

1990—Subsec. (e). Pub. L. 101-246 added subsec. (e).

EFFECTIVE DATE

Section effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as a note under section 3901 of this title.

AUTHORITY TO PROVIDE ACCOMMODATION AND SUBSISTENCE TO INDIVIDUALS SERVING IN IRAQ AND AFGHANISTAN

Pub. L. 109-234, title I, §1602(e), June 15, 2006, 120 Stat. 442, provided that: “The Secretary of State may provide during any fiscal year, with or without reimbursement, accommodation and subsistence to personnel in Iraq and Afghanistan for whom the Chief of Mission is responsible.”

§ 2704. Subsistence expenses

The Secretary of State may pay, without regard to section 5702 of title 5, subsistence expenses of (1) special agents of the Department of State who are on authorized protective missions, whether at or away from their duty stations, and (2) members of the Foreign Service and employees of the Department who are required to spend extraordinary amounts of time in travel status. The authorities available to the Secretary of State under this section with respect to the Broadcasting Board of Governors and the Administrator of the Agency for International Development with respect to their respective agencies, except that the authority of clause (2) shall be available with respect to those agencies only in the case of members of the Foreign Service and employees of the agency who are performing security-related functions abroad.

(Aug. 1, 1956, ch. 841, title I, §32, as added Pub. L. 96-465, title II, §2201(a), Oct. 17, 1980, 94 Stat. 2157; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282; amended Pub. L. 98-533, title III, §303(c), Oct. 19, 1984, 98 Stat. 2711; Pub. L. 99-93, title I, §125(b), Aug. 16, 1985, 99 Stat. 417; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1335(l)(4), title XIV, §1422(b)(3)(C), Oct. 21, 1998, 112 Stat. 2681-789, 2681-792; Pub. L. 110-321, §3, Sept. 19, 2008, 122 Stat. 3535.)

AMENDMENTS

2008—Pub. L. 110-321 substituted “on authorized protective missions, whether at or away from their duty stations, and” for “on authorized protective missions, and”.

1998—Pub. L. 105-277, §1422(b)(3)(C), substituted “Administrator of the Agency for International Development” for “Director of the United States International Development Cooperation Agency”.

Pub. L. 105-277, §1335(l)(4), substituted “the Broadcasting Board of Governors” for “the Director of the United States Information Agency”.

1985—Pub. L. 99-93 substituted “special agents” for “security officers”.

1984—Pub. L. 98-533 inserted “The authorities available to the Secretary of State under this section with respect to the Department of State shall be available to the Director of the United States Information Agency and the Director of the United States International Development Cooperation Agency with respect to their respective agencies, except that the authority of clause (2) shall be available with respect to those agencies only in the case of members of the Foreign Service and employees of the agency who are performing security-related functions abroad.”

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 1335(l)(4) of Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of this title.

Amendment by section 1422(b)(3)(C) of Pub. L. 105-277 effective Apr. 1, 1999, see section 1401 of Pub. L. 105-277, set out as an Effective Date note under section 6561 of this title.

EFFECTIVE DATE

Section effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as a note under section 3901 of this title.

§ 2705. Documentation of citizenship

The following documents shall have the same force and effect as proof of United States citizenship as certificates of naturalization or of citizenship issued by the Attorney General or by a court having naturalization jurisdiction:

(1) A passport, during its period of validity (if such period is the maximum period authorized by law), issued by the Secretary of State to a citizen of the United States.

(2) The report, designated as a “Report of Birth Abroad of a Citizen of the United States”, issued by a consular officer to document a citizen born abroad. For purposes of this paragraph, the term “consular officer” includes any United States citizen employee of the Department of State who is designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe.

(Aug. 1, 1956, ch. 841, title I, §33, as added and renumbered title I, Pub. L. 97-241, title I, §117, title II, §202(a), Aug. 24, 1982, 96 Stat. 279, 282; amended Pub. L. 105-277, div. G, subdiv. B, title XXII, §2222(a), Oct. 21, 1998, 112 Stat. 2681-818.)

PRIOR PROVISIONS

A prior section 33 of act Aug. 1, 1956, was renumbered section 34 by section 117 of Pub. L. 97-241, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102-138, title I, §111(1), Oct. 28, 1991, 105 Stat. 654.

AMENDMENTS

1998—Par. (2). Pub. L. 105-277 inserted at end “For purposes of this paragraph, the term ‘consular officer’ includes any United States citizen employee of the Department of State who is designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe.”

RECORD OF PLACE OF BIRTH FOR TAIWANESE-AMERICANS

Pub. L. 103-236, title I, §132, Apr. 30, 1994, 108 Stat. 395, as amended by Pub. L. 103-415, §1(r), Oct. 25, 1994, 108 Stat. 4302, provided that: “For purposes of the registration of birth or certification of nationality or issuance of a passport of a United States citizen born in Taiwan, the Secretary of State shall permit the place of birth to be recorded as Taiwan.”

§ 2706. Reprogramming of funds; notice requirements

(a) In general

Unless the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Commit-

tee on Foreign Relations and the Committee on Appropriations of the Senate are notified fifteen days in advance of the proposed reprogramming, funds appropriated for the Department of State shall not be available for obligation or expenditure through any reprogramming of funds—

- (1) which creates new programs;
- (2) which eliminates a program, project, or activity;
- (3) which increases funds or personnel by any means for any project or activity for which funds have been denied or restricted by the Congress;
- (4) which relocates an office or employees;
- (5) which reorganizes offices, programs, or activities;
- (6) which involves contracting out functions which had been performed by Federal employees; or
- (7) which involves a reprogramming in excess of \$1,000,000 or 10 per centum, whichever is less, and which (A) augments existing programs, projects, or activities, (B) reduces by 10 per centum or more the funding for any existing program, project, activity, or personnel approved by the Congress, or (C) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects approved by the Congress.

(b) Final 15 days in which funds available

Funds appropriated for the Department of State may not be available for obligation or expenditure through any reprogramming described in subsection (a) of this section during the period which is the last 15 days in which such funds are available unless notice of such reprogramming is made before such period.

(c) Waiver

The Secretary of State may waive the notification requirement of subsection (a) of this section, if the Secretary determines that failure to do so would pose a substantial risk to human health or welfare. In the case of any waiver under this subsection, notification to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives shall be provided as soon as practicable, but not later than 3 days after taking the action to which the notification requirement was applicable, and shall contain an explanation of the emergency circumstances.

(Aug. 1, 1956, ch. 841, title I, § 34, as added Pub. L. 98-164, title I, § 123, Nov. 22, 1983, 97 Stat. 1025; amended Pub. L. 100-204, title I, § 121, Dec. 22, 1987, 101 Stat. 1339; Pub. L. 102-138, title I, § 117(b), Oct. 28, 1991, 105 Stat. 657; Pub. L. 103-236, title I, § 122(c), Apr. 30, 1994, 108 Stat. 392; Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2243, Oct. 21, 1998, 112 Stat. 2681-823.)

PRIOR PROVISIONS

A prior section 34 of act Aug. 1, 1956, was renumbered sections 35 and 36 by sections 123 and 124 of Pub. L. 98-164, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102-138, title I, § 111(1), Oct. 28, 1991, 105 Stat. 654.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, § 2243(1), in introductory provisions, substituted “International Relations and the Committee on Appropriations” for “Foreign Affairs” and inserted “and the Committee on Appropriations” after “Foreign Relations”.

Subsec. (c). Pub. L. 105-277, § 2243(2), added subsec. (c). 1994—Subsec. (a)(7). Pub. L. 103-236 substituted “\$1,000,000” for “\$500,000”.

1991—Subsec. (a)(7). Pub. L. 102-138 substituted “\$500,000” for “\$250,000”.

1987—Pub. L. 100-204 designated existing provisions as subsec. (a) and added subsec. (b).

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 2706a. Rewards payments

The Secretary may transfer to and merge with “Emergencies in the Diplomatic and Consular Service” for rewards payments unobligated balances of funds appropriated under “Diplomatic and Consular Programs” for this fiscal year and for each fiscal year on and after December 26, 2007, at no later than the end of the fifth fiscal year after the fiscal year for which any such funds were appropriated or otherwise made available.

(Pub. L. 110-161, div. J, title I (part), Dec. 26, 2007, 121 Stat. 2278.)

REFERENCES IN TEXT

Secretary, referred to in text, means the Secretary of State.

§ 2707. International communications and information policy; duties of Secretary of State

(a) Repealed. Pub. L. 103-236, title I, § 162(k)(1)(A), Apr. 30, 1994, 108 Stat. 408.

(b) The Secretary of State shall be responsible for formulation, coordination, and oversight of foreign policy related to international communications and information policy. The Secretary of State shall—

(1) exercise primary authority for the conduct of foreign policy with respect to such telecommunications functions, including the determination of United States positions and the conduct of United States participation in negotiations with foreign governments and international bodies. In exercising this responsibility, the Secretary shall coordinate with other agencies as appropriate, and, in particular, shall give full consideration to the authority vested by law or Executive order in the Federal Communications Commission, the Department of Commerce and the Office of the United States Trade Representative in this area;

(2) maintain continuing liaison with other executive branch agencies concerned with international communications and information policy and with the Federal Communications Commission, as appropriate;

(3) in accordance with such authority as may be delegated by the President pursuant to Executive order, supervise and coordinate the activities of any senior interagency policy-making group on international telecommuni-