

SEC. 9802. EXTENSION OF EXISTING AUTHORITIES.

(a) **PASSPORT FEES.**—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by striking “September 30, 2010” and inserting “September 30, 2026”.

(b) **USAID CIVIL SERVICE ANNUITANT WAIVER.**—Section 625(j)(1)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)(B)) shall be applied by striking “October 1, 2010” and inserting “September 30, 2024”.

(c) **OVERSEAS PAY COMPARABILITY AND LIMITATION.**—

(1) **IN GENERAL.**—The authority provided under section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2024.

(2) **LIMITATION.**—The authority described in paragraph (1) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member’s official duty station were in the District of Columbia.

(d) **INSPECTOR GENERAL ANNUITANT WAIVER.**—The authorities provided under section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212)—

(1) shall remain in effect through September 30, 2024;

and

(2) may be used to facilitate the assignment of persons for oversight of programs in Somalia, South Sudan, Syria, Venezuela, and Yemen.

(e) **SECURITY REVIEW COMMITTEES.**—The authority provided under section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan and shall apply to facilities in Ukraine through September 30, 2024, except that the notification and reporting requirements contained in such section shall include the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives.

(f) **DEPARTMENT OF STATE INSPECTOR GENERAL WAIVER AUTHORITY.**—The Inspector General of the Department may waive the provisions of subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064), on a case-by-case basis, for an annuitant reemployed by the Inspector General on a temporary basis, subject to the same constraints and in the same manner by which the Secretary of State may exercise such waiver authority pursuant to subsection (g) of such section.

SEC. 9803. COMMISSION ON REFORM AND MODERNIZATION OF THE DEPARTMENT OF STATE.

(a) **SHORT TITLE.**—This section may be cited as the “Commission on Reform and Modernization of the Department of State Act”.

(b) **ESTABLISHMENT OF COMMISSION.**—There is established, in the legislative branch, the Commission on Reform and Modernization of the Department of State (referred to in this section as the “Commission”).

(c) PURPOSES.—The purposes of the Commission are—

(1) to examine the changing nature of diplomacy and the ways in which the Department can modernize to advance the interests of the United States; and

(2) to offer recommendations to the President and Congress related to—

(A) the organizational structure of the Department;

(B) personnel-related matters, including recruitment, promotion, training, and retention of the Department's workforce in order to foster effective diplomacy worldwide, including measures to strengthen diversity and inclusion to ensure that the Department's workforce represents all of America;

(C) the Department of State's domestic and overseas facilities;

(D) the link among diplomacy and defense, development, commercial, health, law enforcement, science, technology, and other core United States interests;

(E) legislation that authorizes United States diplomacy, including the Foreign Service Act of 1980 (Public Law 96-465); and

(F) related regulations, rules, and processes that define United States diplomatic efforts, including the Foreign Affairs Manual.

(d) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 16 members, of whom—

(A) 4 members shall be appointed by the President in a nonpartisan manner;

(B) 2 members (1 of whom may be a Member of Congress) shall be appointed by the majority leader of the Senate;

(C) 2 members (1 of whom may be a Member of Congress) shall be appointed by the Speaker of the House of Representatives;

(D) 2 members (1 of whom may be a Member of Congress) shall be appointed by the minority leader of the Senate;

(E) 2 members (1 of whom may be a Member of Congress) shall be appointed by the minority leader of the House of Representatives;

(F) 1 member shall be appointed by the chairperson of the Committee on Foreign Relations of the Senate;

(G) 1 member shall be appointed by the ranking member of the Committee on Foreign Relations of the Senate;

(H) 1 member shall be appointed by the chairperson of the Committee on Foreign Affairs of the House of Representatives; and

(I) 1 member shall be appointed by the ranking member of the Committee on Foreign Affairs of the House of Representatives.

(2) QUALIFICATIONS.—

(A) MEMBERSHIP.—Any member of the Commission who is not a Member of Congress shall be a private United States citizen who is nationally recognized and has significant depth of experience in international relations, data-

driven management, and the policymaking, programmatic, and personnel aspects of the Department.

(B) RESTRICTIONS.—

(i) FOREIGN AGENTS REGISTRATION ACT OF 1938.—No member of the Commission may be a current or former registrant under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.).

(ii) MEMBERS OF CONGRESS.—Not more than 4 members of the Commission may be Members of Congress, who may only be appointed by the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives in accordance with paragraph (1). None of the members of the Commission may be individuals who are eligible to make such appointments.

(3) APPOINTMENTS.—

(A) DEADLINE.—Members of the Commission shall be appointed pursuant to paragraph (1) not later than 90 days after the date of the enactment of this Act.

(B) PERIOD OF APPOINTMENT; VACANCIES.—Members of the Commission shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner as the original appointment.

(C) NOTIFICATIONS.—Individuals making appointments pursuant to paragraph (1) shall notify the Chair and Ranking Member of the appropriate committees of Congress and the Secretary of State of such appointments.

(D) CO-CHAIRPERSONS.—

(i) DEMOCRATIC LEADERS.—The Democratic leader in the Senate and the Democratic leader in the House of Representatives shall jointly select 1 member of the Commission appointed pursuant to paragraph (1) to serve as a co-chairperson of the Commission.

(ii) REPUBLICAN LEADERS.—The Republican leader in the Senate and the Republican leader in the House of Representatives shall jointly select 1 member of the Commission appointed pursuant to paragraph (1) to serve as a co-chairperson of the Commission.

(4) REMOVAL.—A member may be removed from the Commission for cause by the individual serving in the position responsible for the original appointment of such member under paragraph (1) if—

(A) notice was provided to such member describing the cause for removal; and

(B) such removal was voted and agreed upon by a majority of the members serving on the Commission.

(5) MEETINGS.—

(A) INITIAL MEETING.—Not later than 30 days after a majority of the members of the Commission have been appointed, the Commission shall hold the first meeting and shall begin operations as soon as practicable.

(B) FREQUENCY.—The Commission shall meet upon the call of the co-chairpersons, acting jointly.

(C) QUORUM.—A majority of the members of the Commission, or a majority of the members of a panel,

shall constitute a quorum for purposes of conducting business.

(e) FUNCTIONS OF COMMISSION.—

(1) IN GENERAL.—Except as provided in subsection (j), the Commission shall act by resolution agreed to by a majority of the members of the Commission voting and present.

(2) PANELS.—The Commission may establish panels composed of less than the full membership of the Commission for purposes of carrying out the duties of the Commission under this section. The membership of such panels should reflect the bipartisan composition of the Commission. The actions of any such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel may not be considered the findings and determinations of the Commission unless such findings and determinations are approved by a majority of the Commission, including both co-chairpersons.

(f) POWERS OF COMMISSION.—

(1) HEARINGS AND EVIDENCE.—To carry out the purposes of the Commission described in subsection (c), the Commission or any panel of the Commission may, with the joint approval of the co-chairpersons—

(A) hold such hearings and meetings, take such testimony, receive such evidence, and administer such oaths as the Commission or such designated panel considers necessary;

(B) request the attendance and testimony of such witnesses and the production of such correspondence, memoranda, papers, and documents, as the Commission or such designated panel considers necessary; and

(C) secure from the Department, USAID, the United States International Development Finance Corporation, the Millennium Challenge Corporation, Peace Corps, the United States Trade Development Agency, and the United States Agency for Global Media information and data necessary to enable it to carry out its mission.

(2) CONTRACTS.—The Commission, to such extent and in such amounts as are provided in appropriations Acts, may enter into contracts to enable the Commission to discharge its duties under this section.

(g) SUPPORT FROM OTHER AGENCIES.—

(1) INFORMATION FROM FEDERAL AGENCIES.—To carry out the purposes of the Commission described in subsection (c), upon the receipt of a joint written request by the co-chairpersons of the Commission to any of the heads of the Department, USAID, the United States International Development Finance Corporation, the Millennium Challenge Corporation, the Peace Corps, the Trade Development Agency, or the United States Agency for Global Media, the heads of such entities shall expeditiously furnish the requested information to the Commission.

(2) ASSISTANCE FROM FEDERAL AGENCIES.—The Department of State and other Federal departments and agencies may provide to the Commission, on a nonreimbursable basis, such administrative services, staff, and other support services as are necessary for the performance of the Commission's duties under this section, at the request of the Commission.

(3) LIAISON.—The Secretary may designate at least 1 officer or employee of the Department to serve as a liaison officer between the Department and the Commission.

(4) RECOMMENDATIONS FROM INDEPENDENT ORGANIZATIONS.—The Commission may review recommendations by independent organizations and outside experts relating to reform and modernization of the Department.

(h) CONGRESSIONAL CONSULTATION.—Not later than 180 days after the initial meeting of the Commission, and not less frequently than semiannually thereafter, the Commission shall provide a briefing to Congress regarding the work of the Commission.

(i) STAFF AND COMPENSATION.—

(1) STAFF.—

(A) COMPENSATION.—The co-chairpersons of the Commission shall appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule under section 5316 of such title.

(B) DETAIL OF GOVERNMENT EMPLOYEES.—A Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(C) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The co-chairs of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5315 of such title.

(D) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding the requirements under section 2105 of title 5, United States Code, including the required supervision under subsection (a)(3) of such section, the members of the commission shall be deemed to be Federal employees.

(2) COMMISSION MEMBERS.—

(A) COMPENSATION.—Except as provided in subparagraph (C), each member of the Commission shall be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which that member is engaged in the actual performance of the duties of the Commission.

(B) WAIVER OF CERTAIN PROVISIONS.—Subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) are waived for an annuitant on a temporary basis so as to be compensated for work performed as part of the Commission.

(C) RESTRICTION FOR MEMBERS OF CONGRESS.—Any Member of Congress serving as a member of the Commission shall not receive any additional compensation or pay for their service on the Commission.

(3) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of service for the Commission, members and staff of the Commission, and any Federal Government employees detailed to the Commission, shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703(b) of title 5, United States Code.

(4) SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.—

(A) IN GENERAL.—Members and staff shall have or be eligible to receive the appropriate security clearance to conduct their duties.

(B) EXPEDITED PROCESSING.—The Office of Senate Security shall ensure the expedited processing of appropriate security clearances for members, officers, and employees of the Commission.

(j) REPORT.—

(1) IN GENERAL.—Not later than 24 months after the first date on which a majority of the members of the Commission have been appointed, the Commission shall submit a final report to the Secretary and Congress that includes—

(A) a detailed statement of the findings and conclusions of the Commission; and

(B) the recommendations of the Commission for such legislative and administrative actions as the Commission considers appropriate in light of the results of the study, including the anticipated amount of time and resources required to implement such recommendations.

(2) DEPARTMENT RESPONSE.—The Secretary, in coordination with the heads of appropriate Federal departments and agencies, shall have the right to review and respond to all Commission recommendations before the Commission submits its final report to the Secretary and Congress. The Commission shall provide the Department with its recommendations not later than 90 days before the date of submission of its final report.

(k) TERMINATION OF COMMISSION.—

(1) IN GENERAL.—The Commission, and all the authorities under this section, shall terminate on the date that is 60 days after the date on which the final report is submitted pursuant to subsection (j)(1).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to the appropriate committees of Congress concerning its reports and disseminating the report.

(l) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated up to \$2,000,000 for fiscal year 2023 to carry out this section.

(2) TRANSFERS; SUPPORT.—In addition to other transfers and support otherwise authorized by law, the Secretary may—

(A) transfer any amounts appropriated pursuant to paragraph (1) to the Commission; and

(B) use the amounts referred to in subparagraph (A) to provide non-reimbursable support to the Commission.

(3) COMMISSION ACCOUNTS.—

(A) ESTABLISHMENT.—The Secretary of the Treasury may establish 1 or more accounts to facilitate transfers to the Commission of amounts authorized under paragraph (2)(A).

(B) USE OF FUNDS.—Amounts transferred to the Commission pursuant to subparagraph (A) may be used for the activities of the Commission, including—

(i) the payment of Commission expenses;

(ii) the compensation of Commission members, officers, and employees.

(m) DEFINED TERM.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

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