

§ 2715. Procedures regarding major disasters and incidents abroad affecting United States citizens

(a) Authority

In the case of a major disaster or incident abroad which affects the health and safety of citizens of the United States residing or traveling abroad, the Secretary of State shall provide prompt and thorough notification of all appropriate information concerning such disaster or incident and its effect on United States citizens to the next-of-kin of such individuals. Notification shall be provided through the most expeditious means available, including telephone communications, and shall include timely written notice. The Secretary, through the appropriate offices of the Department of State, shall act as a clearinghouse for up-to-date information for the next-of-kin and shall provide other services and assistance. Assistance shall include liaison with foreign governments and persons and with United States air carriers concerning arrangements for the preparation and transport to the United States of the remains of citizens who die abroad, as well as disposition of personal estates pursuant to section 2715c of this title.

(b) Definitions

For purposes of this section and sections 2715b and 2715c of this title, the term “consular officer” includes any United States citizen employee of the Department of State who is designated by the Secretary of State to perform consular services pursuant to such regulations as the Secretary may prescribe.

(Aug. 1, 1956, ch. 841, title I, § 43, as added Pub. L. 101-246, title I, § 115(c)(2), Feb. 16, 1990, 104 Stat. 23; amended Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title II, § 235], Nov. 29, 1999, 113 Stat. 1536, 1501A-429.)

PRIOR PROVISIONS

A prior section 43 of act Aug. 1, 1956, was renumbered section 44 by section 115(c)(1) of Pub. L. 101-246, 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

1999—Pub. L. 106-113 designated existing provisions as subsec. (a), inserted subsec. heading, substituted “disposition of personal estates pursuant to section 2715c of this title” for “disposition of personal effects”, and added subsec. (b).

DEVELOPMENT OF STANDARDIZED PROCEDURES

Pub. L. 101-246, title I, § 115(d), Feb. 16, 1990, 104 Stat. 23, provided that:

“(1) The Secretary of State shall enter into discussions with international air carriers and other appropriate entities to develop standardized procedures which will assist the Secretary in implementing the provisions of section 43 of the State Department Basic Authorities Act of 1956, as amended by subsection (c) [22 U.S.C. 2715].

“(2) The Secretary of State shall consider the feasibility of establishing a toll-free telephone number to facilitate inquiries by the next-of-kin in cases of major disasters or incidents abroad which affect the health and safety of citizens of the United States residing or traveling abroad.”

§ 2715a. Provision of information on certain violent crimes abroad to victims and victims’ families

(a) Sense of Congress

It is the sense of Congress that—

(1) it is in the national interests of the United States to provide information regarding the killing, abduction, torture, or other serious mistreatment of United States citizens abroad to the victims of such crimes, or the families of victims of such crimes if they are United States citizens; and

(2) the provision of such information is sufficiently important that the discharge of the responsibility for identifying and disseminating such information should be vested in a cabinet-level officer of the United States Government.

(b) Responsibility

The Secretary of State shall take appropriate actions to ensure that the United States Government takes all appropriate actions to—

(1) identify promptly information (including classified information) in the possession of the departments and agencies of the United States Government regarding the killing, abduction, torture, or other serious mistreatment of United States citizens abroad; and

(2) subject to subsection (c) of this section, promptly make such information available to—

(A) the victims of such crimes; or

(B) when appropriate, the family members of the victims of such crimes if such family members are United States citizens.

(c) Limitations

The Secretary shall work with the heads of appropriate departments and agencies of the United States Government in order to ensure that information relevant to a crime covered by subsection (b) of this section is promptly reviewed and, to the maximum extent practicable, without jeopardizing sensitive sources and methods or other vital national security interests, or without jeopardizing an on-going criminal investigation or proceeding, made available under that subsection unless such disclosure is specifically prohibited by law.

(Pub. L. 105-107, title III, § 307, Nov. 20, 1997, 111 Stat. 2252.)

§ 2715b. Notification of next of kin; reports of death

(a) In general

Whenever a United States citizen or national dies abroad, a consular officer shall endeavor to notify, or assist the Secretary of State in notifying, the next of kin or legal guardian as soon as possible, except that, in the case of death of any Peace Corps volunteer (within the meaning of section 2504(a) of this title), any member of the Armed Forces, any dependent of such a volunteer or member, or any Department of Defense employee, the consular officer shall assist the Peace Corps or the appropriate military authorities, as the case may be, in making such notifications.