

Pub. L. 117-81, div. E, title LVI, § 5607, Dec. 27, 2021, 135 Stat. 2380, provided that: “In this title [enacting this section and section 2732b of this title, amending section 6553 of this title, and enacting provisions set out as notes under sections 1475g and 2651 of this title]:

“(1) AUDIENCE RESEARCH.—The term ‘audience research’ means research conducted at the outset of a public diplomacy program or the outset of campaign planning and design regarding specific audience segments to understand the attitudes, interests, knowledge, and behaviors of such audience segments.

“(2) DIGITAL ANALYTICS.—The term ‘digital analytics’ means the analysis of qualitative and quantitative data, accumulated in digital format, to indicate the outputs and outcomes of a public diplomacy program or campaign.

“(3) IMPACT EVALUATION.—The term ‘impact evaluation’ means an assessment of the changes in the audience targeted by a public diplomacy program or campaign that can be attributed to such program or campaign.

“(4) PUBLIC DIPLOMACY BUREAUS AND OFFICES.—The term ‘public diplomacy bureaus and offices’ means, with respect to the Department, the following:

“(A) The Bureau of Educational and Cultural Affairs.

“(B) The Bureau of Global Public Affairs.

“(C) The Office of Policy, Planning, and Resources for Public Diplomacy and Public Affairs.

“(D) The Global Engagement Center.

“(E) The public diplomacy functions within the regional and functional bureaus.”

## § 2732b. Improving research and evaluation of public diplomacy

### (a) Research and evaluation activities

The Secretary, acting through the Director of Research and Evaluation appointed pursuant to subsection (b), shall—

(1) conduct regular research and evaluation of public diplomacy programs and activities of the Department, including through the routine use of audience research, digital analytics, and impact evaluations, to plan and execute such programs and activities; and

(2) make available to Congress the findings of the research and evaluations conducted under paragraph (1).

### (b) Director of Research and Evaluation

#### (1) Appointment

Not later than 90 days after December 27, 2021, the Secretary shall appoint a Director of Research and Evaluation (referred to in this subsection as the “Director”) in the Office of Policy, Planning, and Resources for Public Diplomacy and Public Affairs of the Department.

#### (2) Limitation on appointment

The appointment of the Director pursuant to paragraph (1) shall not result in an increase in the overall full-time equivalent positions within the Department.

#### (3) Responsibilities

The Director shall—

(A) coordinate and oversee the research and evaluation of public diplomacy programs and activities of the Department in order to—

(i) improve public diplomacy strategies and tactics; and

(ii) ensure that such programs and activities are increasing the knowledge, understanding, and trust of the United States by relevant target audiences;

(B) routinely organize and oversee audience research, digital analytics, and impact evaluations across all public diplomacy bureaus and offices of the Department;

(C) support United States diplomatic posts’ public affairs sections;

(D) share appropriate public diplomacy research and evaluation information within the Department and with other appropriate Federal departments and agencies;

(E) regularly design and coordinate standardized research questions, methodologies, and procedures to ensure that public diplomacy programs and activities across all public diplomacy bureaus and offices are designed to meet appropriate foreign policy objectives; and

(F) report biannually to the United States Advisory Commission on Public Diplomacy, through the Subcommittee on Research and Evaluation established pursuant to subsection (f), regarding the research and evaluation of all public diplomacy bureaus and offices.

### (4) Guidance and training

Not later than 1 year after the appointment of the Director pursuant to paragraph (1), the Director shall develop guidance and training, including curriculum for use by the Foreign Service Institute, for all public diplomacy officers of the Department regarding the reading and interpretation of public diplomacy program and activity evaluation findings to ensure that such findings and related lessons learned are implemented in the planning and evaluation of all public diplomacy programs and activities of the Department.

### (c) Prioritizing research and evaluation

#### (1) In general

The head of the Office of Policy, Planning, and Resources for Public Diplomacy and Public Affairs of the Department shall ensure that research and evaluation of public diplomacy and activities of the Department, as coordinated and overseen by the Director pursuant to subsection (b), supports strategic planning and resource allocation across all public diplomacy bureaus and offices of the Department.

#### (2) Allocation of resources

Amounts allocated for the purpose of research and evaluation of public diplomacy programs and activities of the Department pursuant to subsection (b) shall be made available to be disbursed at the direction of the Director of Research and Evaluation among the research and evaluation staff across all public diplomacy bureaus and offices of the Department.

#### (3) Sense of Congress

It is the sense of Congress that the Department should gradually increase its allocation of funds made available under the headings “Educational and Cultural Exchange Programs” and “Diplomatic Programs” for research and evaluation of public diplomacy programs and activities of the Department pursuant to subsection (b) to a percentage of program funds that is commensurate with Federal Government best practices.

**(d) Limited exemption relating to the Paperwork Reduction Act**

Chapter 35 of title 44 (commonly known as the “Paperwork Reduction Act”) shall not apply to the collection of information directed at any individuals conducted by, or on behalf of, the Department of State for the purpose of audience research, monitoring, and evaluations, and in connection with the Department’s activities conducted pursuant to any of the following:

(1) The Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.).

(2) Section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 22 U.S.C. 2656 note).

(3) The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

**(e) Limited exemption relating to the Privacy Act**

**(1) In general**

The Department shall maintain, collect, use, and disseminate records (as such term is defined in section 552a(a)(4) of title 5) for audience research, digital analytics, and impact evaluation of communications related to public diplomacy efforts intended for foreign audiences.

**(2) Conditions**

Audience research, digital analytics, and impact evaluations under paragraph (1) shall be—

(A) reasonably tailored to meet the purposes of this subsection; and

(B) carried out with due regard for privacy and civil liberties guidance and oversight.

**(f) United States Advisory Commission on Public Diplomacy**

**(1) Subcommittee for research and evaluation**

The United States Advisory Commission on Public Diplomacy shall establish a Subcommittee on Research and Evaluation to monitor and advise regarding audience research, digital analytics, and impact evaluations carried out by the Department and the United States Agency for Global Media.

**(2) Annual report**

The Subcommittee on Research and Evaluation established pursuant to paragraph (1) shall submit to the appropriate congressional committees an annual report, in conjunction with the United States Advisory Commission on Public Diplomacy’s Comprehensive Annual Report on the performance of the Department and the United States Agency for Global Media, describing all actions taken by the Subcommittee pursuant to paragraph (1) and any findings made as a result of such actions.

(Pub. L. 117–81, div. E, title LVI, § 5603, Dec. 27, 2021, 135 Stat. 2377.)

**Editorial Notes**

REFERENCES IN TEXT

The Mutual Educational and Cultural Exchange Act of 1961, referred to in subsec. (d)(1), is Pub. L. 87–256, Sept. 21, 1961, 75 Stat. 527, which is classified principally to chapter 33 (§2451 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

The Foreign Assistance Act of 1961, referred to in subsec. (d)(3), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424, which is classified principally to chapter 32 (§2151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

The Privacy Act, referred to in the heading of subsec. (e), is probably a reference to section 552a of Title 5, Government Organization and Employees. See Short Title note set out under section 552a of Title 5.

**Statutory Notes and Related Subsidiaries**

DEFINITIONS

For definitions of “Secretary”, “Department”, and “appropriate congressional committees” as used in this section, see section 5002 of Pub. L. 117–81, set out as a note under section 263c of this title.

For definitions of “audience research”, “digital analytics”, “impact evaluation”, and “public diplomacy bureaus and offices” as used in this section, see section 5607 of Pub. L. 117–81, set out as a note under section 2732a of this title.

**§ 2733. Reemployment of annuitants under the Civil Service Retirement System and Federal Employees’ Retirement System**

**(a) Authority**

The Secretary of State may waive the application of section 8344 or 8468 of title 5 on a case-by-case basis, for employment of an annuitant in a position in the Department of State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.

**(b) Procedures**

The Secretary should prescribe procedures for the exercise of any authority under subsection (a), including criteria for any exercise of authority and procedures for a delegation of authority.

**(c) Annuitants not treated as employees for purposes of retirement benefits**

An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5.

(Aug. 1, 1956, ch. 841, title I, §61, as added Pub. L. 109–234, title I, §1602(b)(1), June 15, 2006, 120 Stat. 441; amended Pub. L. 111–32, title XI, §1115(c)(2), June 24, 2009, 123 Stat. 1905; Pub. L. 114–323, title IV, §405(b), Dec. 16, 2016, 130 Stat. 1929.)

**Editorial Notes**

CODIFICATION

Pub. L. 109–234, title I, §1602(b)(1), June 15, 2006, 120 Stat. 441, which directed that this section be added at the end of title I of the Department of State Basic Authorities Act of 1956, was executed by adding this section at the end of title I of the State Department Basic Authorities Act of 1956, to reflect the probable intent of Congress.

AMENDMENTS

2016—Subsec. (a). Pub. L. 114–323 amended subsec. (a) generally. Prior to amendment, subsec. (a) related to authority of the Secretary of State to waive application of provisions of section 8344 or 8468 of title 5 on a case-by-case basis for employment of certain annuitants to facilitate the assignment of persons to Iraq, Pakistan, and Afghanistan or to posts vacated by mem-