

AMENDMENTS

1982—Par. (1)(A). Pub. L. 97-241 substituted “those members of a mission who are members of the diplomatic staff or who, pursuant to law, are granted equivalent privileges and immunities” for “members of the diplomatic staff of a mission”.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-241 effective Oct. 1, 1982, see section 204 of Pub. L. 97-241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section 9 of Pub. L. 95-393 provided that: “This Act [see Short Title note below] shall take effect at the end of the ninety-day period beginning on the date of its enactment [Sept. 30, 1978]”.

SHORT TITLE

Section 1 of Pub. L. 95-393 provided that: “This Act [enacting this section, sections 254b to 254e of this title, and section 1364 of Title 28, Judiciary and Judicial Procedure, amending sections 1251 and 1351 of Title 28, repealing sections 252 to 254 of this title, and enacting provisions set out as a note under this section] may be cited as the ‘Diplomatic Relations Act’.”

§ 254b. Privileges and immunities of mission of nonparty to Vienna Convention

With respect to a nonparty to the Vienna Convention, the mission, the members of the mission, their families, and diplomatic couriers shall enjoy the privileges and immunities specified in the Vienna Convention.

(Pub. L. 95-393, §3(b), Sept. 30, 1978, 92 Stat. 808; Pub. L. 97-241, title II, §203(b)(2), Aug. 24, 1982, 96 Stat. 291.)

AMENDMENTS

1982—Pub. L. 97-241 substituted “With respect to a nonparty to the Vienna Convention, the mission, the members of the mission, their families, and diplomatic couriers” for “Members of the mission of a sending state which has not ratified the Vienna Convention, their families, and the diplomatic couriers of such state.”.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-241 effective Oct. 1, 1982, see section 204 of Pub. L. 97-241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective at end of ninety-day period beginning on Sept. 30, 1978, see section 9 of Pub. L. 95-393, set out as a note under section 254a of this title.

§ 254c. Extension of more favorable or less favorable treatment than provided under Vienna Convention; authority of President

The President may, on the basis of reciprocity and under such terms and conditions as he may determine, specify privileges and immunities for the mission, the members of the mission, their families, and the diplomatic couriers which result in more favorable treatment or less favorable treatment than is provided under the Vienna Convention.

(Pub. L. 95-393, §4, Sept. 30, 1978, 92 Stat. 809; Pub. L. 97-241, title II, §203(b)(3), Aug. 24, 1982, 96 Stat. 291.)

AMENDMENTS

1982—Pub. L. 97-241 substituted “immunities for the mission, the members” for “immunities for members”

and “diplomatic couriers which” for “diplomatic couriers of any sending state which”.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-241 effective Oct. 1, 1982, see section 204 of Pub. L. 97-241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective at end of ninety-day period beginning on Sept. 30, 1978, see section 9 of Pub. L. 95-393, set out as a note under section 254a of this title.

EX. ORD. NO. 12101. DELEGATION OF FUNCTIONS TO SECRETARY OF STATE RESPECTING PRIVILEGES AND IMMUNITIES FOR DIPLOMATIC MISSIONS AND PERSONNEL

Ex. Ord. No. 12101, Nov. 17, 1978, 43 F.R. 54195, as amended by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

By the authority vested in me as President of the United States of America by the Diplomatic Relations Act (Public Law 95-393, 92 Stat. 808; 22 U.S.C. 254a et seq.) and Section 301 of Title 3 of the United States Code, in order to implement the liability insurance and other requirements relating to diplomatic personnel, I hereby designate and empower the Secretary of State to perform, without the approval, ratification, or other action of the President, the functions vested or to be vested in the President by Section 4 of Diplomatic Relations Act (92 Stat. 809; 22 U.S.C. 254c).

§ 254c-1. Policy toward certain agents of foreign governments

(a) It is the sense of the Congress that the numbers, status, privileges and immunities, travel, accommodations, and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States should not exceed the respective numbers, status, privileges and immunities, travel accommodations, and facilities within such country of official representatives of the United States to such country.

(b) Omitted.

(Pub. L. 98-618, title VI, §601(a), (b), Nov. 8, 1984, 98 Stat. 3303.)

CODIFICATION

Subsec. (b) of this section, which required the President to prepare and transmit to the Committee on Foreign Relations and Select Committee on Intelligence of the Senate and the Committee on Foreign Affairs and Permanent Select Committee on Intelligence of the House of Representatives a report on the numbers, status, privileges and immunities, travel, accommodations, and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States and the respective numbers, status, privileges and immunities, travel, accommodations, and facilities within such country of official representatives of the United States to such country, and any action which may have been taken with respect thereto, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 33 of House Document No. 103-7.

§ 254c-2. Repealed. Pub. L. 103-199, title V, § 501(c), Dec. 17, 1993, 107 Stat. 2325

Section, Pub. L. 100-178, title V, §501, Dec. 2, 1987, 101 Stat. 1014, related to annual report of Attorney General

to congressional committees regarding admissions to United States over objections of the Federal Bureau of Investigation of Soviet nationals employed by or assigned to foreign mission or international organization in United States.

§ 254d. Dismissal on motion of action against individual entitled to immunity

Any action or proceeding brought against an individual who is entitled to immunity with respect to such action or proceeding under the Vienna Convention on Diplomatic Relations, under section 254b or 254c of this title, or under any other laws extending diplomatic privileges and immunities, shall be dismissed. Such immunity may be established upon motion or suggestion by or on behalf of the individual, or as otherwise permitted by law or applicable rules of procedure.

(Pub. L. 95-393, § 5, Sept. 30, 1978, 92 Stat. 809.)

EFFECTIVE DATE

Section effective at end of ninety-day period beginning on Sept. 30, 1978, see section 9 of Pub. L. 95-393, set out as a note under section 254a of this title.

§ 254e. Liability insurance for members of mission

(a) Compliance with regulations

Each mission, members of the mission and their families, and individuals described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946, shall comply with any requirement imposed by the regulations promulgated by the Director of the Office of Foreign Missions in the Department of State pursuant to subsection (b) of this section.

(b) Establishment by regulation of liability insurance requirements

The Director of the Office of Foreign Missions shall, by regulation, establish liability insurance requirements which can reasonably be expected to afford adequate compensation to victims and which are to be met by each mission, members of the mission and their families, and individuals described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946, relating to risks arising from the operation in the United States of any motor vehicle, vessel, or aircraft.

(c) Enforcement of liability insurance requirements

The Director of the Office of Foreign Missions shall take such steps as he may deem necessary to insure that each mission, members of the mission and their families, and individuals described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946, who operate motor vehicles, vessels, or aircraft in the United States comply with the requirements established pursuant to subsection (b) of this section.

(Pub. L. 95-393, § 6, Sept. 30, 1978, 92 Stat. 809; Pub. L. 98-164, title VI, § 602, Nov. 22, 1983, 97 Stat. 1042.)

AMENDMENTS

1983—Subsec. (a). Pub. L. 98-164, § 602(1), substituted “Director of the Office of Foreign Missions in the Department of State” for “President”.

Subsec. (b). Pub. L. 98-164, § 602(2), inserted provision respecting adequate compensation to victims, and substituted reference to Director for reference to President.

Subsec. (c). Pub. L. 98-164, § 602(3), substituted reference to Director for reference to President.

EFFECTIVE DATE

Section effective at end of ninety-day period beginning on Sept. 30, 1978, see section 9 of Pub. L. 95-393, set out as a note under section 254a of this title.

AUTHORITY OF SECRETARY OF STATE

Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of this title and section 161(d) of Pub. L. 103-236, set out as a note under section 2651a of this title.

§ 255. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

Section, R.S. § 4062, related to assaulting, etc., a foreign minister. See sections 112 and 1545 of Title 18, Crimes and Criminal Procedure.

§§ 255a, 255b. Omitted

CODIFICATION

Sections, act Feb. 15, 1938, ch. 29, §§ 1, 2, 52 Stat. 30, which related to protection for officers and buildings, jurisdiction of offenses and penalties, and permitted picketing, are of particular application to the District of Columbia.

§ 256. Jurisdiction of consular officers in disputes between seamen

Whenever it is stipulated by treaty or convention between the United States and any foreign nation that the consul general, consuls, vice consuls, or consular or commercial agents of each nation, shall have exclusive jurisdiction of controversies, difficulties, or disorders arising at sea or in the waters or ports of the other nation, between the master or officers and any of the crew, or between any of the crew themselves, of any vessel belonging to the nation represented by such consular officer, such stipulations shall be executed and enforced within the jurisdiction of the United States as declared in sections 257 and 258 of this title. But before this section shall take effect as to the vessels of any particular nation having such treaty with the United States, the President shall be satisfied that similar provisions have been made for the execution of such treaty by the other contracting party, and shall issue his proclamation to that effect, declaring this section to be in force as to such nation.

(R.S. § 4079.)

CODIFICATION

R.S. § 4079 derived from act June 11, 1864, ch. 116, § 1, 13 Stat. 121.

§ 257. Arrest of seamen; procedure generally

In all cases within the purview of section 256 of this title the consul general, consul, or other consular or commercial authority of such foreign nation charged with the appropriate duty in the particular case, may make application to