

DEPARTMENT OF STATE OPERATIONS AND EMBASSY  
SECURITY AUTHORIZATION ACT, FISCAL YEAR 2014

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SEPTEMBER 25, 2013.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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Mr. ROYCE, from the Committee on Foreign Affairs,  
submitted the following

R E P O R T

[To accompany H.R. 2848]

[Including cost estimate of the Congressional Budget Office]

The Committee on Foreign Affairs, to whom was referred the bill (H.R. 2848) to authorize appropriations for the Department of State for fiscal year 2014, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

TABLE OF CONTENTS

	Page
The Amendment .....	2
Summary and Purpose .....	15
Background and Need for Legislation .....	15
Hearings .....	17
Committee Consideration .....	17
Committee Oversight Findings .....	18
New Budget Authority, Tax Expenditures, and Federal Mandates .....	18
Congressional Budget Office Cost Estimate .....	18
Directed Rule Making .....	24
Non-Duplication of Federal Programs .....	24
General Performance Goals and Objectives .....	24
Congressional Accountability Act .....	24
New Advisory Committees .....	24
Earmark Identification .....	24
Section-by-Section Analysis .....	25
Changes in Existing Law Made by the Bill, as Reported .....	31

## THE AMENDMENT

The amendment is as follows:  
Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of State Operations and Embassy Security Authorization Act, Fiscal Year 2014”.

### SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Appropriate congressional committees defined.

#### TITLE I—AUTHORIZATION OF APPROPRIATIONS

- Sec. 101. Administration of foreign affairs.
- Sec. 102. Contributions to international organizations.
- Sec. 103. Contributions for international peacekeeping activities.
- Sec. 104. International commissions.
- Sec. 105. National Endowment for Democracy.
- Sec. 106. Prohibition on use of funds relating to Federal Acquisition Regulation.
- Sec. 107. Prohibition on use of funds relating to security and training facility.

#### TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

##### Subtitle A—Basic Authorities and Activities

- Sec. 201. Recouping costs of international dispute arbitration.
- Sec. 202. Foreign Service Act of 1980.
- Sec. 203. Center for strategic counterterrorism communications of the Department of State.
- Sec. 204. Anti-piracy information sharing.

##### Subtitle B—Consular Services and Related Matters

- Sec. 211. Extension of authority to assess passport surcharge.
- Sec. 212. Border crossing card fee for minors.
- Sec. 213. Authority to restrict passports.

##### Subtitle C—Reporting Requirements

- Sec. 221. Reporting reform.

#### TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

- Sec. 301. Suspension of foreign service members without pay.
- Sec. 302. Repeal of recertification requirement for senior foreign service.
- Sec. 303. Limited appointments in the foreign service.
- Sec. 304. Limitation of compensatory time off for travel.
- Sec. 305. Department of State organization.
- Sec. 306. Overseas comparability pay limitation.

#### TITLE IV—EMBASSY SECURITY AND PERSONNEL PROTECTION

##### Subtitle A—Review and Planning Requirements

- Sec. 411. Designation of high risk, high threat posts and working groups.
- Sec. 412. Contingency plans for high risk, high threat posts.
- Sec. 413. Strategic review of Bureau of Diplomatic Security.
- Sec. 414. Revision of provisions relating to personnel recommendations of Accountability Review Board.

##### Subtitle B—Physical Security and Personnel Requirements

- Sec. 421. Capital security cost sharing program.
- Sec. 422. Local guard contracts abroad under diplomatic security program.
- Sec. 423. Transfer authority.
- Sec. 424. Security enhancements for soft targets.
- Sec. 425. Reemployment of annuitants.
- Sec. 426. Sense of Congress regarding minimum security standards for temporary United States diplomatic and consular posts.
- Sec. 427. Assignment of personnel at high risk, high threat posts.
- Sec. 428. Bureau of Diplomatic Security mobile biometric enrollment program.

##### Subtitle C—Security Training

- Sec. 431. Security training for personnel assigned to high risk, high threat posts.
- Sec. 432. Report to Congress.

##### Subtitle D—Expansion of the Marine Corps Security Guard Detachment Program

- Sec. 441. Marine Corps Security Guard Detachment Program.

### SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

Except as otherwise provided in this Act, the term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

## TITLE I—AUTHORIZATION OF APPROPRIATIONS

### SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under “Administration of Foreign Affairs” to carry out the authorities, functions, duties, and responsibilities in the conduct of foreign affairs of the United States, and for other purposes authorized by law:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For “Diplomatic and Consular Programs”, \$8,481,854,000 for fiscal year 2014.

(A) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of such amounts, not less than \$26,839,000 for fiscal year 2014 is authorized to be appropriated for the Bureau of Democracy, Human Rights and Labor.

(B) WORLDWIDE SECURITY PROTECTION.—Of such amounts, not less than \$2,182,135,000 for fiscal year 2014 is authorized to be appropriated for worldwide security protection.

(2) CAPITAL INVESTMENT FUND.—For “Capital Investment Fund”, \$76,900,000 for fiscal year 2014.

(3) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—For “Educational and Cultural Exchange Programs”, \$535,000,000 for fiscal year 2014, of which funding for educational and cultural programs that occur in countries or regions that are at risk of, in, or are in transition from, conflict or civil strife should be prioritized.

(4) CONFLICT STABILIZATION OPERATIONS.—

(A) IN GENERAL.—For “Conflict Stabilization Operations”, \$45,207,000 for fiscal year 2014.

(B) TRANSFER.—Subject to subparagraph (C) of this paragraph, of the amount authorized to be appropriated pursuant to paragraph (1), up to \$35,000,000 is authorized to be transferred to, and merged with, the amount specified in subparagraph (A) of this paragraph.

(C) NOTIFICATION.—If the Secretary of State exercises the transfer authority described in subparagraph (B), the Secretary shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(5) REPRESENTATION ALLOWANCES.—For “Representation Allowances”, \$6,933,000 for fiscal year 2014.

(6) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For “Protection of Foreign Missions and Officials”, \$27,750,000 for fiscal year 2014.

(7) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For “Emergencies in the Diplomatic and Consular Service”, \$9,073,000 for fiscal year 2014.

(8) REPATRIATION LOANS.—For “Repatriation Loans”, \$1,374,000 for fiscal year 2014.

(9) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—

(A) IN GENERAL.—For “Payment to the American Institute in Taiwan”, \$21,778,000 for fiscal year 2014.

(B) TRANSFER.—Subject to subparagraph (C) of this paragraph, of the amount authorized to be appropriated pursuant to paragraph (1), up to \$15,300,000 is authorized to be transferred to, and merged with, the amount specified in subparagraph (A) of this paragraph.

(C) NOTIFICATION.—If the Secretary of State exercises the transfer authority described in subparagraph (B), the Secretary shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(10) OFFICE OF THE INSPECTOR GENERAL.—For “Office of the Inspector General”, \$119,056,000 for fiscal year 2014, including for the Special Inspector General for Iraq Reconstruction and the Special Inspector General for Afghanistan Reconstruction, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)) as such section relates to the inspection of the administration of activities and operations of each Foreign Service post.

(11) INTERNATIONAL CHANCERY CENTER.—For “International Chancery Center (ICC)”, \$5,450,000 for fiscal year 2014.

(12) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—For “Embassy Security, Construction and Maintenance”, \$2,649,351,000 for fiscal year 2014.

**SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.**

There are authorized to be appropriated for “Contributions to International Organizations”, \$1,400,000,000 for fiscal year 2014, for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes. The Secretary shall notify the appropriate congressional committees not less than fifteen days prior to obligating funds authorized under this section to implement or establish any principle commission or organization required by a treaty that has not been ratified by the Senate.

**SEC. 103. CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.**

There are authorized to be appropriated for “Contributions for International Peacekeeping Activities”, \$1,942,000,000 for fiscal year 2014 for the Department of State to carry out the authorities, functions, duties, and responsibilities of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes, except that such amounts may not be used to support any United Nations Unmanned Aerial Systems (drone) activities or missions operating in United States airspace, including United States territories and possessions. Notwithstanding any other provision of law, funds authorized to be appropriated under this section are authorized to remain available until September 30, 2015.

**SEC. 104. INTERNATIONAL COMMISSIONS.**

The following amounts are authorized to be appropriated under “International Commissions” for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For “International Boundary and Water Commission, United States and Mexico”—

(A) for “Salaries and Expenses”, \$44,722,000 for fiscal year 2014; and

(B) for “Construction”, \$31,400,000 for fiscal year 2014.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For “International Boundary Commission, United States and Canada”, \$2,449,000 for fiscal year 2014.

(3) INTERNATIONAL JOINT COMMISSION.—For “International Joint Commission”, \$7,012,000 for fiscal year 2014.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For “International Fisheries Commissions”, \$31,445,000 for fiscal year 2014.

(5) BORDER ENVIRONMENT COOPERATION COMMISSION.—For “Border Environment Cooperation Commission”, \$2,386,000 for fiscal year 2014.

**SEC. 105. NATIONAL ENDOWMENT FOR DEMOCRACY.**

There are authorized to be appropriated for the “National Endowment for Democracy” for authorized activities \$117,764,000 for fiscal year 2014.

**SEC. 106. PROHIBITION ON USE OF FUNDS RELATING TO FEDERAL ACQUISITION REGULATION.**

No funds under this Act are authorized to be appropriated to enter into a contract with any offeror or any of its principals if the offeror certifies, pursuant to the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

**SEC. 107. PROHIBITION ON USE OF FUNDS RELATING TO SECURITY AND TRAINING FACILITY.**

No funds under this Act are authorized to be appropriated for any new Department of State security and training facility, including the proposed Foreign Affairs Security Training Center, for which there is not a completed, independent feasibility

study that has been provided to the appropriate congressional committees, verifying that safety and security training for all Department personnel who require such training cannot reasonably be provided at the existing Federal Law Enforcement Training Facility.

## **TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES**

### **Subtitle A—Basic Authorities and Activities**

#### **SEC. 201. RECOUPING COSTS OF INTERNATIONAL DISPUTE ARBITRATION.**

Paragraph (3) of section 38(d) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710(d)) is amended by striking “by the Department of State from another agency of the United States Government or pursuant to” and inserting “by the Department of State as a result of a decision of an international tribunal, from another agency of the United States Government, or pursuant to”.

#### **SEC. 202. FOREIGN SERVICE ACT OF 1980.**

Section 501 of the Foreign Service Act of 1980 (22 U.S.C. 3981) is amended by inserting “If a position designated under this section is unfilled for more than one single assignment cycle, such position shall be filled, as appropriate, on a temporary basis, in accordance with section 303 or 309.” after “Positions designated under this section are excepted from the competitive service.”.

#### **SEC. 203. CENTER FOR STRATEGIC COUNTERTERRORISM COMMUNICATIONS OF THE DEPARTMENT OF STATE.**

(a) **STATEMENT OF POLICY.**—As articulated in Executive Order 13584, issued on September 9, 2011, it is the policy of the United States to actively counter the actions and ideologies of al-Qa’ida, its affiliates and adherents, other terrorist organizations, and violent extremists overseas that threaten the interests and national security of the United States.

(b) **ESTABLISHMENT OF CENTER FOR STRATEGIC COUNTERTERRORISM COMMUNICATIONS.**—There is authorized to be established within the Department of State, under the direction of the Secretary of State, the Center for Strategic Counterterrorism Communications (in this section referred to as the “CSCC”).

(c) **MISSION.**—The CSCC may coordinate, orient, and inform Government-wide public communications activities directed at audiences abroad and targeted against violent extremists and terrorist organizations, especially al-Qa’ida and its affiliates and adherents.

(d) **COORDINATOR OF THE CENTER FOR STRATEGIC COUNTERTERRORISM COMMUNICATIONS.**—The head of the CSCC should be the Coordinator. The Coordinator of the CSCC should—

- (1) report to the Under Secretary for Public Diplomacy and Public Affairs; and
- (2) collaborate with the Bureau of Counterterrorism of the Department of State, other Department bureaus, and other United States Government agencies.

(e) **DUTIES.**—The CSCC may—

(1) monitor and evaluate extremist narratives and events abroad that are relevant to the development of a United States strategic counterterrorism narrative designed to counter violent extremism and terrorism that threaten the interests and national security of the United States;

(2) develop and promulgate for use throughout the executive branch the United States strategic counterterrorism narrative developed in accordance with paragraph (1), and public communications strategies to counter the messaging of violent extremists and terrorist organizations, especially al-Qa’ida and its affiliates and adherents;

(3) identify current and emerging trends in extremist communications and communications by al-Qa’ida and its affiliates and adherents in order to coordinate and provide guidance to the United States Government regarding how best to proactively promote the United States strategic counterterrorism narrative developed in accordance with paragraph (1) and related policies, and to respond to and rebut extremist messaging and narratives when communicating to audiences outside the United States;

(4) facilitate the use of a wide range of communications technologies by sharing expertise and best practices among United States Government and non-Government sources;

- (5) identify and request relevant information from United States Government agencies, including intelligence reporting, data, and analysis;
- (6) identify shortfalls in United States capabilities in any areas relevant to the CSCC's mission, and recommend necessary enhancements or changes; and
- (7) establish measurable goals, performance metrics, and monitoring and evaluation plans to focus on learning, accountability, and policymaking.

(f) **STEERING COMMITTEE.**—

(1) **IN GENERAL.**—The Secretary of State may establish a Steering Committee composed of senior representatives of United States Government agencies relevant to the CSCC's mission to provide advice to the Secretary on the operations and strategic orientation of the CSCC and to ensure adequate support for the CSCC.

(2) **MEETINGS.**—The Steering Committee should meet not less often than once every six months.

(3) **LEADERSHIP.**—The Steering Committee should be chaired by the Under Secretary of State for Public Diplomacy. The Coordinator for Counterterrorism of the Department of State should serve as Vice Chair. The Coordinator of the CSCC should serve as Executive Secretary.

(4) **COMPOSITION.**—

(A) **IN GENERAL.**—The Steering Committee may include one senior representative designated by the head of each of the following agencies:

- (i) The Department of Defense.
- (ii) The Department of Justice.
- (iii) The Department of Homeland Security.
- (iv) The Department of the Treasury.
- (v) The National Counterterrorism Center of the Office of the Director of National Intelligence.
- (vi) The Joint Chiefs of Staff.
- (vii) The Counterterrorism Center of the Central Intelligence Agency.
- (viii) The Broadcasting Board of Governors.
- (ix) The Agency for International Development.

(B) **ADDITIONAL REPRESENTATION.**—Representatives from United States Government agencies not specified in subparagraph (A) may be invited to participate in the Steering Committee at the discretion of the Chair.

**SEC. 204. ANTI-PIRACY INFORMATION SHARING.**

The Secretary of State is authorized to provide for the participation by the United States in the Information Sharing Centre located in Singapore, as established by the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP).

## **Subtitle B—Consular Services and Related Matters**

**SEC. 211. EXTENSION OF AUTHORITY TO ASSESS PASSPORT SURCHARGE.**

Paragraph (2) of section 1(b) of the Act of June 4, 1920 (41 Stat. 750; chapter 223; 22 U.S.C. 214(b)), is amended by striking “2010” and inserting “2016”.

**SEC. 212. BORDER CROSSING CARD FEE FOR MINORS.**

Section 410(a)(1)(A) of the Department of State and Related Agencies Appropriations Act, 1999 (contained in division A of Public Law 105–277) is amended by striking “a fee of \$13” and inserting “a fee equal to one-half the fee that would otherwise apply for processing a machine readable combined border crossing identification card and nonimmigrant visa”.

**SEC. 213. AUTHORITY TO RESTRICT PASSPORTS.**

(a) **IN GENERAL.**—The Secretary of State is authorized to—

(1) limit to one year or such period of time as the Secretary of State shall determine appropriate the period of validity of a passport issued to a sex offender; and

(2) revoke the passport or passport card of an individual who has been convicted by a court of competent jurisdiction in a foreign country of a sex offense.

(b) **LIMITATION FOR RETURN TO UNITED STATES.**—Notwithstanding subsection (a), in no case shall a United States citizen convicted by a court of competent jurisdiction in a foreign country of a sex offense be precluded from entering the United States due to a passport revocation under such subsection.

(c) REAPPLICATION.—An individual whose passport or passport card was revoked pursuant to subsection (a)(2) may reapply for a passport or passport card at any time after such individual has returned to the United States.

(d) DEFINITIONS.—For purposes of this section:

(1) SEX OFFENDER.—The term “sex offender” means an individual who is listed on the National Sex Offender Registry established pursuant to section 119 of the Sex Offender Registration and Notification Act (42 U.S.C. 16915).

(2) SEX OFFENSE.—The term “sex offense” means a sex offense as defined in section 111(5) of the Sex Offender Registration and Notification Act (42 U.S.C. 16915).

## Subtitle C—Reporting Requirements

### SEC. 221. REPORTING REFORM.

(a) IN GENERAL.—The following provisions of law are repealed:

- (1) Subsections (c)(4) and (c)(5) of section 601 of Public Law 96–465.
- (2) Section 585 of Public Law 104–208.
- (3) Subsections (b) and (c) of section 11 of Public Law 107–245.
- (4) Section 181 of Public Law 102–138.
- (5) Section 1012(c) of Public Law 103–337.
- (6) Section 527(f) of Public Law 103–236.
- (7) Section 304(f) of Public Law 107–173.
- (8) Section 4(b) of Public Law 79–264.
- (9) Section 3202 of Public Law 106–246.

(b) CONFORMING AMENDMENT.—Section 11 of Public Law 107–245 is amended by striking “(a) IN GENERAL.—”.

(c) REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Director of the Office of Management and Budget shall submit to Congress a report on all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies during the previous fiscal year.

(2) CONTENT.—Each report required under subsection (a) shall include the following elements:

(A) The total amount of all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies during the previous fiscal year.

(B) The approximate percentage of United States Government contributions to each United Nations affiliated agency or related body in such fiscal year when compared with all contributions to each such agency or body from any source in such fiscal year.

(C) For each such United States Government contribution—

- (i) the amount of the contribution;
- (ii) a description of the contribution (including whether assessed or voluntary);
- (iii) the department or agency of the United States Government responsible for the contribution;
- (iv) the purpose of the contribution; and
- (v) the United Nations or its affiliated agency or related body receiving the contribution.

(3) SCOPE OF INITIAL REPORT.—The first report required under this subsection shall include the information required under this section for the previous three fiscal years.

(4) PUBLIC AVAILABILITY OF INFORMATION.—Not later than 14 days after submitting a report under this subsection, the Director of the Office of Management and Budget shall post a public version of such report on a text-based, searchable, and publicly available Internet Web site.

## TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

### SEC. 301. SUSPENSION OF FOREIGN SERVICE MEMBERS WITHOUT PAY.

(a) SUSPENSION.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended by adding at the end the following new subsection:

“(c)(1) In order to promote the efficiency of the Service, the Secretary may suspend a member of the Foreign Service without pay when the member’s security clearance is suspended or when there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed.

“(2) Any member of the Foreign Service for whom a suspension is proposed in accordance with paragraph (1) shall be entitled to—

“(A) written notice stating the specific reasons for the proposed suspension;

“(B) a reasonable time to respond orally and in writing to the proposed suspension;

“(C) representation by an attorney or other representative; and

“(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

“(3) Any member suspended under this section may file a grievance in accordance with the procedures applicable to grievances under chapter 11.

“(4) In the case of a grievance filed under paragraph (3)—

“(A) the review by the Foreign Service Grievance Board shall be limited to a determination of whether the provisions of paragraphs (1) and (2) have been fulfilled; and

“(B) the Foreign Service Grievance Board may not exercise the authority provided under section 1106(8).

“(5) In this subsection:

“(A) The term ‘reasonable time’ means—

“(i) with respect to a member of the Foreign Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

“(ii) with respect to a member of the Foreign Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

“(B) The term ‘suspend’ or ‘suspension’ means the placing of a member of the Foreign Service in a temporary status without duties and pay.”.

(b) **CONFORMING AND CLERICAL AMENDMENTS.**—

(1) **AMENDMENT OF SECTION HEADING.**—Section 610 of the Foreign Service Act of 1980, as amended by subsection (a) of this section, is further amended, in the section heading, by inserting “, SUSPENSION” before the period at the end.

(2) **CLERICAL AMENDMENT.**—The item relating to section 610 in the table of contents in section 2 of the Foreign Service Act of 1980 is amended to read as follows:

“Sec. 610. Separation for cause; suspension.”.

**SEC. 302. REPEAL OF RECERTIFICATION REQUIREMENT FOR SENIOR FOREIGN SERVICE.**

Subsection (d) of section 305 of the Foreign Service Act of 1980 (22 U.S.C. 3945) is repealed.

**SEC. 303. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.**

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949) is amended—

(1) in subsection (a), by striking “subsection (b)” and inserting “subsection (b) or (c)”;

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by inserting “(A),” after “if”; and

(ii) by inserting before the semicolon at the end the following: “, or (B), the career candidate is serving in the uniformed services, as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. 4301 et seq.), and the limited appointment expires in the course of such service”;

(B) in paragraph (4), by striking “and” at the end;

(C) in paragraph (5), by striking the period at the end and inserting “, and”; and

(D) by adding after paragraph (5) the following new paragraph:

“(6) in exceptional circumstances where the Secretary determines the needs of the Service require the extension of a limited appointment, (A), for a period of time not to exceed 12 months (if such period of time does not permit additional review by boards under section 306), or (B), for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for in this section.”; and

(3) by adding at the end the following new subsection:

“(c) Non-career Foreign Service employees who have served five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment if there is a one year break in service between each such appointment. The Secretary may in cases of special need waive the requirement for a one year break in service.”.

**SEC. 304. LIMITATION OF COMPENSATORY TIME OFF FOR TRAVEL.**

Section 5550b of title 5, United States Code, is amended by adding at the end the following new subsection:

“(c) The maximum amount of compensatory time off earned under this section may not exceed 104 hours during any leave year (as defined by regulations established by the Office of Personnel Management).”.

**SEC. 305. DEPARTMENT OF STATE ORGANIZATION.**

The Secretary of State may, after consultation with the appropriate congressional committees, transfer to such other officials or offices of the Department of State as the Secretary may determine from time to time any authority, duty, or function assigned by statute to the Coordinator for Counterterrorism, the Coordinator for Reconstruction and Stabilization, or the Coordinator for International Energy Affairs.

**SEC. 306. OVERSEAS COMPARABILITY PAY LIMITATION.**

(a) **IN GENERAL.**—Subject to the limitation described in subsection (b), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1904), shall remain in effect through September 30, 2014.

(b) **LIMITATION.**—The authority described in subsection (a) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member’s official duty station were in the District of Columbia.

## **TITLE IV—EMBASSY SECURITY AND PERSONNEL PROTECTION**

### **Subtitle A—Review and Planning Requirements**

**SEC. 411. DESIGNATION OF HIGH RISK, HIGH THREAT POSTS AND WORKING GROUPS.**

(a) **IN GENERAL.**—Title I of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4801 et seq.; relating to diplomatic security) is amended by inserting after section 103 the following new sections:

**“SEC. 104. DESIGNATION OF HIGH RISK, HIGH THREAT POSTS.**

“(a) **INITIAL DESIGNATION.**—Not later than 30 days after the date of the enactment of this section, the Secretary shall submit to the appropriate congressional committees a report, in classified form, that contains an initial list of diplomatic and consular posts designated as high risk, high threat posts.

“(b) **DESIGNATIONS BEFORE OPENING OR REOPENING POSTS.**—Before opening or reopening a diplomatic or consular post, the Secretary shall determine if such post should be designated as a high risk, high threat post.

“(c) **DESIGNATING EXISTING POSTS.**—The Secretary shall regularly review existing diplomatic and consular posts to determine if any such post should be designated as a high risk, high threat post if conditions at such post or the surrounding security environment require such a designation.

“(d) **DEFINITIONS.**—In this section and section 105:

“(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘appropriate congressional committees’ means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

“(2) **HIGH RISK, HIGH THREAT POST.**—The term ‘high risk, high threat post’ means a United States diplomatic or consular post, as determined by the Secretary, that, among other factors, is—

“(A) located in a country—

“(i) with high to critical levels of political violence and terrorism; and

“(ii) the government of which lacks the ability or willingness to provide adequate security; and

“(B) with mission physical security platforms that fall below the Department of State’s established standards.

**“SEC. 105. WORKING GROUPS FOR HIGH RISK, HIGH THREAT POSTS.**

“(a) **ESTABLISHMENT.**—Before opening or reopening a high risk, high threat post, the Secretary shall establish a working group that is responsible for the geographic area in which such post is to be opened or reopened.

“(b) **DUTIES.**—The duties of the working group established in accordance with subsection (a) shall include—

“(1) evaluating the importance and appropriateness of the objectives of the proposed post to the national security of the United States, and the type and level of security threats such post could encounter;

“(2) completing working plans to expedite the approval and funding for establishing and operating such post, implementing physical security measures, providing necessary security and management personnel, and the provision of necessary equipment;

“(3) establishing security ‘tripwires’ that would determine specific action, including enhanced security measures or evacuation of such post, based on the improvement or deterioration of the local security environment; and

“(4) identifying and reporting any costs that may be associated with opening or reopening such post.

“(c) COMPOSITION.—The working group should be composed of representatives of the—

“(1) appropriate regional bureau;

“(2) Bureau of Diplomatic Security;

“(3) Bureau of Overseas Building Operations;

“(4) Bureau of Intelligence and Research; and

“(5) other bureaus or offices as determined by the Secretary.

“(d) CONGRESSIONAL NOTIFICATION.—Not less than 30 days before opening or reopening a high risk, high threat post, the Secretary shall notify the appropriate congressional committees in classified form of—

“(1) the decision to open or reopen such post; and

“(2) the results of the working group under subsection (b).”.

(b) CONFORMING AMENDMENT.—The table of contents of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended by inserting after the item relating to section 103 the following new items:

“Sec. 104. Designation of high risk, high threat posts.

“Sec. 105. Working groups for high risk, high threat posts.”.

**SEC. 412. CONTINGENCY PLANS FOR HIGH RISK, HIGH THREAT POSTS.**

Section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a); relating to diplomatic security) is amended—

(1) in paragraph (1)(A)—

(A) by inserting “and from complex attacks (as such term is defined in section 416 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986),” after “attacks from vehicles”; and

(B) by inserting “or such a complex attack” before the period at the end;

(2) in paragraph (7), by inserting before the period at the end the following: “, including at high risk, high threat posts (as such term is defined in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986), including options for the deployment of additional military personnel or equipment to bolster security and rapid deployment of armed or surveillance assets in response to an attack”.

**SEC. 413. STRATEGIC REVIEW OF BUREAU OF DIPLOMATIC SECURITY.**

(a) IN GENERAL.—The Secretary of State shall complete a strategic review of the Bureau of Diplomatic Security of the Department of State to ensure that the mission and activities of the Bureau are fulfilling the current and projected needs of the Department of State.

(b) CONTENTS OF REVIEW.—The strategic review described in subsection (a) shall include assessments of—

(1) staffing needs for both domestic and international operations;

(2) facilities under chief of mission authority adhering to security standards;

(3) security personnel with the necessary language skills for assignment to overseas posts;

(4) programs being carried out by personnel with the necessary experience and at commensurate grade levels;

(5) necessary security training provided to personnel under chief of mission authority for expected assignments and objectives;

(6) balancing security needs with an ability to carry out the diplomatic mission of the Department of State;

(7) the budgetary implications of balancing multiple missions; and

(8) how to resolve any identified deficiencies in the mission or activities of the Bureau.

**SEC. 414. REVISION OF PROVISIONS RELATING TO PERSONNEL RECOMMENDATIONS OF ACCOUNTABILITY REVIEW BOARD.**

(a) IN GENERAL.—Section 304(c) of the Diplomatic Security Act (22 U.S.C. 4834(c)) is amended—

- (1) in the matter preceding paragraph (1)—  
 (A) by striking “Whenever” and inserting “If”; and  
 (B) by striking “has breached the duty of that individual” and inserting “has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or the serious breach of security that is the subject of the Board’s examination as described in subsection (a)”;
- (2) in paragraph (2), by striking “finding” each place it appears and inserting “findings”; and
- (3) in the matter following paragraph (3)—  
 (A) by striking “has breached a duty of that individual” and inserting “has unsatisfactorily performed the duties of employment of that individual”; and  
 (B) by inserting “of employment” after “performance of the duties”.
- (b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to any case of an Accountability Review Board that is convened under section 301 of the Diplomatic Security Act (22 U.S.C. 4831) on or after the date of the enactment of this Act.

## **Subtitle B—Physical Security and Personnel Requirements**

### **SEC. 421. CAPITAL SECURITY COST SHARING PROGRAM.**

(a) SENSE OF CONGRESS ON THE CAPITAL SECURITY COST SHARING PROGRAM.—It is the sense of Congress that the Capital Security Cost Sharing Program should prioritize the construction of new facilities and the maintenance of existing facilities at high risk, high threat posts.

(b) RESTRICTION ON CONSTRUCTION OF OFFICE SPACE.—Section 604(e)(2) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–453; 22 U.S.C. 4865 note) is amended by adding at the end the following new sentence: “A project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal department or agency if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by paragraph (1), except that such project may include office space or other accommodations for members of the United States Marine Corps.”.

### **SEC. 422. LOCAL GUARD CONTRACTS ABROAD UNDER DIPLOMATIC SECURITY PROGRAM.**

(a) IN GENERAL.—Section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “With respect” and inserting “Except as provided in subsection (d), with respect”; and

(B) in paragraph (3), by striking “subsection (d)” and inserting “subsection (e)”;

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(3) by inserting after subsection (c) the following new subsection:

“(d) AWARD OF LOCAL GUARD AND PROTECTIVE SERVICE CONTRACTS FOR HIGH RISK, HIGH THREAT POSTS.—With respect to any local guard contract for a high risk, high threat post (as such term is defined in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986) that is entered into after the date of the enactment of this subsection, the Secretary of State—

“(1) shall comply with paragraphs (1), (2), (4), (5), and (6) of subsection (c) in the award of such contract;

“(2) after evaluating proposals for such contract, may award such contract to the firm representing the best value to the Government in accordance with the best value tradeoff process described in subpart 15.1 of the Federal Acquisition Regulation (48 C.F.R. 6 15.101–1); and

“(3) shall ensure that contractor personnel under such contract providing local guard or protective services are classified—

“(A) as employees of the contractor;

“(B) if the contractor is a joint venture, as employees of one of the persons or parties constituting the joint venture; or

“(C) as employees of a subcontractor to the contractor, and not as independent contractors to the contractor or any other entity performing under such contracts.”.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(1) an explanation of the implementation of subsection (d) of section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, as amended by subsection (a)(3) of this section; and

(2) for each instance in which an award is made pursuant to such subsection (d) of such section 136, a written justification providing the basis for such award and an explanation of the inability to satisfy the needs of the Department of State by technically acceptable, lowest price evaluation award.

**SEC. 423. TRANSFER AUTHORITY.**

Section 4 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 295) is amended by adding at the end the following new subsections:

“(j) In addition to exercising any other transfer authority available to the Secretary of State, and subject to subsection (k), the Secretary may transfer to, and merge with, any appropriation for embassy security, construction, and maintenance such amounts appropriated for any other purpose related to the administration of foreign affairs on or after October 1, 2013, as the Secretary determines necessary to provide for the security of sites and buildings in foreign countries under the jurisdiction and control of the Secretary.

“(k) The Secretary of State shall consult with, and not later than 15 days before any transfer of funds pursuant to subsection (j) notify, the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives of such transfer.”.

**SEC. 424. SECURITY ENHANCEMENTS FOR SOFT TARGETS.**

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended, in the third sentence, by inserting “physical security enhancements and” after “may include”.

**SEC. 425. REEMPLOYMENT OF ANNUITANTS.**

Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)—

(i) by striking “to facilitate the” and all that follows through “Afghanistan,”; and

(ii) by inserting before the semicolon at the end the following: “and, when after an exhaustive, open, and competitive search, no qualified, full-time, current employees (including members of the Civil Service) of the Department of State have been identified”; and

(B) by moving subparagraph (C) two ems to the left; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “2010” and inserting “2018”; and

(B) in subparagraphs (B) and (C), by striking “2009” and inserting “2018” each place it appears.

**SEC. 426. SENSE OF CONGRESS REGARDING MINIMUM SECURITY STANDARDS FOR TEMPORARY UNITED STATES DIPLOMATIC AND CONSULAR POSTS.**

It is the sense of Congress that—

(1) the Overseas Security Policy Board’s security standards for United States diplomatic and consular posts should apply to all such posts regardless of the duration of their occupancy; and

(2) such posts should comply with requirements for attaining a waiver or exception to applicable standards if it is in the national interest of the United States as determined by the Secretary of State.

**SEC. 427. ASSIGNMENT OF PERSONNEL AT HIGH RISK, HIGH THREAT POSTS.**

(a) IN GENERAL.—The Secretary of State shall station key personnel for sustained periods of time at high risk, high threat posts (as such term is defined in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as added by section 411 of this Act) in order to—

(1) establish institutional knowledge and situational awareness that would allow for a fuller familiarization of the local political and security environment in which such posts are located; and

(2) ensure that necessary security procedures are implemented.

(b) **QUARTERLY BRIEFINGS.**—The Secretary of State shall quarterly brief the appropriate congressional committees on the personnel staffing and rotation cycles at high risk, high threat posts.

**SEC. 428. BUREAU OF DIPLOMATIC SECURITY MOBILE BIOMETRIC ENROLLMENT PROGRAM.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees regarding the mobile biometric enrollment program of the Bureau of Diplomatic Security that includes the following:

(1) An overview of the mobile biometric enrollment program and the Department of State’s use of biometric technologies to secure access to United States diplomatic and consular posts.

(2) An assessment of the effectiveness and uses of such biometric technologies.

(3) An assessment of the costs, benefits, and implementation time that would be involved in extending the mobile biometric enrollment program initially to all high risk, high threat posts (as such term is defined in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as added by section 411 of this Act), and then to all remaining diplomatic and consular posts.

## Subtitle C—Security Training

**SEC. 431. SECURITY TRAINING FOR PERSONNEL ASSIGNED TO HIGH RISK, HIGH THREAT POSTS.**

(a) **IN GENERAL.**—Title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851 et seq.; relating to diplomatic security) is amended by adding at the end the following new sections:

**“SEC. 416. SECURITY TRAINING FOR PERSONNEL ASSIGNED TO A HIGH RISK, HIGH THREAT POST.**

“(a) **IN GENERAL.**—Individuals assigned permanently to or who are in long-term temporary duty status as designated by the Secretary at a high risk, high threat post shall receive security training described in subsection (b) on a mandatory basis in order to prepare such individuals for living and working at such posts.

“(b) **SECURITY TRAINING DESCRIBED.**—Security training referred to in subsection (a)—

“(1) is training to improve basic knowledge and skills; and

“(2) may include—

“(A) an ability to recognize, avoid, and respond to potential terrorist situations, including a complex attack;

“(B) conducting surveillance detection;

“(C) providing emergency medical care;

“(D) ability to detect the presence of improvised explosive devices;

“(E) minimal firearms proficiency; and

“(F) defensive driving maneuvers.

“(c) **EFFECTIVE DATE.**—The requirements of this section shall take effect upon the date of the enactment of this section.

“(d) **DEFINITIONS.**—In this section and sections 417 and 418:

“(1) **COMPLEX ATTACK.**—The term ‘complex attack’ has the meaning given such term by the North Atlantic Treaty Organization as follows: ‘An attack conducted by multiple hostile elements which employ at least two distinct classes of weapon systems (i.e., indirect fire and direct fire, improvised explosive devices, and surface to air fire).’

“(2) **HIGH RISK, HIGH THREAT POST.**—The term ‘high risk, high threat post’ has the meaning given such term in section 104.

**“SEC. 417. SECURITY MANAGEMENT TRAINING FOR OFFICIALS ASSIGNED TO A HIGH RISK, HIGH THREAT POST.**

“(a) **IN GENERAL.**—Officials described in subsection (c) who are assigned to a high risk, high threat post shall receive security training described in subsection (b) on a mandatory basis in order to improve the ability of such officials to make security-related management decisions.

“(b) **SECURITY TRAINING DESCRIBED.**—Security training referred to in subsection (a) may include—

“(1) development of skills to better evaluate threats;

“(2) effective use of security resources to mitigate such threats; and

“(3) improved familiarity of available security resources.

“(c) **OFFICIALS DESCRIBED.**—Officials referred to in subsection (a) are—

“(1) members of the Senior Foreign Service appointed under section 302(a)(1) or 303 of the Foreign Service Act of 1980 (22 U.S.C. 3942(a)(1) and 3943) or

members of the Senior Executive Service (as such term is described in section 3132(a)(2) of title 5, United States Code);

“(2) Foreign Service officers appointed under section 302(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3942(a)(1)) holding a position in classes FS–1, FS–2, or FS–3;

“(3) Foreign Service Specialists appointed by the Secretary under section 303 of the Foreign Service Act of 1980 (22 U.S.C. 3943) holding a position in classes FS–1, FS–2, or FS–3; and

“(4) individuals holding a position in grades GS–13, GS–14, or GS–15.

“(d) EFFECTIVE DATE.—The requirements of this section shall take effect beginning on the date that is one year after the date of the enactment of this section.

**“SEC. 418. LANGUAGE REQUIREMENTS FOR DIPLOMATIC SECURITY PERSONNEL ASSIGNED TO HIGH RISK, HIGH THREAT POST.**

“(a) IN GENERAL.—Diplomatic security personnel assigned permanently to or who are in long-term temporary duty status as designated by the Secretary at a high risk, high threat post should receive language training described in subsection (b) in order to prepare such personnel for duty requirements at such post.

“(b) LANGUAGE TRAINING DESCRIBED.—Language training referred to in subsection (a) should prepare personnel described in such subsection to—

“(1) speak the language at issue with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on subjects germane to security; and

“(2) read within an adequate range of speed and with almost complete comprehension on subjects germane to security.”.

(b) CONFORMING AMENDMENT.—The table of contents of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended by inserting after the item relating to section 415 the following new items:

“Sec. 416. Security training for personnel assigned to a high risk, high threat post.

“Sec. 417. Security management training for officials assigned to a high risk, high threat post.

“Sec. 418. Language requirements for diplomatic security personnel assigned to high risk, high threat post.”.

**SEC. 432. REPORT TO CONGRESS.**

Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of this subtitle.

## **Subtitle D—Expansion of the Marine Corps Security Guard Detachment Program**

**SEC. 441. MARINE CORPS SECURITY GUARD PROGRAM.**

(a) IN GENERAL.—Pursuant to the responsibility of the Secretary of State for diplomatic security under section 103 of the Diplomatic Security Act (22 U.S.C. 4802; enacted as part of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99–399)), the Secretary of State, in consultation with the Secretary of Defense, shall conduct an annual review of the Marine Corps Security Guard Program, including—

(1) an evaluation of whether the size and composition of the Marine Corps Security Guard Program is adequate to meet global diplomatic security requirements;

(2) an assessment of whether the Marine Corps security guards are appropriately deployed among United States embassies, consulates, and other diplomatic facilities to respond to evolving security developments and potential threats to United States interests abroad; and

(3) an assessment of the mission objectives of the Marine Corps Security Guard Program and the procedural rules of engagement to protect diplomatic personnel under the Program.

(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for three years, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees an unclassified report, with a classified annex as necessary, that addresses the requirements specified in subsection (a).

## SUMMARY AND PURPOSE

H.R. 2848, the Department of State Operations and Embassy Security Authorization Act for Fiscal Year 2014, is the signature annual legislation of the Committee on Foreign Affairs. This bill provides funding for the management and operations of the Department of State at fiscally responsible levels, while strengthening security at our diplomatic facilities overseas. Our embassies and personnel are targets for those seeking to harm the United States, and more needs to be done to ensure their safety.

Among other things, this bill advances efforts to improve the physical infrastructure at posts overseas to comply with the highest standards of protection; to increase training for those responsible for guarding our compounds and personnel; to put in place procedures that respond appropriately to threats, reducing the chances of another attack like that suffered in Benghazi, Libya; to review the policies and procedures of the Bureau of Diplomatic Security; to authorize the use of “best value” contracting at high risk, high threat posts; to authorize security improvements at soft targets; and to provide for security enhancements in line with Accountability Review Board recommendations.

## BACKGROUND AND NEED FOR LEGISLATION

As part of the annual budget cycle, the House Committee on Foreign Affairs is responsible for providing legislative authority and funding for agency operations. However, the last enacted State Department authorization was H.R. 1646 in the 107th Congress, the Foreign Relations Authorization Act for Fiscal Year 2003, which became Public Law 107–228 in September of 2002. The lack of authorization in the intervening 11 years has eroded Congressional oversight and the ability of the Committee on Foreign Affairs to exercise its jurisdiction over the Department of State and other International Affairs agencies.

This year’s bill focuses on authorizing the Department of State’s core accounts, covering basic operations such as salaries and building maintenance. The protection and security of U.S. facilities and personnel overseas must be key priorities of the Department and, as such, they figure prominently in this year’s bill.

*Embassy Security*

The September 11, 2012 terrorist attacks on the U.S. special mission compound and annex in Benghazi, Libya claimed the lives of four dedicated Americans and yet again highlighted the potential vulnerability of our facilities and personnel overseas. The subsequent Accountability Review Board (ARB) report cited numerous security deficiencies and made 29 key recommendations across six core areas: 1) overarching security considerations; 2) staffing high risk, high threat posts; 3) training and awareness; 4) security and fire safety equipment; 5) intelligence and threat analysis; and, 6) personnel accountability.

The House Committee on Foreign Affairs considered the recommendations of the ARB in the context of the global threats to U.S. facilities and personnel overseas. As the ARB report stated:

“The Benghazi attacks took place against a backdrop of significantly increased demands on U.S. diplomats to be present

in the world's most dangerous places to advance American interests and connect with populations beyond capitals, and beyond host governments' reach. With State Department civilians at the forefront of U.S. efforts to stabilize and build capacity in Iraq, as the U.S. military draws down in Afghanistan, and with security threats growing in volatile environments where the U.S. military is not present—from Peshawar to Bamako—the Bureau of Diplomatic Security (DS) is being stretched to the limit as never before.

“The Benghazi attacks also took place in a context in which the global terrorism threat as most often represented by al Qaeda (AQ) is fragmenting and increasingly devolving to local affiliates and other actors who share many of AQ's aims, including violent anti-Americanism, without necessarily being organized or operated under direct AQ command and control. This growing, diffuse range of terrorist and hostile actors poses an additional challenge to American security officers, diplomats, development professionals and decision-makers seeking to mitigate risk and remain active in high threat environments without resorting to an unacceptable total fortress and stay-at-home approach to U.S. diplomacy.”

The ARB report concluded that “Systemic failures and leadership and management deficiencies at senior levels within two bureaus of the State Department resulted in a Special Mission security posture that was inadequate for Benghazi and grossly inadequate to deal with the attack that took place,” and suggested that future ARBs be empowered to recommend disciplinary action for such leadership and management deficiencies going forward. The ARB also said that security in Benghazi was not viewed as a “shared responsibility” by the bureaus in Washington with the task of supporting the mission, resulting in stove-piped discussions and decisions that led to an inadequate security posture; problems that H.R. 2848 attempts to mitigate. Additionally, the ARB recommended that more resources be directed to addressing the security needs of the Department. H.R. 2848 is an important and responsible response to both these fiscal and accountability concerns, and fully funds the Embassy Security, Construction, and Maintenance and Worldwide Security Protection requests for fiscal year 2014.

#### *Fiscal Responsibility*

The President's FY 2014 budget request responded to the need for greater fiscal responsibility by realizing nearly a 6% cut from the FY 2012 level; H.R. 2848 similarly acknowledges the need for fiscal restraint by introducing additional cost savings and making strategic investments in the Department's core operations. As Secretary Kerry stated in his remarks before the House Committee on Foreign Affairs, “we owe it to the American people to do our part to help solve the fiscal problems that threaten not only our future economic health but also our standing in the global order. As such, we have proposed necessary cuts, where it will not adversely affect our national security, and we propose modest increases, where they are necessary to achieve our highest priorities.”

### *Management Reform*

The Department of State implements a broad range of U.S. government activities and programs overseas, including the conduct of diplomacy, efforts to combat terrorism and narcotics trafficking, and security assistance, among others. According to the 2010 Quadrennial Diplomacy and Development Review, the Department is engaged in efforts to build and support a workforce that is well-matched to the foreign affairs challenges of the twenty-first century. Accomplishing this objective is critical and is contingent, in part, on the ability of the State Department to ensure that the right people and resources are deployed to the right places at the right time.

However, the Government Accountability Office (GAO) has reported that the State Department faces persistent staffing and foreign language gaps that put the Department's diplomatic readiness at risk. Similarly, GAO found that State has experienced difficulties hiring and training staff to operate and maintain its new, more sophisticated embassy compounds. While State has taken some actions in response to these findings, more needs to be done. In an increasingly constricted fiscal environment, State must use limited resources effectively and efficiently.

The GAO also reported that the Department significantly expanded its Bureau of Diplomatic Security without the benefit of strategic planning to ensure that the bureau's missions and activities address the Department's priority needs.

This bill addresses some of the management concerns that have been raised by the GAO, such as requiring the Secretary of State to fill staffing gaps on a temporary basis and to conduct a strategic review of Diplomatic Security to ensure the needs of the Department are met. These changes are important steps in the process of reforming the Department as it adapts to a rapidly changing international environment.

### HEARINGS

During the 113th Congress, the Committee held the following hearings related to the content of H.R. 2848:

April 17, 2013 full Committee hearing on "Securing U.S. Interests Abroad: The FY 2014 Foreign Affairs Budget" (Hon. John F. Kerry, Secretary of State, U.S. Department of State); and

January 23, 2013 full Committee hearing on "Terrorist Attack in Benghazi: The Secretary of State's View" (Hon. Hillary Rodham Clinton, Secretary of State, U.S. Department of State).

### COMMITTEE CONSIDERATION

On August 1, 2013, the Foreign Affairs Committee marked up the bill H.R. 2848, pursuant to notice, in open session. By unanimous consent, the Chairman called up a bipartisan package of 11 amendments that were considered *en bloc*, and agreed to by voice vote. H.R. 2848, as amended, was agreed to by voice vote, and was ordered favorably reported to the House by unanimous consent.

## COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of House Rule XIII, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of House Rule X, are incorporated in the descriptive portions of this report, particularly the “Summary and Purpose,” “Background and Need for Legislation,” and “Section-by-Section Analysis” sections.

## NEW BUDGET AUTHORITY, TAX EXPENDITURES, AND FEDERAL MANDATES

In compliance with clause 3(c)(2) of House Rule XIII and the Unfunded Mandates Reform Act (P.L. 104–4), the Committee adopts as its own the estimate of new budget authority, entitlement authority, tax expenditures or revenues, and Federal mandates contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 24, 2013.*

Hon. EDWARD R. ROYCE, *Chairman,*  
*Committee on Foreign Affairs,*  
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2848, the Department of State Operations and Embassy Security Authorization Act, Fiscal Year 2014.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sunita D'Monte, who can be reached at 226–2840.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure

cc: Honorable Eliot L. Engel  
Ranking Member

*H.R. 2848—Department of State Operations and Embassy Security Authorization Act, Fiscal Year 2014*

As ordered reported by the House Committee on Foreign Affairs on August 1, 2013

## SUMMARY

H.R. 2848 would authorize appropriations for the Department of State. CBO estimates that implementing the bill would have discretionary costs of \$14.6 billion over the 2014–2018 period, assuming appropriation of the specified and estimated amounts. CBO estimates that enacting the bill would increase direct spending by \$1 million over the 2014–2023 period and have insignificant effects on revenues; thus, pay-as-you-go procedures apply.

H.R. 2848 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would impose private-sector mandates, as defined in UMRA, by extending passport surcharges that are currently set to expire and by authorizing the Secretary of State to restrict or revoke passports issued to sex offenders. CBO estimates that the aggregate cost of mandates on private entities would total about \$330 million, and thus exceed the annual threshold established in UMRA for private-sector mandates (\$150 million in 2013, adjusted annually for inflation).

#### ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 2848 is shown in the following table. The costs of this legislation fall within budget functions 150 (international affairs) and 300 (natural resources and environment).

	By Fiscal Year, in Millions of Dollars					
	2014	2015	2016	2017	2018	2014–2018
CHANGES IN SPENDING SUBJECT TO APPROPRIATION <sup>1</sup>						
Department of State						
Authorization Level	15,557	0	0	0	0	15,557
Estimated Outlays	7,783	3,146	1,624	1,310	703	14,566
Comparability Pay for Overseas Postings						
Estimated Authorization Level	49	0	0	0	0	49
Estimated Outlays	26	18	5	1	*	49
Contracts for Overseas Guards						
Estimated Authorization Level	0	*	*	9	9	19
Estimated Outlays	0	*	*	8	9	18
Security Enhancements at Overseas Schools						
Estimated Authorization Level	0	*	*	*	*	2
Estimated Outlays	0	*	*	*	*	2
Total Changes						
Estimated Authorization Level	15,606	1	1	10	10	15,627
Estimated Outlays	7,809	3,164	1,629	1,320	713	14,635

Notes: Components may not sum to totals because of rounding.

\* = less than \$500,000.

<sup>1</sup> In addition to the budgetary effects shown above, CBO estimates that over the 2014–2023 period, H.R. 2848 would increase direct spending by \$1 million. The bill also contains provisions that would affect revenues, but CBO estimates that those effects would be insignificant.

#### BASIS OF ESTIMATE

For this estimate, CBO assumes H.R. 2848 will be enacted near the start of fiscal year 2014, that the specified and estimated authorizations will be appropriated near the start of each fiscal year, and that outlays will follow historical patterns for similar and existing programs.

#### *Spending Subject to Appropriation*

Most of the bill's impact on spending subject to appropriation would stem from specified authorizations of about \$15.6 billion in 2014 for the Department of State. Those amounts represent a decrease of \$0.2 billion (1 percent) from the amounts provided in 2013. CBO estimates that implementing those provisions would have discretionary costs of about \$14.6 billion over the 2014–2018

period, assuming appropriation of the specified amounts. (The remainder would be spent after 2018.)

Other provisions in the bill—primarily extending through 2014 the authority to provide comparability pay for overseas postings—also would have discretionary costs. CBO estimates that implementing those provisions would require appropriations of \$70 million over the 2014–2018 period, with outlays of \$69 million over that period.

**Department of State.** The authorizations of appropriations in the bill would cover the operating expenses and other ongoing programs and activities of the Department of State. As detailed below, CBO estimates that implementing those provisions would cost about \$14.6 billion over the 2014–2018 period, assuming appropriation of the specified amounts.

*Operating Expenses.* Section 101 would authorize the appropriation of almost \$12 billion in 2014 for the State Department's operating expenses and programs. CBO estimates that implementing that section would have discretionary costs of \$11 billion over the 2014–2018 period.

*Contributions to International Organizations and Commissions.* Sections 102, 103, and 104 would authorize the appropriation of about \$3.5 billion in 2014 for contributions to international organizations and international peacekeeping activities and for various international commissions. In total, CBO estimates that implementing those provisions would result in discretionary costs of about \$3.5 billion over the 2014–2018 period.

*National Endowment for Democracy.* Section 105 would authorize the appropriation of \$0.1 billion in 2014 for the National Endowment for Democracy. CBO estimates that implementing that provision would have discretionary costs of \$0.1 billion over the 2014–2018 period.

**Comparability Pay for Overseas Postings.** Section 306 would increase compensation for Foreign Service Officers (FSOs) who are not members of the Senior Foreign Service and are posted overseas. Under current law, FSOs based in the United States receive comparability pay in addition to their base pay, to reduce the disparity between federal and nonfederal workers. Under current law, FSOs who are posted overseas receive two-thirds of that comparability pay, but that authority expires in 2013. The bill would extend that authority through 2014.

Over 85 percent of FSOs work for the Department of State. Amounts authorized under the bill for the department's operating expenses include the cost of providing comparability pay in 2014. Thus, CBO's estimate for this provision only addresses additional pay for FSOs employed by the U.S. Agency for International Development (USAID) and other agencies.

According to USAID and the American Foreign Service Association, roughly 1,950 FSOs are currently posted overseas by agencies other than the Department of State. Those individuals have an average basic pay (without comparability pay) of about \$89,000. In comparison, FSOs of an equivalent rank posted in Washington, D.C., have an average basic pay, including comparability pay, of about \$110,555, a difference of 24 percent. Comparability pay as a percent of base pay has not increased since 2010, and CBO expects that it will remain at 24 percent in 2014. Thus, after accounting

for inflation, CBO estimates that providing two-thirds of such comparability pay for overseas postings would require additional appropriations of \$29 million in 2014.

That increase in pay also would lead to an increase in other benefits paid to FSOs, such as life insurance, hardship pay, and danger pay. According to the Department of State, those types of compensation have historically averaged 71 percent of basic pay. Therefore, CBO estimates that under the bill, in 2014, the department would require additional appropriations of about \$20 million for other compensation, for a total requirement of \$49 million that year. Assuming appropriation of the necessary amounts, CBO estimates that discretionary costs for implementing this section would total \$49 million over the 2014–2018 period. (Section 306 would not increase retirement benefits, because FSOs who retire from overseas postings have their annuities calculated as though their official duty station had been Washington, D.C.)

**Contracts for Overseas Guards.** Section 422 would expand the department’s authority to hire local guards under more flexible contracts (known as “best-value”) at overseas posts that face significant security threats. Best-value contracts allow the department to consider past performance, expertise, and other factors in addition to price. In most cases under current law, the department must accept the lowest bid that meets all technical criteria; however, it has limited authority to accept best-value contracts in Iraq and Afghanistan.

Based on information provided by the department, CBO estimates that under this provision five high-threat posts would become eligible for best-value contracts when their existing contracts expire—one in 2014 and four in 2017. The total value of the existing five-year contracts for those posts is more than \$115 million. Based on the department’s experience with best-value contracts, CBO estimates that new contracts at those posts would cost 40 percent more than existing ones, or about \$9 million a year after all five contracts are phased in. CBO estimates that the department would require appropriations of less than \$500,000 each year in 2014, 2015, and 2016 to pay for the one post that would convert in 2014 (costs in 2014 would be covered by specified authorizations in title I) and \$9 million each year in 2017 and 2018 (four posts would convert in 2017). Assuming appropriation of the necessary amounts, CBO estimates that implementing this section would have discretionary costs of \$18 million over the 2014–2018 period.

**Security Enhancements at Overseas Schools.** Section 424 would allow the department to pay for security enhancements at schools used by the children of U.S. diplomats posted overseas. Based on information provided by the department, CBO estimates that the department would spend less than \$500,000 each year, for a cost of \$2 million over the 2014–2018 period, assuming the availability of appropriated funds.

#### *Direct Spending and Revenues*

The bill contains provisions that would, on net, increase direct spending by \$1 million over the 2014–2023 period, and would have insignificant effects on revenues.

**International Litigation Fund.** Section 201 would allow the State Department’s International Litigation Fund to retain and

spend awards of costs and attorney's fees that result from decisions by international tribunals in cases successfully defended by the department. Under current law, those amounts are deposited in the Treasury as miscellaneous receipts. Based on information from the department, CBO estimates that the additional spending would be less than \$500,000 each year but total \$1 million over the 2014–2023 period.

**Consular Fees.** Two sections in title II would affect the State Department's authority to collect and spend certain consular fees. Because the department is authorized to spend such collections, those sections would have no significant net impact on the deficit.

Section 211 would extend through 2016 a surcharge on passport and passcard fees; those surcharges are scheduled to expire in 2013. Adult applicants currently pay a \$22 surcharge for passports and passcards while minors pay \$22 for a passport and \$15 for a passcard. Each year over the 2014–2016 period, the department expects to issue more than 13 million passports to adults and minors, 1.5 million passcards to adults, and about 450,000 passcards to minors. Based on that information, CBO estimates the department would collect and spend an additional \$330 million each year over that same period.

Section 212 would permanently increase the cost of a border crossing card (BCC) for minors from Mexico. Under current law, the BCC fee for minors is \$15. The department retains \$13 and remits \$2 to the Treasury. The bill would raise that fee to equal half the fee for machine-readable visas (currently \$160). The dollar amount of the fee deposited as revenues would be unchanged. Based on information from the department, CBO estimates that it would collect an additional \$65 on roughly 450,000 BCCs each year, for a total of \$29 million, and would spend roughly the same amount.

**Passports for Sex Offenders.** Section 213 would authorize the Secretary of State to restrict or revoke the passport or passcard of an individual who has been convicted of a sex offense overseas. Those individuals would remain eligible to reapply for a new passport or passcard. Because some passport and passcard fees are remitted to the Treasury, enacting this provision would increase revenues; however, CBO estimates that very few people would be affected and that any budgetary effects would be insignificant.

#### PAY-AS-YOU-GO CONSIDERATIONS

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. Enacting H.R. 2848 would increase direct spending by allowing the department to retain and spend awards of costs and attorney's fees that are currently deposited in the Treasury as miscellaneous receipts. CBO estimates that additional spending would be less than \$500,000 each year and total \$1 million over the 2014–2023 period. Enacting H.R. 2848 also would affect direct spending by increasing certain consular fees. Because those amounts would be spent without further appropriation, the net effect of those changes would be insignificant. Finally, enacting the bill would increase revenues from passport fees; however, CBO estimates very few people would be affected and those effects would be insignificant.

CBO Estimate of Pay-As-You-Go Effects for H.R. 2848 as ordered reported by the House Committee on Foreign Affairs on August 1, 2013

By Fiscal Year, in Millions of Dollars

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2013– 2018	2013– 2023
NET INCREASE IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0	0	1

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

H.R. 2848 contains no intergovernmental mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

ESTIMATED IMPACT ON THE PRIVATE SECTOR

H.R. 2848 would impose private-sector mandates, as defined in UMRA, on individuals who apply for passports or passcards and on some individuals who have been convicted of or adjudicated for certain sex offenses. CBO estimates that the aggregate direct costs of the mandates would total about \$330 million each year over the 2014–2016 period and exceed the annual threshold established in UMRA for private-sector mandates (\$150 million in 2013, adjusted annually for inflation).

The bill would extend the authority of the Secretary of State to collect a surcharge on the filing fee of each passport or passcard application through the end of fiscal year 2016. Because passports and passcards can only be issued by the federal government using its sovereign power, increasing the cost of applying for those documents would impose a mandate on individual applicants. According to information from the Department of State, the current surcharge is \$22 for passports or passcards and \$15 for passcards obtained for minors. They expect to issue about 15 million passports and passcards annually over the 2014–2016 period. Based on those data, CBO estimates that the private sector would pay additional fees amounting to about \$330 million annually over the same period.

The bill also would authorize the Secretary to restrict or revoke passports issued to sex offenders. The Secretary would be authorized to limit the length of time that a passport issued to a registered sex offender is valid. In addition, the Secretary would be authorized to revoke the passport of an individual convicted of or adjudicated for certain sex offenses in another country. A sex offender whose passport was revoked for such an offense would be able to reapply for a passport upon their return to the United States. The cost of this mandate would be any forgone income directly related to the loss of a passport and the cost of replacing or renewing a passport. Because only a very small number of individuals would likely be affected by the restrictions in the bill, CBO expects that the cost of this mandate would be small.

The increased fee for border crossing cards would not impose a private-sector mandate because those fees would be paid to certain banks that are not on U.S. soil.

ESTIMATE PREPARED BY:

Federal Costs: Sunita D'Monte  
Impact on State, Local, and Tribal Governments: J'nell L. Blanco  
Impact on the Private Sector: Marin Burnett

ESTIMATE APPROVED BY:

Theresa Gullo  
Deputy Assistant Director for Budget Analysis

DIRECTED RULE MAKING

Pursuant to clause 3(c) of House Rule XIII, as modified by section 3(k) of H. Res. 5 during the 113th Congress, the Committee notes that H.R. 2848 does not include any directed rule makings.

NON-DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c) of House Rule XIII, as modified by section 3(j)(2) of H. Res. 5 during the 113th Congress, the Committee states that H.R. 2848 does not establish or reauthorize a program of the Federal Government known to be duplicative of another Federal Program, and does not include any program listed in any report from the Government Accountability Office pursuant to section 21 of Public Law 111-139, or any program related to those listed in the most recent Catalog of Federal Domestic Assistance.

GENERAL PERFORMANCE GOALS AND OBJECTIVES

As explained with greater specificity in the "Background and Purpose" and "Section-by-Section Analysis" sections of this report, the general goal of H.R. 2848 is to provide for the efficient and secure conduct of international diplomacy by the United States at fiscally responsible levels by, among other things, enhancing managerial efficiency at the Department of State, increasing strategic planning for the protection of U.S. diplomatic facilities and personnel, and providing necessary security enhancements for those personnel and facilities.

CONGRESSIONAL ACCOUNTABILITY ACT

H.R. 2848 does not apply to the Legislative Branch.

NEW ADVISORY COMMITTEES

H.R. 2848 does not establish or authorize any new advisory committees.

EARMARK IDENTIFICATION

H.R. 2848 contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clauses 9(e), 9(f), and 9(g) of House Rule XXI.

## SECTION-BY-SECTION ANALYSIS

*Section 1. Short title.* This section provides that the short title of this Act is the “Department of State Operations and Embassy Security Authorization Act, Fiscal Year 2014.”

*Section 2. Table of contents.* This section provides a table of contents for this Act.

*Section 3. Appropriate congressional committees defined.* This section specifies that “appropriate congressional committees” means the House Foreign Affairs Committee and the Senate Foreign Relations Committee, unless otherwise provided.

## TITLE I—AUTHORIZATION OF APPROPRIATIONS

*Section 101. Administration of foreign affairs.* This section authorizes certain appropriations under the heading “Administration of Foreign Affairs” for Fiscal Year 2014 (“FY14”). In particular, this section provides authorization of appropriations for the necessary expenses of the Department of State and the Foreign Service, including: personnel costs; worldwide security protection; information technology systems; the construction, maintenance, and security of U.S. embassies and overseas facilities; educational and cultural exchange programs; conflict stabilization operations; representational allowances; protection of foreign missions and officials; emergencies in the diplomatic and consular service; repatriation loans; payment to the American Institute in Taiwan; and for the Office of the Inspector General.

Subsection (1) authorizes funding for Diplomatic and Consular Programs (“D&CP,” the main State salaries and operations account). This includes providing full appropriations for Worldwide Security Program that supports training for security personnel, diplomats, and staff; improves security at facilities overseas; and, improved information security measures. Also included is authorization for the Bureau of Democracy, Human Rights, and Labor.

Subsection (2) authorizes the Capital Investment Fund which supports information technology upgrades that protect against system degradation and failures.

Subsection (3) authorizes Educational and Cultural Exchange Programs which promotes U.S. interests abroad and provides foreign participants with unique American experiences.

Subsection (4) authorizes funding for Conflict Stabilization Operations to respond to rapidly changing environments that do not have significant bilateral foreign assistance appropriations.

Subsection (5) authorizes funding for Representation Allowances.

Subsection (6) authorizes funding for the protection of foreign missions and officials, providing security for diplomatic delegations and officials within New York City and elsewhere in the United States.

Subsection (7) authorizes funding for emergencies in the diplomatic and consular service. Funding supports the evacuation of personnel and their families overseas.

Subsection (8) authorizes funding for the repatriation loans program which provides emergency loans to assist destitute Americans abroad who have no other source of funds to return to the United States. Cases typically include Americans stranded abroad because of theft, illness, or in need of serious medical attention.

Subsection (9) authorizes funding for the American Institute in Taiwan, and permits the Department to transfer sufficient funding to compensate for the loss of visa fees.

Subsection (10) fully funds the Office of the Inspector General.

Subsection (11) authorizes funding for the International Chancery Center to be established on the grounds of the former Walter Reed Army Medical Center. Funding will support facility remodeling, repairs, and site security.

Subsection (12) authorizes funding for embassy security, construction, and maintenance, including capital cost sharing (see Title IV)—funds used for the planning, design, and construction of new compounds (including the new consulate compound in Erbil, Iraq) in countries where current facilities do not meet security standards. This section would authorize appropriations for leasing embassy residence work space; maintenance of existing facilities; and facility security upgrades, such as blast resistant doors/windows and retrofitting for protection against chemical-biological attacks.

*Section 102. Contributions to International Organizations.* Funding is authorized for U.S. assessed contributions to international organizations of which the United States is a member.

*Section 103. Contributions for International Peacekeeping Activities.* This section authorizes appropriations for international peacekeeping operations, including activities in Mali, and for advancing our national security interests around the globe through assessed contributions.

*Section 104. International Commissions.* This section authorizes funding for several International Commissions including: 1) International Boundary and Water Commission, United States and Mexico; 2) International Boundary Commission, United States and Canada; 3) International Joint Commission; 4) International Fisheries Commissions; and, 5) Border Environment Cooperation Commission. Funding enables the U.S. to meet its obligations as a participant in these international commissions.

*Section 105. National Endowment for Democracy.* Full funding is authorized for the National Endowment for Democracy (NED). The NED helps develop and fund key initiatives of non-governmental organizations that foster independent media, human rights, and other essential democratic institutions, values, and processes.

*Section 106. Prohibition on use of funds relating to Federal Acquisition Regulation.* This section prohibits funding authorized in this Act to be awarded to any offeror or its principals that has been convicted or had a civil judgment rendered against it in the previous three years for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property. This prohibition extends to include those presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of these offenses enumerated above as well as those that have been notified of any delin-

quent Federal taxes in an amount that exceeds \$3,000 for which liability remains unsatisfied.

*Section 107. Prohibition on use of funds relating to security and training facility.* This section prohibits the use of funds authorized in this Act for the proposed Foreign Affairs Security Training Center until there has been a completed, independent (non-State Department) feasibility study presented to the appropriate Congressional committees. This feasibility study must include a cost comparison between building a new facility and using the existing Federal Law Enforcement Training Facility.

## TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

### *Subtitle A—Basic Authorities and Activities*

*Section 201. Recouping Costs of International Dispute Arbitration.* This section corrects an oversight in the Fiscal Year 2003 Foreign Relations Authorization Act to replenish the International Litigation Fund (which is used to defray the expenses of the United States in major international litigation before international tribunals, such as trade arbitrations), by allowing the Department to retain a small percentage of the awards received for international claims successfully *prosecuted* by the Department (rather than having to re-capitalize the ILF with U.S. taxpayer funds). This revision also allows the fund to be replenished from cases where the Department has successfully *defended* the U.S. and been awarded costs and attorneys' fees.

*Section 202. Foreign Service Act of 1980.* This section requires that Foreign Service positions that have been vacant for more than one "bidding cycle" be filled using a competitive process open to members of the Civil Service. The positions would continue to be designated as Foreign Service positions and be filled only on a temporary basis. The Government Accountability Office (GAO-12-721) found that close to 28 percent of all overseas posts are either unfilled or filled by Foreign Service Officers who are at least one grade lower than the position they are filling.

*Section 203. Center for Strategic Counterterrorism Communications of the Department of State.* This section provides express Congressional authorization for the Center for Strategic Counterterrorism Communications (hereinafter "CSCC"). This interagency initiative and its operations were institutionalized within the Executive branch by Executive Order 13584. The CSCC works to coordinate public communications activities directed at audiences abroad and targeted against violent extremists and terrorist organizations, and is advised by a Steering Committee of senior representatives from relevant U.S. agencies.

*Section 204. Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia (RECAAP).* This section allows the United States to accede to membership in the Information Sharing Centre and thereby improve the ability of the United States to share and receive information related to combating piracy and armed robbery against ships in Asia. Accession to the ReCAAP would also allow the United States to be represented on the Governing Council of the Centre and to participate in various capacity building events hosted by the Centre. Formal membership in ReCAAP and the Centre aligns with the U.S. gov-

ernment's goal of strengthening regional organizations, signals our commitment to long-term cooperation in this organization, and strengthens our efforts to counter piracy and robbery at sea.

*Subtitle B—Consular Services and Related Matters*

*Section 211. Extension of authority to assess passport surcharge.* The Passport Services Enhancement Act of 2005 (P.L. 109–167) amended the Passport Act to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108–458) (IRTPA). This section would temporarily extend that authority through 2015.

*Section 212. Border crossing card fee for minors.* This section would change the charge for a machine-readable U.S. border crossing ID card for Mexican children (under the age of 15) from the current flat fee of \$13 (set in the FY 1999 State appropriations bill, back when normal machine-readable visa (MRV) fees were only \$20) to a fee equal to half of the fee that would otherwise apply today (normal MRV fees are now around \$140, due to increased border security, fraud prevention, information systems, and consular staffing implemented over the past decade). This would allow the Department to recoup from those foreign applicants a greater proportion of the actual costs incurred in providing that service.

*Section 213. Authority to restrict passports.* This section would provide the Department of State with the authority to limit to one year the validity of a passport issued to an identified sex-offender and to revoke the passport or passport card of any individual who has been convicted by a court of competent jurisdiction in a foreign country of a sex offense.

*Subtitle C—Reporting Requirements*

*Section 221. Reporting reform.* Over past decades, numerous statutes have created specific State Department reporting requirements without a sunset date, leading to the accretion of costly reporting requirements that, over time, have become duplicative (of other required reporting or readily available information sources), irrelevant (due to changed circumstances), and unused by Congress. This bill proposes to repeal nine reports and revive one that previously lapsed.

TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

*Section 301. Suspension of Foreign Service members without pay.* This section grants the Secretary the authority to suspend without pay a Foreign Service Officer credibly accused of a crime. This would prevent the Department from being forced to pay an employee who, for example, has been indicted and is being incarcerated pending trial. At present, no administrative action can be taken before such an employee has been convicted.

*Section 302. Repeal of recertification requirement for Senior Foreign Service.* This section would repeal section 305(d) of the Foreign Service Act, which had required the Secretary to establish a recertification requirement for members of the Senior Foreign Service (SFS) equivalent to the recertification process for the Senior Executive Service (SES). The Homeland Security Act of 2002 repealed re-

certification requirements for SES employees based on the assessment that those requirements did not serve a useful purpose (while imposing additional bureaucratic costs).

*Section 303. Limited appointments in the Foreign Service.* This section amends section 309 of the Foreign Service Act of 1980 to provide new authority to extend “limited appointments” in the Foreign Service. Section 309 currently provides that limited (non-career) appointments may not exceed 5 years in duration and may not be extended or renewed except under limited exceptions.

*Section 304. Limitation of compensatory time off for travel.* This section adds a new subsection (c) to 5 U.S.C. 5550b limiting the accrual of compensatory time off for travel status away from the employee’s official duty station to a maximum of 104 hours (13 days). This 104-hour limitation is equivalent to standard yearly sick leave in the civil service; currently employees are able to accrue weeks or months of paid time off in addition to sick and annual leave.

*Section 305. Department of State organization.* This section grants the Secretary discretion, after consultation with the Committee, to transfer authorities and duties statutorily assigned to the Coordinators for Counterterrorism, International Energy Affairs, and Reconstruction and Stabilization to the new bureaus covering those subjects that were established late last year. The intent is to help eliminate duplication and increase structural efficiency.

The Committee reaffirms its support for a provision in the Department of Energy Organization Act (42 U.S.C. §7101 et seq.) which makes clear that the Secretary of State exercises primary authority for the conduct of foreign policy related to energy and nuclear nonproliferation, and recognizes the work of the State Department to promote U.S. foreign policy and national security interests related to energy security.

*Section 306. Overseas comparability pay limitation.* This section limits the amount of locality pay that Foreign Service Officers are able to receive while stationed overseas, capping pay at the two-thirds level they currently receive.

#### TITLE IV—EMBASSY SECURITY AND PERSONNEL PROTECTION

Title IV incorporates provisions from the Embassy Security and Enhancement Act of 2013 (H.R. 2723) introduced by Ranking Member Eliot A. Engel.

##### *Subtitle A—Review and Planning Requirements*

*Section 411. Designation of High Risk, High Threat posts and working groups.* Requires the State Department to designate a list of high risk, high threat posts. It also mandates the formation of Department-wide working groups to ensure new high risk, high threat posts have the necessary security measures and funding. (Accountability Review Board “ARB” Recommendation 6)

*Section 412. Contingency plans for High Risk, High Threat posts.* State and Defense Departments are directed to jointly develop enhanced contingency plans for emergency situations, including the rapid deployment of military resources. (ARB 1)

*Section 413. Strategic review of Bureau of Diplomatic Security.* The Secretary of State shall complete a strategic review of the Bureau of Diplomatic Security to ensure that the mission and activi-

ties of the Bureau are fulfilling current and projected needs. (Government Accountability Office Report 10–156)

*Section 414. Revision of provisions relating to personnel recommendations of Accountability Review Board.* In line with the Accountability Review Board recommendations, the Secretary of State shall complete a strategic review of the Bureau of Diplomatic Security of the Department of State to ensure that the mission and activities of the Bureau are fulfilling the current and projected needs of the Department of State. The specific areas to be addressed in this review are contained in the legislative language.

*Subtitle B—Physical Security and Personnel Requirements*

*Section 421. Capital Security Cost Sharing Program.* The Capital Security Cost Sharing Program is an interagency fund contributed to by government agencies that rely on the Department of State facilities for functions abroad. Funds are used to build more secure facilities, especially in high risk and high threat areas. The Department's contribution to the fund is \$1.383 billion and is accounted for as part of the previously authorized \$2.65 billion in Embassy Security, Construction, and Maintenance (see Sec. 101, subsection 12). Includes a Sense of Congress that the Capital Security Cost Sharing Program should prioritize the construction of new facilities and the maintenance of existing facilities at high risk, high threat posts. (ARB 10)

*Section 422. Local guard contracts abroad under diplomatic security program.* Authorizes the State Department to award contracts on the basis of "best value" rather than lowest price, technically acceptable in High Risk, High Threat areas when deemed necessary. Thus, the State Department can consider factors beyond price in making the award, such as technical approach and past performance, when the perceived benefit merits the additional cost. This flexibility was specifically requested by the Secretary in testimony to the House Foreign Affairs Committee. It is also responsive to the criticism that local guards in Benghazi were ineffective in response to the attack.

*Section 423. Transfer authority.* After notifying Congress, the State Department is authorized to transfer administrative funds to improve physical embassy security.

*Section 424. Physical security of certain soft targets.* Improves physical security at educational facilities for children of U.S. citizens stationed outside the U.S. who are engaged in carrying out government activities.

*Section 425. Reemployment of annuitants.* Allows the Secretary to reemploy Foreign Service annuitants in emergency situations or when there is difficulty recruiting or retraining qualified personnel; competitive hiring is mandated before reemployment can be considered.

*Section 426. Sense of Congress on minimum security standards for temporary United States diplomatic and consular posts.* Sense of Congress that minimum security standards for temporary facilities be applied to all facilities regardless of their duration of their occupancy. (ARB 5)

*Section 427. Assignment of personnel at High Risk, High Threat posts.* The State Department shall make every effort to reduce the turnover of key personnel, including security providers, at high

risk-high threat posts. The intent is to ensure continuity and situational awareness at dangerous posts. The Department is required to brief Congress quarterly on efforts made to ensure continuity. (ARB 13)

*Section 428. Bureau of Diplomatic Security mobile biometric enrollment program.* Not later than 90 days after the date of enactment of this Act, the Secretary of State shall brief the appropriate congressional committees regarding implementation of the mobile biological enrollment program of the Bureau of Diplomatic Security. Mobile biometric devices are handheld technologies capable of obtaining various biometric modalities (for example, fingerprint, face, and iris) in order to identify or enroll a person of interest in a database. Some mobile devices also are capable of obtaining latent fingerprints from crime scenes and of utilizing various card-reading technologies. These devices can transmit biometric data to databases via personal area networks (such as Bluetooth), local area networks (such as Wi-Fi), wide area networks (such as cellular networks), and mobile satellite communication systems. The topics to be covered in the briefing are detailed in the legislative language.

*Subtitle C—Security Training*

*Section 431. Security training for personnel assigned to High Risk, High Threat posts.* Mandates that personnel serving in high risk, high threat posts receive security training, such as surveillance detection. The section also requires that senior and mid-level officials serving in high threat posts take security management training courses. Additionally, diplomatic security personnel should develop the necessary language skills before serving at high risk, high threat posts. (ARB 15, 17)

*Section 432. Report to Congress.* Requires a report to Congress on implementation of the title not later than 18 months after the date of enactment.

*Subtitle D—Expansion of the Marine Corps Security Guard Detachment Program*

*Section 441. Marine Corps Security Guard Program.* The Department is required to conduct an annual review of the deployment and utilization of Marine Security Guard (MSG) detachments. The Secretary of State, in consultation with the Secretary of Defense, is also required to submit an annual report of the review to the appropriate congressional committees. The funding authorized in this bill will support 26 new MSG posts and covers salaries and associated costs for 156 new MSG personnel.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

**STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956**

\* \* \* \* \*

**TITLE I—BASIC AUTHORITIES GENERALLY**

\* \* \* \* \*

SEC. 29. Whenever the Secretary of State determines that educational facilities are not available, or that existing educational facilities are inadequate, to meet the needs of children of United States citizens stationed outside the United States who are engaged in carrying out Government activities, the Secretary may, in such manner as he deems appropriate and under such regulations as he may prescribe, establish, operate, and maintain primary schools, and school dormitories and related educational facilities for primary and secondary schools, outside the United States, make grants of funds for such purposes, or otherwise provide for such educational facilities. The authorities of the Foreign Service Buildings Act, 1926, and of paragraphs (h) and (i) of section 3 of this Act, may be utilized by the Secretary in providing assistance for educational facilities. Such assistance may include *physical security enhancements and* hiring, transporting, and payment of teachers and other necessary personnel. Notwithstanding any other provision of law, where the child of a United States citizen employee of an agency of the United States Government who is stationed outside the United States attends an educational facility assisted by the Secretary of State under this section, the head of that agency is authorized to reimburse, or credit with advance payment, the Department of State for funds used in providing assistance to such educational facilities, by grant or otherwise, under this section.

\* \* \* \* \*

**EXPENSES RELATING TO PARTICIPATION IN ARBITRATIONS OF CERTAIN DISPUTES**

SEC. 38. (a) \* \* \*

\* \* \* \* \*

(d) INTERNATIONAL LITIGATION FUND.—

(1) \* \* \*

\* \* \* \* \*

(3) TRANSFERS OF FUNDS.—Funds received [by the Department of State from another agency of the United States Government or pursuant to] *by the Department of State as a result of a decision of an international tribunal, from another agency of the United States Government, or pursuant to the Department of State Appropriations Act of 1937 (49 Stat. 1321, 22 U.S.C. 2661) to meet costs of preparing or prosecuting a proceeding before an international tribunal, or a claim by or against a foreign government or other foreign entity, shall be credited to the ILF.*

\* \* \* \* \*



**FOREIGN SERVICE ACT OF 1980**

\* \* \* \* \*  
 SEC. 2. TABLE OF CONTENTS.—The table of contents for this Act is as follows:

\* \* \* \* \*  
 TITLE I—THE FOREIGN SERVICE OF THE UNITED STATES  
 \* \* \* \* \*  
 CHAPTER 6—PROMOTION AND RETENTION  
 \* \* \* \* \*

【Sec. 610. Separation for cause.】  
*Sec. 610. Separation for cause; suspension.*

TITLE I—THE FOREIGN SERVICE OF THE UNITED STATES  
 \* \* \* \* \*  
 CHAPTER 3—APPOINTMENTS  
 \* \* \* \* \*

SEC. 305. APPOINTMENT TO THE SENIOR FOREIGN SERVICE.—(a)  
 \* \* \*

\* \* \* \* \*  
 【(d) The Secretary shall by regulation establish a recertification process for members of the Senior Foreign Service that is equivalent to the recertification process for the Senior Executive Service under section 3993a of title 5, United States Code.】

\* \* \* \* \*  
 SEC. 309. LIMITED APPOINTMENTS.—(a) A limited appointment in the Service, including an appointment of an individual who is an employee of an agency, may not exceed 5 years in duration and, except as provided in 【subsection (b)】 *subsection (b) or (c)*, may not be extended or renewed. A limited appointment in the Service which is limited by its terms to a period of one year or less is a temporary appointment.

(b) A limited appointment may be extended for continued service—

(1) \* \* \*

\* \* \* \* \*  
 (3) as a career candidate, if (A), continued service is determined appropriate to remedy a matter that would be cognizable as a grievance under chapter 11, or (B), *the career candidate is serving in the uniformed services, as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. 4301 et seq.), and the limited appointment expires in the course of such service;*

(4) as a career employee in another Federal personnel system serving in a Foreign Service position on detail from another agency; 【and】

(5) as a foreign national employee【.】; and

(6) *in exceptional circumstances where the Secretary determines the needs of the Service require the extension of a limited appoint-*

ment, (A), for a period of time not to exceed 12 months (if such period of time does not permit additional review by boards under section 306), or (B), for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for in this section.

(c) *Non-career Foreign Service employees who have served five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment if there is a one year break in service between each such appointment. The Secretary may in cases of special need waive the requirement for a one year break in service.*

\* \* \* \* \*

CHAPTER 5—CLASSIFICATION OF POSITIONS AND ASSIGNMENTS

SEC. 501. CLASSIFICATION OF POSITIONS.—The Secretary shall designate and classify positions in the Department and at Foreign Service posts which are to be occupied by members of the Service (other than by chiefs of mission and ambassadors at large). Positions designated under this section are excepted from the competitive service. *If a position designated under this section is unfilled for more than one single assignment cycle, such position shall be filled, as appropriate, on a temporary basis, in accordance with section 303 or 309.* Position classifications under this section shall be established, without regard to chapter 51 of title 5, United States Code, in relation to the salaries established under chapter 4. In classifying positions at Foreign Service posts abroad, the Secretary shall give appropriate weight to job factors relating to service abroad and to the compensation practices applicable to United States citizens employed abroad by United States corporations.

\* \* \* \* \*

CHAPTER 6—PROMOTION AND RETENTION

\* \* \* \* \*

SEC. 610. SEPARATION FOR CAUSE; *SUSPENSION*.—(a) \* \* \*

\* \* \* \* \*

(c)(1) *In order to promote the efficiency of the Service, the Secretary may suspend a member of the Foreign Service without pay when the member's security clearance is suspended or when there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed.*

(2) *Any member of the Foreign Service for whom a suspension is proposed in accordance with paragraph (1) shall be entitled to—*

(A) *written notice stating the specific reasons for the proposed suspension;*

(B) *a reasonable time to respond orally and in writing to the proposed suspension;*

(C) *representation by an attorney or other representative; and*

(D) *a final written decision, including the specific reasons for such decision, as soon as practicable.*

(3) *Any member suspended under this section may file a grievance in accordance with the procedures applicable to grievances under chapter 11.*

(4) *In the case of a grievance filed under paragraph (3)—*

(A) *the review by the Foreign Service Grievance Board shall be limited to a determination of whether the provisions of paragraphs (1) and (2) have been fulfilled; and*

(B) *the Foreign Service Grievance Board may not exercise the authority provided under section 1106(8).*

(5) *In this subsection:*

(A) *The term “reasonable time” means—*

*(i) with respect to a member of the Foreign Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and*

*(ii) with respect to a member of the Foreign Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.*

(B) *The term “suspend” or “suspension” means the placing of a member of the Foreign Service in a temporary status without duties and pay.*

\* \* \* \* \*

CHAPTER 8—FOREIGN SERVICE RETIREMENT AND DISABILITY

SUBCHAPTER I—FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

\* \* \* \* \*

SEC. 824. REEMPLOYMENT.—(a) \* \* \*

\* \* \* \* \*

(g)(1) The Secretary of State may waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis, or grant authority to the head of an Executive agency to waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis—

(A) \* \* \*

(B) **to facilitate the assignment of persons to Iraq, Pakistan, and Afghanistan or to posts vacated by members of the Service assigned to Iraq, Pakistan, and Afghanistan,** if the annuitant is employed in a position for which there is exceptional difficulty in recruiting or retaining a qualified employee *and, when after an exhaustive, open, and competitive search, no qualified, full-time, current employees (including members of the Civil Service) of the Department of State have been identified; or*

(C)(i) \* \* \*

\* \* \* \* \*

(2)(A) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to subparagraph (B) of paragraph (1), or to grant authority to the head of an Executive agency to waive the application of such subsections to an annuitant under such subparagraph, shall terminate on October 1, **2010** 2018. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

(B) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to

subparagraph (C)(i) of paragraph (1) shall terminate on September 30, **[2009] 2018.**

(C) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to subparagraph (C)(ii) of paragraph (1) shall terminate on September 30, **[2009] 2018.**

\* \* \* \* \*

**ACT OF JUNE 4, 1920**

AN ACT Making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921.

FEEES FOR PASSPORTS AND VISÉS

SECTION 1. (a) \* \* \*

(b)(1) \* \* \*

(2) The authority to collect the surcharge provided under paragraph (1) may not be exercised after September 30, **[2010] 2016.**

\* \* \* \* \*

**SECTION 410 OF THE DEPARTMENT OF STATE AND RELATED AGENCIES APPROPRIATIONS ACT, 1999**

(Division A of Public Law 105-277)

SEC. 410. (a)(1)(A) Notwithstanding any other provision of law and subject to subparagraph (B), the Secretary of State and the Attorney General shall impose, for the processing of any application for the issuance of a machine readable combined border crossing card and nonimmigrant visa under section 101(a)(15)(B) of the Immigration and Nationality Act, **[a fee of \$13]** *a fee equal to one-half the fee that would otherwise apply for processing a machine readable combined border crossing identification card and nonimmigrant visa* (for recovery of the costs of manufacturing the combined card and visa) in the case of any alien under 15 years of age where the application for the machine readable combined border crossing card and nonimmigrant visa is made in Mexico by a citizen of Mexico who has at least one parent or guardian who has a visa under such section or is applying for a machine readable combined border crossing card and nonimmigrant visa under such section as well.

\* \* \* \* \*

**PUBLIC LAW 96-465**

AN ACT To promote the foreign policy of the United States by strengthening and improving the Foreign Service of the United States, and for other purposes.

\* \* \* \* \*

TITLE I—THE FOREIGN SERVICE OF THE UNITED STATES

\* \* \* \* \*

CHAPTER 6—PROMOTION AND RETENTION

SEC. 601. PROMOTIONS.—(a) \* \* \*

\* \* \* \* \*

(c)(1) \* \* \*

\* \* \* \* \*

[(4) Not later than March 1, 2001, and every four years thereafter, the Secretary of State shall submit a report to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate which shall include the following:

[(A) A description of the steps taken and planned in furtherance of—

[(i) maximum compatibility among agencies utilizing the Foreign Service personnel system, as provided for in section 203, and

[(ii) the development of uniform policies and procedures and consolidated personnel functions, as provided for in section 204.

[(B) A workforce plan for the subsequent five years, including projected personnel needs, by grade and by skill. Each such plan shall include for each category the needs for foreign language proficiency, geographic and functional expertise, and specialist technical skills. Each workforce plan shall specifically account for the training needs of Foreign Service personnel and shall delineate an intake program of generalist and specialist Foreign Service personnel to meet projected future requirements.

[(5) If there are substantial modifications to any workforce plan under paragraph (4)(B) during any year in which a report under paragraph (4) is not required, a supplemental annual notification shall be submitted in the same manner as reports are required to be submitted under paragraph (4).]

\* \* \* \* \*

**SECTION 585 OF THE FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1997**

(Title I of division A of Public Law 104-208)

**[NORTH KOREA**

**[SEC. 585.** Ninety days after the date of enactment of this act, and every 180 days thereafter, the secretary of state, in consultation with the secretary of defense, shall provide a report in a classified or unclassified form to the Committee on Appropriations including the following information:

**[(a)** a best estimate on fuel used by the military forces of the Democratic People’s Republic of Korea (DPRK);

[(b) the deployment position and military training and activities of the DPRK forces and best estimate of the associated costs of these activities; and

[(c) steps taken to reduce the DPRK level of forces.]

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**PUBLIC LAW 107-245**

AN ACT To facilitate famine relief efforts and a comprehensive solution to the war in Sudan.

\* \* \* \* \*

**SEC. 11. INVESTIGATION OF WAR CRIMES.**

[(a) IN GENERAL.—] The Secretary of State shall collect information about incidents which may constitute crimes against humanity, genocide, war crimes, and other violations of international humanitarian law by all parties to the conflict in Sudan, including slavery, rape, and aerial bombardment of civilian targets.

[(b) REPORT.—] Not later than 6 months after the date of the enactment of this Act and annually thereafter, the Secretary of State shall prepare and submit to the appropriate congressional committees a detailed report on the information that the Secretary of State has collected under subsection (a) and any findings or determinations made by the Secretary on the basis of that information. The report under this subsection may be submitted as part of the report required under section 8.

[(c) CONSULTATIONS WITH OTHER DEPARTMENTS.—] In preparing the report required by this section, the Secretary of State shall consult and coordinate with all other Government officials who have information necessary to complete the report. Nothing contained in this section shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests.]

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**SECTION 181 OF THE FOREIGN RELATIONS  
AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993**

(Public Law 102-138)

**[SEC. 181. EMPLOYMENT OF UNITED STATES CITIZENS BY CERTAIN  
INTERNATIONAL ORGANIZATIONS.**

[Not less than 180 days after enactment of this Act, and each year thereafter, the Secretary of State shall submit a report to the Congress concerning each international organization which had a geographic distribution formula in effect on January 1, 1991, of whether each such organization—

[(1) is taking good faith steps to increase the staffing of United States citizens; and

[(2) has met its geographic distribution formula.]

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**SECTION 1012 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1995**

(Public Law 103-337)

**[(SEC. 1012. OFFICIAL IMMUNITY FOR AUTHORIZED EMPLOYEES AND AGENTS OF THE UNITED STATES AND FOREIGN COUNTRIES ENGAGED IN INTERDICTION OF AIRCRAFT USED IN ILLICIT DRUG TRAFICKING**

**[(a) \* \* \***

\* \* \* \* \*

**[(c) ANNUAL REPORT.—(1) Except as provided in paragraph (2), not later than February 1 each year, the President shall submit to Congress a report on the assistance provided under subsection (b) during the preceding calendar year. Each report shall include for the calendar year covered by such report the following:**

**[(A) A list specifying each country for which a certification referred to in subsection (a)(2) was in effect for purposes of that subsection during any portion of such calendar year, including the nature of the illicit drug trafficking threat to each such country.**

**[(B) A detailed explanation of the procedures referred to in subsection (a)(2)(B) in effect for each country listed under subparagraph (A), including any training and other mechanisms in place to ensure adherence to such procedures.**

**[(C) A complete description of any assistance provided under subsection (b).**

**[(D) A summary description of the aircraft interception activity for which the United States Government provided any form of assistance under subsection (b).**

**[(2) In the case of a report required to be submitted under paragraph (1) to the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 401a)), the submittal date for such report shall be as provided in section 507 of that Act.**

**[(3) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.]**

**FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1994 AND 1995**

(Public Law 103-236)

\* \* \* \* \*

**TITLE V—FOREIGN POLICY**

**PART A—GENERAL PROVISIONS**

\* \* \* \* \*

**SEC. 527. EXPROPRIATION OF UNITED STATES PROPERTY.**

**(a) \* \* \***

\* \* \* \* \*

**[(f) REPORTING REQUIREMENT.—Not later than 90 days after the date of enactment of this Act and at the beginning of each fiscal year thereafter, the Secretary of State shall transmit to the Speak-**

er of the House of Representatives and the Committee on Foreign Relations of the Senate, a report containing the following:

[(1) A list of every country in which the United States Government is aware that a United States person has an outstanding expropriation claim.

[(2) The total number of such outstanding expropriation claims made by United States persons against each such country.

[(3) The period of time in which each such claim has been outstanding.

[(4) The status of each case and efforts made by the United States Government and the government of the country in which such claim has been made, to take one or more of the steps described in subsection (a)(2).

[(5) Each project a United States Executive Director voted against as a result of the action described in subsection (b).]

\* \* \* \* \*

**PUBLIC LAW 107-173**

AN ACT To enhance the border security of the United States, and for other purposes.

\* \* \* \* \*

**TITLE III—VISA ISSUANCE**

\* \* \* \* \*

**SEC. 304. TERRORIST LOOKOUT COMMITTEES.**

(a) \* \* \*

\* \* \* \* \*

[(f) REPORTS TO CONGRESS.—The Secretary of State shall submit a report on a quarterly basis to the appropriate committees of Congress on the status of the committees established under subsection (a).]

\* \* \* \* \*

**UNITED NATIONS PARTICIPATION ACT OF 1945**

SEC. 4. (a) \* \* \*

[(b) ANNUAL REPORT ON FINANCIAL CONTRIBUTION.—Not later than July 1 of each year, the Secretary of State shall submit a report to the designated congressional committees on the extent and disposition of all financial contributions made by the United States during the preceding year to international organizations in which the United States participates as a member.]

**SECTION 3202 OF PUBLIC LAW 106-246**

【SEC. 3202. REGIONAL STRATEGY. (a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate, the Committee on International Relations and the Committee on Appropriations of the House of Representatives, a report on the current United States policy and strategy regarding United States counternarcotics assistance for Colombia and neighboring countries.

【(b) REPORT ELEMENTS.—The report required by subsection (a) shall address the following:

【(1) The key objectives of the United States’ counternarcotics strategy in Colombia and neighboring countries and a detailed description of benchmarks by which to measure progress toward those objectives.

【(2) The actions required of the United States to support and achieve these objectives, and a schedule and cost estimates for implementing such actions.

【(3) The role of the United States in the efforts of the Government of Colombia to deal with illegal drug production in Colombia.

【(4) The role of the United States in the efforts of the Government of Colombia to deal with the insurgency and paramilitary forces in Colombia.

【(5) How the strategy with respect to Colombia relates to and affects the United States’ strategy in the neighboring countries.

【(6) How the strategy with respect to Colombia relates to and affects the United States’ strategy for fulfilling global counternarcotics goals.

【(7) A strategy and schedule for providing material, technical, and logistical support to Colombia and neighboring countries in order to defend the rule of law and to more effectively impede the cultivation, production, transit, and sale of illicit narcotics.

【(8) A schedule for making Forward Operating Locations (FOL) fully operational, including cost estimates and a description of the potential capabilities for each proposed location and an explanation of how the FOL architecture fits into the overall Strategy.】

\* \* \* \* \*

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**TITLE 5, UNITED STATES CODE**

\* \* \* \* \*

**PART III—EMPLOYEES**

\* \* \* \* \*

**SUBPART D—PAY AND ALLOWANCES**

\* \* \* \* \*

**CHAPTER 55—PAY ADMINISTRATION**

\* \* \* \* \*

**SUBCHAPTER V—PREMIUM PAY**

\* \* \* \* \*

**§ 5550b. Compensatory time off for travel**

(a) \* \* \*

\* \* \* \* \*

(c) *The maximum amount of compensatory time off earned under this section may not exceed 104 hours during any leave year (as defined by regulations established by the Office of Personnel Management).*

\* \* \* \* \*

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**OMNIBUS DIPLOMATIC SECURITY AND ANTITERRORISM ACT OF 1986**

\* \* \* \* \*

**SEC. 2. TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

\* \* \* \* \*

**TITLE I—DIPLOMATIC SECURITY**

\* \* \* \* \*

*Sec. 104. Designation of high risk, high threat posts.*

*Sec. 105. Working groups for high risk, high threat posts.*

\* \* \* \* \*

**TITLE IV—DIPLOMATIC SECURITY PROGRAM**

\* \* \* \* \*

*Sec. 416. Security training for personnel assigned to a high risk, high threat post.*

*Sec. 417. Security management training for officials assigned to a high risk, high threat post.*

*Sec. 418. Language requirements for diplomatic security personnel assigned to high risk, high threat post.*

\* \* \* \* \*

**TITLE I—DIPLOMATIC SECURITY**

**SEC. 101. SHORT TITLE.**

Titles I through IV of this Act may be cited as the “Diplomatic Security Act”.

\* \* \* \* \*

**SEC. 104. DESIGNATION OF HIGH RISK, HIGH THREAT POSTS.**

(a) *INITIAL DESIGNATION.*—Not later than 30 days after the date of the enactment of this section, the Secretary shall submit to the

appropriate congressional committees a report, in classified form, that contains an initial list of diplomatic and consular posts designated as high risk, high threat posts.

(b) *DESIGNATIONS BEFORE OPENING OR REOPENING POSTS.*—Before opening or reopening a diplomatic or consular post, the Secretary shall determine if such post should be designated as a high risk, high threat post.

(c) *DESIGNATING EXISTING POSTS.*—The Secretary shall regularly review existing diplomatic and consular posts to determine if any such post should be designated as a high risk, high threat post if conditions at such post or the surrounding security environment require such a designation.

(d) *DEFINITIONS.*—In this section and section 105:

(1) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—The term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) *HIGH RISK, HIGH THREAT POST.*—The term “high risk, high threat post” means a United States diplomatic or consular post, as determined by the Secretary, that, among other factors, is—

(A) located in a country—

(i) with high to critical levels of political violence and terrorism; and

(ii) the government of which lacks the ability or willingness to provide adequate security; and

(B) with mission physical security platforms that fall below the Department of State’s established standards.

**SEC. 105. WORKING GROUPS FOR HIGH RISK, HIGH THREAT POSTS.**

(a) *ESTABLISHMENT.*—Before opening or reopening a high risk, high threat post, the Secretary shall establish a working group that is responsible for the geographic area in which such post is to be opened or reopened.

(b) *DUTIES.*—The duties of the working group established in accordance with subsection (a) shall include—

(1) evaluating the importance and appropriateness of the objectives of the proposed post to the national security of the United States, and the type and level of security threats such post could encounter;

(2) completing working plans to expedite the approval and funding for establishing and operating such post, implementing physical security measures, providing necessary security and management personnel, and the provision of necessary equipment;

(3) establishing security “tripwires” that would determine specific action, including enhanced security measures or evacuation of such post, based on the improvement or deterioration of the local security environment; and

(4) identifying and reporting any costs that may be associated with opening or reopening such post.

(c) *COMPOSITION.*—The working group should be composed of representatives of the—

(1) appropriate regional bureau;

(2) Bureau of Diplomatic Security;

(3) Bureau of Overseas Building Operations;

(4) Bureau of Intelligence and Research; and

(5) other bureaus or offices as determined by the Secretary.

(d) CONGRESSIONAL NOTIFICATION.—Not less than 30 days before opening or reopening a high risk, high threat post, the Secretary shall notify the appropriate congressional committees in classified form of—

- (1) the decision to open or reopen such post; and
- (2) the results of the working group under subsection (b).

\* \* \* \* \*

### TITLE III—PERFORMANCE AND ACCOUNTABILITY

\* \* \* \* \*

#### SEC. 304. FINDINGS AND RECOMMENDATIONS BY A BOARD.

(a) \* \* \*

\* \* \* \* \*

(c) PERSONNEL RECOMMENDATIONS.—**[Whenever]** *If* a Board finds reasonable cause to believe that an individual described in section 303(a)(1)(B) **[has breached the duty of that individual]** *has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or the serious breach of security that is the subject of the Board's examination as described in subsection (a),* the Board shall—

- (1) notify the individual concerned,
- (2) transmit the **[finding]** *findings* of reasonable cause, together with all information relevant to such **[finding]** *findings*, to the head of the appropriate Federal agency or instrumentality, and
- (3) recommend that such agency or instrumentality initiate an appropriate investigatory or disciplinary action. In determining whether an individual **[has breached a duty of that individual]** *has unsatisfactorily performed the duties of employment of that individual,* the Board shall take into account any standard of conduct, law, rule, regulation, contract, or order which is pertinent to the performance of the duties of *employment* of that individual.

\* \* \* \* \*

### TITLE IV—DIPLOMATIC SECURITY PROGRAM

\* \* \* \* \*

#### SEC. 416. SECURITY TRAINING FOR PERSONNEL ASSIGNED TO A HIGH RISK, HIGH THREAT POST.

(a) *IN GENERAL.*—Individuals assigned permanently to or who are in long-term temporary duty status as designated by the Secretary at a high risk, high threat post shall receive security training described in subsection (b) on a mandatory basis in order to prepare such individuals for living and working at such posts.

(b) *SECURITY TRAINING DESCRIBED.*—Security training referred to in subsection (a)—

(1) is training to improve basic knowledge and skills; and

(2) may include—

(A) an ability to recognize, avoid, and respond to potential terrorist situations, including a complex attack;

(B) conducting surveillance detection;

(C) providing emergency medical care;

(D) ability to detect the presence of improvised explosive devices;

(E) minimal firearms proficiency; and

(F) defensive driving maneuvers.

(c) *EFFECTIVE DATE.*—The requirements of this section shall take effect upon the date of the enactment of this section.

(d) *DEFINITIONS.*—In this section and sections 417 and 418:

(1) *COMPLEX ATTACK.*—The term “complex attack” has the meaning given such term by the North Atlantic Treaty Organization as follows: “An attack conducted by multiple hostile elements which employ at least two distinct classes of weapon systems (i.e., indirect fire and direct fire, improvised explosive devices, and surface to air fire).”

(2) *HIGH RISK, HIGH THREAT POST.*—The term “high risk, high threat post” has the meaning given such term in section 104.

**SEC. 417. SECURITY MANAGEMENT TRAINING FOR OFFICIALS ASSIGNED TO A HIGH RISK, HIGH THREAT POST.**

(a) *IN GENERAL.*—Officials described in subsection (c) who are assigned to a high risk, high threat post shall receive security training described in subsection (b) on a mandatory basis in order to improve the ability of such officials to make security-related management decisions.

(b) *SECURITY TRAINING DESCRIBED.*—Security training referred to in subsection (a) may include—

(1) development of skills to better evaluate threats;

(2) effective use of security resources to mitigate such threats;

and

(3) improved familiarity of available security resources.

(c) *OFFICIALS DESCRIBED.*—Officials referred to in subsection (a) are—

(1) members of the Senior Foreign Service appointed under section 302(a)(1) or 303 of the Foreign Service Act of 1980 (22 U.S.C. 3942(a)(1) and 3943) or members of the Senior Executive Service (as such term is described in section 3132(a)(2) of title 5, United States Code);

(2) Foreign Service officers appointed under section 302(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3942(a)(1)) holding a position in classes FS-1, FS-2, or FS-3;

(3) Foreign Service Specialists appointed by the Secretary under section 303 of the Foreign Service Act of 1980 (22 U.S.C. 3943) holding a position in classes FS-1, FS-2, or FS-3; and

(4) individuals holding a position in grades GS-13, GS-14, or GS-15.

(d) *EFFECTIVE DATE.*—The requirements of this section shall take effect beginning on the date that is one year after the date of the enactment of this section.

**SEC. 418. LANGUAGE REQUIREMENTS FOR DIPLOMATIC SECURITY PERSONNEL ASSIGNED TO HIGH RISK, HIGH THREAT POST.**

(a) *IN GENERAL.*—Diplomatic security personnel assigned permanently to or who are in long-term temporary duty status as designated by the Secretary at a high risk, high threat post should receive language training described in subsection (b) in order to prepare such personnel for duty requirements at such post.

(b) *LANGUAGE TRAINING DESCRIBED.*—Language training referred to in subsection (a) should prepare personnel described in such subsection to—

(1) *speak the language at issue with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on subjects germane to security; and*

(2) *read within an adequate range of speed and with almost complete comprehension on subjects germane to security.*

\* \* \* \* \*

**SECURE EMBASSY CONSTRUCTION AND COUNTERTERRORISM ACT OF 1999**

\* \* \* \* \*

**DIVISION A—DEPARTMENT OF STATE PROVISIONS**

\* \* \* \* \*

**TITLE VI—EMBASSY SECURITY AND COUNTERTERRORISM MEASURES**

\* \* \* \* \*

**SEC. 604. AUTHORIZATIONS OF APPROPRIATIONS.**

(a) \* \* \*

\* \* \* \* \*

(e) **CAPITAL SECURITY COST SHARING.**—

(1) \* \* \*

(2) **IMPLEMENTATION.**—Implementation of this subsection shall be carried out in a manner that encourages right-sizing of each agency’s overseas presence. *A project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal department or agency if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by paragraph (1), except that such project may include office space or other accommodations for members of the United States Marine Corps.*

\* \* \* \* \*

**SEC. 606. SECURITY REQUIREMENTS FOR UNITED STATES DIPLOMATIC FACILITIES.**

(a) IN GENERAL.—The following security requirements shall apply with respect to United States diplomatic facilities and specified personnel:

(1) THREAT ASSESSMENT.—

(A) EMERGENCY ACTION PLAN.—The Emergency Action Plan (EAP) of each United States mission shall address the threat of large explosive attacks from vehicles and from complex attacks (as such term is defined in section 416 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986), and the safety of employees during such an explosive attack. Such plan shall be reviewed and updated annually or such a complex attack.

\* \* \* \* \*

(7) RAPID RESPONSE PROCEDURES.—The Secretary of State shall enter into a memorandum of understanding with the Secretary of Defense setting out rapid response procedures for mobilization of personnel and equipment of their respective departments to provide more effective assistance in times of emergency with respect to United States diplomatic facilities, including at high risk, high threat posts (as such term is defined in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986), including options for the deployment of additional military personnel or equipment to bolster security and rapid deployment of armed or surveillance assets in response to an attack.

\* \* \* \* \*

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**FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1990 AND 1991**

\* \* \* \* \*

**TITLE I—DEPARTMENT OF STATE**

\* \* \* \* \*

**PART C—DIPLOMATIC IMMUNITY, RECIPROCITY, AND SECURITY**

\* \* \* \* \*

**SEC. 136. INCREASED PARTICIPATION OF UNITED STATES CONTRACTORS IN LOCAL GUARD CONTRACTS ABROAD UNDER THE DIPLOMATIC SECURITY PROGRAM.**

(a) \* \* \*

\* \* \* \* \*

(c) PARTICIPATION OF UNITED STATES CONTRACTORS IN LOCAL GUARD CONTRACTS ABROAD.—[With respect] *Except as provided in subsection (d), with respect to* local guard contracts for a Foreign Service building which exceed \$250,000 and are entered into after the date of enactment of this Act, the Secretary of State shall—

(1) \* \* \*

\* \* \* \* \*

(3) in evaluating proposals for such contracts, award contracts to the technically acceptable firm offering the lowest evaluated price, except that proposals of United States persons and qualified United States joint venture persons (as defined in **[(subsection (d)) subsection (e)]** shall be evaluated by reducing the bid price by 10 percent;

(4) in countries where contract denomination and/or payment in local currencies constitutes a barrier to competition by United States firms—

(A) allow solicitations to be bid in United States dollars; and

(B) allow contracts awarded to United States firms to be paid in United States dollars;

(5) ensure that United States diplomatic and consular posts assist United States firms in obtaining local licenses and permits; and

(6) establish procedures to ensure that appropriate measures are taken by diplomatic and consular post management to assure that United States persons and qualified United States joint venture persons are not disadvantaged during the solicitation and bid evaluation process.

*(d) AWARD OF LOCAL GUARD AND PROTECTIVE SERVICE CONTRACTS FOR HIGH RISK, HIGH THREAT POSTS.—With respect to any local guard contract for a high risk, high threat post (as such term is defined in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986) that is entered into after the date of the enactment of this subsection, the Secretary of State—*

*(1) shall comply with paragraphs (1), (2), (4), (5), and (6) of subsection (c) in the award of such contract;*

*(2) after evaluating proposals for such contract, may award such contract to the firm representing the best value to the Government in accordance with the best value tradeoff process described in subpart 15.1 of the Federal Acquisition Regulation (48 C.F.R. 6 15.101–1); and*

*(3) shall ensure that contractor personnel under such contract providing local guard or protective services are classified—*

*(A) as employees of the contractor;*

*(B) if the contractor is a joint venture, as employees of one of the persons or parties constituting the joint venture; or*

*(C) as employees of a subcontractor to the contractor, and not as independent contractors to the contractor or any other entity performing under such contracts.*

**[(d)] (e) DEFINITIONS.—**For the purposes of this section—

(1) \* \* \*

\* \* \* \* \*

**[(e)] (f) UNITED STATES MINORITY CONTRACTORS.—**Not less than 10 percent of the amount of funds obligated for local guard contracts for Foreign Service buildings subject to subsection (c) shall be allocated to the extent practicable for contracts with United States minority small business contractors.

[(f)] (g) UNITED STATES SMALL BUSINESS CONTRACTORS.—Not less than 10 percent of the amount of funds obligated for local guard contracts for Foreign Service buildings subject to subsection (c) shall be allocated to the extent practicable for contracts with United States small business contractors.

[(g)] (h) LIMITATION OF SUBCONTRACTING.—With respect to local guard contracts subject to subsection (c), a prime contractor may not subcontract more than 50 percent of the total value of its contract for that project.

\* \* \* \* \*

**SECTION 4 OF THE FOREIGN SERVICE BUILDINGS ACT,  
1926**

SEC. 4 (a) \* \* \*

\* \* \* \* \*

*(j) In addition to exercising any other transfer authority available to the Secretary of State, and subject to subsection (k), the Secretary may transfer to, and merge with, any appropriation for embassy security, construction, and maintenance such amounts appropriated for any other purpose related to the administration of foreign affairs on or after October 1, 2013, as the Secretary determines necessary to provide for the security of sites and buildings in foreign countries under the jurisdiction and control of the Secretary.*

*(k) The Secretary of State shall consult with, and not later than 15 days before any transfer of funds pursuant to subsection (j) notify, the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives of such transfer.*

