

109TH CONGRESS
1ST SESSION

H. R. 4436

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

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2005

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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

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

3 **SEC. 1. REDI CENTER.**

4 (a) AUTHORIZATION.—The Secretary of State is au-
5 thorized to provide for the participation by the United
6 States in the Regional Emerging Disease Intervention
7 Center (in this section referred to as “REDI Center”) in
8 Singapore.

9 (b) CONSULTATION AND REPORT.—

1 (1) CONSULTATION.—Prior to the review re-
2 quired under Article 6.3 of the Agreement described
3 in subsection (c), the Secretary shall consult with
4 the Committee on International Relations of the
5 House of Representatives and the Committee on
6 Foreign Relations of the Senate.

7 (2) REPORT.—In connection with the submis-
8 sion of the annual congressional budget justification,
9 the Secretary shall report on efforts undertaken at
10 the REDI Center with regard to bioterrorism con-
11 cerns.

12 (c) AGREEMENT DESCRIBED.—The Agreement re-
13 ferred to in subsection (b)(1) is the Agreement between
14 the Governments of the United States of America and the
15 Republic of Singapore Establishing the Regional Emerg-
16 ing Diseases Intervention Center, done at Singapore, No-
17 vember 22, 2005.

18 **SECTION 2. RETENTION OF MEDICAL REIMBURSEMENTS.**

19 Section 904 of the Foreign Service Act of 1980 (22
20 U.S.C. 4084) is amended by adding at the end the fol-
21 lowing new subsection:

22 “(g) Reimbursements paid to the Department of
23 State for funding the costs of medical care abroad for em-
24 ployees and eligible family members shall be credited to
25 the currently available applicable appropriation account.

1 Notwithstanding any other provision of law, such reim-
2 bursements shall be available for obligation and expendi-
3 ture during the fiscal year in which they are received or
4 for such longer period of time as may be provided in law.”.

5 **SEC. 3. ACCOUNTABILITY REVIEW BOARDS.**

6 Section 301(a) of the Diplomatic Security Act (22
7 U.S.C. 4831(a)) is amended—

8 (1) in paragraph (1), by striking “paragraph
9 (2)” and inserting “paragraphs (2) and (3)”; and

10 (2) by adding at the end the following new
11 paragraph:

12 “(3) FACILITIES IN AFGHANISTAN AND IRAQ.—

13 “(A) LIMITED EXEMPTIONS FROM RE-
14 QUIREMENT TO CONVENE BOARD.—The Sec-
15 retary of State is not required to convene a
16 Board in the case of an incident that—

17 “(i) involves serious injury, loss of
18 life, or significant destruction of property
19 at, or related to, a United States Govern-
20 ment mission in Afghanistan or Iraq; and

21 “(ii) occurs during the period begin-
22 ning on October 1, 2005, and ending on
23 September 30, 2009.

1 “(B) REPORTING REQUIREMENTS.—In the
2 case of an incident described in subparagraph
3 (A), the Secretary shall—

4 “(i) promptly notify the Committee on
5 International Relations of the House of
6 Representatives and the Committee on
7 Foreign Relations of the Senate of the in-
8 cident;

9 “(ii) conduct an inquiry of the inci-
10 dent; and

11 “(iii) upon completion of the inquiry
12 required by clause (ii), submit to each such
13 Committee a report on the findings and
14 recommendations related to such inquiry
15 and the actions taken with respect to such
16 recommendations.”.

17 **SEC. 4. INCREASED LIMITS APPLICABLE TO POST DIF-**
18 **FERENTIALS AND DANGER PAY ALLOW-**
19 **ANCES.**

20 (a) REPEAL OF LIMITED-SCOPE EFFECTIVE DATE
21 FOR PREVIOUS INCREASE.—Subsection (c) of section 591
22 of the Foreign Operations, Export Financing, and Related
23 Programs Appropriations Act, 2004 (division D of Public
24 Law 108–199) is repealed.

1 (b) POST DIFFERENTIALS.—Section 5925(a) of title
2 5, United States Code, is amended in the third sentence
3 by striking “25 percent of the rate of basic pay or, in the
4 case of an employee of the United States Agency for Inter-
5 national Development,”.

6 (c) DANGER PAY ALLOWANCES.—Section 5928 of
7 title 5, United States Code, is amended by striking “25
8 percent of the basic pay of the employee or 35 percent
9 of the basic pay of the employee in the case of an employee
10 of the United States Agency for International Develop-
11 ment” both places that it appears and inserting “35 per-
12 cent of the basic pay of the employee”.

13 (d) CRITERIA.—The Secretary of State shall inform
14 the Committee on International Relations of the House
15 of Representatives and the Committee on Foreign Rela-
16 tions of the Senate of the criteria to be used in determina-
17 tions of appropriate adjustments in post differentials
18 under section 5925(a) of title 5, United States Code, as
19 amended by subsection (b), and danger pay allowances
20 under section 5928 of title 5, United States Code, as
21 amended by subsection (c).

22 (e) STUDY AND REPORT.—Not later than two years
23 after the date of the enactment of this Act, the Secretary
24 of State shall conduct a study assessing the effect of the
25 increases in post differentials and danger pay allowances

1 made by the amendments in subsections (b) and (c), re-
2 spectively, in filling “hard-to-fill” positions and shall sub-
3 mit a report of such study to the Committees specified
4 in subsection (d).

5 **SEC. 5. CLARIFICATION OF FOREIGN SERVICE GRIEVANCE**
6 **BOARD PROCEDURES.**

7 Section 1106(8) of the Foreign Service Act of 1980
8 (22 U.S.C. 4136(8)) is amended in the first sentence—

9 (1) by inserting “the involuntary separation of
10 the grievant (other than an involuntary separation
11 for cause under section 610(a)),” after “consid-
12 ering”; and

13 (2) by striking “the grievant or” and inserting
14 “the grievant, or”.

15 **SEC. 6. PERSONAL SERVICES CONTRACTING PROGRAM.**

16 (a) IN GENERAL.—Section 504 of the Foreign Rela-
17 tions Authorization Act, Fiscal Year 2003 (Public Law
18 107–228) is amended—

19 (1) in subsection (a)—

20 (A) by striking “pilot”; and

21 (B) by striking “broadcasters, producers,
22 and writers” and inserting “broadcasters and
23 other broadcasting specialists”;

24 (2) in subsection (b)(4), by striking “60” and
25 inserting “100”; and

1 (3) by striking subsection (c).

2 (b) CONFORMING AMENDMENTS.—Such Act is
3 amended—

4 (1) in section 504, by striking “**PILOT**” in the
5 section heading; and

6 (2) in the table of contents in section 2(b), by
7 amending the item related to section 504 to read as
8 follows:

“Sec. 504. Personal services contracting program.”.

9 **SEC. 7. OFFICIAL RESIDENCE EXPENSES.**

10 Section 5913 of title 5, United States Code, is
11 amended by adding at the end the following new sub-
12 section:

13 “(c) Funds made available under subsection (b) may
14 be provided in advance to persons eligible to receive reim-
15 bursements.”.

16 **SEC. 8. COMMONWEALTH OF THE NORTHERN MARIANA IS-**
17 **LANDS EDUCATION BENEFITS.**

18 Section 305(a) of the United States International
19 Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended
20 by inserting after paragraph (18) the following new para-
21 graph:

22 “(19)(A) To provide for the payment of pri-
23 mary and secondary school expenses for dependents
24 of personnel stationed in the Commonwealth of the
25 Northern Mariana Islands (CNMI) at a cost not to

1 exceed expenses authorized by the Department of
2 Defense for such schooling for dependents of mem-
3 bers of the Armed Forces stationed in the Common-
4 wealth, if the Board determines that schools avail-
5 able in the Commonwealth are unable to provide
6 adequately for the education of the dependents of
7 such personnel.

8 “(B) To provide transportation for dependents
9 of such personnel between their places of residence
10 and those schools for which expenses are provided
11 under subparagraph (A), if the Board determines
12 that such schools are not accessible by public means
13 of transportation.”.

○