Committee on Foreign Relations
21 and the Committee on Appropriations of the
22 Senate.

23 (2) DEPARTMENT.—The term “Department”
24 means the Department of State.

1 (3) EMERGENCY SITUATION.—The term “emer-
2 gency situation” means a situation in which the lives
3 of United States Government employees, private
4 United States citizens, or third country nationals are
5 endangered by armed conflict, civil unrest, or nat-
6 ural disaster, particularly when and if a United
7 States diplomatic or consular post must suspend op-
8 erations.

9 (4) NONCOMBATANT EVACUATION OPER-
10 ATIONS.—The term “Noncombatant Evacuation Op-
11 erations” means the evacuation of civilian non-
12 combatants and nonessential military personnel from
13 danger in an overseas country to a designated safe
14 haven.

15 (5) RED TEAM CAPABILITY.—The term “Red
16 Team capability” means a group of individuals au-
17 thorized and organized to roleplay a fictional crisis
18 scenario to identify and exploit weaknesses in the
19 Department’s contingency planning or crisis re-
20 sponse.

21 (6) SECRETARY.—The term “Secretary” means
22 the Secretary of State.

○