

To the office of U.S. Representative Michael Lawler

Re: HR 9086 (119th Congress), Foreign Service Modernization Act • Latest action (2026-09-17): Received in the Senate and Read twice and referred to the Committee on Foreign Relations.

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Office of record (Congress.gov): 324 Cannon House Office Building, Washington, DC • (202) 225-6506

Foreign Service Readiness With Cost Limits and Review

The measure, as described from the official record: Strengthen the Foreign Service so diplomats are better prepared, led, and staffed for difficult overseas work, including direct work outside secure compounds.

THE PROPOSAL

Congress has the power to fund and organize diplomacy, and that power is limited. The President appoints ambassadors and directs foreign affairs, while Congress provides the money and the offices under Article I and the appointments power under Article II. This proposal would use only that shared power and would stay within it through fixed caps, published rules, and a sunset. The strongest objection is that a reserve corps and protected training could become a permanent parallel service beyond civilian control; the answer is a small time-limited pilot, merit-based appointments, and an end date unless Congress extends the law.

The proposal would direct the Department of State to form a small readiness team to write a plan for safe and effective work in high-risk areas. It would create a veteran recruitment path linked to military transition programs. It would also start a limited Diplomatic Reserve Corps pilot to test a trained surge staff for emergencies. Each program would have public goals for staffing, readiness, and cost.

The proposal would set a structured career learning path with protected study periods. No member would take a leadership post without completing stated leadership and management courses. Members in approved outside study or details would keep fair standing for promotion and pay. Members who receive more than six months of full-time paid language study would serve three consecutive tours using that language, starting promptly after study ends, subject to stated medical, security, and family exceptions.

The proposal would control cost and protect fairness. Spending would stay within a yearly cap from existing State Department funds. The Department would publish annual results on hiring, readiness, retention, and spending. The Government Accountability Office would audit the programs. All new hiring, pilot, and training authority would end after five years unless Congress reviews the record and extends it.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Effective Date Enactment, with pilot programs starting within 180 days

Enforcement Mechanism	Department of State carries out programs under published rules; Government Accountability Office audits costs and results; Congress must reauthorize before sunset or programs end
Funding Amount	Capped at \$120 million per year, with no more than \$40 million for the reserve pilot
Funding Source	Amounts already appropriated for Department of State diplomatic programs and personnel, with no new borrowing
Oversight Body	Department of State with annual public reports to Congress and audit by the Government Accountability Office
Sunset Years	5 years

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 1
- Article I, Section 8, Clause 18
- Article II, Section 2, Clause 2
- Fifth Amendment Due Process

Concerns with the measure as written:

- Any open-ended hiring, training, and reserve authority without funding limits or a sunset could grow beyond prudent fiscal control.
 - Employment protections and mandatory language-service rules need clear standards and review so career decisions remain fair under Fifth Amendment Due Process.
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WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

VFA assesses this draft honors Democratic priorities by strengthening professional diplomacy, protecting fair standing for promotion and pay during approved study, and building surge capacity for crises. VFA assesses it honors Republican priorities by capping costs within existing funds, requiring readiness for high-risk posts, requiring service payback after costly language training, and ending all new authority after five years unless Congress reviews results and extends it.

Strongest objection, and the answer: The strongest objection is that a reserve corps and protected training could become a permanent parallel service beyond civilian control; the answer is a small time-limited pilot, merit-based appointments, and an end date unless Congress extends the law.

CHECK BEFORE RELYING ON THIS

Basis: The Congress.gov official summary of H.R. 9086 supports the goal of improving Foreign Service readiness through expeditionary diplomacy, veteran recruitment, a Diplomatic Reserve Corps pilot, structured career training, leadership training, employment protections, and language-training service rules. The Congress.gov record states the latest action as received in the Senate and referred to the Committee on Foreign Relations.

The official summary does not state full bill text, current law, eligibility rules, appeal rights, pay details, or cost effects; readers should verify those points and the bill stage at [Congress.gov](https://www.congress.gov) before relying on them. Proposed protections, exceptions, caps, and service rules are described here as new VFA proposals.

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