

REFERENCES IN TEXT

Section 1196 of this title, referred to in text, was repealed by act June 28, 1955, ch. 196, 69 Stat. 187.

CODIFICATION

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 812 of this title, and prior thereto to section 13 of this title.

AMENDMENTS

1931—Act Feb. 23, 1931, substituted “shall apply to diplomatic officers below the grade of minister and to consular officers” for “shall include both branches of the Foreign Service”.

EFFECTIVE DATE OF 1931 AMENDMENT

Section 7 of act Feb. 23, 1931, provided: “That this Act [see Tables for classification] shall take effect on July 1, 1931.”

§ 4225. Fiscal districts; establishment; district accounting and disbursing offices; personnel; duties

The President is authorized, whenever the necessity for such offices with a view to effecting economies in accounting procedure is apparent, to prescribe certain fiscal districts or areas and to establish within each such district as a part of the Department of State service, a district accounting and disbursing office to exercise control over the accounts and returns of all diplomatic missions and consular offices within the district in such manner as the President may direct. To each such office may be assigned the administrative accounting responsibility for receipts and expenditures of the diplomatic missions and consular offices within the district. Each district office shall be in charge of an accountable officer, to whom all fees, and other official monies, received by any diplomatic, consular, or Foreign Service officer may be accounted for, under such rules and regulations as may be prescribed by the Secretary of State, all such fees and monies, or the residue thereof after the payment of salaries, allowances, and current expenses of the diplomatic missions and consular offices within the district, to be paid by the district accounting and disbursing officer into the Treasury of the United States. Such district accounting and disbursing officers accountable for public monies may entrust monies to other officers for the purpose of having them make disbursements as his agent, and the officer to whom the monies are entrusted, as well as the officer who entrusts the monies to him, shall be held pecuniarily responsible therefor to the United States. All diplomatic, consular or Foreign Service officers on duty within the area covered by such district offices may be required to render accounts of their disbursements to the officer in charge of such district office to be included in his accounts.

Provided further, That the Secretary of State is authorized to appoint such district accounting and disbursing officers and their assistants in the same manner as clerks in diplomatic missions and consular offices are appointed.

Section 3522 of title 31, and any other existing statutes, in so far as they conflict with this section are hereby amended.

(May 24, 1924, ch. 182, § 35, as added Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1216; amended Pub. L. 92-310, title II, § 227(b), June 6, 1972, 86 Stat. 207.)

CODIFICATION

“Section 3522 of title 31” substituted in text for “Section 3622 of the Revised Statutes of the United States (U.S.C., title 31, sec. 496)”, on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 813 of this title, and prior thereto to section 23k of this title.

AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which required district accounting and disbursing officers and their agents to be bonded.

EFFECTIVE DATE

Section effective July 1, 1931, see section 7 of act Feb. 23, 1931, set out as an Effective Date of 1931 Amendment note under section 4224 of this title.

TRANSFER OF FUNCTIONS

Function of disbursement of moneys of the United States of any agency (with certain exceptions) transferred to Treasury Department by Ex. Ord. No. 6166, § 4, June 10, 1933, set out as a note under section 901 of Title 5, Government Organization and Employees. Section 4 of Ex. Ord. No. 6166 was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1086, the first section of which enacted Title 31, Money and Finance. See section 3321 of Title 31.

§ 4226. Fees and official monies from diplomatic missions, consular offices and district accounting and disbursing offices; disposition

All fees and other official monies received by diplomatic missions or consular offices or by the district accounting and disbursing offices provided in section 4225 of this title, may be transmitted through the Department of State for deposit in the United States Treasury, or may be used in payment of salaries, allowances, and current expenses of said missions and offices, under such rules and regulations as the President may from time to time prescribe; the residue, if any, to be transmitted through the Department of State for deposit in the United States Treasury. Section 3302(b) of title 31 is hereby amended.

(May 24, 1924, ch. 182, § 36, as added Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1216.)

CODIFICATION

“Section 3302(b) of title 31” substituted in text for “Section 3617 of the Revised Statutes of the United States (U.S.C., title 31, sec. 484)”, on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 814 of this title, and prior thereto to section 23l of this title.

EFFECTIVE DATE

Section effective July 1, 1931, see section 7 of act Feb. 23, 1931, set out as an Effective Date of 1931 Amendment note under section 4224 of this title.

CHAPTER 53—AUTHORITIES RELATING TO THE REGULATION OF FOREIGN MISSIONS

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§ 4301. Congressional declaration of findings and policy

(a) Findings

The Congress finds that the operation in the United States of foreign missions and public international organizations and the official missions to such organizations, including the permissible scope of their activities and the location and size of their facilities, is a proper subject for the exercise of Federal jurisdiction.

(b) Policy

The Congress declares that it is the policy of the United States to support the secure and efficient operation of United States missions abroad, to facilitate the secure and efficient operation in the United States of foreign missions and public international organizations and the official missions to such organizations, and to assist in obtaining appropriate benefits, privileges, and immunities for those missions and organizations and to require their observance of corresponding obligations in accordance with international law.

(c) Treatment of foreign missions in United States

The treatment to be accorded to a foreign mission in the United States shall be determined by the Secretary after due consideration of the benefits, privileges, and immunities provided to missions of the United States in the country or territory represented by that foreign mission, as well as matters relating to the protection of the interests of the United States.

(Aug. 1, 1956, ch. 841, title II, § 201, as added Pub. L. 97-241, title II, § 202(b), Aug. 24, 1982, 96 Stat. 283; amended Pub. L. 99-93, title I, § 127(a), Aug. 16, 1985, 99 Stat. 418.)

AMENDMENTS

1985—Subsec. (c). Pub. L. 99-93 inserted “, as well as matters relating to the protection of the interests of the United States”.

EFFECTIVE DATE

Section 204 of title II of Pub. L. 97-241 provided that: “The amendments made by this title [see Short Title note below] shall take effect on October 1, 1982.”

SHORT TITLE OF 1983 AMENDMENT

Pub. L. 98-164, title VI, § 601, Nov. 22, 1983, 97 Stat. 1042, provided that: “This title [enacting section 4304a of this title, amending sections 254e and 4303 of this title, and enacting provisions set out as a note under section 4303 of this title] may be cited as the ‘Foreign Missions Amendments Act of 1983’.”

SHORT TITLE

Section 201 of title II of Pub. L. 97-241 provided that: “This title [enacting this chapter, amending sections 254a, 254b, 254c, 2662, and 2684 of this title and section 1364 of Title 28, Judiciary and Judicial Procedure, and enacting provisions set out as a note under this section] may be cited as the ‘Foreign Missions Act’.”

UNITED STATES DEPARTMENT OF STATE FREEDOM OF EXPRESSION

Pub. L. 100-204, title I, § 133, Dec. 22, 1987, 101 Stat. 1344, provided that:

“(a) FINDING.—Congress finds that the United States Department of State, on September 15, 1987, declared itself to be a temporary foreign diplomatic mission for the purpose of denying free speech to American citizens who planned to protest the tyranny of the Soviet regime.

“(b) PROHIBITION.—It is not in the national security interest of the United States for the Department of State to declare, and it shall not declare, itself to be a foreign diplomatic mission.”

UNITED STATES-SOVIET RECIPROCITY IN MATTERS RELATING TO EMBASSIES

Pub. L. 101-246, title I, § 134, Feb. 16, 1990, 104 Stat. 33, authorized Secretary of State to allow Soviet mission to United States to occupy, on a reciprocal basis, a consulate facility in United States, provided that United States mission in Kiev would be able to occupy an interim facility intended for conduct of unclassified activities, and required Secretary of State to submit to Congress a long-term plan for acquiring secure permanent facilities for United States mission in Kiev, prior to repeal by Pub. L. 103-199, title V, § 502(c)(1), Dec. 17, 1993, 107 Stat. 2326.

Pub. L. 100-204, title I, § 153(a)-(d), Dec. 22, 1987, 101 Stat. 1353, authorized Secretary of State to obtain full cooperation of Soviet government, on a reciprocal basis, in areas of diplomatic and consular finance, access to goods, and use of real property and prohibited Secretary of State from allowing Soviet mission to United States to occupy any new consulate in United States until United States mission in Kiev was able to occupy secure permanent facilities, prior to repeal by Pub. L. 103-199, title V, § 502(e)(1), Dec. 17, 1993, 107 Stat. 2326. Section 153(d) of Pub. L. 100-204 was also repealed by Pub. L. 103-236, title I, § 139(15), Apr. 30, 1994, 108 Stat. 398.

§ 4302. Definitions

(a) For purposes of this chapter—

(1) “benefit” (with respect to a foreign mission) means any acquisition, or authorization for an acquisition, in the United States by or for a foreign mission, including the acquisition of—

(A) real property by purchase, lease, exchange, construction, or otherwise,

(B) public services, including services relating to customs, importation, and utilities, and the processing of applications or requests relating to public services,

(C) supplies, maintenance, and transportation,

(D) locally engaged staff on a temporary or regular basis,

(E) travel and related services,