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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Foreign Service Act of 1980 to establish a Diplomatic Reserve Corps.

IN THE HOUSE OF REPRESENTATIVES

Ms. TITUS introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Foreign Service Act of 1980 to establish
a Diplomatic Reserve Corps.

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 “Diplomatic Reserve
5 Corps Act of 2026”.

6 **SEC. 2. DIPLOMATIC RESERVE CORPS.**

7 Title I of the Foreign Service Act of 1980 (22 U.S.C.
8 3901 et seq.) is amended by adding at the end the fol-
9 lowing:

1 **“SEC. 1402. ELEMENTS.**

2 “The Diplomatic Reserve Corps has four elements as
3 follows:

4 “(1) The Senior Diplomatic Reserve.

5 “(2) The Senior Diplomatic Retiree Reserve.

6 “(3) The Diplomatic Reserve.

7 “(4) The Diplomatic Retiree Reserve.

8 **“SEC. 1403. ADMINISTRATION.**

9 “(a) ADMINISTRATION BY SECRETARY OF STATE.—
10 Under the direction of the President, the Secretary of
11 State shall administer and direct the Diplomatic Reserve
12 Corps and shall coordinate its activities with the needs of
13 the Department of State and the Foreign Service.

14 “(b) ASSISTANCE BY DIRECTOR GENERAL OF THE
15 FOREIGN SERVICE.—

16 “(1) IN GENERAL.—The Director General of
17 the Foreign Service should assist the Secretary in
18 the management of the Diplomatic Reserve Corps.

19 “(2) DELEGATION.—Subject to the approval of
20 the Secretary, the Director General may, in assisting
21 the Secretary pursuant to paragraph (1), delegate to
22 an appropriate senior officer in the Department
23 overall responsibility for management of the Diplo-
24 matic Reserve Corps.

25 “(c) COMPATIBILITY BETWEEN DIPLOMATIC RE-
26 SERVE CORPS AND FOREIGN SERVICE AND OTHER GOV-

1 ERNMENT PERSONNEL SYSTEMS.—The Diplomatic Re-
2 serve Corps shall be administered to the extent practicable
3 in conformity with policy and regulations applicable to the
4 Foreign Service, in particular, and the policies and regula-
5 tions of the Government, generally.

6 “(d) RELATION AND RESPONSIBILITY OF BUREAUS,
7 OFFICES, ETC. OF DEPARTMENT OF STATE TO DIPLO-
8 MATIC RESERVE CORPS.—The bureaus, offices, and oper-
9 ating elements of the Department of State have the same
10 relation and responsibility to the Diplomatic Reserve
11 Corps as they do to the Foreign Service and the civil serv-
12 ice of the Department.

13 “(e) REGULATIONS; DELEGATION OF FUNCTIONS.—

14 “(1) REGULATIONS.—The regulations pre-
15 scribed under section 206(a) may include regulations
16 relating to the Diplomatic Reserve Corps and the
17 discharge of its functions.

18 “(2) DELEGATION OF FUNCTIONS.—Section
19 206(b), relating to delegation of functions by the
20 Secretary of State, applies to functions with respect
21 to the Diplomatic Reserve Corps.

22 **“SEC. 1404. AUTHORITY OF THE INSPECTOR GENERAL.**

23 “The Diplomatic Reserve Corps is an operating unit
24 of the Department of State for purposes of section 209,

1 relating to the authorities and responsibilities of the In-
2 spector General of the Department of State.

3 **“SEC. 1405. HEADQUARTERS STAFF.**

4 “(a) IN GENERAL.—Members of the Diplomatic Re-
5 serve Corps may be assigned to the headquarters of the
6 Department of State to participate in the administration
7 of this chapter and in the preparation of policies and regu-
8 lations relating to the Corps.

9 “(b) TREATMENT WITHIN LIMITATIONS ON STAFF
10 SIZE.—Any members of the Diplomatic Reserve Corps as-
11 signed to headquarters of the Department pursuant to
12 subsection (a) are in addition to any other numbers of
13 staff at the headquarters as otherwise authorized or lim-
14 ited by law.

15 “(c) CONSTRUCTION OF AUTHORIZATION.—The au-
16 thority in subsection (a) may not be interpreted to prohibit
17 or limit the assignment of members of the Diplomatic Re-
18 serve Corps to other posts, positions, or other locations
19 of assignment, whether permanent or temporary, in the
20 United States.

21 **“SEC. 1406. RECRUITMENT.**

22 “(a) IN GENERAL.—The Secretary of State shall take
23 appropriate actions to ensure that recruitment for the
24 Diplomatic Reserve Corps ranges widely throughout the

1 United States and is designed to obtain and maintain a
2 Corps that is representative of the American people.

3 “(b) PERSONAL SERVICES CONTRACTS.—

4 “(1) CONTRACTS AUTHORIZED.—The Secretary
5 may enter into one or more contracts with private
6 individuals for personal services in connection with
7 recruitment for the Diplomatic Reserve Corps, in-
8 cluding to assist in the discharge of the requirement
9 in subsection (a).

10 “(2) NOT GOVERNMENT EMPLOYEES.—Individ-
11 uals under contract under this subsection shall not
12 be considered employees of the United States for
13 any purposes. However, the Secretary may specify in
14 any such contract the applicability of a law adminis-
15 tered by the Secretary to the activities of the indi-
16 vidual covered by such contract.”.

17 **SEC. 3. APPOINTMENTS AND RELATED MATTERS.**

18 (a) IN GENERAL.—Chapter 14 of title I of the For-
19 eign Service Act of 1980 (22 U.S.C. 3901 et seq.), as
20 added by section 2 of this Act, is amended by adding at
21 the end the following:

1 **“Subchapter II—APPOINTMENTS AND**
2 **RELATED MATTERS**

3 **“SEC. 1411. AUTHORIZED STRENGTH.**

4 “(a) AUTHORIZED STRENGTH.—The authorized
5 strength of the Diplomatic Reserve Corps as of September
6 30 of each fiscal year as follows is the number specified
7 for such fiscal year:

8 “(1) For fiscal year 2026, 250.

9 “(2) For fiscal year 2027, 500.

10 “(3) For fiscal year 2028, 750.

11 “(4) For any fiscal year after fiscal year 2028,
12 1,000.

13 “(b) STRENGTH WHEN NOT OTHERWISE PRE-
14 SCRIBED BY LAW.—Whenever the authorized strength of
15 the Diplomatic Reserve Corps is not prescribed by law,
16 it shall be prescribed by the President.

17 “(c) STRENGTH OF SENIOR DIPLOMATIC RE-
18 SERVE.—Except as otherwise prescribed by law, the au-
19 thorized strength of the Senior Diplomatic Reserve as of
20 September 30 of each fiscal year may not exceed a number
21 equal to 10 percent of the authorized strength of the Dip-
22 lomatic Reserve Corps as of such date.

1 **“SEC. 1412. ELIGIBILITY FOR APPOINTMENT.**

2 “(a) IN GENERAL.—An individual is eligible for ap-
3 pointment to the Diplomatic Reserve Corps if the indi-
4 vidual—

5 “(1) is a citizen of the United States;

6 “(2) is at least 21 years of age; and

7 “(3) meets such physical, mental, and profes-
8 sional qualifications as the Secretary of State shall
9 prescribe.

10 “(b) HIGHER AGE LIMIT FOR APPOINTMENTS FOR
11 CERTAIN SERVICE.—Notwithstanding subsection (a)(2), if
12 the Secretary determines that the demands of particular
13 service in the Diplomatic Reserve Corps can be met only
14 by individuals of an age higher than that specified in that
15 subsection, the Secretary may prescribe a higher age than
16 that specified in that subsection as a qualification for ap-
17 pointment in the Corps for such service.

18 “(c) PHYSICAL CAPACITY FOR SERVICE.—

19 “(1) IN GENERAL.—Notwithstanding subsection
20 (a)(3), if the Secretary determines that an individual
21 who does not otherwise meet the physical qualifica-
22 tions prescribed pursuant to that subsection is capa-
23 ble of the physical discharge of the service in the
24 Diplomatic Reserve Corps for which the individual
25 would be appointed, the individual may be appointed
26 to the Corps for such service.

1 “(2) CASE-BY-CASE DETERMINATION.—Any de-
2 terminations under paragraph (1) shall be made on
3 case-by-case basis. The authority to make such de-
4 terminations may not be delegated.

5 “(d) EXAMINATIONS FOR APPOINTMENT.—The Sec-
6 retary shall prescribe, as appropriate, written, oral, phys-
7 ical, foreign language, and other examinations for appoint-
8 ment to the Diplomatic Reserve Corps.

9 “(e) APPOINTMENT OF VETERANS.—

10 “(1) IN GENERAL.—The fact that an applicant
11 for appointment to the Diplomatic Reserve Corps is
12 a veteran or disabled veteran shall be considered an
13 affirmative factor in making appointments to the
14 Corps.

15 “(2) VETERAN OR DISABLED VETERAN DE-
16 FINED.—In this subsection, the term ‘veteran or dis-
17 abled veteran’ has the meaning given that term in
18 section 301(c).

19 “(f) PROHIBITION ON SIMULTANEOUS SERVICE AS
20 MEMBER OF THE UNIFORMED SERVICES.—

21 “(1) PROHIBITION.—An individual may not
22 serve simultaneously as a member of the Diplomatic
23 Reserve Corps and a member of a uniformed service
24 (whether as a regular or a reserve).

1 “(2) UNIFORMED SERVICE DEFINED.—In this
2 subsection, the term ‘uniformed service’ means any
3 of the uniformed services specified in section
4 2101(3) of title 5, United States Code.

5 **“SEC. 1413. APPOINTMENTS GENERALLY.**

6 “(a) SENIOR DIPLOMATIC RESERVE.—The President
7 may, by and with the advice and consent of the Senate,
8 appoint an individual as a member of the Diplomatic Re-
9 serve Corps in the Senior Diplomatic Reserve.

10 “(b) SENIOR DIPLOMATIC RETIREE RESERVE.—

11 “(1) APPOINTMENT BY PRESIDENT.—The
12 President may, by and with the advice and consent
13 of the Senate, appoint a retired career member of
14 the Department of State (including a retired career
15 member of the Foreign Service and a retired civilian
16 officer or employee of the Department) as a member
17 of the Diplomatic Reserve Corps in the Senior Diplo-
18 matic Retiree Reserve.

19 “(2) APPOINTMENT BY SECRETARY.—The Sec-
20 retary of State may appoint a retired career member
21 of the Senior Foreign Service as a member of the
22 Diplomatic Reserve Corps in the Senior Diplomatic
23 Retiree Reserve if there is no break in service be-
24 tween the individual’s retirement from the Depart-

1 ment and commencement of membership in the Sen-
2 ior Diplomatic Retiree Reserve.

3 “(c) DIPLOMATIC RESERVE.—

4 “(1) IN GENERAL.—The Secretary may appoint
5 members of the Diplomatic Reserve Corps in the
6 Diplomatic Reserve in accordance with this chapter
7 and such regulations as the Secretary may prescribe.

8 “(2) REGULATIONS.—Any regulations under
9 paragraph (1) shall conform, to the extent prac-
10 ticable, to the regulations prescribed pursuant to
11 section 303.

12 “(d) DIPLOMATIC RETIREE RESERVE.—

13 “(1) IN GENERAL.—The Secretary may appoint
14 retired career employees of the Department (includ-
15 ing retired career members of the Foreign Service
16 and retired civilian officers or employees of the De-
17 partment) as members of the Diplomatic Reserve
18 Corps in the Diplomatic Retiree Reserve in accord-
19 ance with this chapter and such regulations as the
20 Secretary may prescribe.

21 “(2) REGULATIONS.—Any regulations under
22 paragraph (1) shall conform, to the extent prac-
23 ticable, to the regulations prescribed pursuant to
24 subsection (c)(2).

25 “(e) TERM OF APPOINTMENT.—

1 “(1) TERM OF APPOINTMENT IN SENIOR DIPLO-
2 MATIC RESERVE.—The term of any appointment in
3 the Senior Diplomatic Reserve under subsection (a)
4 shall be such period as the President determines at
5 the time of such appointment to be appropriate for
6 the needs of the Diplomatic Reserve Corps.

7 “(2) TERM OF APPOINTMENT IN SENIOR DIPLO-
8 MATIC RETIREE RESERVE.—The term of appoint-
9 ment under subsection (b) in the Senior Diplomatic
10 Retiree Reserve shall be as follows:

11 “(A) In the case of an individual appointed
12 under subsection (b)(1), such period as the
13 President determines at the time of such ap-
14 pointment to be appropriate for the needs of
15 the Diplomatic Reserve Corps.

16 “(B) In the case of an individual appointed
17 under subsection (b)(2), such period as the Sec-
18 retary determines at the time of such appoint-
19 ment to be appropriate for the needs of the
20 Diplomatic Reserve Corps.

21 “(3) TERM OF APPOINTMENT IN DIPLOMATIC
22 RESERVE OR DIPLOMATIC RETIREE RESERVE.—The
23 term of any appointment under subsection (c) in the
24 Diplomatic Reserve, or under subsection (d) in the
25 Diplomatic Retiree Reserve, shall be such period, not

1 to exceed three years, as the Secretary determines as
2 the time of such appointment to be appropriate for
3 the needs of the Diplomatic Reserve Corps.

4 “(4) RENEWAL OF APPOINTMENTS.—The ap-
5 pointment of any member of the Diplomatic Reserve
6 Corps may, upon the successful completion of a term
7 of appointment in the Corps, be renewed for a term
8 of length provided for in paragraph (1), (2), or (3),
9 as applicable, in accordance with such regulations as
10 the Secretary may prescribe.

11 “(f) PROBATIONARY FIRST TERM OF APPOINT-
12 MENT.—The first term of appointment of any member to
13 the Diplomatic Reserve Corps is a probationary period,
14 and such appointment of such member to the Corps may
15 be terminated by the President or the Secretary at any
16 time during such period.

17 **“SEC. 1414. APPOINTMENTS TO SALARY CLASSES.**

18 “(a) SENIOR DIPLOMATIC RESERVE.—Appointment
19 to the Senior Diplomatic Reserve under section 1413(a)
20 shall be to a salary class established under section 1421
21 that is consistent with the qualifications and experience
22 of the individual appointed.

23 “(b) SENIOR DIPLOMATIC RETIREE RESERVE.—Ap-
24 pointment to the Senior Diplomatic Retiree Reserve shall
25 be to a salary class as follows:

1 member skills of each member of the Diplomatic Re-
2 serve Corps.

3 “(2) PURPOSE.—The purpose of the schedule
4 required by paragraph (1) shall be to facilitate the
5 ready identification of members of the Diplomatic
6 Reserve Corps with particular skills during mobiliza-
7 tions of members of the Corps under this chapter to
8 assist the Secretary, the Department of State, and
9 the Foreign Service in the discharge of their respon-
10 sibilities and functions.

11 “(3) NATURE OF SKILLS IDENTIFIERS.—In
12 order to best achieve the purpose described in para-
13 graph (2), the identifiers of member skills prescribed
14 pursuant to paragraph (1) shall conform, to the ex-
15 tent practicable, to the skill designators (commonly
16 referred to as ‘skill codes’) assigned to members of
17 the Foreign Service.

18 “(b) ASSIGNMENT OF IDENTIFIERS.—

19 “(1) ASSIGNMENT UPON APPOINTMENT.—Upon
20 the appointment of an individual as a member of the
21 Diplomatic Reserve Corps, the Secretary shall assign
22 the member a primary skill identifier, and any ap-
23 propriate secondary and tertiary skill identifiers, in
24 accordance with the schedule required by subsection
25 (a).

1 “(2) SUPERSEDING ASSIGNMENT.—Upon any
2 material change in the skills of a member for pur-
3 poses of the schedule, the Secretary shall assign the
4 member one or more new identifiers under the
5 schedule appropriate to reflect such material
6 change.”.

7 (b) ELIGIBILITY FOR DIPLOMATIC AND CONSULAR
8 COMMISSIONS.—Section 312 of the Foreign Service Act
9 of 1980 (22 U.S.C. 3952) is amended—

10 (1) in subsection (a)—

11 (A) by inserting “or the Diplomatic Re-
12 serve Corps” after “the Service” the first place
13 it appears; and

14 (B) by inserting “or the Corps” after “the
15 Service” the second and third places it appears;
16 and

17 (2) in subsection (b), by inserting “or the Dip-
18 lomatic Reserve Corps” after “the Service”.

19 **SEC. 4. COMPENSATION AND OTHER BENEFITS.**

20 (a) IN GENERAL.—Chapter 14 of title I of the For-
21 eign Service Act of 1980 (22 U.S.C. 3901 et seq.), as
22 amended by section 3(a) of this Act, is further amended
23 by adding at the end the following:

1 **“Subchapter III—COMPENSATION AND**
2 **OTHER BENEFITS**

3 **“SEC. 1421. SALARIES OF SENIOR DIPLOMATIC RESERVE**
4 **AND SENIOR DIPLOMATIC RETIREE RE-**
5 **SERVE.**

6 “(a) SALARY CLASSES.—There shall be two salary
7 classes for the Senior Diplomatic Reserve and Senior Dip-
8 lomatic Retiree Reserve, with an appropriate title for each
9 class prescribed by the President.

10 “(b) BASIC SALARY RANGES AND RATES.—

11 “(1) SALARY RANGES.—The President shall
12 prescribe the ranges of basic salary for each salary
13 class of the Senior Diplomatic Reserve and Senior
14 Diplomatic Retiree Reserve.

15 “(2) BASIC SALARY RATES.—

16 “(A) MAXIMUM AND MINIMUM RATES AND
17 RELATED MATTERS.—The second sentence of
18 paragraph (1) of section 402(a), and paragraph
19 (3) of that section, shall apply to the establish-
20 ment and maintenance of basic salary rates
21 under this subsection.

22 “(B) RATE PAYABLE TO PARTICULAR
23 MEMBERS.—The Secretary of State shall deter-
24 mine which basic salary rate within the ranges
25 prescribed by the President under paragraph

1 (1) shall be paid to each member of the Senior
2 Diplomatic Reserve and the Senior Diplomatic
3 Retiree Reserve in accordance with the provi-
4 sions, and subject to the limitations, of section
5 402(a)(2).

6 “(c) CONFORMITY TO SENIOR FOREIGN SERVICE.—
7 The actions taken pursuant to this section shall conform,
8 to the extent practicable, with actions taken pursuant to
9 section 402(a) with respect to salaries of the Senior For-
10 eign Service.

11 **“SEC. 1422. DIPLOMATIC RESERVE SCHEDULE FOR DIPLO-**
12 **MATIC RESERVE AND DIPLOMATIC RETIREE**
13 **RESERVE.**

14 “(a) IN GENERAL.—The President shall establish a
15 Diplomatic Reserve Schedule which shall apply to mem-
16 bers of the Diplomatic Reserve and the Diplomatic Retiree
17 Reserve.

18 “(b) CLASSES AND STEPS.—The Diplomatic Reserve
19 Schedule shall have 9 salary classes. Each salary class of
20 the Schedule shall have 14 steps.

21 “(c) BASIC SALARY RANGES AND RATES.—

22 “(1) SALARY RANGES IN CLASSES.—The basic
23 salary range for each salary class in the Diplomatic
24 Reserve Schedule shall be equivalent to the salary

1 range for the analogous salary class in the Foreign
2 Service Schedule under section 403.

3 “(2) BASIC SALARY RATES OF STEPS.—The
4 basic salary rate for each step within a salary class
5 in the Diplomatic Reserve Schedule shall be equiva-
6 lent to the salary rate for the analogous step in the
7 analogous salary in the Foreign Service Schedule.

8 “(3) ADJUSTMENTS.—Salary rates established
9 under this subsection shall be adjusted in accordance
10 with section 5303 of title 5, United States Code,
11 whenever adjustments are made pursuant to the
12 Foreign Service Schedule pursuant to the last sen-
13 tence of section 403.

14 **“SEC. 1423. CHANGES IN SALARY CLASSES.**

15 “Except as authorized by subchapter I of chapter 35
16 of title 5, United States Code, changes in the salary class
17 of a member of the Senior Diplomatic Reserve or the Sen-
18 ior Diplomatic Retiree Reserve, or of a member assigned
19 to a salary class in the Diplomatic Reserve Schedule. shall
20 be made only in accordance with subchapter IV.

21 **“SEC. 1424. COMPUTATION OF BASIC PAY.**

22 “Basic pay provided for by section 1421 or 1422 is
23 payable to a member of the Diplomatic Reserve Corps on
24 an hourly basis (as computed in accordance with section
25 5504(b) of title 5, United States Code) for each hour, or

1 portion thereof, of active service in the Corps (whether ac-
2 tive service under subchapter VI or active service for train-
3 ing under subchapter V).

4 **“SEC. 1425. PERFORMANCE PAY FOR MEMBERS OF THE**
5 **SENIOR DIPLOMATIC RESERVE AND SENIOR**
6 **DIPLOMATIC RETIREE RESERVE.**

7 “(a) ELIGIBILITY.—

8 “(1) IN GENERAL.—Members of the Senior
9 Diplomatic Reserve and the Senior Diplomatic Re-
10 tiree Reserve are eligible to compete for performance
11 pay in accordance with this section.

12 “(2) CONSTRUCTION OF ELIGIBILITY.—The
13 fact that a member of the Senior Diplomatic Reserve
14 or the Senior Diplomatic Retiree Reserve competing
15 for performance pay would, as a result of the pay-
16 ment of such pay, receive compensation exceeding
17 the compensation of any other member of the Senior
18 Diplomatic Reserve or the Senior Diplomatic Retiree
19 Reserve shall not preclude the award or its payment.

20 “(b) PAYMENT.—

21 “(1) LUMP SUM PAYMENT.—Performance pay
22 under this section shall be paid in a lump sum.

23 “(2) CONSTRUCTION WITH BASIC SALARY AND
24 OTHER AWARDS.—Performance pay shall be in addi-
25 tion to the basic salary prescribed under section

1 1421 and any other award grantable or payable to
2 members of the Senior Diplomatic Reserve or the
3 Senior Diplomatic Retiree Reserve.

4 “(c) AWARD AND PAYMENT.—

5 “(1) IN GENERAL.—Awards of performance pay
6 under this section shall be subject to the provisions
7 of the first sentence of section 405(b).

8 “(2) LIMITATIONS.—In addition to the require-
9 ments provided for by paragraph (1), awards and
10 payment of performance pay shall be subject to the
11 following requirements and limitations:

12 “(A) Not more than 25 percent of the ag-
13 gregate number of the members of the Senior
14 Diplomatic Reserve and the Senior Diplomatic
15 Retiree Reserve may receive performance pay in
16 any fiscal year.

17 “(B) Performance pay shall be awardable
18 to a member of the Senior Diplomatic Reserve
19 or the Senior Diplomatic Retiree Reserve as an
20 annualized amount, but the amount payable
21 shall be prorated from such annualized amount
22 by the number of days in the rating period that
23 the member was on active service (including ac-
24 tive service under subchapter VI and active
25 service for training under subchapter V).

1 “(C) Except as provided in subparagraphs
2 (D) and (E), the annualized amount of per-
3 formance pay awarded a member of the Senior
4 Diplomatic Reserve or the Senior Diplomatic
5 Retiree Reserve may not exceed 20 percent of
6 the annual rate of basic salary for that member
7 under section 1421.

8 “(D) Not more than 6 percent of the ag-
9 gregate number of members of the Senior Dip-
10 lomatic Reserve and the Senior Diplomatic Re-
11 tiree Reserve may be awarded performance pay
12 in any fiscal year in an annualized amount
13 which exceeds the percentage limitation speci-
14 fied in subparagraph (C). The annualized
15 amount of performance pay awarded under this
16 subparagraph to a member may not exceed, in
17 any fiscal year, the percentage of basic pay es-
18 tablished under section 4507(e)(1) of title 5,
19 United States Code, for Meritorious Executives.

20 “(E) Not more than 1 percent of the ag-
21 gregate number of members of the Senior Dip-
22 lomatic Reserve and the Senior Diplomatic Re-
23 tiree Reserve may be awarded performance pay
24 in any fiscal year in an annualized amount
25 which exceeds the percentage limitation speci-

1 fied in subparagraph (C). The annualized
2 amount of performance pay awarded under this
3 subparagraph to a member may not exceed, in
4 any fiscal year, the percentage of basic pay es-
5 tablished under section 4507(e)(2) of title 5,
6 United States Code, for Distinguished Execu-
7 tives. Notwithstanding subparagraph (B), pay
8 awarded under this subparagraph may be paid
9 without pro ration for the number of days in
10 the rating period that the member was on ac-
11 tive service if the pay is awarded for a specific
12 action. A member may not be awarded perform-
13 ance pay under subparagraph (D) and this sub-
14 paragraph in any fiscal year.

15 “(F) Any award of performance pay under
16 this section shall be subject to the limitation on
17 certain payments under section 5307 of title 5,
18 United States Code, or the limitation under sec-
19 tion 402(a)(3) of this Act, whichever is higher.

20 “(G) Regulations prescribed pursuant to
21 section 405(b)(5) shall apply to payments under
22 this section which are made in the case of any
23 individual whose death precludes payment
24 under subparagraph (F).

25 “(d) AMOUNT AND DISTRIBUTION OF AWARDS.—

1 “(1) AMOUNT.—The Secretary shall determine
2 the amount of performance pay available under this
3 section each year for distribution among members of
4 the Senior Diplomatic Reserve and the Senior Diplo-
5 matic Retiree Reserve.

6 “(2) DISTRIBUTION.—The Secretary shall dis-
7 tribute performance pay to particular members
8 under this section on the basis of recommendations
9 by selection boards used under section 1442.

10 “(e) GRANT OF CERTAIN AWARDS.—The President
11 may grant awards of performance pay under this section
12 provided for by subparagraphs (D) and (E) of subsection
13 (c)(2) in the same manner as awards of performance pay
14 are grantable under section 405(d).

15 “(g) OTHER RECOGNITION OF MERITORIOUS OR DIS-
16 TINGUISHED SERVICE.—Notwithstanding any other provi-
17 sion of law, the Secretary may provide for recognition of
18 the meritorious or distinguished service of any member of
19 the Senior Diplomatic Reserve or the Senior Diplomatic
20 Retiree Reserve by means other than an award of perform-
21 ance pay under this section in lieu of making such an
22 award under this section.

1 **“SEC. 1426. WITHIN-CLASS SALARY INCREASES FOR MEM-**
2 **BERS OF THE DIPLOMATIC RESERVE AND**
3 **DIPLOMATIC RETIREE RESERVE.**

4 “(a) IN GENERAL.—Except as provided in subsection
5 (b) and subject to subsection (c), any member of the Dip-
6 lomatic Reserve or the Diplomatic Retiree Reserve receiv-
7 ing a salary under the Diplomatic Reserve Schedule shall
8 be advanced to the next higher salary step in the member’s
9 salary class at the beginning of the first applicable pay
10 period following completion by the member of a period of
11 156 continuous weeks of membership in the Diplomatic
12 Reserve Corps.

13 “(b) EARLIER ADVANCEMENT FOR MERITORIOUS
14 SERVICE.—The Secretary may advance a member to a
15 higher salary step under subsection (a) without regard to
16 the completion by the member of the period of continuous
17 membership otherwise required by that subsection if the
18 Secretary determines that the meritorious service of the
19 member warrants such advancement.

20 “(c) NO ADVANCEMENT FOR SUBSTANDARD SERV-
21 ICE.—A member may not be advanced to a higher salary
22 step under subsection (a) at the end of the period of active
23 service of the member described in that subsection if the
24 active service member during such period is found, in a
25 review by a selection board used under section 1442, to

1 fall below the standards applicable to member's salary
2 class.

3 **“SEC. 1427. SPECIAL DIFFERENTIALS FOR MEMBERS OF**
4 **THE DIPLOMATIC RESERVE AND DIPLOMATIC**
5 **RETIREE RESERVE.**

6 “(a) SPECIAL DIFFERENTIALS.—

7 “(1) IN GENERAL.—The Secretary of State may
8 pay special differentials, in addition to compensation
9 otherwise authorized, to members of the Diplomatic
10 Reserve and the Diplomatic Retiree Reserve who are
11 required by nature of their assignments on active
12 service under subchapter VI to perform additional
13 work on a regular basis in substantial excess of nor-
14 mal requirements.

15 “(2) AMOUNTS.—The amounts of special dif-
16 ferentials paid under paragraph (1) for work shall
17 be similar to special differentials paid for additional
18 work paid to Foreign Service officers under section
19 412(a) for similar work.

20 “(b) COMPENSATORY TIME OFF.—Nothing in this
21 chapter or subchapter V of chapter 55 of title 5, United
22 States Code, shall preclude the granting of compensatory
23 time off for members of the Diplomatic Reserve Corps on
24 active service under subchapter VI.

1 **“SEC. 1428. DIPLOMATIC RESERVE SERVICE AWARDS.**

2 “(a) SYSTEM OF AWARDS REQUIRED.—The Presi-
3 dent shall establish and maintain a system of awards to
4 confer appropriate recognition of outstanding contribu-
5 tions to the Nation by members of the Diplomatic Reserve
6 Corps.

7 “(b) MEDALS AND OTHER COMMENDATIONS.—The
8 system of awards under this section shall provide for the
9 presentation by the President and by the Secretary of
10 medals or other suitable commendations for performance
11 in the course of or beyond the call of duty which involves
12 distinguished meritorious service to the Nation, including
13 extraordinary valor in the face of danger to life or health.

14 “(c) PROMOTION OF RECOGNIZED HUMAN RIGHTS
15 AS BASIS FOR AWARDS.—Distinguished meritorious serv-
16 ice in the promotion of internationally recognized human
17 rights, including the right to freedom of religion, shall
18 serve as a basis for granting awards under the system of
19 awards under this section.

20 **“SEC. 1429. TREATMENT OF DIPLOMATIC RESERVE CORPS**
21 **MEMBERS RECEIVING ANNUITIES UNDER**
22 **OTHER FEDERAL GOVERNMENT PERSONNEL**
23 **SYSTEMS.**

24 “(a) NO TERMINATION OR REDUCTION OF RETIRE-
25 MENT ANNUITY OR PAY.—Notwithstanding any provision
26 of section 824 or any other provision of law, the appoint-

1 ment to the Diplomatic Reserve Corps pursuant to sub-
2 chapter II of a covered annuitant shall not operate to—

3 “(1) terminate the payment of any retirement
4 annuity, retired pay, or retainer pay otherwise pay-
5 able to such covered annuitant under the personnel
6 system referred to in subsection (b) in which such
7 covered annuitant is participating; or

8 “(2) reduce the amount of the retirement annu-
9 ity, retired pay, or retainer pay otherwise payable to
10 such former participant under such personnel sys-
11 tem.

12 “(b) COVERED ANNUITANT.—For purposes of this
13 section, a covered annuitant is any individual as follows:

14 “(1) An annuitant receiving a retirement annu-
15 ity under subchapter I of chapter 8 (the Foreign
16 Service Retirement and Disability System) or sub-
17 chapter II of that chapter (the Foreign Service Pen-
18 sion System).

19 “(2) An individual receiving retired or retainer
20 pay under chapter 71 or 1223 of title 10, United
21 States Code.

22 “(3) An annuitant receiving a retirement annu-
23 ity under subchapter III of chapter 83 of title 5,
24 United States Code (the Civil Service Retirement

1 System), or chapter 84 of that title (the Federal
2 Employees' Retirement System).

3 “(4) An annuitant receiving a retirement annu-
4 ity, retired pay, or retainer pay under any other
5 Federal Government personnel system.

6 “(c) ACTIVE SERVICE NOT CREDITABLE TOWARD
7 RETIREMENT ANNUITY OR PAY.—

8 “(1) SERVICE NOT CREDITABLE TOWARD RE-
9 TIREMENT ANNUITY OR PAY UNDER OTHER PER-
10 SONNEL SYSTEMS.—Active service in the Diplomatic
11 Reserve Corps under this chapter of a covered annu-
12 itant shall not be treated as creditable service to-
13 ward the computation or recomputation of the re-
14 tirement annuity, retired pay, or retainer pay, as ap-
15 plicable, of the covered annuitant under the Federal
16 Government personnel system in which the covered
17 annuitant is participating.

18 “(2) SERVICE NOT CREDITABLE TOWARD RE-
19 TIREMENT ANNUITY UNDER FSPS FOR DRC MEM-
20 BERSHIP.—As provided by section 1481(b), active
21 service in the Corps under this chapter of a covered
22 annuitant is not creditable service toward entitle-
23 ment to or computation of a retirement annuity in
24 connection with membership in the Corps otherwise
25 provided for by subchapter VIII.

1 **“SEC. 1430. HEALTH CARE.**

2 “(a) PARTICIPATION IN FEHBP.—A member of the
3 Diplomatic Reserve Corps who is not otherwise eligible for
4 participation in the program of health insurance under
5 chapter 89 of title 5, United States Code, shall be deemed
6 an employee for purposes of participation in that program
7 and be treated as if the member were a member of the
8 uniformed services, subject to any conditions and limita-
9 tions applicable to similarly situated members of the uni-
10 formed services participating in that program.

11 “(b) PARTICIPATION IN FOREIGN SERVICE HEALTH
12 PROGRAM.—

13 “(1) IN GENERAL.—Except as provided in para-
14 graph (2), members of the Diplomatic Reserve Corps
15 and their families are eligible for health care under
16 the health care program under section 904.

17 “(2) LIMITATION ON ELIGIBILITY OF FAMILY
18 MEMBERS.—Members of the family of a member of
19 the Corps are not covered by the authority in sub-
20 section (b)(2) or (d) of section 904 unless such
21 members of the family are accompanying such mem-
22 ber of the Corps on an assignment abroad.

23 “(3) ADMINISTRATION.—

24 “(A) REVIEW.—In carrying out the con-
25 tinuing review of the health care program under
26 section 904 required by subsection (f) of that

1 section, the Secretary of State shall take into
2 account the provision of health care to members
3 of the Corps and their families under this sub-
4 section.

5 “(B) REIMBURSEMENTS.—Any reimburse-
6 ments paid to the Department of State for
7 health care provided pursuant to this section
8 shall be credited and available in accordance
9 with the provisions of section 904(g).

10 **“SEC. 1431. DEATH GRATUITY.**

11 “(a) PAYMENT AUTHORIZED.—

12 “(1) IN GENERAL.—Subject to paragraph (2),
13 the Secretary of State may provide for payment of
14 a gratuity to the surviving dependents of any mem-
15 ber of the Diplomatic Reserve Corps who dies as a
16 result of injuries sustained in the performance of ac-
17 tive service under subchapter VI abroad, in an
18 amount equal to one year’s salary at level II of the
19 Executive Schedule under section 5313 of title 5,
20 United States Code, at the time of death.

21 “(2) LIMITATION ON ELIGIBLE SURVIVORS.—A
22 survivor is eligible for payment of a gratuity under
23 this section only if the survivor is described by sec-
24 tion 414(d).

1 Relations Authorization Act, Fiscal Years 1998 and
2 1999 (22 U.S.C. 2656f(d)).

3 “(b) DESIGNATION OF BENEFICIARY.—A payment
4 made under this section shall be made in accordance with
5 the guidance issued under section 413(c).

6 “(c) CONSTRUCTION OF PAYMENT.—A payment
7 made under this section should not be used to reduce any
8 other payment to which a recipient is otherwise eligible
9 under Federal law.

10 **“SEC. 1433. SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL**
11 **ASSISTANCE.**

12 “(a) EDUCATIONAL ASSISTANCE.—The Secretary of
13 State shall, in accordance with the guidance issued under
14 section 413(c), provide educational assistance to a bene-
15 ficiary of any member of the Diplomatic Reserve Corps
16 who dies while on active service under subchapter VI
17 abroad because of an act of terrorism to meet, in whole
18 or in part, the expenses incurred by the beneficiary in pur-
19 suing a program of education at an educational institu-
20 tion, including subsistence, tuition, fees, supplies, books,
21 equipment, and other educational costs.

22 “(b) AMOUNT OF ASSISTANCE.—The amount and ag-
23 gregate period of educational assistance provided to a ben-
24 eficiary under this section shall be governed by the provi-
25 sions of section 416(b).

1 “(c) DEFINITIONS.—In this section:

2 “(1) The term ‘act of terrorism’ has the mean-
3 ing given that term in section 1432(a)(2).

4 “(2) The terms ‘program of education’ and
5 ‘educational institution’ have the meanings given
6 such terms in section 3501 of title 38, United States
7 Code.

8 **“SEC. 1434. TRAVEL AND RELATED EXPENSES.**

9 “(a) IN GENERAL.—The Secretary of State may
10 carry out a program for payment of travel and related ex-
11 penses of members of the Diplomatic Reserve Corps on
12 active service and their families.

13 “(b) COSTS AND EXPENSES.—

14 “(1) IN GENERAL.—The expenses payable
15 under the program authorized by subsection (a) may
16 include such costs and expenses specified in para-
17 graphs (1) through (15) of section 901 as the Sec-
18 retary considers appropriate for members of the
19 Diplomatic Reserve Corps and their families

20 “(2) CONFORMITY TO EXPENSES FOR MEMBERS
21 OF FOREIGN SERVICE.—In carrying out the pro-
22 gram, the Secretary shall ensure, to the extent prac-
23 ticable, that the expenses payable for members of
24 the Corps and their families under the program are
25 similar to expenses payable for similarly situated

1 members of the Foreign Service and families under
2 section 901.

3 “(c) LOAN OF HOUSEHOLD EFFECTS.—The Sec-
4 retary may provide members of the Diplomatic Reserve
5 Corps with household furnishing and equipment for the
6 same purpose, and on the same basis, as the Secretary
7 provides such furnishing and equipment to similarly situ-
8 ated members of the Foreign Service under section 902.

9 **“SEC. 1435. REPRESENTATION EXPENSES.**

10 “In providing for official receptions and payment of
11 entertainment and representational expenses under sec-
12 tion 905, the Secretary of State may provide for such re-
13 ceptions, and payment of such expenses, for members of
14 the Diplomatic Reserve Corps and their families for the
15 same purpose, and subject to the same requirements, as
16 are specified in that section.”.

17 (b) INELIGIBILITY OF DIPLOMATIC RESERVE CORPS
18 MEMBERS FOR OVERTIME PAY.—Section 5541(2) of title
19 5, United States Code, is amended in the flush matter fol-
20 lowing subparagraph (C)—

21 (1) by redesignating clauses (xvi) and (xvii) as
22 clauses (xvii) and (xviii), respectively; and

23 (2) by inserting after clause (xv) the following
24 new clause (xvi):

1 “(xvi) A member of the Diplomatic
2 Reserve Corps (including a member of the
3 Senior Diplomatic Reserve, the Senior Dip-
4 lomatic Retiree Reserve, the Diplomatic
5 Reserve, and the Diplomatic Retiree Re-
6 serve);”.

7 **SEC. 5. PROMOTION.**

8 Chapter 14 of title I of the Foreign Service Act of
9 1980 (22 U.S.C. 3901 et seq.), as amended by section 4(a)
10 of this Act, is further amended by adding at the end the
11 following:

12 **“Subchapter IV—PROMOTION**

13 **“SEC. 1441. PROMOTION.**

14 “(a) IN GENERAL.—

15 “(1) MEMBERS OF SENIOR DIPLOMATIC RE-
16 SERVE.—Members of the Senior Diplomatic Reserve
17 are promoted by appointment under section 1413(a)
18 in the Senior Diplomatic Reserve to the higher sal-
19 ary class in the Senior Diplomatic Reserve and Sen-
20 ior Diplomatic Retiree Reserve.

21 “(2) MEMBERS OF SENIOR DIPLOMATIC RE-
22 TIREE RESERVE.—Members of the Senior Diplo-
23 matic Retiree Reserve are promoted by appointment
24 under section 1413(b)(1) in the Senior Diplomatic
25 Retiree Reserve to the higher salary class in the

1 Senior Diplomatic and Senior Diplomatic Retiree
2 Reserve.

3 “(3) MEMBERS OF DIPLOMATIC RESERVE AND
4 DIPLOMATIC RETIREE RESERVE.—Members of the
5 Diplomatic Reserve and members of the Diplomatic
6 Retiree Reserve are promoted—

7 “(1) in the case of members of the Diplomatic
8 Reserve, into the Senior Diplomatic Reserve, by ap-
9 pointment under section 1413(a), subject to the pro-
10 visions of subsection (c);

11 “(2) in the case of members of the Diplomatic
12 Retiree Reserve, into the Senior Diplomatic Retiree
13 Reserve by appointment under section 1413(b)(1),
14 subject to the provisions of subsection (c); or

15 “(3) in the case of other members, by appoint-
16 ment to a higher salary class in the Diplomatic Re-
17 serve Schedule under section 1413(c) or 1413(d), as
18 applicable to the member concerned.

19 “(b) BASIS FOR PROMOTIONS.—

20 “(1) RECOMMENDATIONS AND RANKINGS OF
21 SELECTION BOARDS.—Promotions of members of the
22 Diplomatic Reserve Corps shall be based upon the
23 rankings and recommendations of selection boards
24 provided for in section 1442.

1 “(2) SATISFACTORY PERFORMANCE.—Notwith-
2 standing paragraph (1), the Secretary of State may
3 by regulation specify categories of members of the
4 Corps and other members of the Corps who may re-
5 ceive promotions on the basis of satisfactory per-
6 formance.

7 “(c) PROMOTION OF MEMBERS OF DIPLOMATIC RE-
8 SERVE INTO SENIOR DIPLOMATIC RESERVE AND MEM-
9 BERS OF DIPLOMATIC RETIREE RESERVE INTO SENIOR
10 DIPLOMATIC RETIREE RESERVE.—

11 “(1) IN GENERAL.—Promotions of members of
12 the Diplomatic Reserve into the Senior Diplomatic
13 Reserve, and of members of the Diplomatic Retiree
14 Reserve into the Senior Diplomatic Retiree Reserve,
15 shall be made in accordance with the provisions of
16 section 601(c), except that the requirements of para-
17 graph (6) of that section shall not apply.

18 “(2) ADMINISTRATION.—In the administration
19 of section 601(c) for purposes of this subsection—

20 “(A) any reference to the Foreign Service
21 shall be deemed to be a reference to the Diplo-
22 matic Reserve Corps;

23 “(B) any reference to the Senior Foreign
24 Service shall be deemed to be a reference to the

1 Senior Diplomatic Reserve or the Senior Diplo-
2 matic Retiree Reserve, as applicable; and

3 “(C) any reference to a career member of
4 the Foreign Service assigned to class 1 in the
5 Foreign Service Schedule shall be deemed to be
6 a reference to a member of the Diplomatic Re-
7 serve or a member of the Diplomatic Retiree
8 Reserve, as applicable, assigned to class 1 in
9 the Diplomatic Reserve Schedule.

10 **“SEC. 1442. SELECTION BOARDS.**

11 “(a) IN GENERAL.—The Secretary of State shall use
12 selection boards for purposes with respect to members of
13 the Diplomatic Reserve Corps set forth in subsection (c).

14 “(b) ESTABLISHMENT OF BOARDS OR USE OF EX-
15 ISTING BOARDS.—

16 “(1) IN GENERAL.—Selection boards used by
17 the Secretary under this section may, at the election
18 of the Secretary, be—

19 “(A) boards established by the Secretary
20 pursuant to this section; or

21 “(B) boards established by the Secretary
22 pursuant to section 602 for the purposes set
23 forth in subsection (a) of that section with re-
24 spect to members of the Foreign Service.

1 “(2) REQUIREMENTS FOR ESTABLISHMENT OF
2 BOARDS.—In establishing selection boards using the
3 authority in paragraph (1)(A), the Secretary shall
4 comply with the requirements and limitations set
5 forth in subsections (b) and (c) of section 602.

6 “(c) PURPOSES.—

7 “(1) IN GENERAL.—The purposes of selection
8 boards under this section shall be to evaluate the
9 performance of members of the Diplomatic Reserve
10 Corps, to rank the members of each salary class of
11 the Corps on relative performance, and to make rec-
12 ommendations in connection with each of the fol-
13 lowing:

14 “(A) Promotions in accordance with sec-
15 tion 1441.

16 “(B) Awards of performance pay under
17 section 1425.

18 “(C) Denials of within-class step increases
19 under section 1426(c).

20 “(D) Grants of limited extensions of ap-
21 pointment to members whose maximum time in
22 class expires under section 1447(a)(3).

23 “(E) Such other actions as the Secretary
24 may prescribe by regulation, which actions
25 shall, to the extent practicable, be consistent

1 with the actions, if any, prescribed by the Sec-
2 retary under section 602(a).

3 “(2) PRECEPTS.—Selection boards shall act
4 pursuant to this subsection with respect to members
5 of the Corps in accordance with precepts prescribed
6 by the Secretary. Such precepts shall, to the extent
7 practicable, conform to precepts for selection boards
8 acting with respect to members of the Foreign Serv-
9 ice prescribed by the Secretary pursuant to chapter
10 6.

11 **“SEC. 1443. BASIS FOR SELECTION BOARD REVIEW AND**
12 **RECORDS.**

13 “(a) IN GENERAL.—The basis for selection board re-
14 view for purposes set forth in section 1442(c), and the
15 precepts used by selection boards in such review, with re-
16 spect to members of the Diplomatic Reserve Corps shall
17 be governed by the provisions of section 603.

18 “(b) ACCOUNTING FOR GRATUITOUS SERVICE.—In
19 undertaking a review for purposes set forth in section
20 1442(c), a selection board may afford such credit for gra-
21 tuitous service (including the nature and length of such
22 service) by a member of the Diplomatic Reserve Corps
23 under section 1454 during the review period as the Sec-
24 retary of State shall prescribe in regulations.

1 “(c) ADMINISTRATION.—In the administration of
2 subsection (a) with respect to members of the Diplomatic
3 Reserve Corps—

4 “(1) any reference in section 603 to the For-
5 eign Service shall be deemed to be a reference to the
6 Diplomatic Reserve Corps; and

7 “(2) any reference in such section to the Senior
8 Foreign Service shall be deemed a reference to the
9 Senior Diplomatic Reserve or the Senior Diplomatic
10 Retiree Reserve, as applicable.

11 “(d) RECORDS.—

12 “(1) IN GENERAL.—The provisions of section
13 604(a) apply to records in connection with selection
14 board reviews with respect to members of the Diplo-
15 matic Reserve Corps under this section in the same
16 manner, and subject to the same conditions and lim-
17 itations, as such provisions apply to records in con-
18 nection with selection board reviews of members of
19 the Foreign Service under chapter 6.

20 “(2) RECORDS OF DISCIPLINARY ACTIONS.—In
21 accordance with section 604(b), any record of dis-
22 ciplinary action that includes a suspension of more
23 than five days taken against a member of the Corps
24 shall remain a part of the personnel records of the
25 member until the member is next promoted.

1 **“SEC. 1444. IMPLEMENTATION OF SELECTION BOARD REC-**
2 **COMMENDATIONS ON PROMOTION.**

3 “(a) SUBMITTAL TO SECRETARY OF STATE.—Rec-
4 ommendations for promotion made by selection boards
5 under this chapter shall be submitted to the Secretary of
6 State in rank order by specialization within a salary class.

7 “(b) USE OF RANKINGS.—Except as provided in sub-
8 section (c), the Secretary shall make appointments and,
9 with respect to appointments into or within the Senior
10 Diplomatic Reserve or the Senior Diplomatic Retiree Re-
11 serve shall make recommendations to the President for
12 promotions, in accordance with the ranking of selection
13 boards submitted pursuant to subsection (a).

14 “(c) EXCEPTIONS AUTHORIZED.—

15 “(1) IN GENERAL.—In special circumstances
16 set forth in regulations, the Secretary may remove
17 the name of an individual from a rank order list
18 submitted by a selection board under subsection (a)
19 or delay the promotion of an individual named in
20 such a list.

21 “(2) CONFORMITY TO REGULATIONS APPLICA-
22 BLE TO FOREIGN SERVICE.—The regulations re-
23 ferred to in paragraph (1) shall, to the extent prac-
24 ticable, conform to the regulations applicable to the
25 Foreign Service under section 605(b).

1 **“SEC. 1445. OTHER BASES FOR INCREASING PAY.**

2 “The Secretary of State may pursuant to the rec-
3 ommendation of an equal employment opportunity appeals
4 examiner or the Special Counsel of the Merit Systems Pro-
5 tection Board, and shall pursuant to a decision or order
6 of the Merit Systems Protection Board—

7 “(1) recommend to the President a promotion
8 of a member of the Diplomatic Reserve Corps under
9 subsection (a) or (b)(1) of section 1413;

10 “(2) promote a member of the Corps under
11 subsection (b)(2), (c), or (d) of section 1413;

12 “(3) grant performance pay to a member of the
13 Senior Diplomatic Reserve or the Senior Diplomatic
14 Retiree Reserve under section 1425; or

15 “(4) grant a within-class salary increase under
16 section 1426 to a member of the Corps who is as-
17 signed to a salary class in the Diplomatic Reserve
18 Schedule.

19 **“SEC. 1446. AUTHORITY TO MAKE CERTAIN ACTIONS RET-**
20 **ROACTIVE.**

21 “(a) **AUTHORITY.**—In cases in which the Secretary
22 of State has exercised the authority in section 1444(c),
23 and in implementing section 1445, the Secretary may, in
24 special circumstances set forth in regulations, recommend
25 retroactive promotions by the President, make retroactive

1 promotions, grant performance pay, and make retroactive
2 within-class salary step increases.

3 “(b) CONFORMITY TO REGULATIONS APPLICABLE TO
4 FOREIGN SERVICE.—The regulations referred to in sub-
5 section (a) shall, to the extent practicable, conform to the
6 regulations applicable to the Foreign Service under section
7 606(b).”.

8 **SEC. 6. SERVICE OBLIGATIONS, SERVICE FOR TRAINING,**
9 **AND OTHER SERVICE AUTHORITIES.**

10 (a) IN GENERAL.—Chapter 14 of title I of the For-
11 eign Service Act of 1980 (22 U.S.C. 3901 et seq.), as
12 amended by section 5 of this Act, is further amended by
13 adding at the end the following:

14 **“Subchapter V—SERVICE OBLIGATIONS,**
15 **SERVICE FOR TRAINING, AND OTHER**
16 **SERVICE**

17 **“SEC. 1451. GENERAL ANNUAL SERVICE OBLIGATIONS.**

18 “(a) IN GENERAL.—Except as specifically provided
19 in regulations prescribed by the Secretary of State and
20 subject to subsections (b), (c), and (d), each member of
21 the Diplomatic Reserve Corps shall be required each year
22 to—

23 “(1) perform active service for training under
24 this subchapter consisting of—

1 “(A) not fewer than 24 days of scheduled
2 training, with such training performed—

3 “(i) during 12 appropriate 2-days pe-
4 riods, one such period each calendar
5 month; and

6 “(ii) if required by the Secretary, at
7 such other times, and for such durations,
8 as the Secretary considers appropriate; and

9 “(B) not fewer than 14 days of scheduled
10 training and orientation, with such training and
11 orientation performed—

12 “(i) during a single, continuous 14-
13 day period; and

14 “(ii) if required by the Secretary, at
15 such other times, and for such durations,
16 as the Secretary considers appropriate; and

17 “(2) perform active service under subchapter VI
18 for not more than 30 days at such times, and for
19 such durations, as the Secretary considers appro-
20 priate.

21 “(b) EXCEPTION FOR MEMBERS PERFORMING LONG-
22 DURATION ACTIVE SERVICE.—A member of the Diplo-
23 matic Reserve Corps who performs a continuous period
24 of active service (not including any active service for train-
25 ing under subsection (a)(1) of more than 365 days) may

1 not be required to perform active service or active service
2 for training under subsection (a) during the 365-day pe-
3 riod beginning on the day after the last day of such period
4 of active service.

5 “(c) INAPPLICABILITY OF TRAINING REQUIREMENT
6 TO SENIOR DIPLOMATIC RETIREE RESERVE AND DIPLO-
7 MATIC RETIREE RESERVE.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2), a member of the Senior Diplomatic Re-
10 tiree Reserve or the Diplomatic Retiree Reserve may
11 not be required to perform active service for training
12 under subsection (a)(1).

13 “(2) CERTAIN TRAINING REQUIRABLE.—The
14 Secretary may require a member referred to in para-
15 graph (1) to perform active service for training
16 under subsection (a)(1) if the Secretary considers
17 the training to be provided during such service to be
18 necessary to sustain, enhance or improve, or supple-
19 ment the member’s skills or experience for optimal
20 performance in the Diplomatic Reserve Corps.

21 “(d) EXCLUSION OF TRAVEL TIME IN SATISFACTION
22 OF PERIOD OF TRAINING.—In determining the satisfac-
23 tion by a member of the Diplomatic Reserve Corps of a
24 required duration of training under subsection (a)(1), any

1 period of travel of the member to and from such training
2 shall not be taken into account.

3 **“SEC. 1452. INACTIVE STATUS.**

4 “(a) INACTIVE STATUS.—When an authority des-
5 igned by the Secretary of State considers it in the best
6 interest of the Department of State, a member of the Dip-
7 lomatic Reserve Corps who cannot perform active service
8 under subchapter VI or active service for training under
9 this subchapter, may, if otherwise qualified, be transferred
10 to inactive status in the Corps.

11 “(b) REGULATIONS.—

12 “(1) IN GENERAL.—This section shall be ad-
13 ministered under regulations prescribed by the Sec-
14 retary.

15 “(2) CONDITIONS FOR RETURN TO ACTIVE STA-
16 TUS.—The regulations under paragraph (1) shall
17 specify the conditions, if any, under which a member
18 of the Diplomatic Reserve Corps in inactive status is
19 entitled to be returned to active status in the Corps.

20 “(c) NATURE OF INACTIVE STATUS.—While in inac-
21 tive status under this section, a member of the Diplomatic
22 Reserve Corps is not eligible for compensation and other
23 benefits under subchapter III or promotion under sub-
24 chapter IV and does not accrue credit toward retirement
25 under section 1483(b) for purposes of subchapter VIII.

1 “(d) TREATMENT FOR AUTHORIZED STRENGTH
2 PURPOSES.—While in inactive status under this section,
3 a member of the Diplomatic Reserve Corps does not count
4 against any authorized strength of the Corps, including
5 any limitation on the strength of the Senior Diplomatic
6 Reserve.

7 **“SEC. 1453. TRAINING AND ORIENTATION.**

8 “(a) SPECIFICATION OF TRAINING AND ORIENTA-
9 TION.—The Director of the National Foreign Affairs
10 Training Center shall, under the direction and subject to
11 the approval of the Secretary of State, develop the nature
12 and scope of the following in connection with active service
13 for training to be provided members of the Diplomatic Re-
14 serve Corps under this subchapter:

15 “(1) The training to be provided to members
16 for purposes of section 1451(a)(1)(A).

17 “(2) The training and orientation to be pro-
18 vided to members for purposes of section
19 1451(a)(1)(B).

20 “(b) SPECIFIC ELEMENTS.—The training and the
21 training and orientation developed pursuant to subsection
22 (a) for members of the Diplomatic Reserve Corps shall in-
23 clude the following:

24 “(1) Training for foreign language proficiency.

1 “(2) Training for career development, con-
2 sistent with the program required by section 703.

3 “(3) Training on human rights, religious free-
4 dom, and human trafficking, refugees, child soldiers,
5 and economic and commercial diplomacy, consistent
6 with the requirements of section 708.

7 “(4) Training on multilateral diplomacy, con-
8 sistent with the requirements of section 7111(c) of
9 the Intelligence Reform and Terrorism Prevention
10 Act of 2004 (22 U.S.C. 4029).

11 “(5) Training and training and orientation on
12 such other matters as the Secretary considers appro-
13 priate.

14 “(c) CONFORMITY WITH TRAINING AND ORIENTA-
15 TION PROVIDED THE FOREIGN SERVICE.—The training
16 and the training and orientation developed pursuant to
17 this section for members of the Diplomatic Reserve Corps
18 shall conform, to the extent practicable, to the training,
19 orientation, and career development provided to members
20 of the Foreign Service pursuant to chapter 7.

21 “(d) PROVISION OF TRAINING AND ORIENTATION.—
22 In providing training and training and orientation to
23 members of the Diplomatic Reserve Corps pursuant to this
24 section, the Secretary may use any of the authorities spec-
25 ified in section 704 to the same extent, and subject to the

1 same conditions and limitations, as the Secretary uses
2 such authorities in the exercise of functions under chapter
3 7.

4 **“SEC. 1454. GRATUITOUS SERVICE.**

5 “Notwithstanding section 1342 of title 31, United
6 States Code, the Secretary of State may accept the gratu-
7 itous service of a member of the Diplomatic Reserve Corps
8 with respect to the following:

9 “(1) Furtherance of organizing, administering,
10 recruiting, instructing, or training the Corps.

11 “(2) Consultation in matters relating to the De-
12 partment of State.”.

13 (b) **ROLE OF NATIONAL FOREIGN AFFAIRS TRAIN-**
14 **ING CENTER IN TRAINING AND ORIENTATION OF DIPLO-**
15 **MATIC RESERVE CORPS.**—Section 701(a) of the Foreign
16 Service Act of 1980 (22 U.S.C. 4021(a)) is amended—

17 (1) by inserting “and the Diplomatic Reserve
18 Corps” after “the Service” the first place it appears;
19 and

20 (2) by inserting “and members of the Corps”
21 after “the Service” the second place it appears.

22 **SEC. 7. ACTIVE SERVICE.**

23 Chapter 14 of title I of the Foreign Service Act of
24 1980 (22 U.S.C. 3901 et seq.), as amended by section 6

1 of this Act, is further amended by adding at the end the
2 following:

3 **“Subchapter VI—ACTIVE SERVICE**

4 **“SEC. 1461. GENERAL AUTHORITY FOR CALL TO ACTIVE**
5 **SERVICE.**

6 “(a) NATIONAL EMERGENCY DECLARED BY CON-
7 GRESS.—In time of national emergency declared by Con-
8 gress, or when otherwise authorized by law, an authority
9 designated by the Secretary of State may, without the con-
10 sent of the member, call any member of the Diplomatic
11 Reserve Corps to active service for the duration of the
12 emergency and for six months thereafter.

13 “(b) NATIONAL EMERGENCY DECLARED BY PRESI-
14 DENT.—

15 “(1) IN GENERAL.—In time of national emer-
16 gency declared by the President, or when otherwise
17 authorized by law, the Secretary may, without the
18 consent of the member, call any member of the Dip-
19 lomatic Reserve Corps to active duty for not more
20 than 12 consecutive months.

21 “(2) FAIR TREATMENT IN RECALL.—To achieve
22 fair treatment between members of the Corps who
23 are being considered for recall to duty without their
24 consent under this subsection, consideration shall be
25 given to—

1 “(A) the length and nature of prior service
2 in the Corps, with greater weight afforded to
3 service abroad than to service in the United
4 States, to assure such sharing of exposure to
5 hazards as the national security will reasonably
6 allow;

7 “(B) family responsibilities; and

8 “(C) employment necessary to maintain
9 the national health, safety, or interest.

10 “(3) LIMITATION ON AGGREGATE NUMBER ON
11 ACTIVE SERVICE.—The number of members of the
12 Corps on active service under this subsection at any
13 one time during a fiscal year may not exceed the
14 number equal to 75 percent of the authorized
15 strength of the Corps as of the end of the fiscal
16 year.

17 “(4) NOTIFICATION.—The Secretary shall no-
18 tify Congress prior to calling members of the Diplo-
19 matic Reserve Corps to active duty pursuant to this
20 subsection.

21 “(5) JOINT RESOLUTION OF DISAPPROVAL.—If
22 any member of the Diplomatic Reserve Corps is
23 called to active duty pursuant to this subsection and
24 remains on active duty for any period of time that
25 exceeds the time limitation described in paragraph

1 (1), such active duty status may be terminated pur-
2 suant to the enactment of a joint resolution of dis-
3 approval.

4 “(c) LIMITED DURATION SERVICE.—At any time, the
5 Secretary may, without the consent of the member, call
6 any member of the Diplomatic Reserve Corps to active
7 service for not more than 15 days a year.

8 “(d) FAILURE TO PERFORM OBLIGATED SERVICE.—

9 “(1) IN GENERAL.—When the Secretary deter-
10 mines, in accordance with regulations prescribed by
11 the Secretary, that a member of the Diplomatic Re-
12 serve Corps has failed to participate in active service
13 required by this subchapter or active service for
14 training required by subchapter V, or has failed to
15 perform satisfactorily the duties of any such service,
16 the Secretary may, without the consent of the mem-
17 ber, call the member to active service for the per-
18 formance of active service or active service for train-
19 ing, as the case may be, for not more than 45 days.

20 “(2) SINGLE CALL PER YEAR.—A member of
21 the Corps may be called to active service under this
22 subsection only once each calendar year.

23 “(e) ACTIVE SERVICE WITH MEMBER CONSENT.—

24 At any time, the Secretary may call a member of the Dip-

1 lomatic Reserve Corps to active service, or retain the mem-
2 ber on active service, with the consent of the member.

3 **“SEC. 1462. ACTIVE SERVICE TO AUGMENT UNITED STATES**
4 **DIPLOMATIC ACTIVITIES.**

5 “(a) IN GENERAL.—When the President determines
6 it necessary to augment the diplomatic efforts of the
7 United States, the President may authorize the Secretary
8 of State, without the consent of the member, to call any
9 member of the Diplomatic Reserve Corps to active service
10 for not more than 365 consecutive days.

11 “(b) SCOPE OF AUTHORITY.—The authority in sub-
12 section (a) includes authority to call a member of the Dip-
13 lomatic Reserve Corps to active service to provide assist-
14 ance in responding to an emergency involving any of the
15 following:

16 “(1) Attack on a diplomatic or consular facility
17 of the United States.

18 “(2) Terrorist attack or threat of terrorist at-
19 tack against United States interests or citizens
20 abroad that results, or could result, in significant
21 loss of life or property.

22 “(3) Natural or man-made disaster abroad.

23 “(4) Attack or threat of attack on any nation
24 with which the United States has friendly relations.

1 “(c) LIMITATION ON AGGREGATE NUMBER ON AC-
2 TIVE SERVICE.—The number of members of the Diplo-
3 matic Reserve Corps on active service under this section
4 at any one time during a fiscal year may not exceed the
5 number equal to 25 percent of the authorized strength of
6 the Corps as of the end of the fiscal year.

7 “(d) CONSIDERATIONS FOR INDIVIDUALS CALLABLE
8 TO ACTIVE SERVICE.—

9 “(1) IN GENERAL.—In determining which mem-
10 bers of the Diplomatic Reserve Corps will be called
11 to active service without their consent under this
12 section, appropriate consideration shall be given to—

13 “(A) the length and nature of prior service
14 in the Corps, with greater weight afforded to
15 service abroad than to service in the United
16 States, to assure such sharing of exposure to
17 hazards as the national security will reasonably
18 allow;

19 “(B) the frequency of calls to active service
20 for assignment abroad during career service in
21 the Corps;

22 “(C) family responsibilities; and

23 “(D) employment necessary to maintain
24 the national health, safety, or interest.

1 “(2) ADMINISTRATION.—The Secretary shall
2 prescribe such policies and procedures as the Sec-
3 retary considers necessary to carry out this sub-
4 section.

5 “(e) NOTIFICATION OF CONGRESS.—When the Presi-
6 dent authorizes the Secretary to call any member of the
7 Diplomatic Reserve Corps to active service under the au-
8 thority in subsection (a), the President shall, within 24
9 hours after exercising such authority, submit to Congress
10 a report, in writing, setting forth the circumstances neces-
11 sitating the action taken under this section and describing
12 the anticipated use of the members of the Corps called
13 to active service.

14 “(f) TERMINATION OF SERVICE.—When members of
15 the Diplomatic Reserve Corps are called to active service
16 under authority in subsection (a), the service of such
17 members on active service may terminated by—

18 “(1) order of the President;

19 “(2) order of the Secretary; or

20 “(3) law.

21 **“SEC. 1463. ACTIVE SERVICE FOR PREPLANNED MISSIONS**
22 **IN SUPPORT OF DEPARTMENT OF STATE BU-**
23 **REAUS AND EMBASSIES.**

24 “(a) IN GENERAL.—When the Secretary of State de-
25 termines it necessary to augment the regular personnel of

1 the Department of State for a preplanned activity in sup-
2 port of a bureau of the Department or an embassy of the
3 United States, the Secretary may, subject to subsection
4 (b), call any member of the Diplomatic Reserve Corps,
5 without the consent of the member, to active service for
6 not more than 365 days.

7 “(b) LIMITATION.—Members of the Diplomatic Re-
8 serve Corps may be called to active service under this sec-
9 tion only if—

10 “(1) the activity and costs of such service are
11 specifically included in the Congressional Budget
12 Justification document, or in a Congressional Notifi-
13 cation of Reprogramming, for the fiscal year or
14 years in which such members are anticipated to be
15 called to active service; and

16 “(2) the budget information on such costs in-
17 cludes a description of the mission for which such
18 members are anticipated to be called to active serv-
19 ice and the anticipated length of time of such mem-
20 bers to be on active service on an involuntary basis.

21 “(c) LIMITATION ON AGGREGATE NUMBER ON AC-
22 TIVE SERVICE.—The number of members of the Diplo-
23 matic Reserve Corps on active service under this section
24 at any one time during a fiscal year may not exceed the

1 number equal to 25 percent of the authorized strength of
2 the Corps as of the end of the fiscal year.

3 “(d) CONSIDERATION FOR INDIVIDUALS CALLABLE
4 TO ACTIVE SERVICE.—

5 “(1) IN GENERAL.—In determining which mem-
6 bers of the Diplomatic Reserve Corps will be called
7 to active service without their consent under this
8 section, appropriate consideration shall be given to—

9 “(A) the length and nature of prior service
10 in the Corps, with greater weight afforded to
11 service abroad than to service in the United
12 States, to assure such sharing of exposure to
13 hazards as the national security will reasonably
14 allow;

15 “(B) the frequency of calls to active service
16 for assignment abroad during career service in
17 the Corps;

18 “(C) family responsibilities; and

19 “(D) employment necessary to maintain
20 the national health, safety, or interest.

21 “(2) ADMINISTRATION.—The Secretary shall
22 prescribe such policies and procedures as the Sec-
23 retary considers necessary to carry out this sub-
24 section.

1 “(e) NOTIFICATION OF CONGRESS.—When the Sec-
2 retary calls any member of the Diplomatic Reserve Corps
3 to active service under the authority in subsection (a), the
4 Secretary shall submit to Congress a report, in writing,
5 setting forth the circumstances necessitating the action
6 taken under this section and describing the anticipated use
7 of the members of the Corps called to active service.

8 “(f) TERMINATION OF SERVICE.—When members of
9 the Diplomatic Reserve Corps are called to active service
10 under authority in subsection (a), the service of such
11 members on active service may be terminated by—

12 “(1) order of the Secretary; or

13 “(2) law.

14 **“SEC. 1464. ACTIVE SERVICE FOR ORGANIZING, ADMIN-**
15 **ISTERING, ETC., THE DIPLOMATIC RESERVE**
16 **CORPS.**

17 “(a) IN GENERAL.—The Secretary of State may call
18 members of the Diplomatic Reserve Corps to active service
19 duty pursuant to section 1461(e) to perform service orga-
20 nizing, administering, recruiting, instructing, or training
21 the Corps.

22 “(b) DUTIES.—A member of the Diplomatic Reserve
23 Corps on active service under subsection (a) may perform
24 the following additional duties, to the extent that the per-
25 formance of such duties does not interfere with the per-

1 performance of the member's primary Corps duties described
2 in subsection (a):

3 “(1) Supporting operations or missions as-
4 signed in whole or in part to Corps members.

5 “(2) Supporting operations or missions per-
6 formed or to be performed by—

7 “(A) a task force composed of elements
8 from more than one bureau of the Department
9 of State; or

10 “(B) a task force that includes—

11 “(i) one or more other Departments
12 or Agencies; or

13 “(ii) one or more other nations or
14 international organizations.

15 “(3) Advising the Secretary, the Deputy Secre-
16 taries of State, the Under Secretaries of State, the
17 Assistant Secretaries of State, or the Chiefs of Mis-
18 sion regarding Corps matters.

19 “(4) Advising the Secretary of Defense, the
20 Secretaries of the military departments, the Joint
21 Chiefs of Staff, and the commanders of the combat-
22 ant commands regarding Corps matters.

23 **“SEC. 1465. ACTIVE SERVICE FOR HEALTH CARE.**

24 “The Secretary of State may call a member of the
25 Diplomatic Reserve Corps to active service, or retain a

1 member on active service, for a period of not more than
2 30 days while the member is being treated for, or is recov-
3 ering from, an injury, illness, or disease incurred or aggra-
4 vated in active service (whether in active service under this
5 subchapter or active service for training under subchapter
6 V) in line of duty.

7 **“SEC. 1466. ACTIVE SERVICE WITH OR WITHOUT PAY.**

8 “(a) IN GENERAL.—Subject to other provisions of
9 this chapter, a member of the Diplomatic Reserve Corps
10 may be ordered to active service under this subchapter or
11 other service (including inactive service for training) or
12 duty—

13 “(1) with the pay and allowances provided by
14 this chapter for members of the Corps; or

15 “(2) with the member’s consent, without pay.

16 “(b) TREATMENT SERVICE OR DUTY WITHOUT
17 PAY.—Service or duty without pay described in subsection
18 (a)(2) shall be considered for all purposes as if it were
19 service or duty with pay.

20 “(c) COMPENSATION FOR RETENTION ON ACTIVE
21 SERVICE AFTER EXPIRATION OF TERM OF SERVICE.—

22 A member of the Diplomatic Reserve Corps who is kept
23 on active service under this subchapter after the term of
24 service otherwise provided for by this subchapter expires
25 is entitled to pay and allowances while on that service, ex-

1 cept as they may be forfeited upon a determination of the
2 Director General of the Foreign Service and approved by
3 the Secretary of State.

4 **“SEC. 1467. ACTIVE SERVICE AGREEMENTS.**

5 “(a) ACTIVE SERVICE AGREEMENTS.—

6 “(1) IN GENERAL.—Subject to paragraph (2),
7 in order to provide definite terms of active service
8 under this subchapter for members of the Diplo-
9 matic Reserve Corps with their consent, the Sec-
10 retary of State may make a standard written agree-
11 ment with any member of the Corps requiring the
12 member to serve for a period of active service under
13 this subchapter of not more than four years. When
14 such an agreement expires, a new one may be made.

15 “(2) INAPPLICABILITY DURING WAR OR NA-
16 TIONAL EMERGENCY.—This subsection does not
17 apply in time of war or national emergency.

18 “(3) REQUIREMENT FOR COVERED TERM OF
19 SERVICE.—An agreement may not be made under
20 this subsection unless the specified period of service
21 is at least 2 months longer than any period of active
22 service that the member is otherwise required to per-
23 form.

24 “(4) UNIFORMITY OF AGREEMENTS.—Agree-
25 ments made under this subsection shall be uniform

1 so far as practicable, and are subject to such stand-
2 ards and policies as may be described by the Sec-
3 retary.

4 “(5) EFFECT OF EXPIRATION DURING WAR OR
5 NATIONAL EMERGENCY.—If an agreement made
6 under this subsection expires during a war or during
7 a national emergency declared by Congress or the
8 President, the member concerned may be kept on ac-
9 tive service, without the member’s consent, as other-
10 wise prescribed by law.

11 “(b) RELEASE FROM ACTIVE SERVICE WITHOUT
12 CONSENT.—Each agreement made under subsection (a)
13 shall provide that the member of the Diplomatic Reserve
14 Corps may not be released from active service without the
15 member’s consent during the period of the agreement as
16 follows:

17 “(1) Because of a reduction in the authorized
18 strength of the Corps, unless the release is in ac-
19 cordance with regulations prescribed by the Sec-
20 retary to determine the members to be released.

21 “(2) For any other reason, without an oppor-
22 tunity to appeal the decision to the Director General
23 of the Foreign Service, unless the member is—

24 “(A) dismissed or discharged following the
25 loss of the member’s security clearance;

1 “(B) released because of an unexplained
2 absence without leave for at least three months;

3 “(C) released following a conviction and
4 sentencing to confinement in a Federal or State
5 penitentiary or correctional institution and the
6 sentence has become final; or

7 “(D) released because the member has
8 been low-ranked twice by a selection board pro-
9 vided for by section 1442.

10 “(c) COMPENSATION FOR UNAUTHORIZED RELEASE
11 WITHOUT CONSENT.—

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (2), a member of the Diplomatic Reserve
14 Corps who is released from active service without
15 consent before the end of an agreement made under
16 subsection (a) is entitled to an amount computed by
17 multiplying the number of months of unexpired serv-
18 ice under the agreement by the sum of one month
19 basic pay, special pay, and allowances to which the
20 member is entitled on the day of release.

21 “(2) EXCLUDED MEMBERS.—This subsection
22 does not apply to a member of the Corps if the
23 member is—

24 “(A) released for a reason specified in sub-
25 paragraph (A) through (D) of paragraph (1);

1 “(B) released because of a physical dis-
2 ability resulting from the member’s own inten-
3 tional misconduct or willful neglect;

4 “(C) eligible for retirement under another
5 provision of law; or

6 “(D) released to accept an appointment in
7 the Foreign Service or civil service in the De-
8 partment of State.

9 “(3) CALCULATION OF MONTHS.—For purposes
10 of this subsection, a fraction of a month of 15 days
11 or more is counted as a whole month, and a fraction
12 of a month of fewer than 15 days is disregarded.

13 “(4) TREATMENT OF PAYMENT.—The amount
14 to which a member of the Corps is entitled under
15 this subsection is in addition to any pay and allow-
16 ances to which the member is otherwise entitled.

17 **“SEC. 1468. OTHER PERSONNEL MANAGEMENT MATTERS.**

18 “(a) USE OF CORPS PERSONNEL IN TEMPORARY EX-
19 PANSION OF DEPARTMENT OF STATE PERSONNEL.—
20 When a temporary expansion of the personnel of the De-
21 partment of State requires that members of the Diplo-
22 matic Reserve Corps be called to active service under this
23 subchapter without their consent, the services of qualified
24 and available members in all classes shall be used, so far

1 as practicable, according to the national security needs of
2 the Department.

3 “(b) CLASS OF ACTIVE SERVICE.—A member of the
4 Diplomatic Reserve Corps called to active service under
5 this subchapter shall be called to active service in the sal-
6 ary class, and the salary step (if applicable), to which as-
7 signed pursuant to subchapter III at the time of the call
8 to active service.

9 “(c) TYPES OF ASSIGNMENTS.—A member of the
10 Diplomatic Reserve Corps who is on active service under
11 this subchapter may, under regulations prescribed by the
12 Secretary of State, be assigned to any duty authorized by
13 law for Foreign Service personnel and other employees of
14 the Department.

15 **“SEC. 1469. RELEASE FROM ACTIVE SERVICE.**

16 “The Secretary of State may release a member of the
17 Diplomatic Reserve Corps on active service under this sub-
18 chapter from such active service at any time.

19 **“SEC. 1470. SUSPENSION BY PRESIDENT OF CERTAIN LAWS
20 AND REGULATIONS ON PROMOTION, RETIRE-
21 MENT, AND SEPARATION.**

22 “(a) IN GENERAL.—During any period members of
23 the Diplomatic Reserve Corps are serving on active service
24 pursuant to a call to active service under section 1461,
25 1462, or 1463, the President may suspend any provision

1 of law and regulations relating to promotion, retirement,
2 or separation applicable to any member of the Corps who
3 the President determines is essential to the national secu-
4 rity of the United States.

5 “(b) TERMINATION OF SUSPENSION.—A suspension
6 made under the authority in subsection (a) shall terminate
7 upon the earlier of—

8 “(1) release from active service of the members
9 of the Diplomatic Reserve Corps covered by such
10 suspension; or

11 “(2) such time as the President determines the
12 circumstances which required the suspension, or the
13 call of such members to active service no longer
14 exist.

15 “(c) EXTENSION OF REQUIRED RETIREMENT OR
16 SEPARATION.—Upon the termination of a suspension
17 made under the authority in subsection (a) of a provision
18 of law otherwise requiring the retirement or separation of
19 members from the Diplomatic Reserve Corps for age or
20 length of service, the Secretary of State shall extend by
21 up to 90 days the otherwise required date of retirement
22 or separation of any member whose retirement or separa-
23 tion, but for the suspension, would have been before the
24 date of termination of the suspension or within 90 days
25 after the date of termination of the suspension.

1 **“SEC. 1470A. LIMITATION ON ACTIVE SERVICE IN THE**
2 **UNITED STATES.**

3 “Notwithstanding any other provision of this sub-
4 chapter, no member of the Diplomatic Reserve Corps may
5 be called to active service in the United States for pur-
6 poses of filling a vacant position of a civil service or For-
7 eign Service employee within the Department for more
8 than 180 days.”.

9 **SEC. 8. RETIREMENT, TERMINATION OF APPOINTMENT,**
10 **DISABILITY, AND RELATED MATERS.**

11 Chapter 14 of title I of the Foreign Service Act of
12 1980 (22 U.S.C. 3901 et seq.), as amended by section 7
13 of this Act, is further amended by adding at the end the
14 following:

15 **“Subchapter VII—RETIREMENT, TERMI-**
16 **NATION OF APPOINTMENT, AND DIS-**
17 **ABILITY**

18 **“SEC. 1471. VOLUNTARY RETIREMENT.**

19 “(a) IN GENERAL.—A member of the Diplomatic Re-
20 serve Corps who is at least 60 years of age and has at
21 least 20 years of service in the Corps creditable toward
22 retirement under section 1483(b) may, on the member’s
23 application and with the consent of the Secretary of State,
24 be retired from the Corps.

1 “(b) IMMEDIATE ANNUITY.—A member of the Diplo-
2 matic Reserve Corps retired under subsection (a) shall be
3 entitled to an immediate annuity under subchapter VIII.

4 **“SEC. 1472. MANDATORY RETIREMENT FOR AGE.**

5 “(a) IN GENERAL.—Except as provided in subsection
6 (b), each member of the Diplomatic Reserve Corps shall
7 be retired from the Corps at the end of the month in which
8 the member reaches 65 years of age.

9 “(b) EXCEPTIONS.—

10 “(1) MEMBERS OF SDR AND SDRR.—A member
11 of the Senior Diplomatic Reserve or the Senior Dip-
12 lomatic Retiree Reserve who is otherwise required to
13 retire under subsection (a) during the term of an ap-
14 pointment to the Senior Diplomatic Reserve or the
15 Senior Diplomatic Retiree Reserve, as the case may
16 be, may continue to serve in that appointment until
17 that appointment terminates.

18 “(2) RETENTION OF CORPS MEMBERS IN PUB-
19 LIC INTEREST.—When the Secretary of State deter-
20 mines it to be in the public interest, a member of
21 the Diplomatic Reserve Corps who is otherwise re-
22 quired to retire under subsection (a) may be re-
23 tained in the Corps for a period not to exceed one
24 year from the date on which the member would oth-
25 erwise be retired under that subsection. Any period

1 of retention under this paragraph may be renewed.
2 Any period or periods of retention of a member
3 under this paragraph shall be considered the aggregate
4 period of retention of the member under this
5 paragraph for purposes of paragraph (3).

6 “(3) RETIREMENT ON EXPIRATION OF EXCEP-
7 TION.—A member who completes a period of service
8 authorized by paragraph (1), or completes the aggregate
9 period of retention in the Corps authorized by
10 paragraph (2), shall be retired from the Corps at the
11 end of the month in which such authorized service
12 is completed or such aggregate period is completed,
13 as applicable.

14 “(c) BENEFITS.—

15 “(1) IMMEDIATE ANNUITY FOR MEMBERS WITH
16 5 YEARS CREDITABLE SERVICE.—A member of the
17 Diplomatic Reserve Corps who has at least 5 years
18 of service in the Corps creditable toward retirement
19 under section 1483(b) at the time of retirement
20 under this section is entitled to an immediate annu-
21 ity under subchapter VIII.

22 “(2) INVOLUNTARY SEPARATION BENEFITS FOR
23 OTHER MEMBERS.—A member of the Corps who is
24 not described by paragraph (1) at the time of retire-
25 ment under this section shall receive the benefits, if

1 any, for an involuntary separation under subchapter
2 II of chapter 8 of this title that are provided under
3 section 855(b)(3) to similarly situated members of
4 the Foreign Service who are involuntarily retired or
5 separated from the Service.

6 **“SEC. 1473. RETIREMENT OR TERMINATION OF APPOINT-**
7 **MENT FOR DISABILITY OR INCAPACITY.**

8 “(a) COVERED MEMBERS.—This section applies to
9 members of the Diplomatic Reserve Corps who become to-
10 tally disabled or incapacitated for useful and efficient serv-
11 ice in the Corps by reason of disease, injury, or illness
12 (not due to vicious habits, intemperance, or willful conduct
13 of the member concerned).

14 “(b) RETIREMENT.—A member of the Diplomatic
15 Reserve Corps covered by subsection (a) who has at least
16 5 years of service in the Corps creditable toward retire-
17 ment under section 1483(b) upon becoming totally dis-
18 abled or incapacitated as described in that subsection
19 shall, upon the member’s own application or upon order
20 of the Secretary of State, be retired from the Corps.

21 “(c) TERMINATION OF APPOINTMENT.—

22 “(1) MEMBERS WITH FEWER THAN 5 YEARS
23 CREDITABLE SERVICE.—A member of the Diplo-
24 matic Reserve Corps covered by subsection (a) who

1 is not retireable under subsection (b) shall have the
2 member's appointment in the Corps terminated.

3 “(2) MEMBERS WITH DISABILITY, ETC.,
4 CAUSED BY MEMBER MISCONDUCT.—A member of
5 the Corps whose disability or incapacity as described
6 in subsection (a) is by reason of a disability, illness,
7 or injury due to vicious habits, intemperance, or will-
8 ful conduct of the member shall have the member's
9 appointment in the Corps terminated.

10 “(d) BENEFITS.—

11 “(1) IMMEDIATE ANNUITY FOR MEMBERS WITH
12 5 YEARS CREDITABLE SERVICE.—

13 “(A) IN GENERAL.—A member of the Dip-
14 lomatic Reserve Corps who is retired under sub-
15 section (b) shall be entitled to an immediate an-
16 nuity under subchapter VIII.

17 “(B) COMPUTATION OF ANNUITY FOR
18 MEMBERS WITH FEWER THAN 20 YEARS CRED-
19 ITABLE SERVICE.—In the case of a member
20 covered by subparagraph (A) who has fewer
21 than 20 years of service in the Corps creditable
22 toward retirement under section 1483(b) at the
23 time of retirement, the annuity under that sub-
24 paragraph shall be computed on the assumption
25 that the member had 20 years of such service

1 at such time, except that the additional service
2 credit that may accrue to a member may not
3 exceed the difference between the member's age
4 at the time of retirement and 60 years of age.

5 “(2) INVOLUNTARY SEPARATION BENEFITS FOR
6 TERMINATION OF APPOINTMENT FOR FEWER THAN
7 5 YEARS CREDITABLE SERVICE.—A member of the
8 Corps whose appointment in the Corps is terminated
9 under subsection (c)(1) shall receive the benefits, if
10 any, for an involuntary separation under subchapter
11 II of chapter 8 of this title that are provided under
12 section 855(b)(3) to similarly situated members of
13 the Foreign Service who are involuntarily retired or
14 separated from the Service.

15 “(3) NO BENEFITS FOR TERMINATION OF AP-
16 POINTMENT FOR DISABILITY, ETC., CAUSED BY
17 MEMBER MISCONDUCT.—A member of the Corps
18 whose appointment in the Corps is terminated under
19 subsection (c)(2) is not entitled to benefits under
20 subchapter VIII in connection with the termination
21 or the service so terminated.

22 **“SEC. 1474. RETIREMENT FOR EXPIRATION OF MAXIMUM**
23 **TIME IN CLASS.**

24 “(a) MAXIMUM TIME IN CLASS LIMITATIONS.—

1 “(1) IN GENERAL.—The Secretary of State
2 shall, by regulations, establish maximum time in
3 class limitations for members of the Diplomatic Re-
4 serve Corps.

5 “(2) CONFORMITY TO REGULATIONS APPLICA-
6 BLE TO FOREIGN SERVICE.—The regulations pre-
7 scribed pursuant to paragraph (1) shall, to the ex-
8 tent practicable, conform to the regulations on max-
9 imum time in class limitations for members of the
10 Foreign Service under section 607(a).

11 “(b) OTHER APPLICABLE AUTHORITIES.—Para-
12 graphs (2) and (3) of section 607(a) shall apply to max-
13 imum time in class limitations established pursuant to
14 subsection (a).

15 “(c) LIMITED EXTENSION IN SERVICE AFTER EXPI-
16 RATION OF MAXIMUM TIME IN CLASS.—

17 “(1) IN GENERAL.—A member of the Diplo-
18 matic Reserve Corps described in paragraph (2) may
19 continue to serve under a limited extension of the
20 member’s appointment after the expiration of the
21 member’s maximum time in class limitation under
22 subsection (a).

23 “(2) COVERED MEMBERS.—A member of the
24 Corps described in this paragraph is a member

1 whose maximum time in class under subsection (a)
2 expires—

3 “(A) after the member attains the highest
4 salary class for the member’s occupational spe-
5 cialty; or

6 “(B) in the case of members of the Senior
7 Diplomatic Reserve or the Senior Diplomatic
8 Retiree Reserve, while they are in a salary class
9 designated by the Secretary for purposes of this
10 subsection.

11 “(3) GRANT OF EXTENSION.—An extension
12 may be granted by the Secretary under this sub-
13 section only if the Secretary determines that such
14 extension serves the needs of the Corps. In making
15 such determination, the Secretary shall take into ac-
16 count the recommendations of a selection board
17 under section 1442.

18 “(4) MAXIMUM TERM OF EXTENSION.—The
19 term of an extension under this subsection may not
20 exceed 3 years or the time remaining in the term of
21 the member’s current appointment at the time of ex-
22 piration of maximum time in class, as elected by the
23 Secretary at the time of expiration.

24 “(5) RENEWAL.—Any term of extension under
25 this subsection may be renewed. Any such renewal

1 shall be made in accordance with the requirements
2 for the granting of extensions under paragraph (3).

3 “(d) RETIREMENT.—

4 “(1) IN GENERAL.—Each member of the Corps
5 described in paragraph (2) shall be retired from the
6 Corps.

7 “(2) COVERED MEMBERS.—A member of the
8 Corps described in this paragraph is a member—

9 “(A) whose maximum time in class under
10 subsection (a) expires and who is not promoted
11 to a higher class or combination of classes, as
12 the case may be; or

13 “(B) whose limited extension under sub-
14 section (c) expires and is not renewed.

15 “(e) ADDITIONAL EXTENSION AUTHORITIES.—Not-
16 withstanding any other provision of this section, the provi-
17 sions of section 607(d) shall apply to members of the
18 Corps whose maximum time in class under subsection (a)
19 expires.

20 “(f) BENEFITS.—

21 “(1) IMMEDIATE ANNUITY FOR MEMBERS OVER
22 59 WITH 20 YEARS CREDITABLE SERVICE.—A mem-
23 ber of the Diplomatic Reserve Corps who has
24 reached 60 years of age and has at least 20 years
25 of service in the Corps creditable toward retirement

1 under section 1483(b) at the time of retirement
2 under this section shall be entitled to an immediate
3 annuity under subchapter VIII.

4 “(2) DEFERRED ANNUITY FOR MEMBERS
5 UNDER 60 WITH 20 YEARS CREDITABLE SERVICE.—

6 A member of the Corps who is under 60 years of age
7 and has at least 20 years of service in the Corps
8 creditable toward retirement under section 1483(b)
9 at the time of retirement under this section shall be
10 entitled to a deferred annuity under subchapter VIII
11 upon reaching 60 years of age.

12 “(3) INVOLUNTARY SEPARATION BENEFITS FOR
13 OTHER MEMBERS.—A member of the Corps not de-
14 scribed by paragraph (1) or (2) at the time of retire-
15 ment under this section shall receive the benefits, if
16 any, for an involuntary separation under subchapter
17 II of chapter 8 of this title that are provided under
18 section 855(b)(3) to similarly situated members of
19 the Foreign Service who are involuntarily retired or
20 separated from the Service.

21 “(g) ADMINISTRATION.—In the administration of
22 subsections (b) and (e)—

23 “(1) any reference to the Foreign Service shall
24 be deemed to be a reference to the Diplomatic Re-
25 serve Corps;

1 “(2) any reference to members of the Senior
2 Foreign Service shall be deemed to be a reference to
3 the Senior Diplomatic Reserve or the Senior Diplo-
4 matic Retiree Reserve, as applicable;

5 “(3) any reference to a member of the Foreign
6 Service shall be deemed to be a reference to a mem-
7 ber of the Diplomatic Reserve or the Diplomatic Re-
8 tiree Reserve, as applicable; and

9 “(4) any reference to a career member of the
10 Foreign Service shall be deemed to be a reference to
11 a member of the Corps.

12 **“SEC. 1475. RETIREMENT OR TERMINATION OF APPOINT-**
13 **MENT BASED ON RELATIVE PERFORMANCE.**

14 “(a) ADMINISTRATIVE REVIEW OF PERFORMANCE.—
15 When the review of a selection board under section 1442
16 indicates that the performance of a member of the Diplo-
17 matic Reserve Corps may not meet standards and quali-
18 fications of performance prescribed pursuant to section
19 1491 that are applicable to the member, the Secretary of
20 State shall provide for administrative review of the per-
21 formance of the member. The review shall include an op-
22 portunity for the member to be heard.

23 “(b) RETIREMENT OR TERMINATION OF APPOINT-
24 MENT.—If an administrative review conducted under sub-
25 section (a) substantiates that a member of the Diplomatic

1 Reserve Corps has failed to meet the standards and quali-
2 fications of performance applicable to the member, the
3 member shall—

4 “(1) in the case of a member who has at least
5 20 years of service in the Corps creditable toward
6 retirement under section 1483(b) at the time of such
7 substantiation, be retired from the Corps; or

8 “(2) in the case of any other member, have the
9 member’s appointment in the Corps terminated.

10 “(c) BENEFITS.—

11 “(1) IMMEDIATE ANNUITY FOR MEMBERS OVER
12 59 WITH 20 YEARS CREDITABLE SERVICE.—A mem-
13 ber of the Diplomatic Reserve Corps who has
14 reached 60 years of age at the time of retirement
15 under subsection (b)(1) shall be entitled to an imme-
16 diate annuity under subchapter VIII.

17 “(2) DEFERRED ANNUITY FOR MEMBERS
18 UNDER 60 WITH 20 YEARS CREDITABLE SERVICE.—
19 A member of the Corps who is under 60 years of age
20 at the time of retirement under subsection (b)(1)
21 shall be entitled to a deferred annuity under sub-
22 chapter VIII upon reaching 60 years of age.

23 “(3) INVOLUNTARY SEPARATION BENEFITS FOR
24 OTHER MEMBERS.—A member of the Corps whose
25 appointment in the Corps is terminated under sub-

1 section (b)(2) shall receive the benefits, if any, for
2 an involuntary separation under subchapter II of
3 chapter 8 of this title that are provided under sec-
4 tion 855(b)(3) to similarly situated members of the
5 Foreign Service who are involuntarily retired or sep-
6 arated from the Service.

7 **“SEC. 1476. SEPARATION FOR CAUSE.**

8 “(a) SEPARATION FOR CAUSE.—The Secretary of
9 State may decide to separate any member of the Diplo-
10 matic Reserve Corps for such cause as will promote the
11 efficiency of the Corps.

12 “(b) NOTICE AND OPPORTUNITY TO RESPOND.—A
13 member of the Diplomatic Reserve Corps for whom sepa-
14 ration is proposed under subsection (a) shall be entitled
15 to—

16 “(1) written notice stating the specific reasons
17 for the proposed separation;

18 “(2) a reasonable time to respond orally and in
19 writing to the proposed separation;

20 “(3) obtain at the member’s own expense rep-
21 resentation by an attorney or other representative;
22 and

23 “(4) a final written decision, including the spe-
24 cific reasons for such decision, as soon as prac-
25 ticable.

1 “(c) BENEFITS.—

2 “(1) INVOLUNTARY SEPARATION BENEFITS.—

3 Except as provided in paragraph (2), a member of
4 the Diplomatic Service Corps who is separated under
5 subsection (a) shall receive the benefits, if any, for
6 an involuntary separation under subchapter II of
7 chapter 8 of this title that are provided under sec-
8 tion 855(b)(3) to similarly situated members of the
9 Foreign Service who are involuntarily retired or sep-
10 arated from the Service.

11 “(2) NO BENEFITS FOR SEPARATION BASED ON

12 DISLOYALTY.—A member of the Corps whose sepa-
13 ration under subsection (a) is determined by the
14 Secretary to be based, in whole or in part, on the
15 ground of disloyalty to the United States is not enti-
16 tled to benefits under subchapter VIII in connection
17 with the separation or the service from which sepa-
18 rated.

19 **“SEC. 1477. SUSPENSION.**

20 “(a) SUSPENSION.—In order to promote the effi-
21 ciency of the Diplomatic Reserve Corps, the Secretary of
22 State may suspend a member of the Corps when—

23 “(1) the member’s security clearance is sus-
24 pended; or

1 “(2) there is reasonable cause to believe that
2 the member has committed a crime for which a sen-
3 tence of imprisonment may be imposed.

4 “(b) NOTICE AND OPPORTUNITY TO RESPOND.—A
5 member of the Diplomatic Reserve Corps for whom a sus-
6 pension is proposed under subsection (a), shall be entitled
7 to the matters specified in paragraphs (1) through (4) of
8 section 1476(b) in connection with notice and an oppor-
9 tunity to respond to the proposed suspension.”.

10 **SEC. 9. RETIREMENT AND DISABILITY RETIREMENT BENE-**
11 **FITS AND RELATED MATTERS.**

12 Chapter 14 of title I of the Foreign Service Act of
13 1980 (22 U.S.C. 3901 et seq.), as amended by section 8
14 of this Act, is further amended by adding at the end the
15 following:

16 **“Subchapter VIII—RETIREMENT AND**
17 **DISABILITY RETIREMENT BENEFITS**

18 **“SEC. 1481. PARTICIPATION OF MEMBERS OF THE DIPLO-**
19 **MATIC RESERVE CORPS IN THE FOREIGN**
20 **SERVICE PENSION SYSTEM.**

21 “(a) IN GENERAL.—Except as provided in subsection
22 (b) or as otherwise specifically provided in this subchapter
23 or any other provision of law, the provisions of chapter
24 84 of title 5, United States Code, shall apply to all mem-
25 bers of the Diplomatic Reserve Corps as if such members

1 were participants in the Foreign Service Pension System
2 under subchapter II of chapter 8 of this title, and such
3 members shall be treated in all respects similar to persons
4 whose participation in the Federal Employees' Retirement
5 System provided in such chapter 84 is required.

6 “(b) EXCLUSION OF MEMBERS ENTITLED TO RE-
7 TIREMENT ANNUITY OR PAY UNDER OTHER FEDERAL
8 GOVERNMENT PERSONNEL SYSTEMS.—Subsection (a)
9 shall not apply to a member of the Diplomatic Reserve
10 Corps if the member, at the time of commencement of
11 membership in the Corps, is entitled (whether or not in
12 receipt) to any of the following:

13 “(1) A retirement annuity under subchapter I
14 or II of chapter 8 of this title.

15 “(2) Retired pay or retainer pay under chapter
16 71 or 1223 of title 10, United States Code.

17 “(3) A retirement annuity under chapter 83 or
18 84 of title 5, United States Code.

19 “(4) Retired pay, retainer pay, or a retirement
20 annuity under any other Federal Government per-
21 sonnel system.

22 “(c) DESIGNATION OF PARTICIPATING MEMBERS.—
23 A member of the Diplomatic Reserve Corps participating
24 in the Foreign Service Pension System by reason of this
25 section is designated in this subchapter as a ‘participating

1 member of the Diplomatic Reserve Corps’ or ‘participating
2 member of the Corps’.

3 “(d) ADMINISTRATION.—In this administration of
4 subchapter II of chapter 8 of this title for purposes of
5 this subchapter, any reference to a participant shall be
6 deemed to be a reference to a participating member of the
7 Diplomatic Reserve Corps.

8 **“SEC. 1482. TREATMENT OF ACTIVE SERVICE AS EMPLOY-**
9 **MENT UNDER CERTAIN RETIREMENT BENE-**
10 **FITS LAWS.**

11 “(a) IN GENERAL.—Service of a member of the Dip-
12 lomatic Reserve Corps specified in subsection (b) shall be
13 treated as employment for the purpose of title II of the
14 Social Security Act and chapter 21 of the Internal Rev-
15 enue Code of 1986.

16 “(b) COVERED SERVICE.—Service of a member of the
17 Diplomatic Reserve Corps specified in this subsection is
18 any service of a member of the Corps (whether or not a
19 participating member of the Corps) as follows:

20 “(1) Active service for training specified in sec-
21 tion 1451(a)(1) that is performed under subchapter
22 V.

23 “(2) Active service that is performed under any
24 provision of subchapter VI.

1 **“SEC. 1483. AGE AND SERVICE REQUIREMENTS FOR ANNU-**
2 **ITIES.**

3 “(a) AGE AND SERVICE REQUIREMENTS.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2), a participating member of the Diplomatic
6 Reserve Corps is entitled to an annuity computed
7 under section 1484 if the person—

8 “(A) has attained 60 years of age; and

9 “(B) has performed at least 20 years of
10 service in the Corps creditable toward retire-
11 ment (as computed under subsection (b)).

12 “(2) MEMBERS RETIRED FOR DISABILITY OR
13 INCAPACITY.—A participating member of the Corps
14 who is retired under section 1473(b) is entitled to an
15 annuity upon retirement, regardless of whether the
16 member satisfies the age requirement in paragraph
17 (1)(A) at the time of retirement.

18 “(b) COMPUTATION OF YEARS OF SERVICE CRED-
19 ITABLE TOWARD RETIREMENT.—

20 “(1) IN GENERAL.—Subject to paragraphs (2)
21 and (3), the years of service of a participating mem-
22 ber in the Diplomatic Reserve Corps that are cred-
23 itable toward retirement for purposes of this chapter
24 are computed as one year of service for each one-
25 year period in which the member has been credited
26 with at least 50 points on the following bases:

1 “(A) 15 points for membership in the
2 Corps.

3 “(B) One point for each day of active serv-
4 ice that is performed under subchapter VI.

5 “(C) One point for each day of active serv-
6 ice for training specified in section 1451(a) that
7 is performed under subchapter V.

8 “(2) CREDIT LIMITED TO SERVICE MEETING
9 APPLICABLE STANDARDS AND QUALIFICATIONS.—
10 Service of a participating member of the Corps is
11 creditable under subparagraphs (B) and (C) of para-
12 graph (1) only if the service meets the standards
13 and qualifications of performance prescribed under
14 section 1491 that are applicable to the member and
15 such other standards and qualifications as the Sec-
16 retary of State may prescribe.

17 “(3) CERTAIN SERVICE NOT CREDITABLE.—
18 The following service or duty of a participating
19 member of the Corps is not creditable toward retire-
20 ment for purposes of this chapter:

21 “(A) Service or duty while in inactive sta-
22 tus under section 1452.

23 “(B) Gratuitous service under section
24 1454.

1 “(C) Active service for health care under
2 section 1465.

3 **“SEC. 1484. COMPUTATION OF ANNUITIES.**

4 “(a) IN GENERAL.—Subject to subsections (c), (d),
5 and (e), the annuity of a participating member of the Dip-
6 lomatic Reserve Corps retiring or retired under subchapter
7 VII or IX and entitled to an annuity under this chapter
8 is the amount equal to the product of—

9 “(1) the amount equal to 2 percent of the mem-
10 ber’s average pay in the Corps; and

11 “(2) the number equal to the number of years
12 of service of the member creditable toward retire-
13 ment under section 1483(b).

14 “(b) AVERAGE PAY.—In this section, the term ‘aver-
15 age pay’, in the case of a participating member of the Dip-
16 lomatic Reserve Corps, means the largest annual rate re-
17 sulting from averaging the member’s basic salary rate or
18 rates under subchapter III in effect over any 3 consecutive
19 years of membership in the Corps (regardless of whether
20 the member performed active service in the Corps during
21 the entire period of such consecutive years).

22 “(c) LIMITATION ON NUMBER OF YEARS CRED-
23 ITABLE TOWARD RETIREMENT.—The total number of
24 years of service of a participating member of the Diplo-

1 matic Reserve Corps that are creditable toward retirement
2 for purposes of subsection (a)(2) may not exceed 35 years.

3 “(d) **DISABILITY OR INCAPACITY ANNUITY.**—In the
4 case of a participating member of the Diplomatic Reserve
5 Corps who is retiring or retired for disability or incapacity
6 under section 1473(b), the member’s annuity under this
7 chapter shall be computed in accordance with section
8 1473(d) and this subchapter rather than in accordance
9 with section 8452 of title 5, United States Code.

10 “(e) **REDUCTION OF ANNUITY FOR PART-TIME SERV-**
11 **ICE.**—If in any year of membership in the Diplomatic Re-
12 serve Corps a participating member of the Corps performs
13 an aggregate of active service in the Corps under sub-
14 chapters V and VI of fewer than 2,087 hours, the annuity
15 of the member as computed pursuant to subsection (a)
16 or (d) is subject to reduction in accordance with the provi-
17 sions of section 8415(g)(1) of title 5, United States Code.

18 **“SEC. 1485. OTHER ADMINISTRATIVE MATTERS.**

19 “(a) **ANNUITY SUPPLEMENT.**—A participating mem-
20 ber of the Diplomatic Reserve Corps is not entitled to an
21 annuity supplement provided for by section 855(c), re-
22 gardless of the member’s age at retirement.

23 “(b) **DEEMED CONSENT AND AGREEMENT TO DE-**
24 **DUCTIONS AND WITHHOLDINGS.**—Each participating
25 member of the Diplomatic Reserve Corps is deemed to

1 consent and agree to the deductions under section 856(a)
2 in connection with such member's participation in the For-
3 eign Service Pension System, as modified by the provisions
4 of this subchapter, in connection with membership and
5 service in the Corps as provided for by section 1481(a).”.

6 **SEC. 10. OTHER ADMINISTRATIVE AUTHORITIES AND RE-**
7 **QUIREMENTS.**

8 Chapter 14 of title I of the Foreign Service Act of
9 1980 (22 U.S.C. 3901 et seq.), as amended by section 9
10 of this Act, is further amended by adding at the end the
11 following:

12 **“Subchapter IX—OTHER ADMINISTRATIVE**
13 **AUTHORITIES AND REQUIREMENTS**

14 **“SEC. 1491. STANDARDS AND QUALIFICATIONS OF PER-**
15 **FORMANCE FOR RETENTION AND PRO-**
16 **MOTION.**

17 “(a) STANDARDS AND QUALIFICATIONS.—The Sec-
18 retary of State shall prescribe standards and qualifications
19 of performance for the retention and promotion of mem-
20 bers of the Diplomatic Reserve Corps.

21 “(b) PERIODIC DETERMINATIONS OF COMPLI-
22 ANCE.—

23 “(1) IN GENERAL.—The Secretary shall estab-
24 lish procedures for the periodic and equitable deter-
25 mination of the compliance of members of the Diplo-

1 matic Reserve Corps with the standards and quali-
2 fications prescribed pursuant to subsection (a) in
3 their performance of service with the Corps.

4 “(2) SCOPE AND NATURE OF PROCEDURES.—
5 The procedures established pursuant to paragraph
6 (1)—

7 “(A) shall include administrative reviews of
8 relative performance of members by selection
9 boards as contemplated by section 1475(a); and

10 “(B) may include any other procedures for
11 reviews or determinations of performance of
12 members that the Secretary considers appro-
13 priate for purposes of this section.

14 “(c) TERMINATION OF APPOINTMENT FOR PER-
15 FORMANCE DETERMINED NOT TO STANDARD UNDER AD-
16 DITIONAL AUTHORIZED PROCEDURES.—

17 “(1) IN GENERAL.—A member of the Diplo-
18 matic Reserve Corps determined pursuant to the
19 procedures established pursuant to subsection (b)(2)
20 to not meet standards and qualifications of perform-
21 ance prescribed pursuant to subsection (a) applicable
22 to the member shall have the member’s appointment
23 in the Corps terminated.

24 “(2) NO BENEFITS FOR TERMINATION OF AP-
25 POINTMENT.—A member of the Corps whose ap-

1 pointment in the Corps is terminated under para-
2 graph (1) is not entitled to benefits under sub-
3 chapter VIII in connection with the termination or
4 the service so terminated.

5 “(3) NO REAPPOINTMENT.—An individual
6 whose appointment in the Corps is terminated under
7 paragraph (1) may not be reappointed to the Corps.

8 **“SEC. 1492. SCREENING OF MEMBERS.**

9 “(a) SYSTEM OF SCREENING.—Under regulations
10 prescribed by the Secretary of State, a system of contin-
11 uous screening of members of the Diplomatic Reserve
12 Corps shall be established to ensure the following:

13 “(1) That there is a proper balance of required
14 skills among the members of the Corps.

15 “(2) That there will be no significant attrition
16 of members during a call to active service pursuant
17 to subchapter VI.

18 “(3) That, except for members of the Corps
19 with skills for which there is an overriding require-
20 ment, members having critical civilian skills are not
21 retained in numbers beyond the need for such skills.

22 “(4) That, with due regard to national security
23 requirements, recognition is given in determinations
24 of retention of members of the Corps under this sec-

1 tion to service at hardship locations or at which dan-
2 ger pay was authorized.

3 “(b) RETIREMENT OR TERMINATION OF APPOINT-
4 MENT OF MEMBERS EXCESS TO REQUIREMENTS.—If a
5 member of the Diplomatic Reserve Corps is determined
6 pursuant to screening under subsection (a) to be excess
7 to the requirements of the Corps, the member shall—

8 “(1) in the case of a member who has at least
9 20 years of service in the Corps creditable toward
10 retirement under section 1483(b) at the time of the
11 determination, be retired from the Corps; or

12 “(2) in the case of any other member, have the
13 member’s appointment in the Corps terminated.

14 “(c) BENEFITS.—

15 “(1) IMMEDIATE ANNUITY FOR MEMBERS OVER
16 59 WITH 20 YEARS CREDITABLE SERVICE.—A mem-
17 ber of the Diplomatic Reserve Corps who has
18 reached 60 years of age at the time of retirement
19 under subsection (b)(1) shall be entitled to an imme-
20 diate annuity under subchapter VIII.

21 “(2) DEFERRED ANNUITY FOR MEMBERS
22 UNDER 60 WITH 20 YEARS CREDITABLE SERVICE.—
23 A member of the Corps who is under 60 years of age
24 at the time of retirement under subsection (b)(1)

1 shall be entitled to a deferred annuity under sub-
2 chapter VIII upon reaching 60 years of age.

3 “(3) INVOLUNTARY SEPARATION BENEFITS FOR
4 OTHER MEMBERS.—A member of the Corps whose
5 appointment is terminated under subsection (b)(2)
6 shall receive the benefits, if any, for an involuntary
7 separation under subchapter II of chapter 8 of this
8 title that are provided under section 855(b)(3) to
9 similarly situated members of the Foreign Service
10 who are involuntarily retired or separated from the
11 Service.

12 “(d) REAPPOINTMENT OF TERMINATED MEM-
13 BERS.—

14 “(1) IN GENERAL.—An individual whose ap-
15 pointment in the Diplomatic Reserve Corps is termi-
16 nated under subsection (b)(2) may be reappointed to
17 the Corps in accordance with such requirements and
18 conditions as the Secretary shall prescribe in the
19 regulations required by subsection (a).

20 “(2) EFFECT OF REAPPOINTMENT ON RETIRE-
21 MENT BENEFITS.—

22 “(A) EXCLUSION OF TERMINATED SERV-
23 ICE IN COMPUTING BENEFITS.—Except as pro-
24 vided in subparagraph (B), if an individual de-
25 scribed in paragraph (1) is reappointed to the

1 Corps, any service of the individual in the
2 Corps before the termination of the individual's
3 appointment under subsection (b)(2) shall not
4 be taken into account in computing any benefits
5 to be received by the individual under sub-
6 chapter VIII by reason of service in the Corps
7 in connection with such reappointment.

8 “(B) CREDIT FOR TERMINATED SERVICE
9 UPON REPAYMENT OF SEPARATION BENE-
10 FITS.—An individual described in paragraph
11 (1) who is reappointed to the Corps shall have
12 the service of the individual described in sub-
13 paragraph (A) taken into account in computing
14 any benefits to be received by the individual
15 under subchapter VIII by reason of service in
16 the Corps in connection with such reappoint-
17 ment if the individual makes a payment to the
18 Fund equal to the amount of involuntary sepa-
19 ration benefits received by the individual under
20 subsection (c)(3) in connection with termi-
21 nation, together with interest on such amount
22 computed in accordance with regulations issued
23 by the Secretary (which regulations shall con-
24 form, to the extent practicable, to the regula-
25 tions issued pursuant to section 854(d)).

1 “(C) FUND DEFINED.—In this paragraph,
2 the term ‘Fund’ has the meaning given that
3 term in section 852(2).

4 **“SEC. 1493. MEDICAL AND DENTAL READINESS.**

5 “(a) COMPREHENSIVE ASSESSMENTS REQUIRED.—

6 “(1) IN GENERAL.—In order to assure the med-
7 ical and dental readiness of members of the Diplo-
8 matic Reserve Corps for active service pursuant to
9 a call to active service under subchapter VI, each
10 member of the Corps shall undergo, not less fre-
11 quently than once every six months, a comprehensive
12 assessment of the medical and dental readiness of
13 such member for such service.

14 “(2) ELEMENTS.—The Secretary of State shall
15 prescribe in regulations the required elements of the
16 comprehensive assessments required pursuant to
17 paragraph (1).

18 “(b) SUBMITTAL OF RESULTS.—Each member of the
19 Corps shall submit to the Chief Medical Officer of the De-
20 partment of State the results of each comprehensive as-
21 sessment of medical and dental readiness undergone by
22 such member under this section.

23 “(c) RETIREMENT OR TERMINATION OF APPOINT-
24 MENT OF MEMBERS FOR LACK OF MEDICAL OR DENTAL
25 READINESS.—If a member of the Diplomatic Reserve

1 Corps is determined as a result of an assessment under-
2 gone pursuant to subsection (a) to lack the medical or den-
3 tal readiness necessary for active service in the Corps as
4 described in that subsection, the member shall—

5 “(1) in the case of a member who has at least
6 20 years of service in the Corps creditable toward
7 retirement under section 1483(b) at the time of the
8 determination, be retired from the Corps; or

9 “(2) in the case of any other member, have the
10 member’s appointment in the Corps terminated.

11 “(d) BENEFITS.—

12 “(1) IMMEDIATE ANNUITY FOR MEMBERS OVER
13 59 WITH 20 YEARS CREDITABLE SERVICE.—A mem-
14 ber of the Diplomatic Reserve Corps who has
15 reached 60 years of age at the time of retirement
16 under subsection (c)(1) shall be entitled to an imme-
17 diate annuity under subchapter VIII.

18 “(2) DEFERRED ANNUITY FOR MEMBERS
19 UNDER 60 WITH 20 YEARS CREDITABLE SERVICE.—
20 A member of the Corps who is under 60 years of age
21 at the time of retirement under subsection (c)(1)
22 shall be entitled to a deferred annuity under sub-
23 chapter VIII upon reaching 60 years of age.

24 “(3) INVOLUNTARY SEPARATION BENEFITS FOR
25 OTHER MEMBERS.—A member of the Corps whose

1 appointment is terminated under subsection (c)(2)
2 shall receive the benefits, if any, for an involuntary
3 separation under subchapter II of chapter 8 of this
4 title that are provided under section 855(b)(3) to
5 similarly situated members of the Foreign Service
6 who are involuntarily retired or separated from the
7 Service.

8 “(e) REAPPOINTMENT OF TERMINATED MEMBERS.—

9 “(1) IN GENERAL.—An individual whose ap-
10 pointment in the Diplomatic Reserve Corps is termi-
11 nated under subsection (c)(2) may be reappointed to
12 the Corps in accordance with such requirements and
13 conditions as the Secretary shall prescribe in regula-
14 tions.

15 “(2) EFFECT OF REAPPOINTMENT ON RETIRE-
16 MENT BENEFITS.—

17 “(A) EXCLUSION OF TERMINATED SERV-
18 ICE IN COMPUTING BENEFITS.—Except as pro-
19 vided in subparagraph (B), if an individual de-
20 scribed in paragraph (1) is reappointed to the
21 Corps, any service of the individual in the
22 Corps before the termination of the individual’s
23 appointment under subsection (c)(2) shall not
24 be taken into account in computing any benefits
25 to be received by the individual under sub-

1 chapter VIII by reason of service in the Corps
2 in connection with such reappointment.

3 “(B) CREDIT FOR TERMINATED SERVICE
4 UPON REPAYMENT OF SEPARATION BENE-
5 FITS.—An individual described in paragraph
6 (1) who is reappointed to the Corps shall have
7 the service of the individual described in sub-
8 paragraph (A) taken into account in computing
9 any benefits to be received by the individual
10 under subchapter VIII by reason of service in
11 the Corps in connection with such reappoint-
12 ment if the individual makes a payment to the
13 Fund equal to the amount of involuntary sepa-
14 ration benefits received by the individual under
15 subsection (d)(3) in connection with termi-
16 nation, together with interest on such amount
17 computed in accordance with regulations issued
18 by the Secretary (which regulations shall con-
19 form, to the extent practicable, to the regula-
20 tions issued pursuant to section 854(d)).

21 “(C) FUND DEFINED.—In this paragraph,
22 the term ‘Fund’ has the meaning given that
23 term in section 852(2).

24 **“SEC. 1494. REDUCTIONS IN FORCE.**

25 “(a) REDUCTIONS IN FORCE.—

1 “(1) IN GENERAL.—The Secretary of State may
2 conduct reductions in force and shall prescribe regu-
3 lations for the separation of members of the Diplo-
4 matic Reserve Corps under such reductions in force
5 which give due effect to each of the circumstances
6 specified in section 611(a).

7 “(2) CONFORMITY TO REGULATIONS APPLICA-
8 BLE TO FOREIGN SERVICE.—The regulations pre-
9 scribed pursuant to paragraph (1) shall, to the ex-
10 tent practicable, conform to regulations on separa-
11 tions of members of the Foreign Service in reduc-
12 tions of force prescribed pursuant to section 611(a).

13 “(b) RETIREMENT OR TERMINATION OF APPOINT-
14 MENT OF MEMBERS DURING RIFS.—If a member of the
15 Diplomatic Reserve Corps is determined to be separable
16 during a reduction in force conducted pursuant to sub-
17 section (a), the member shall—

18 “(1) in the case of a member who has at least
19 20 years of service in the Corps creditable toward
20 retirement under section 1483(b) at the time of the
21 determination, be retired from the Corps; or

22 “(2) in the case of any other member, have the
23 member’s appointment in the Corps terminated.

24 “(c) BENEFITS.—

1 “(1) IMMEDIATE ANNUITY FOR MEMBERS OVER
2 59 WITH 20 YEARS CREDITABLE SERVICE.—A mem-
3 ber of the Diplomatic Reserve Corps who has
4 reached 60 years of age at the time of retirement
5 under subsection (b)(1) shall be entitled to an imme-
6 diate annuity under subchapter VIII.

7 “(2) DEFERRED ANNUITY FOR MEMBERS
8 UNDER 60 WITH 20 YEARS CREDITABLE SERVICE.—
9 A member of the Corps who is under 60 years of age
10 at the time of retirement under subsection (b)(1)
11 shall be entitled to a deferred annuity under sub-
12 chapter VIII upon reaching 60 years of age.

13 “(3) INVOLUNTARY SEPARATION BENEFITS FOR
14 OTHER MEMBERS.—A member of the Corps whose
15 appointment is terminated under subsection (b)(2)
16 shall receive the benefits, if any, for an involuntary
17 separation under subchapter II of chapter 8 of this
18 title that are provided under section 855(b)(3) to
19 similarly situated members of the Foreign Service
20 who are involuntarily retired or separated from the
21 Service.

22 “(d) REAPPOINTMENT OF TERMINATED MEM-
23 BERS.—

24 “(1) IN GENERAL.—An individual whose ap-
25 pointment in the Diplomatic Reserve Corps is termi-

1 nated under subsection (b)(2) may be reappointed to
2 the Corps in accordance with such requirements and
3 conditions as the Secretary shall prescribe in regula-
4 tions.

5 “(2) EFFECT OF REAPPOINTMENT ON RETIRE-
6 MENT BENEFITS.—

7 “(A) EXCLUSION OF TERMINATED SERV-
8 ICE IN COMPUTING BENEFITS.—Except as pro-
9 vided in subparagraph (B), if an individual de-
10 scribed in paragraph (1) is reappointed to the
11 Corps, any service of the individual in the
12 Corps before the termination of the individual’s
13 appointment under subsection (b)(2) shall not
14 be taken into account in computing any benefits
15 to be received by the individual under sub-
16 chapter VIII by reason of service in the Corps
17 in connection with such reappointment.

18 “(B) CREDIT FOR TERMINATED SERVICE
19 UPON REPAYMENT OF SEPARATION BENE-
20 FITS.—An individual described in paragraph
21 (1) who is reappointed to the Corps shall have
22 the service of the individual described in sub-
23 paragraph (A) taken into account in computing
24 any benefits to be received by the individual
25 under subchapter VIII by reason of service in

1 the Corps in connection with such reappoint-
2 ment if the individual makes a payment to the
3 Fund equal to the amount of involuntary separa-
4 tion benefits received by the individual under
5 subsection (c)(3) in connection with termi-
6 nation, together with interest on such amount
7 computed in accordance with regulations issued
8 by the Secretary (which regulations shall con-
9 form, to the extent practicable, to the regula-
10 tions issued pursuant to section 854(d)).

11 “(C) FUND DEFINED.—In this paragraph,
12 the term ‘Fund’ has the meaning given that
13 term in section 852(2).

14 **“SEC. 1495. READINESS EXERCISES.**

15 “Not less frequently than once every two years, the
16 Secretary of State shall conduct a readiness exercise de-
17 signed to provide a comprehensive assessment of the readi-
18 ness of the Diplomatic Reserve Corps to provide service
19 for the Foreign Service and the Department of State for
20 the purpose set forth in section 1401(b). Each such exer-
21 cise shall be as realistic as possible, and shall include the
22 active participation of elements of the Service and the bu-
23 reaus, offices, and other operating units of the Depart-
24 ment with which members of the Corps will interact while
25 on active service.

1 **“SEC. 1496. PERSONNEL RECORDS.**

2 “(a) PERSONNEL RECORDS.—The Secretary of State
3 shall maintain current adequate personnel records on the
4 members of the Diplomatic Reserve Corps, including
5 records on the following:

6 “(1) Physical condition.

7 “(2) Qualifications.

8 “(3) Civilian occupations skills.

9 “(4) Availability, and physical, medical, and
10 dental readiness, for active service under this chap-
11 ter.

12 “(5) Dependency status.

13 “(6) Such other information necessary for the
14 efficient administration of the Corps as the Sec-
15 retary may prescribe.

16 “(b) RECORDS ON TRAINING SERVICE.—In maintain-
17 ing records under this section, the Secretary shall also
18 maintain records on the following for each fiscal year:

19 “(1) The number of members of the Diplomatic
20 Reserve Corps who participate in active service for
21 training under subchapter V.

22 “(2) The number of members of the Corps who
23 participate in inactive service for training with pay.

24 “(c) NOTICE OF MATERIAL CHANGE IN STATUS.—
25 Each member of the Diplomatic Reserve Corps shall notify

1 the Secretary of any material change in any status for
 2 which records are maintained under this section.”.

3 **SEC. 11. CLERICAL AMENDMENT TO FOREIGN SERVICE ACT**
 4 **OF 1980.**

5 Section 2 of the Foreign Service Act of 1980 (22
 6 U.S.C. 3901 note) is amended in the table of contents by
 7 inserting after the matter relating to the last chapter of
 8 title I the following new matter:

“CHAPTER 14—DIPLOMATIC RESERVE CORPS

“SUBCHAPTER I—DIPLOMATIC RESERVE CORPS

- “Sec. 1401. Diplomatic Reserve Corps.
- “Sec. 1402. Elements.
- “Sec. 1403. Administration.
- “Sec. 1404. Authority of the Inspector General.
- “Sec. 1405. Headquarters staff.
- “Sec. 1406. Recruitment.

“SUBCHAPTER II—APPOINTMENTS AND RELATED MATTERS

- “Sec. 1411. Authorized strength.
- “Sec. 1412. Eligibility for appointment.
- “Sec. 1413. Appointments generally.
- “Sec. 1414. Appointments to salary classes.
- “Sec. 1415. Skill identifiers for Diplomatic Reserve Corps members.

“SUBCHAPTER III—COMPENSATION AND OTHER BENEFITS

- “Sec. 1421. Salaries of Senior Diplomatic Reserve and Senior Diplomatic Retiree Reserve.
- “Sec. 1422. Diplomatic Reserve Schedule for Diplomatic Reserve and Diplomatic Retiree Reserve.
- “Sec. 1423. Changes in salary classes.
- “Sec. 1424. Computation of basic pay.
- “Sec. 1425. Performance pay for members of the Senior Diplomatic Reserve and Senior Diplomatic Retiree Reserve.
- “Sec. 1426. Within-class salary increases for members of the Diplomatic Reserve and Diplomatic Retiree Reserve.
- “Sec. 1427. Special differentials for members of the Diplomatic Reserve and Diplomatic Retiree Reserve.
- “Sec. 1428. Diplomatic Reserve service awards.
- “Sec. 1429. Treatment of Diplomatic Reserve Corps members receiving annuities under other Federal Government personnel systems.
- “Sec. 1430. Health care.
- “Sec. 1431. Death gratuity.

- ““Sec. 1432. Group life insurance supplement applicable to Diplomatic Reserve Corps members killed in terrorist attacks.
- ““Sec. 1433. Survivors’ and dependents’ educational assistance.
- ““Sec. 1434. Travel and related expenses.
- ““Sec. 1435. Representation expenses.

““SUBCHAPTER IV—PROMOTION

- ““Sec. 1441. Promotion.
- ““Sec. 1442. Selection boards.
- ““Sec. 1443. Basis for selection board review and records.
- ““Sec. 1444. Implementation of selection board recommendations on promotion.
- ““Sec. 1445. Other bases for increasing pay.
- ““Sec. 1446. Authority to make certain actions retroactive.

““SUBCHAPTER V—SERVICE OBLIGATIONS, SERVICE FOR TRAINING, AND OTHER SERVICE

- ““Sec. 1451. General annual service obligations.
- ““Sec. 1452. Inactive status.
- ““Sec. 1453. Training and orientation.
- ““Sec. 1454. Gratuitous service.

““SUBCHAPTER VI—ACTIVE SERVICE

- ““Sec. 1461. General authority for call to active service.
- ““Sec. 1462. Active service to augment United States diplomatic activities.
- ““Sec. 1463. Active service for preplanned missions in support of Department of State bureaus and embassies.
- ““Sec. 1464. Active service for organizing, administering, etc., the Diplomatic Reserve Corps.
- ““Sec. 1465. Active service for health care.
- ““Sec. 1466. Active service with or without pay.
- ““Sec. 1467. Active service agreements.
- ““Sec. 1468. Other personnel management matters.
- ““Sec. 1469. Release from active service.
- ““Sec. 1470. Suspension by President of certain laws and regulations on promotion, retirement, and separation.
- ““Sec. 1470A. Limitation on active service in the United States.

““SUBCHAPTER VII—RETIREMENT, TERMINATION OF APPOINTMENT, AND DISABILITY

- ““Sec. 1471. Voluntary retirement.
- ““Sec. 1472. Mandatory retirement for age.
- ““Sec. 1473. Retirement or termination of appointment for disability or incapacity.
- ““Sec. 1474. Retirement for expiration of maximum time in class.
- ““Sec. 1475. Retirement or termination of appointment based on relative performance.
- ““Sec. 1476. Separation for cause.
- ““Sec. 1477. Suspension.

““SUBCHAPTER VIII—RETIREMENT AND DISABILITY RETIREMENT BENEFITS

““Sec. 1481. Participation of members of the Diplomatic Reserve Corps in the Foreign Service Pension System.

““Sec. 1482. Treatment of active service as employment under certain retirement benefits laws.

““Sec. 1483. Age and service requirements for annuities.

““Sec. 1484. Computation of annuities.

““Sec. 1485. Other administrative matters.

““SUBCHAPTER IX—OTHER ADMINISTRATIVE AUTHORITIES AND REQUIREMENTS

““Sec. 1491. Standards and qualifications of performance for retention and promotion.

““Sec. 1492. Screening of members.

““Sec. 1493. Medical and dental readiness.

““Sec. 1494. Reductions in force.

““Sec. 1495. Readiness exercises.

““Sec. 1496. Personnel records.”.

1 **SEC. 12. EMPLOYMENT AND REEMPLOYMENT RIGHTS OF**
 2 **MEMBERS OF THE DIPLOMATIC RESERVE**
 3 **CORPS.**

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

6 (1) service in the Diplomatic Reserve Corps is
 7 noncareer service for the United States Government
 8 that is closely analogous to noncareer service in the
 9 uniformed services; and

10 (2) extension to the members of the Corps of
 11 the rights and responsibilities of members of the
 12 uniformed services under chapter 43 of title 38,
 13 United States Code, would achieve the purposes set
 14 forth in section 4301(a) of that title with respect to
 15 persons serving in the Corps and is therefore in the
 16 national interest.

1 (b) TREATMENT OF DIPLOMATIC RESERVE CORPS
2 ON ACTIVE SERVICE AS A UNIFORMED SERVICE.—The
3 paragraph designated paragraph (16) of section 4303 of
4 title 38, United States Code, in the enactment of the Uni-
5 formed Services Employment and Reemployment Rights
6 Act of 1994 (Public Law 103–353; 108 Stat. 3149) is
7 amended by inserting after “the commissioned officer
8 corps of the National Oceanic and Atmospheric Adminis-
9 tration,” the following: “members of the Diplomatic Re-
10 serve Corps when engaged in active service for training
11 under subchapter V of chapter 14 of the Foreign Service
12 Act of 1980 or active service under subchapter VI of that
13 chapter,”.

14 **SEC. 13. APPLICABILITY OF THE SERVICEMEMBERS CIVIL**
15 **RELIEF ACT TO ACTIVE SERVICE OF MEM-**
16 **BERS OF THE DIPLOMATIC RESERVE CORPS.**

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

19 (1) service in the Corps is noncareer service for
20 the United States that is closely analogous to non-
21 career military service in the uniformed services; and

22 (2) extension to the members of the Corps of
23 the rights and responsibilities of members of the
24 uniformed services under the Servicemembers Civil
25 Relief Act (50 U.S.C. 3901 et seq.) in connection

1 with active service in the Corps would achieve the
2 purposes set forth in section 2 of that Act in connec-
3 tion with the foreign affairs needs of the Nation,
4 and is therefore in the national interest.

5 (b) APPLICABILITY.—Section 101 of the
6 Servicemembers Civil Relief Act (50 U.S.C. 3911) is
7 amended as follows:

8 (1) In paragraph (1), by striking “means” and
9 all that follows and inserting “means—

10 “(A) a member of the uniformed services,
11 as that term is defined in section 101(a)(5) of
12 title 10, United States Code; and

13 “(B) a member of the Diplomatic Reserve
14 Corps under chapter 14 of title I of the Foreign
15 Service Act of 1980.”.

16 (2) In paragraph (2)—

17 (A) in subparagraph (B), by striking
18 “and” at the end;

19 (B) by redesignating subparagraph (C) as
20 subparagraph (D); and

21 (C) by inserting after subparagraph (B)
22 the following new subparagraph (C):

23 “(C) in the case of a servicemember who is
24 a member of the Diplomatic Reserve Corps, ac-
25 tive service under subchapter VI of chapter 14

1 of title I of the Foreign Service Act of 1980;
2 and”.

3 (3) In paragraph (7)—

4 (A) in subparagraph (B), by striking
5 “and” at the end;

6 (B) in subparagraph (C), by striking the
7 period at the end and inserting “; and”; and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(D) with respect to a member of the Dip-
11 lomatic Reserve Corps, the Secretary of State.”.

12 **SEC. 14. DIPLOMATIC RESERVE CORPS ACCOUNT.**

13 (a) ACCOUNT.—There is established on the books of
14 the Treasury an account to be known as the “Diplomatic
15 Reserve Corps Account” (in this section referred to as the
16 “Account”).

17 (b) NATURE OF ACCOUNT.—The Account shall be an
18 account of the Department of State within accounts for
19 the Administration of Foreign Affairs.

20 (c) ELEMENTS.—The elements of the Account shall
21 include the following:

22 (1) Amounts appropriated to the Account by
23 law.

24 (2) Amounts transferred to or otherwise depos-
25 ited in the Account by law.

1 (3) Such other elements as are provided for by
2 law.

3 (d) AVAILABILITY.—

4 (1) IN GENERAL.—Amounts in the Account
5 shall be available as follows:

6 (A) For salaries, training and orientation,
7 and human resources management (including
8 recruitment and vetting of personnel) of the
9 Diplomatic Reserve Corps under chapter 14 of
10 title I of the Foreign Service Act of 1980, as
11 added by this chapter.

12 (B) For operations, including incidental
13 travel, of the Corps.

14 (C) For such other costs and expenses of
15 the Corps as are authorized by law.

16 (2) DURATION OF AVAILABILITY OF APPRO-
17 PRIATED FUNDS.—Except as provided in paragraph
18 (3)(B) or as otherwise provided by law, amounts ap-
19 propriated to the Account for a fiscal year are avail-
20 able for the purposes specified in paragraph (1) in
21 such fiscal year and the following fiscal year.

22 (3) TRANSFER OF FUNDS.—

23 (A) TRANSFER AUTHORIZED.—Amounts in
24 the Account may be transferred to the accounts
25 as follows for purposes of paying or otherwise

1 defraying costs and expenses of the Diplomatic
2 Reserve Corps by or through such accounts:

3 (i) Diplomatic Programs.

4 (ii) Representation Expenses.

5 (iii) Payment to the Foreign Service
6 Retirement and Disability Fund.

7 (B) MERGER AND AVAILABILITY OF
8 TRANSFERRED AMOUNTS.—Amounts trans-
9 ferred from the Account to an account pursuant
10 to subparagraph (A) shall be merged with
11 amounts in the account to which transferred,
12 and shall be available for the same purposes,
13 and subject to the same conditions and limita-
14 tions, as amounts in such account. Amounts
15 transferred from the Account to a subaccount
16 of the account referred to in subparagraph
17 (A)(i) are subject to reprogramming and trans-
18 fer to the extent provided for by law applicable
19 to such account and subaccounts.

20 **SEC. 15. FUNDING FOR THE DIPLOMATIC RESERVE CORPS**
21 **DURING A DIPLOMATIC CONTINGENCY.**

22 (a) PURPOSE.—The purpose of this section is to pro-
23 vide a funding mechanism for the costs and expenses of
24 the Diplomatic Reserve Corps under chapter 14 of title
25 I of the Foreign Service Act of 1980, as added by this

1 chapter, for members of the Corps on active service under
2 subchapter VI of such chapter 14 in connection with a
3 diplomatic contingency.

4 (b) **DIPLOMATIC CONTINGENCY.**—For purposes of
5 this section, a diplomatic contingency is any of the fol-
6 lowing that results in the call of members of the Diplo-
7 matic Reserve Corps to active service:

8 (1) A national emergency declared as described
9 in section 1461(a) or 1461(b) of the Foreign Service
10 Act of 1980 (as added by section 7 of this Act).

11 (2) An augmentation of the diplomatic efforts
12 of the United States under section 1462 of that Act
13 (as so added).

14 (3) An augmentation of the regular personnel
15 of the Department of State for a preplanned activity
16 in support of a bureau of the Department or an em-
17 bassy of the United States under section 1463 of
18 that Act (as so added).

19 (c) **FUNDING.**—Amounts appropriated or transferred
20 to, or deposited in, the Diplomatic Reserve Corps Account
21 established by section 14 of this Act for purposes of a dip-
22 lomatic contingency shall be available for costs and ex-
23 penses of members of the Diplomatic Reserve Corps on
24 active service under subchapter VI of chapter 14 of the
25 Foreign Service Act of 1980 (as so added) in connection

1 with the diplomatic contingency in the manner provided
2 by that section for the availability of other amounts in the
3 Account for costs and expenses of the Corps, except as
4 provided in subsection (d).

5 (d) DURATION OF AVAILABILITY.—Amounts appro-
6 priated or transferred to, or deposited in, the Diplomatic
7 Reserve Corps Account as described in subsection (c) for
8 purposes of a diplomatic contingency shall be available for
9 costs and expenses described in that subsection in connec-
10 tion with the diplomatic contingency until expended.