

118TH CONGRESS
2D SESSION

S. 4476

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

IN THE SENATE OF THE UNITED STATES

JUNE 5, 2024

Mr. KAINE (for himself, Mr. VAN HOLLEN, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State Department In-
5 tegrity and Transparency Act”.

6 **SEC. 2. SENSE OF CONGRESS REGARDING A PROFESSIONAL**
7 **AND NONPARTISAN DEPARTMENT OF STATE.**

8 It is the sense of Congress that—

1 (1) the People’s Republic of China and other
2 competitor nations are rapidly expanding their global
3 diplomatic presences; and

4 (2) it is imperative for United States national
5 security that the Department of State is appro-
6 priately staffed by empowered, nonpartisan foreign
7 policy professionals and thoroughly qualified and
8 vetted political appointees, who work together to
9 protect United States citizens and advance United
10 States foreign policy interests.

11 **SEC. 3. ENHANCING THE PROFESSIONALISM OF ASSISTANT**
12 **SECRETARIES OF STATE.**

13 (a) DISCLOSURE REQUIREMENTS.—Section
14 304(a)(4) of the Foreign Service Act of 1980 (22 U.S.C.
15 3944(a)(4)) is amended—

16 (1) by inserting “or as an assistant secretary”
17 after “chief of mission”; and

18 (2) by adding at the end the following: “Each
19 such report shall explain the source and extent of
20 such nominee’s knowledge of the principal language
21 or dialect of the country, region, or institution, as
22 applicable, in which the nominee has been nominated
23 to serve as chief of mission or assistant secretary
24 and the manner and extent to which such nominee
25 meets the criteria described in paragraph (1), par-

1 ticularly with respect to the source and extent of
2 such individual’s knowledge and understanding of
3 the history, culture, economics, politics, and inter-
4 ests of the people of such country, region, or institu-
5 tion.”.

6 (b) **HIRING REQUIREMENT.**—Section 1(c)(1) of the
7 State Department Basic Authorities Act of 1956 (22
8 U.S.C. 2651a(c)(1)) is amended—

9 (1) by inserting “, United States Code” after
10 title 5; and

11 (2) by adding at the end the following: “Not
12 fewer than 75 percent of the Assistant Secretaries in
13 the Department of State shall have served in the
14 Senior Foreign Service or the Senior Executive Serv-
15 ice.”.

16 **SEC. 4. ADDITIONAL DISCLOSURES REQUIRED WITH RE-**
17 **SPECT TO NOMINEES.**

18 Section 304(b)(3) of the Foreign Service Act of 1980
19 (22 U.S.C. 3944(b)(3)) is amended—

20 (1) by striking “Each” and inserting the fol-
21 lowing: “(A) In this paragraph—

22 “(i) the term ‘bundled contribution’ has the
23 meaning given such term in section 304(i)(8)(A) of
24 the Federal Election Campaign Act of 1971 (52
25 U.S.C. 30104(i)(8)(A));

1 “(ii) the term ‘contribution’ has the meaning
2 given such term in section 301(8) of the Federal
3 Election Campaign Act of 1971 (52 U.S.C.
4 30101(8)); and

5 “(iii) the term ‘immediate family’ means—

6 “(I) the spouse of the nominee;

7 “(II) any child, parent, grandparent,
8 brother, or sister of the nominee; and

9 “(III) the spouse of any of the individuals
10 described in subclause (II).

11 “(B) Each”;

12 (2) in subparagraph (B), as redesignated, by
13 striking “The report” and inserting the following:

14 “(C) The report shall include the disclosure of all
15 bundled contributions facilitated by the nominee during
16 the period described in subparagraph (B), in accordance
17 with section 304(i) of the Federal Election Campaign Act
18 of 1971 (52 U.S.C. 30104(i)), and”;

19 (3) by striking “The chairman” and inserting
20 the following:

21 “(D) The chairman”; and

22 (4) in subparagraph (D), as redesignated, by
23 adding at the end the following: “The Secretary of
24 State shall publish each such report and each ‘Cer-
25 tificate of Competency’ issued pursuant to sub-

1 section (a)(4) on a publicly available website of the
2 Department of State.”.

3 **SEC. 5. CERTIFICATION OF COMPLIANCE WITH THE FOR-**
4 **EIGN SERVICE ACT OF 1980.**

5 Section 304(a) of the Foreign Service Act of 1980,
6 as amended by section 3(a), is further amended by adding
7 at the end the following:

8 “(5) The President shall certify to the Committee on
9 Foreign Relations of the Senate that—

10 “(A) any individual nominated to be a chief of
11 mission meets the qualifications required under
12 paragraph (1); and

13 “(B) any contributions made by any such indi-
14 vidual or family member, whether or not included in
15 the report described in paragraph (4), played no role
16 in such nomination.”.

17 **SEC. 6. LIMITATIONS ON OVERSEAS PLACEMENT OF SPE-**
18 **CIAL APPOINTMENT POSITIONS THAT DO**
19 **NOT EXERCISE SIGNIFICANT AUTHORITY.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that all officials of the United States Government
22 offered to receive diplomatic accreditation from a foreign
23 nation should be thoroughly vetted and reviewed for quali-
24 fication before—

1 (1) being authorized to represent the United
2 States Government at sensitive postings overseas; or

3 (2) receiving taxpayer-funded salaries, allow-
4 ances, and employment benefits in connection with
5 such a posting.

6 (b) LIMITATIONS.—

7 (1) IN GENERAL.—Section 1(j)(2) of the State
8 Department Basic Authorities Act of 1956 (22
9 U.S.C. 2651a(j)) is amended—

10 (A) by redesignating subparagraphs (A),
11 (B), and (C) as clauses (i), (ii), and (iii), re-
12 spectively, and moving such clauses, as redesign-
13 ated, 2 ems to the right;

14 (B) by striking “The President”; and in-
15 serting the following:

16 “(A) IN GENERAL.—The President”; and

17 (C) by adding at the end the following:

18 “(B) LIMITATIONS.—All special appoint-
19 ments under subparagraph (A), and all posi-
20 tions described in schedule B or schedule C of
21 subpart C of part 213 of title 5, Code of Fed-
22 eral Regulations, to a United States diplomatic
23 mission may not exceed 90 days. An individual
24 may not be appointed to more than 1 position

1 described in this paragraph during a single cal-
2 endar year.”.

3 (2) EFFECTIVE DATE.—The amendments made
4 by this subsection shall take effect on January 1,
5 2025.

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