

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE

HYDE OF ILLINOIS, OR

HIS DESIGNEE, DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 1950, AS REPORTED  
OFFERED BY MR. HYDE OF ILLINOIS**

Strike section 227 (relating to GAO assessment of security capital cost sharing) and insert the following:

**1 SEC. 227. SECURITY CAPITAL COST SHARING.**

2 (a) AUTHORIZATION.—The first section of the For-  
3 eign Service Buildings Act, 1926 (22 U.S.C. 292) is  
4 amended by adding at the end the following new sub-  
5 section:

6 “(c) SECURITY CAPITAL COST-SHARING PRO-  
7 GRAM.—(1) The Secretary of State, as the single manager  
8 of all buildings and grounds acquired under this Act or  
9 otherwise acquired or authorized for the use of the diplo-  
10 matic and consular establishments in foreign countries, is  
11 authorized to establish and implement a Security Capital  
12 Cost-Sharing Program to collect funds from each agency  
13 on the basis of its total overseas presence in a manner  
14 that encourages rightsizing of its overseas presence, and  
15 expend those funds to accelerate the provision of safe, se-  
16 cure, functional buildings for United States Government  
17 personnel overseas.

18 “(2) The Secretary is authorized to determine annu-  
19 ally and charge each Federal agency the amount to be col-  
20 lected under paragraph (1) from the agency. To determine



1 such amount, the Secretary may prescribe and use a for-  
2 mula that takes into account the number of authorized  
3 positions of each agency, including contractors and locally  
4 hired personnel, who are assigned to United States diplo-  
5 matic facilities and are under the authority of a chief of  
6 mission pursuant to section 207 of the Foreign Service  
7 Act of 1980 (22 U.S.C. 3927).

8       “(3) The head of an agency charged a fee under this  
9 section shall remit the amount of the fee to the Secretary  
10 of State through the Intra-Governmental Payment and  
11 Collection System or other appropriate means.

12       “(4) There shall be established on the books of the  
13 Treasury an account to be known as the ‘Security Capital  
14 Cost-Sharing Program Fund’, which shall be administered  
15 by the Secretary. There shall be deposited into the account  
16 all amounts collected by the Secretary pursuant to the au-  
17 thority under paragraph (1), and such funds shall remain  
18 available until expended. Such funds shall be used solely  
19 for the provision of new safe, secure, functional diplomatic  
20 facilities that comply with all applicable legal standards,  
21 including those standards established under the authority  
22 of the Secure Embassy Construction and  
23 Counterterrorism Act of 1999. The Secretary shall include  
24 in the Department of State’s Congressional Presentation



1 Document an accounting of the sources and uses of the  
2 amounts deposited into the account.

3 “(5) The Secretary shall not collect a fee for an au-  
4 thorized position of an agency of the Federal Government  
5 that has been or would be granted a waiver pursuant to  
6 section 606(a)(2)(B)(i) of the Secure Embassy Construc-  
7 tion and Counterterrorism Act of 1999 (22 U.S.C.  
8 4865(a)(2)(B)(i)).

9 “(6) In this subsection—

10 “(A) the term ‘agency of the Federal  
11 Government’—

12 “(i) includes the Interagency Cooperative  
13 Administrative Support Service; and

14 “(ii) does not include the Marine Security  
15 Guard; and

16 “(B) the term ‘United States diplomatic facil-  
17 ity’ has the meaning given that term in section 603  
18 of the Secure Embassy Construction and  
19 Counterterrorism Act of 1999 (22 U.S.C. 4865  
20 note).”.

21 (b) EFFECTIVE DATE.—The amendment made by  
22 subsection (a) shall take effect on October 1, 2004.

