

107TH CONGRESS  
1ST SESSION

# H. R. 304

To establish an independent nonpartisan review panel to assess how the Department of State can best fulfill its mission in the 21st century and meet the challenges of a rapidly changing world.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2001

Mr. THORNBERRY introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To establish an independent nonpartisan review panel to assess how the Department of State can best fulfill its mission in the 21st century and meet the challenges of a rapidly changing world.

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

3 **SECTION 1. ESTABLISHMENT OF STATE DEPARTMENT RE-**  
4 **VIEW PANEL.**

5 (a) FINDINGS AND PURPOSE.—The Congress makes  
6 the following findings:

7 (1) The Department of State, established in  
8 1789, is responsible for representing the worldwide

1 interests of the United States and its citizens and  
2 for advancing the policies of the United States Gov-  
3 ernment.

4 (2) The Department operates 288 posts in more  
5 than 160 countries throughout the world, has ap-  
6 proximately 24,000 full-time staff, and spends a  
7 budget of approximately \$7,061,000,000.

8 (3) There have been dramatic changes in the  
9 world in which the Department must function, in-  
10 cluding changes in technology, changes in religious,  
11 ethnic, and regional conflicts, and changes in eco-  
12 nomic, political, and military relationships. Yet,  
13 there has been little change in the organization and  
14 structure of the Department or its posts throughout  
15 the world.

16 (4) The Department and all United States dip-  
17 lomatic efforts should be the subject of a comprehen-  
18 sive review by an independent panel to assess how  
19 the Department can best fulfill its mission in the  
20 21st century and meet the challenges of a rapidly  
21 changing world.

22 (b) ESTABLISHMENT.—Not later than December 1,  
23 2001, the Congress shall establish a nonpartisan inde-  
24 pendent panel to be known as the Department of State

1 Review Panel (in this section referred to as the “Panel”).  
2 The Panel shall have the duties set forth in this section.

3 (c) MEMBERSHIP.—

4 (1) The Panel shall be composed of 10 mem-  
5 bers who are individuals in the private sector who  
6 are recognized experts in matters relating to foreign  
7 affairs and the national security of the United  
8 States.

9 (2) Members of the Panel shall be appointed as  
10 follows:

11 (A) 3 members appointed by the Speaker  
12 of the House of Representatives.

13 (B) 3 members appointed by the Majority  
14 Leader of the Senate.

15 (C) 2 members appointed by the Minority  
16 Leader of the House of Representatives.

17 (D) 2 members appointed by the Minority  
18 Leader of the Senate.

19 (3) The Panel shall have a chairman who shall  
20 be selected by the members of the panel from among  
21 the members.

22 (d) REPORT.—Not later than 12 months after the ap-  
23 pointment of the last member to the Panel, the Panel shall  
24 prepare and submit to the Congress a comprehensive re-  
25 port. The report shall include the following:

1           (1) A review of current structures of the De-  
2           partment of State and related agencies, including  
3           the organization and operation of the embassies and  
4           consulates of the United States abroad, to determine  
5           how best to efficiently and effectively—

6                   (A) represent the interests of the United  
7           States throughout the world;

8                   (B) advance the policies of the United  
9           States;

10                  (C) cooperate and integrate with other gov-  
11           ernment agencies and departments, including  
12           the Department of Defense, the Department of  
13           Commerce, and the Office of the United States  
14           Trade Representative, the Agency for Inter-  
15           national Development (AID), and the intel-  
16           ligence agencies of the United States; and

17                  (D) meet the anticipated roles and mis-  
18           sions of such entities in the future.

19           (2) Recommendations on any structural reorga-  
20           nization at the Department of State and United  
21           States embassies and consulates, including, but not  
22           limited to, the following:

23                   (A) Whether any geographical desks  
24           should be added, combined, or eliminated, in-  
25           cluding an examination of whether an “Amer-

1           ican Affairs” desk should be established within  
2           the Office of the Under Secretary for Political  
3           Affairs.

4                   (B) Whether any of the Under or Assistant  
5           Secretaries of State should be combined, elimi-  
6           nated, or created, including an examination of  
7           whether an Under Secretary for “Future Af-  
8           fairs” needs to be established to analyze and  
9           assess future challenges for the Department.

10                   (C) Whether a member of the Armed  
11           Forces should be stationed at each embassy and  
12           whether a member of any other department  
13           should be stationed at all or specific embassies  
14           worldwide.

15                   (D) Whether Members of the Foreign  
16           Service serving in other Federal agencies should  
17           be merged into the Department of State.

18                   (3) Suggestions for changes in organization and  
19           process to ensure that future United States diplo-  
20           matic efforts are successful.

21                   (4) Suggestions for changes in structures to  
22           better formulate and implement the foreign policy of  
23           the United States.

1           (5) An independent assessment of the chal-  
2           lenges the Department of State may face through  
3           the year 2020 and beyond.

4           (6) A comprehensive review of how the Depart-  
5           ment of State, the embassies and consulates of the  
6           United States, and diplomatic and other personnel  
7           and delegations are organized to handle efficiently  
8           future risks, including any recommended structural  
9           or internal changes that may be necessary to meet  
10          future challenges to the national interest of the  
11          United States.

12          (7) The planning assumptions used in the Pan-  
13          el's review, including, but not limited to, assump-  
14          tions relating to cooperation, communication with al-  
15          lies, levels of risk, real-time situational awareness,  
16          and instantaneous communication.

17          (8) An examination of the Department of  
18          State's forward presence and pre-positioning nec-  
19          essary for negotiation and conflict deterrence in re-  
20          sponse to anticipated threats and conflicts.

21          (9) An examination of the current information  
22          infrastructure and technologies at the Department  
23          of State and recommendations on how these tech-  
24          nologies need to be updated, changed, or replaced

1 for optimum utilization by the year 2005 and be-  
2 yond.

3 (10) The vulnerability of United States tech-  
4 nology to nontraditional threats, such as information  
5 warfare, and the effect of this vulnerability on De-  
6 partment of State operations and missions.

7 (11) Future scenarios requiring a Department  
8 of State response, including scenarios in response to  
9 nontraditional threats.

10 (e) INFORMATION FROM FEDERAL AGENCIES.—The  
11 Panel may secure directly from the Department of State  
12 and from any other Federal department and agency such  
13 information as the Panel considers necessary to carry out  
14 its duties under this section. The head of the department  
15 or agency concerned shall ensure that information re-  
16 quested by the Panel under this subsection is promptly  
17 provided.

18 (f) PERSONNEL MATTERS.—

19 (1) Each member of the Panel shall be com-  
20 pensated at a rate equal to the daily equivalent of  
21 the annual rate of basic pay prescribed for level IV  
22 of the Executive Schedule under section 5315 of title  
23 5, United States Code, for each day (including travel  
24 time) during which such member is engaged in the  
25 performance of the duties of the Panel.

1           (2) The members of the Panel shall be allowed  
2 travel expenses, including per diem in lieu of subsist-  
3 ence, at rates authorized for employees of agencies  
4 under subchapter I of chapter 57 of title 5, United  
5 States Code, while away from their homes or regular  
6 places of business in the performance of services for  
7 the Panel.

8           (3)(A) The chairman of the Panel may, without  
9 regard to the civil service laws and regulations, ap-  
10 point and terminate an executive director, and a  
11 staff of not more than 4 additional individuals, if the  
12 Panel determines that an executive director and  
13 staff are necessary in order for the Panel to perform  
14 its duties effectively. The employment of an execu-  
15 tive director shall be subject to confirmation by the  
16 Panel.

17           (B) The chairman may fix the compensation of  
18 the executive director without regard to the provi-  
19 sions of chapter 51 and subchapter III of chapter 53  
20 of title 5, United States Code, relating to classifica-  
21 tion of positions and General Schedule pay rates, ex-  
22 cept that the rate of pay for the executive director  
23 may not exceed the rate payable for level V of the  
24 Executive Schedule under section 5316 of such title.

1           (4) Any Federal Government employee may be  
2 detailed to the Panel without reimbursement, and  
3 such detail shall be without interruption or loss of  
4 civil service status or privilege. The Secretary shall  
5 ensure that sufficient personnel are detailed to the  
6 Panel to enable the Panel to carry out its duties ef-  
7 fectively.

8           (5) To the maximum extent practicable, the  
9 members and employees of the Panel shall travel on  
10 government aircraft, ships, vehicles, or other convey-  
11 ances when travel is necessary in the performance of  
12 a duty of the Panel, except that no such aircraft,  
13 ship, vehicle, or other conveyance may be scheduled  
14 primarily for the transportation of any such member  
15 or employee when the cost of commercial transpor-  
16 tation is less expensive.

17 (g) ADMINISTRATIVE PROVISIONS.—

18           (1) The Panel may use the United States mails  
19 and obtain printing and binding services in the same  
20 manner and under the same conditions as other de-  
21 partments and agencies of the Federal Government.

22           (2) The Secretary of State shall furnish the  
23 Panel any administrative and support services re-  
24 quested by the Panel.

1           (3) The Panel may accept, use, and dispose of  
2           gifts or donations of services or property.

3           (h) PAYMENT OF PANEL EXPENSES.—The com-  
4           pensation, travel expenses, and per diem allowances of  
5           members and employees of the Panel shall be paid out of  
6           funds available to the Department of State for the pay-  
7           ment of compensation, travel allowances, and per diem al-  
8           lowances, respectively, of civilian employees of the Depart-  
9           ment. The other expenses of the Panel shall be paid out  
10          of funds available to the Department for the payment of  
11          similar expenses incurred by the Department.

12          (i) SUNSET PROVISION.—The Panel shall terminate  
13          6 months after the submission of a final report to the Con-  
14          gress under subsection (d).

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