

§ 2655a. Bureau of Oceans and International Environmental and Scientific Affairs within Department of State; Assistant Secretary of State as head of Bureau

There is established within the Department of State a Bureau of Oceans and International Environmental and Scientific Affairs. There shall be an Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, appointed by the President, by and with the advice and consent of the Senate, who shall be the head of the Bureau and who shall have responsibility for matters relating to oceans, environmental, scientific, fisheries, wildlife, and conservation affairs and for such other related duties as the Secretary may from time to time designate.

(Pub. L. 93-126, §9(a), formerly §9, Oct. 18, 1973, 87 Stat. 453, renumbered Pub. L. 93-312, §9, June 8, 1974, 88 Stat. 238; Pub. L. 103-236, title I, §162(q)(1), Apr. 30, 1994, 108 Stat. 410; Pub. L. 103-415, §1(f)(4)(B), Oct. 25, 1994, 108 Stat. 4300.)

AMENDMENTS

1994—Pub. L. 103-236, as amended by Pub. L. 103-415, substituted “There shall” for “In addition to the positions provided under section 2652 of this title, there shall” and inserted before period at end “and for such other related duties as the Secretary may from time to time designate”.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-236 applicable with respect to officials, offices, and bureaus of Department of State when executive orders, regulations, or departmental directives implementing the amendments by sections 161 and 162 of Pub. L. 103-236 become effective, or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as a note under section 2651a 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.

§ 2655b. Diplomatic presence overseas

(a) Purpose

The purpose of this section is to—

- (1) elevate the stature given United States diplomatic initiatives relating to nonproliferation and political-military issues; and
- (2) develop a group of highly specialized, technical experts with country expertise capable of administering the nonproliferation and political-military affairs functions of the Department.

(b) Authority

To carry out the purposes of subsection (a) of this section, the Secretary is authorized to establish the position of Counselor for Nonproliferation and Political Military Affairs in United States diplomatic missions overseas, to be filled by individuals who are career Civil Service officers or Foreign Service officers committed to follow-on assignments in the Non-

proliferation Bureau or the Political Military Affairs Bureau of the Department.

(c) Training

After being selected to serve as Counselor, any person so selected shall spend not less than 10 months in language training courses at the Foreign Service Institute,¹ or in technical courses administered by the Department of Defense, the Department of Energy, or other appropriate departments and agencies of the United States, except that such requirement for training may be waived by the Secretary.

(Pub. L. 107-228, div. B, title XVI, §1604, Sept. 30, 2002, 116 Stat. 1460.)

CHANGE OF NAME

References to Foreign Service Institute considered to refer to George P. Shultz National Foreign Affairs Training Center, see section 1(b) of Pub. L. 107-132, set out as a note under section 4021 of this title.

DEFINITIONS

For definitions of “Department” and “Secretary” as used in this section, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.

§ 2656. Management of foreign affairs

The Secretary of State shall perform such duties as shall from time to time be enjoined on or intrusted to him by the President relative to correspondences, commissions, or instructions to or with public ministers or consuls from the United States, or to negotiations with public ministers from foreign states or princes, or to memorials or other applications from foreign public ministers or other foreigners, or to such other matters respecting foreign affairs as the President of the United States shall assign to the Department, and he shall conduct the business of the Department in such manner as the President shall direct.

(R.S. §202.)

CODIFICATION

R.S. §202 derived from acts July 27, 1789, ch. 4, §1, 1 Stat. 28; Sept. 15, 1789, ch. 14, §1, 1 Stat. 68.

Section was formerly classified to section 156 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

DELEGATION OF FUNCTIONS

Functions of President respecting certain facilities constructed and maintained on United States borders delegated to Secretary of State, see Ex. Ord. No. 11423, Aug. 16, 1968, 33 F.R. 11741, set out as a note under section 301 of Title 3, The President.

PRESIDENTIAL DIRECTIVE

National Intelligence Authority and Central Intelligence Group, established by Presidential Directive, Feb. 1, 1946, 11 F.R. 1337, to coordinate Federal foreign intelligence activities, ceased to exist upon creation of Central Intelligence Agency; personnel, property and records of the group were transferred to the Agency; and unexpended funds of the group were made available to the Agency, by act July 26, 1947, ch. 343, title I, §102, 61 Stat. 497, formerly set out as section 403 of Title 50, War and National Defense. See Prior Provisions note under section 3023 of Title 50.

¹ See Change of Name note below.

STRATEGY FOR THE UNITED STATES RELATIONSHIP
WITH SAUDI ARABIA

Pub. L. 110-53, title XX, §2043, Aug. 3, 2007, 121 Stat. 524, provided that:

“(a) CONGRESSIONAL FINDINGS.—Congress finds that:

“(1) The National Commission on Terrorist Attacks Upon the United States concluded that the Kingdom of Saudi Arabia has ‘been a problematic ally in combating Islamic extremism. At the level of high policy, Saudi Arabia’s leaders cooperated with American diplomatic initiatives aimed at the Taliban or Pakistan before 9/11. At the same time, Saudi Arabia’s society was a place where al Qaeda raised money directly from individuals and through charities. It was the society that produced 15 of the 19 hijackers.’

“(2) Saudi Arabia has an uneven record in the fight against terrorism, especially with respect to terrorist financing, support for radical madrassas, a lack of political outlets for its citizens, and restrictions on religious pluralism, that poses a threat to the security of the United States, the international community, and Saudi Arabia itself.

“(3) The National Commission on Terrorist Attacks Upon the United States concluded that the ‘problems in the U.S.-Saudi relationship must be confronted, openly’. It recommended that the two countries build a relationship that includes a ‘shared commitment to political and economic reform . . . and a shared interest in greater tolerance and cultural respect, translating into a commitment to fight the violent extremists who foment hatred’.

“(4) The United States has a national security interest in working with the Government of Saudi Arabia to combat international terrorists that operate within that country or that operate outside Saudi Arabia with the support of citizens of Saudi Arabia.

“(5) The United States and Saudi Arabia established a Strategic Dialogue in 2005, which provides a framework for the two countries to discuss a range of bilateral issues at high levels, including counterterrorism policy and political and economic reforms.

“(6) It is in the national security interest of the United States to support the Government of Saudi Arabia in undertaking a number of political and economic reforms, including increasing anti-terrorism operations conducted by law enforcement agencies, providing more political and religious rights to its citizens, increasing the rights of women, engaging in comprehensive educational reform, enhancing monitoring of charitable organizations, and promulgating and enforcing domestic laws and regulation on terrorist financing.

“(b) STATEMENT OF POLICY.—It is the policy of the United States—

“(1) to engage with the Government of Saudi Arabia to openly confront the issue of terrorism, as well as other problematic issues such as the lack of political freedoms;

“(2) to enhance counterterrorism cooperation with the Government of Saudi Arabia; and

“(3) to support the efforts of the Government of Saudi Arabia to make political, economic, and social reforms, including greater religious freedom, throughout the country.

“(c) PROGRESS IN COUNTERTERRORISM AND OTHER COOPERATION.—

“(1) REPORT.—Not later than 180 days after the date of the enactment of this Act [Aug. 3, 2007], the President shall transmit to the appropriate congressional committees a report that—

“(A) describes the long-term strategy of the United States—

“(i) to engage with the Government of Saudi Arabia to facilitate political, economic, and social reforms, including greater religious freedom, that will enhance the ability of the Government of Saudi Arabia to combat international terrorism; and

“(ii) to work with the Government of Saudi Arabia to combat terrorism, including through ef-

fective measures to prevent and prohibit the financing of terrorists by Saudi institutions and citizens; and

“(B) provides an assessment of the progress made by Saudi Arabia since 2001 on the matters described in subparagraph (A), including—

“(i) whether Saudi Arabia has become a party to the International Convention for the Suppression of the Financing of Terrorism; and

“(ii) the activities and authority of the Saudi Nongovernmental National Commission for Relief and Charity Work Abroad.

“(2) FORM.—The report required by paragraph (1) shall be transmitted in unclassified form, but may include a classified annex, if necessary.”

[For definition of “appropriate congressional committees” as used in section 2043 of Pub. L. 110-53, set out above, see section 2002 of Pub. L. 110-53, set out as a note under section 2151 of this title.]

[For assignment of functions of President under section 2043(c)(1) of Pub. L. 110-53, set out above, see Memorandum of President of the United States, Sept. 28, 2007, 72 F.R. 56871, set out as a note under section 2228 of this title.]

FINDINGS

Pub. L. 108-458, title VII, §7101, Dec. 17, 2004, 118 Stat. 3775, provided that: “Consistent with the report of the National Commission on Terrorist Attacks Upon the United States, Congress makes the following findings:

“(1) Long-term success in the war on terrorism demands the use of all elements of national power, including diplomacy, military action, intelligence, covert action, law enforcement, economic policy, foreign aid, public diplomacy, and homeland defense.

“(2) To win the war on terrorism, the United States must assign to economic and diplomatic capabilities the same strategic priority that is assigned to military capabilities.

“(3) The legislative and executive branches of the Government of the United States must commit to robust, long-term investments in all of the tools necessary for the foreign policy of the United States to successfully accomplish the goals of the United States.

“(4) The investments referred to in paragraph (3) will require increased funding to United States foreign affairs programs in general, and to priority areas as described in this title [see Tables for classification] in particular.”

COMPREHENSIVE COALITION STRATEGY FOR FIGHTING
TERRORISM

Pub. L. 108-458, title VII, §7117, Dec. 17, 2004, 118 Stat. 3799, provided that:

“(a) FINDINGS.—Consistent with the report of the National Commission on Terrorist Attacks Upon the United States, Congress makes the following findings:

“(1) Almost every aspect of the counterterrorism strategy of the United States relies on international cooperation.

“(2) Since September 11, 2001, the number and scope of United States Government contacts with foreign governments concerning counterterrorism have expanded significantly, but such contacts have often been ad hoc and not integrated as a comprehensive and unified approach to counterterrorism.

“(b) IN GENERAL.—The Secretary of State is authorized in consultation with relevant United States Government agencies, to negotiate on a bilateral or multilateral basis, as appropriate, international agreements under which parties to an agreement work in partnership to address and interdict acts of international terrorism.

“(c) INTERNATIONAL CONTACT GROUP ON COUNTERTERRORISM.—

“(1) SENSE OF CONGRESS.—It is the sense of Congress that the President—

“(A) should seek to engage the leaders of the governments of other countries in a process of advanc-

ing beyond separate and uncoordinated national counterterrorism strategies to develop with those other governments a comprehensive multilateral strategy to fight terrorism; and

“(B) to that end, should seek to establish an international counterterrorism policy contact group with the leaders of governments providing leadership in global counterterrorism efforts and governments of countries with sizable Muslim populations, to be used as a ready and flexible international means for discussing and coordinating the development of important counterterrorism policies by the participating governments.

“(2) AUTHORITY.—The President is authorized to establish an international counterterrorism policy contact group with the leaders of governments referred to in paragraph (1) for the following purposes:

“(A) To meet annually, or more frequently as the President determines appropriate, to develop in common with such other governments important policies and a strategy that address the various components of international prosecution of the war on terrorism, including policies and a strategy that address military issues, law enforcement, the collection, analysis, and dissemination of intelligence, issues relating to interdiction of travel by terrorists, counterterrorism-related customs issues, financial issues, and issues relating to terrorist sanctuaries.

“(B) To address, to the extent (if any) that the President and leaders of other participating governments determine appropriate, long-term issues that can contribute to strengthening stability and security in the Middle East.”

INTERNATIONAL AGREEMENTS TO TRACK AND CURTAIL TERRORIST TRAVEL THROUGH THE USE OF FRAUDULENTLY OBTAINED DOCUMENTS

Pub. L. 108–458, title VII, §7204, Dec. 17, 2004, 118 Stat. 3814, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) International terrorists travel across international borders to raise funds, recruit members, train for operations, escape capture, communicate, and plan and carry out attacks.

“(2) The international terrorists who planned and carried out the attack on the World Trade Center on February 26, 1993, the attack on the embassies of the United States in Kenya and Tanzania on August 7, 1998, the attack on the USS Cole on October 12, 2000, and the attack on the World Trade Center and the Pentagon on September 11, 2001, traveled across international borders to plan and carry out these attacks.

“(3) The international terrorists who planned other attacks on the United States, including the plot to bomb New York City landmarks in 1993, the plot to bomb the New York City subway in 1997, and the millennium plot to bomb Los Angeles International Airport on December 31, 1999, traveled across international borders to plan and carry out these attacks.

“(4) Many of the international terrorists who planned and carried out large-scale attacks against foreign targets, including the attack in Bali, Indonesia, on October 11, 2002, and the attack in Madrid, Spain, on March 11, 2004, traveled across international borders to plan and carry out these attacks.

“(5) Throughout the 1990s, international terrorists, including those involved in the attack on the World Trade Center on February 26, 1993, the plot to bomb New York City landmarks in 1993, and the millennium plot to bomb Los Angeles International Airport on December 31, 1999, traveled on fraudulent passports and often had more than 1 passport.

“(6) Two of the September 11, 2001, hijackers were carrying passports that had been manipulated in a fraudulent manner.

“(7) The National Commission on Terrorist Attacks Upon the United States, (commonly referred to as the

9/11 Commission), stated that ‘Targeting travel is at least as powerful a weapon against terrorists as targeting their money.’

“(b) INTERNATIONAL AGREEMENTS TO TRACK AND CURTAIL TERRORIST TRAVEL.—

“(1) INTERNATIONAL AGREEMENT ON LOST, STOLEN, OR FALSIFIED DOCUMENTS.—The President should lead efforts to track and curtail the travel of terrorists by supporting the drafting, adoption, and implementation of international agreements, and relevant United Nations Security Council resolutions to track and stop international travel by terrorists and other criminals through the use of lost, stolen, or falsified documents to augment United Nations and other international anti-terrorism efforts.

“(2) CONTENTS OF INTERNATIONAL AGREEMENT.—The President should seek, as appropriate, the adoption or full implementation of effective international measures to—

“(A) share information on lost, stolen, and fraudulent passports and other travel documents for the purposes of preventing the undetected travel of persons using such passports and other travel documents that were obtained improperly;

“(B) establish and implement a real-time verification system of passports and other travel documents with issuing authorities;

“(C) share with officials at ports of entry in any such country information relating to lost, stolen, and fraudulent passports and other travel documents;

“(D) encourage countries—

“(i) to criminalize—

“(I) the falsification or counterfeiting of travel documents or breeder documents for any purpose;

“(II) the use or attempted use of false documents to obtain a visa or cross a border for any purpose;

“(III) the possession of tools or implements used to falsify or counterfeit such documents;

“(IV) the trafficking in false or stolen travel documents and breeder documents for any purpose;

“(V) the facilitation of travel by a terrorist; and

“(VI) attempts to commit, including conspiracies to commit, the crimes specified in sub-clauses (I) through (V);

“(ii) to impose significant penalties to appropriately punish violations and effectively deter the crimes specified in clause (i); and

“(iii) to limit the issuance of citizenship papers, passports, identification documents, and similar documents to persons—

“(I) whose identity is proven to the issuing authority;

“(II) who have a bona fide entitlement to or need for such documents; and

“(III) who are not issued such documents principally on account of a disproportional payment made by them or on their behalf to the issuing authority;

“(E) provide technical assistance to countries to help them fully implement such measures; and

“(F) permit immigration and border officials—

“(i) to confiscate a lost, stolen, or falsified passport at ports of entry;

“(ii) to permit the traveler to return to the sending country without being in possession of the lost, stolen, or falsified passport; and

“(iii) to detain and investigate such traveler upon the return of the traveler to the sending country.

“(3) INTERNATIONAL CIVIL AVIATION ORGANIZATION.—The United States shall lead efforts to track and curtail the travel of terrorists by supporting efforts at the International Civil Aviation Organization to continue to strengthen the security features of passports and other travel documents.

“(c) REPORT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Dec. 17, 2004], and at least annually thereafter, the President shall submit to the appropriate congressional committees a report on progress toward achieving the goals described in subsection (b).

“(2) TERMINATION.—Paragraph (1) shall cease to be effective when the President certifies to the Committee on International Relations [now Committee on Foreign Affairs] of the House of Representatives and the Committee on Foreign Relations of the Senate that the goals described in subsection (b) have been fully achieved.”

[Functions of President under subsec. (c) of section 7204 of Pub. L. 108-458, set out above, assigned to Secretary of State by section 1 of Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 48633, set out as a note under section 301 of title 3, The President.]

EAST TIMOR TRANSITION TO INDEPENDENCE

Pub. L. 107-228, div. A, title VI, subtitle C, Sept. 30, 2002, 116 Stat. 1399, provided that:

“SEC. 631. SHORT TITLE.

“This subtitle may be cited as the ‘East Timor Transition to Independence Act of 2002’.

“SEC. 632. BILATERAL ASSISTANCE.

“(a) AUTHORITY.—The President, acting through the Administrator of the United States Agency for International Development, is authorized to—

“(1) support the development of civil society, including nongovernmental organizations in East Timor;

“(2) promote the development of an independent news media;

“(3) support job creation, including support for small business and microenterprise programs, environmental protection, sustainable development, development of East Timor’s health care infrastructure, educational programs, and programs strengthening the role of women in society;

“(4) promote reconciliation, conflict resolution, and prevention of further conflict with respect to East Timor, including establishing accountability for past gross human rights violations;

“(5) support the voluntary and safe repatriation and reintegration of refugees into East Timor;

“(6) support political party development, voter education, voter registration, and other activities in support of free and fair elections in East Timor; and

“(7) promote the development of the rule of law.

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to the President to carry out this section \$25,000,000 for the fiscal year 2003.

“(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

“SEC. 633. MULTILATERAL ASSISTANCE.

“The Secretary of the Treasury shall instruct the United States executive director at each international financial institution to which the United States is a member to use the voice, vote, and influence of the United States to support economic and democratic development in East Timor.

“SEC. 634. TRADE AND INVESTMENT ASSISTANCE.

“(a) OPIC.—The President should initiate negotiations with the Government of East Timor to enter into a new agreement authorizing the Overseas Private Investment Corporation to carry out programs with respect to East Timor in order to expand United States investment in East Timor, emphasizing partnerships with local East Timorese enterprises.

“(b) TRADE AND DEVELOPMENT AGENCY.—

“(1) IN GENERAL.—The Director of the Trade and Development Agency is authorized to carry out projects

in East Timor under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421).

“(2) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There are authorized to be appropriated to the Trade and Development Agency to carry out this subsection \$1,000,000 for fiscal year 2003.

“(B) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subparagraph (A) are authorized to remain available until expended.

“(c) EXPORT-IMPORT BANK.—The Export-Import Bank of the United States should expand its activities in connection with exports to East Timor to the extent such activities are requested and to the extent there is a reasonable assurance of repayment.

“SEC. 635. GENERALIZED SYSTEM OF PREFERENCES.

“As soon as possible after the enactment of this Act [Sept. 30, 2002], the United States Trade Representative and the Commissioner of Customs should send an assessment team to East Timor to compile a list of duty-free eligible products so that the Government of East Timor can begin the process of applying for General System of Preference benefits.

“SEC. 636. AUTHORITY FOR RADIO BROADCASTING.

“The Broadcasting Board of Governors should broadcast to East Timor in an appropriate language or languages.

“SEC. 637. SECURITY ASSISTANCE FOR EAST TIMOR.

“(a) STUDY AND REPORT.—

“(1) STUDY.—The President shall conduct a study to determine—

“(A) the extent to which East Timor’s security needs can be met by the transfer of excess defense articles under section 516 of the Foreign Assistance Act of 1961 [22 U.S.C. 2321j];

“(B) the extent to which international military education and training (IMET) assistance will enhance professionalism of the armed forces of East Timor, provide training in human rights, and promote respect for human rights and humanitarian law; and

“(C) the terms and conditions under which such defense articles or training, as appropriate, should be provided.

“(2) REPORT.—Not later than 180 days after the date of the enactment of this Act [Sept. 30, 2002], the President shall transmit to the appropriate congressional committees a report that contains the findings of the study conducted under paragraph (1).

“(b) AUTHORIZATION OF ASSISTANCE.—

“(1) IN GENERAL.—Beginning on the date on which Congress receives the report transmitted under subsection (a)(2), or the date on which Congress receives the certification transmitted under paragraph (2), whichever occurs later, the President is authorized—

“(A) to transfer excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) to East Timor in accordance with such section; and

“(B) to provide military education and training under chapter 5 of part II of such Act (22 U.S.C. 2347 et seq.) for the armed forces of East Timor in accordance with such chapter.

“(2) CERTIFICATION.—A certification described in this paragraph is a certification that—

“(A) East Timor has established an independent armed forces; and

“(B) the assistance proposed to be provided pursuant to paragraph (1)—

“(i) is in the national security interests of the United States; and

“(ii) will promote both human rights in East Timor and the professionalization of the armed forces of East Timor.

“SEC. 638. REPORTING REQUIREMENT.

“(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Sept. 30, 2002], and every

12 months thereafter for the next five years, the Secretary shall prepare and transmit to the appropriate congressional committees a report that contains the information described in subsection (b).

“(b) INFORMATION.—The report required by subsection (a) shall include—

“(1) developments in East Timor’s political and economic situation in the period covered by the report, including an evaluation of any elections which have occurred in East Timor and the refugee reintegration process in East Timor;

“(2) in the initial report, a 3-year plan for United States foreign assistance to East Timor in accordance with section 632, prepared by the Administrator of the United States Agency for International Development, which outlines the goals for United States foreign assistance to East Timor during the 3-year period;

“(3) a description of the activities undertaken in East Timor by the International Bank for Reconstruction and Development, the Asian Development Bank, and other international financial institutions, and an evaluation of the effectiveness of these activities;

“(4) an assessment of the status of United States trade and investment relations with East Timor, including a detailed analysis of any trade and investment-related activity supported by the Overseas Private Investment Corporation, the Export-Import Bank of the United States, or the Trade and Development Agency during the period of time since the previous report;

“(5) a comprehensive study and report on local agriculture in East Timor, emerging opportunities for producing, processing, and exporting indigenous agricultural products, and recommendations for appropriate technical assistance from the United States; and

“(6) statistical data drawn from other sources on economic growth, health, education, and distribution of resources in East Timor.”

[For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

[For definitions of “appropriate congressional committees” and “Secretary” as used in subtitle C of title VI of div. A of Pub. L. 107–228, set out above, see section 3 of Pub. L. 107–228, set out as a note under section 2651 of this title.]

PRESIDENTIAL CERTIFICATION AUTHORIZING SECURITY ASSISTANCE TO EAST TIMOR

Determination of President of the United States, No. 2003–19, Mar. 28, 2003, 68 F.R. 16167, provided:

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 637(b)(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 [Pub. L. 107–228, §637(b)(2), set out above], I hereby certify that East Timor has established an independent armed forces; and that the provision to East Timor of military assistance in the form of excess defense articles and international military education and training is in the national security interests of the United States, and will promote both human rights in East Timor and the professionalization of the armed forces of East Timor.

You are hereby authorized and directed to report this certification, accompanying memorandum of justification [not set out in the Code], and report on East Timor security assistance to the Congress, and to arrange for the publication of this memorandum in the Federal Register.

GEORGE W. BUSH.

PACIFIC CHARTER COMMISSION

Pub. L. 106–570, title IV, Dec. 27, 2000, 114 Stat. 3047, known as the Pacific Charter Commission Act of 2000, provided for the establishment of the Pacific Charter Commission to promote United States foreign policy, support democratization, rule of law, and human rights, promote United States exports, assist in combating terrorism and spread of illicit narcotics, and advocate for United States diplomacy, all in the Asia-Pacific region, with authority to establish the Commission to expire Dec. 31, 2002, and termination of the Commission to occur not later than six years after the date of establishment.

RECORD OF WAR CRIMINALS AND SANCTIONED COUNTRIES, ENTITIES, AND MUNICIPALITIES; ROLE OF HUMAN RIGHTS ORGANIZATIONS AND GOVERNMENT AGENCIES

Pub. L. 106–429, §101(a) [title V, §564(e), (g), (j), (k)], Nov. 6, 2000, 114 Stat. 1900, 1900A–48 to 1900A–50, as amended by Pub. L. 112–74, div. I, title VII, §7034(n), Dec. 23, 2011, 125 Stat. 1217, provided that:

“(e) SANCTIONED COUNTRY, ENTITY, OR MUNICIPALITY.—A sanctioned country, entity, or municipality described in this section [114 Stat. 1900A–46] is one whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to apprehend and transfer to the Tribunal all persons who have been publicly indicted by the Tribunal.

“(g) CURRENT RECORD OF WAR CRIMINALS AND SANCTIONED COUNTRIES, ENTITIES, AND MUNICIPALITIES.—

“(1) IN GENERAL.—The Secretary of State shall establish and maintain a current record of the location, including the municipality, if known, of publicly indicted war criminals and a current record of sanctioned countries, entities, and municipalities.

“(2) INFORMATION OF THE DCI AND THE SECRETARY OF DEFENSE.—The Director of Central Intelligence and the Secretary of Defense should collect and provide to the Secretary of State information concerning the location, including the municipality, of publicly indicted war criminals.

“(3) INFORMATION OF THE TRIBUNAL.—The Secretary of State shall request that the Tribunal and other international organizations and governments provide the Secretary of State information concerning the location, including the municipality, of publicly indicted war criminals and concerning country, entity and municipality authorities known to have obstructed the work of the Tribunal.

“[(4) Repealed. Pub. L. 112–74, div. I, title VII, §7034(n), Dec. 23, 2011, 125 Stat. 1217.]

“(5) INFORMATION TO CONGRESS.—Upon the request of the chairman or ranking minority member of any of the appropriate congressional committees, the Secretary of State shall make available to that committee the information recorded under paragraph (1) in a report submitted to the committee in classified and unclassified form.

“(j) DEFINITIONS.—As used in this section—

“(1) COUNTRY.—The term ‘country’ means Bosnia-Herzegovina, Croatia, and Serbia.

“(2) ENTITY.—The term ‘entity’ refers to the Federation of Bosnia and Herzegovina, Kosova, Montenegro, and the Republika Srpska.

“(3) DAYTON AGREEMENT.—The term ‘Dayton Agreement’ means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

“(4) TRIBUNAL.—The term ‘Tribunal’ means the International Criminal Tribunal for the Former Yugoslavia.

“(k) ROLE OF HUMAN RIGHTS ORGANIZATIONS AND GOVERNMENT AGENCIES.—In carrying out this section, the Secretary of State, the Administrator of the Agency for International Development, and the executive directors of the international financial institutions shall

consult with representatives of human rights organizations and all government agencies with relevant information to help prevent publicly indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (e).”

[Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108–458, set out as a note under section 3001 of Title 50, War and National Defense.]

Similar provisions were contained in the following prior appropriation act:

Pub. L. 106–113, div. B, § 1000(a)(2) [title V, § 566(e), (g), (j), (k)], Nov. 29, 1999, 113 Stat. 1535, 1501A–107 to 1501A–109.

REPORT CONCERNING FINANCIAL DISADVANTAGES FOR ADMINISTRATIVE AND TECHNICAL PERSONNEL

Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, title III, § 338], Nov. 29, 1999, 113 Stat. 1536, 1501A–443, provided findings regarding financial disadvantages of administrative and technical personnel posted to United States missions abroad who do not have diplomatic status and required related report to Congress by the Secretary of State not later than one year after Nov. 29, 1999.

PRISONER INFORMATION REGISTRY FOR THE PEOPLE’S REPUBLIC OF CHINA

Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, title VIII, § 873], Nov. 29, 1999, 113 Stat. 1536, 1501A–474, provided that:

“(a) REQUIREMENT.—The Secretary of State shall establish and maintain a registry which shall, to the extent practicable, provide information on all political prisoners, prisoners of conscience, and prisoners of faith in the People’s Republic of China. The registry shall be known as the ‘Prisoner Information Registry for the People’s Republic of China’.

“(b) INFORMATION IN REGISTRY.—The registry required by subsection (a) shall include information on the charges, judicial processes, administrative actions, uses of forced labor, incidents of torture, lengths of imprisonment, physical and health conditions, and other matters associated with the incarceration of prisoners in the People’s Republic of China referred to in that subsection.

“(c) AVAILABILITY OF FUNDS.—The Secretary may make a grant to nongovernmental organizations currently engaged in monitoring activities regarding political prisoners in the People’s Republic of China in order to assist in the establishment and maintenance of the registry required by subsection (a).”

REPORT TO CONGRESS ON ACTIVITIES OF NORTH KOREAN ARMED FORCES

Pub. L. 104–208, div. A, title I, § 101(c) [title V, § 585], Sept. 30, 1996, 110 Stat. 3009–121, 3009–171, as amended by Pub. L. 107–228, div. B, title XIII, § 1308(g)(1)(D), (2), Sept. 30, 2002, 116 Stat. 1441, provided that: “Ninety days after the date of enactment of this Act [Sept. 30, 1996], and every 180 days thereafter, the Secretary of State, in consultation with the Secretary of Defense, shall provide a report in a classified or unclassified form to the Committee on Appropriations including the following information:

“(a) a best estimate on fuel used by the military forces of the Democratic People’s Republic of Korea (DPRK);

“(b) the deployment position and military training and activities of the DPRK forces and best estimate of the associated costs of these activities; and

“(c) steps taken to reduce the DPRK level of forces.”

REPORTS TO WAR CRIMES TRIBUNAL FOR FORMER YUGOSLAVIA

Pub. L. 106–113, div. B, § 1000(a)(2) [title V, § 552], Nov. 29, 1999, 113 Stat. 1535, 1501A–99, provided in part: “That 60 days after the date of the enactment of this Act [Nov. 29, 1999], and every 180 days thereafter, the Secretary of State shall submit a report to the Committees on Appropriations describing the steps the United States Government is taking to collect information regarding allegations of genocide or other violations of international law in the former Yugoslavia and to furnish that information to the United Nations War Crimes Tribunal for the former Yugoslavia”.

Similar provisions were contained in the following appropriation acts:

Pub. L. 106–429, § 101(a) [title V, § 552], Nov. 6, 2000, 114 Stat. 1900, 1900A–41.

Pub. L. 105–277, div. A, § 101(d) [title V, § 554], Oct. 21, 1998, 112 Stat. 2681–150, 2681–188.

Pub. L. 105–118, title V, § 553, Nov. 26, 1997, 111 Stat. 2422.

Pub. L. 104–208, div. A, title I, § 101(c) [title V, § 555], Sept. 30, 1996, 110 Stat. 3009–121, 3009–160.

Pub. L. 104–107, title V, § 556, Feb. 12, 1996, 110 Stat. 743.

Pub. L. 103–306, title V, § 575, Aug. 23, 1994, 108 Stat. 1653.

REPORTING REQUIREMENTS ON OCCUPIED TIBET

Pub. L. 103–236, title V, § 536, Apr. 30, 1994, 108 Stat. 481, provided that:

“(a) REPORT ON UNITED STATES-TIBET RELATIONS.—Because Congress has determined that Tibet is an occupied sovereign country under international law and that its true representatives are the Dalai Lama and the Tibetan Government in exile—

“(1) it is the sense of the Congress that the United States should seek to establish a dialogue with those recognized by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives and the Tibetan Government in exile, concerning the situation in Tibet and the future of the Tibetan people and to expand and strengthen United States-Tibet cultural and educational relations, including promoting bilateral exchanges arranged directly with the Tibetan Government in exile; and

“(2) not later than 6 months after the date of enactment of this Act [Apr. 30, 1994], and every 12 months thereafter, the Secretary of State shall transmit to the Chairman of the Committee on Foreign Relations and the Speaker of the House of Representatives a report on the state of relations between the United States and those recognized by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives and the Tibetan Government in exile, and on conditions in Tibet.

“(b) SEPARATE TIBET REPORTS.—

“(1) It is the sense of the Congress that whenever a report is transmitted to the Congress on a country-by-country basis there should be included in such report, where applicable, a separate report on Tibet listed alphabetically with its own state heading.

“(2) The reports referred to in paragraph (1) include, but are not limited to, reports transmitted under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 [22 U.S.C. 2151n(d), 2304(b)] (relating to human rights).”

CAMBODIAN GENOCIDE

Pub. L. 103–236, title V, part D, Apr. 30, 1994, 108 Stat. 486, provided that:

“SEC. 571. SHORT TITLE.

“This part may be cited as the ‘Cambodian Genocide Justice Act’.

“SEC. 572. POLICY.

“(a) IN GENERAL.—Consistent with international law, it is the policy of the United States to support efforts

to bring to justice members of the Khmer Rouge for their crimes against humanity committed in Cambodia between April 17, 1975, and January 7, 1979.

“(b) SPECIFIC ACTIONS URGED.—To that end, the Congress urges the President—

“(1) to collect, or assist appropriate organizations and individuals to collect relevant data on crimes of genocide committed in Cambodia;

“(2) in circumstances which the President deems appropriate, to encourage the establishment of a national or international criminal tribunal for the prosecution of those accused of genocide in Cambodia; and

“(3) as necessary, to provide such national or international tribunal with information collected pursuant to paragraph (1).

“SEC. 573. ESTABLISHMENT OF STATE DEPARTMENT OFFICE.

“(a) ESTABLISHMENT.—(1) None of the funds authorized to be appropriated by this Act for ‘Diplomatic and Consular Programs’ shall be available for obligation or expenditure during fiscal years 1994 and 1995 unless, not later than 90 days after the date of enactment of this Act [Apr. 30, 1994], the Secretary of State has established within the Department of State under the Assistant Secretary for East Asia and Pacific Affairs (or any successor Assistant Secretary) the Office of Cambodian Genocide Investigation (hereafter in this part referred to as the ‘Office’).

“(2) The Office may carry out its activities inside or outside of Cambodia, except that not less than 75 percent of the funds made available for the Office and its activities shall be used to carry out activities within Cambodia.

“(b) PURPOSE.—The purpose of the Office shall be to support, through organizations and individuals with whom the Secretary of State may contract to carry out the operations of the Office, as appropriate, efforts to bring to justice members of the Khmer Rouge for their crimes against humanity committed in Cambodia between April 17, 1975, and January 7, 1979, including—

“(1) to investigate crimes against humanity committed by national Khmer Rouge leaders during that period;

“(2) to provide the people of Cambodia with access to documents, records, and other evidence held by the Office as a result of such investigation;

“(3) to submit the relevant data to a national or international penal tribunal that may be convened to formally hear and judge the genocidal acts committed by the Khmer Rouge; and

“(4) to develop the United States proposal for the establishment of an international criminal tribunal for the prosecution of those accused of genocide in Cambodia.

“(c) CONTRACTING AUTHORITY.—The Secretary of State shall, subject to the availability of appropriations, contract with appropriate individuals and organizations to carry out the purpose of the Office.

“(d) NOTIFICATION TO CONGRESS.—The Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives shall be notified of any exercise of the authority of section 34 of the State Department Basic Authorities Act of 1956 [22 U.S.C. 2706] with respect to the Office or any of its programs, projects, or activities at least 15 days in advance in accordance with procedures applicable to notifications under that section.

“SEC. 574. REPORTING REQUIREMENT.

“(a) IN GENERAL.—Beginning 6 months after the date of enactment of this Act [Apr. 30, 1994], and every 6 months thereafter, the President shall submit a report to the appropriate congressional committees—

“(1) that describes the activities of the Office, and sets forth new facts learned about past Khmer Rouge practices, during the preceding 6-month period; and

“(2) that describes the steps the President has taken during the preceding 6-month period to pro-

mote human rights, to support efforts to bring to justice the national political and military leadership of the Khmer Rouge, and to prevent the recurrence of human rights abuses in Cambodia through actions which are not related to United Nations activities in Cambodia.

“(b) DEFINITION.—For purposes of this section, the term ‘appropriate congressional committees’ means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.”

[Functions of President under section 574 of Pub. L. 103-236, set out above, delegated to Secretary of State by Memorandum of President of the United States, July 26, 1994, 59 F.R. 40205, set out as a note under section 2370a of this title.]

BROADENING CULTURAL, GEOGRAPHIC, AND ETHNIC REPRESENTATION OF FOREIGN SERVICE AND DEPARTMENT OF STATE; PLAN

Pub. L. 101-246, title I, §153(a), (b), Feb. 16, 1990, 104 Stat. 43, as amended by Pub. L. 101-302, title III, §320(b)(2), May 25, 1990, 104 Stat. 247, required the Secretary of State to submit, not later than 120 days after Feb. 16, 1990, and to implement, not later than Jan. 1, 1991, a plan to assure equal efforts in recruiting certain employees from different regions in the United States.

PROHIBITION ON USE OF FUNDS FOR POLITICAL PURPOSES

Pub. L. 100-204, title I, §109, Dec. 22, 1987, 101 Stat. 1339, provided that: “No funds authorized to be appropriated by this Act or by any other Act authorizing funds for any entity engaged in any activity concerning the foreign affairs of the United States shall be used—

“(1) for publicity or propaganda purposes designed to support or defeat legislation pending before Congress;

“(2) to influence in any way the outcome of a political election in the United States; or

“(3) for any publicity or propaganda purposes not authorized by Congress.”

CONSULAR AND DIPLOMATIC POSTS ABROAD

Pub. L. 100-204, title I, §122, Dec. 22, 1987, 101 Stat. 1339, prohibited use of appropriated funds for closing United States consular or diplomatic posts abroad, or for paying expenses related to Bureau of Administration of Department of State if a post was closed after Jan. 1, 1987, and not reopened, provided funding for certain consulates, provided exceptions for prohibition on use of appropriated funds, permitted Secretary of State, in case of a sequestration order, to submit a report proposing a list of consular posts to be downgraded or closed in order to comply with sequestration order, and provided that the prohibitions were to be effective 180 days after Dec. 22, 1987, prior to repeal by Pub. L. 102-138, title I, §112(b), Oct. 28, 1991, 105 Stat. 655. See section 2720 of this title.

CLOSING OF DIPLOMATIC AND CONSULAR POSTS IN ANTIGUA AND BARBUDA

Pub. L. 100-204, title I, §123, Dec. 22, 1987, 101 Stat. 1339, directed that none of the funds made available for the Department of State for any fiscal year be used for expenses of maintaining a United States diplomatic or consular post in Antigua and Barbuda and provided that such prohibition take effect 60 days after Dec. 22, 1987, unless the President made a determination that such closing would not be in the national security interest of the United States and informed both the Chairman of the Senate Foreign Relations Committee and the House Foreign Affairs Committee of such determination, prior to repeal by Pub. L. 101-246, title I, §121, Feb. 16, 1990, 104 Stat. 27.

CLOSURE OF MISSION IN ANTIGUA AND BARBUDA NOT IN UNITED STATES INTERESTS

Determination of President of the United States, No. 88-9, Feb. 9, 1988, 53 F.R. 5749, provided:

Memorandum for the Secretary of State

In accordance with Section 123 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204) [set out above], I have determined that closure of the U.S. Diplomatic and Consular Mission in Antigua and Barbuda is not in the national security interests of the United States.

You are hereby authorized and directed to report this determination to the Congress, as required by law. This determination shall be published in the Federal Register.

RONALD REAGAN.

ASSIGNMENT OF DRUG ENFORCEMENT ADMINISTRATION AGENTS ABROAD

Pub. L. 100-204, title VIII, §801, Dec. 22, 1987, 101 Stat. 1397, provided that: "If the Secretary of State, in exercising his authority to establish overseas staffing levels for Federal agencies with activities abroad, authorizes the assignment of any Drug Enforcement Administration agent to a particular United States mission abroad, the Secretary shall authorize the assignment of at least two such agents to that mission."

WAIVER OF PROVISIONS OF PUBLIC LAW 100-204 DURING FISCAL YEARS 1988 AND 1989

Pub. L. 100-202, §101(a) [title III, §305], Dec. 22, 1987, 101 Stat. 1329, 1329-23, provided that: "The following sections of H.R. 1777 (the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 [Pub. L. 100-204]) are waived during Fiscal Years 1988 and 1989 in the event that H.R. 1777 is enacted into law: Sec. 122 [set out above], Sec. 151, and Sec. 204 [22 U.S.C. 1461 note]."

REPORT TO CONGRESS ON SOVIET BREACH OF DUTIES OBLIGATIONS TO UNITED STATES DIPLOMATS OR MISSIONS

Pub. L. 99-500, §101(b) [title III, §300], Oct. 18, 1986, 100 Stat. 1783-39, 1783-58, and Pub. L. 99-591, §101(b) [title III, §300], Oct. 30, 1986, 100 Stat. 3341-39, 3341-58, which required the Secretary of State to report every six months to the Speaker of the House of Representatives and the President of the Senate on failures by Soviet agencies to perform obligations to United States diplomats or United States missions to the Soviet Union and on actions undertaken by the Department of State to redress these failures, 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 127 of House Document No. 103-7.

RESPONSIBILITY OF UNITED STATES MISSIONS TO PROMOTE FREEDOM OF PRESS ABROAD

Pub. L. 99-93, title I, §138, Aug. 16, 1985, 99 Stat. 422, provided that:

"(a) RESPONSIBILITY.—The United States chief of mission to a foreign country in which there is not respect for freedom of the press shall actively promote respect for freedom of the press in that country.

"(b) DEFINITION.—As used in this section, the term 'respect for freedom of the press' means that a government—

"(1) allows foreign news correspondents into the country and does not subject them to harassment or restrictions;

"(2) allows nongovernment-owned press to operate in the country; and

"(3) does not subject the press in the country to systematic censorship."

EMERGENCY TELEPHONE SERVICE AT UNITED STATES CONSULAR OFFICES

Pub. L. 99-93, title I, §139, Aug. 16, 1985, 99 Stat. 422, provided that: "It is the sense of the Congress that the Secretary of State should ensure that all United States consular offices are equipped with 24-hour emergency telephone service through which United States citizens

can contact a member of the staff of any such office. The Secretary should publicize the telephone number of each such service for the information of United States citizens. Not more than 90 days after the date of the enactment of this Act [Aug. 16, 1985], the Secretary shall submit a report to the Congress on steps taken in accordance with this section."

TORTURE BY FOREIGN GOVERNMENTS; UNITED STATES POLICY IN OPPOSITION; IMPLEMENTATION

Pub. L. 98-447, Oct. 4, 1984, 98 Stat. 1721, provided: "That the Congress reaffirms that it is the continuing policy of the United States Government to oppose the practice of torture by foreign governments through public and private diplomacy and, when necessary and appropriate, through the enactment and vigorous implementation of laws intended to reinforce United States policies with respect to torture. The United States Government opposes acts of torture wherever they occur, without regard to ideological or regional considerations, and will make every effort to work cooperatively with other governments and with nongovernmental organizations to combat the practice of torture worldwide.

"SEC. 2. (a) The President is requested—

"(1) to instruct the Permanent Representative of the United States to the United Nations to continue to raise the issue of torture practiced by governments; and

"(2) to continue to involve the United States Government in the formulation of international standards and effective implementing mechanisms, particularly the draft Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

"(b) In order to implement the policy expressed in the first section of this resolution, the Secretary of State is requested to issue formal instructions to each United States chief of mission regarding United States policy with respect to torture, including—

"(1) instructions—

"(A) to examine allegations of the practice of torture, particularly allegations concerning the existence of secret detention, extended incommunicado detention, and restrictions on access by family members, lawyers, and independent medical personnel to detainees; and

"(B) to forward such information as may be gathered, including information regarding any efforts made by the host government to reduce and eliminate the practice of torture, to the Assistant Secretary of State for Human Rights and Humanitarian Affairs for analysis in preparing the Department's annual country reports on human rights practices;

"(2) in the case of a chief of mission assigned to a country where torture is regularly practiced, instructions to report on a periodic basis as circumstances require to the Assistant Secretary of State for Human Rights and Humanitarian Affairs regarding efforts made by the respective United States diplomatic mission to implement United States policy with respect to combating torture;

"(3) instructions to meet with indigenous human rights monitoring groups knowledgeable about the practice of torture for the purpose of gathering information about such practice; and

"(4) instructions to express concern in individual cases of torture brought to the attention of a United States diplomatic mission including, whenever feasible, sending United States observers to trials when there is reason to believe that torture has been used against the accused.

"(c) The Secretary of Commerce should continue to enforce vigorously the current restrictions on the export of crime control equipment pursuant to the Export Administration Act of 1979 [50 U.S.C. App. 2401 et seq.].

"(d) The heads of the appropriate departments of the United States Government that furnish military and law enforcement training to foreign personnel, particu-

larly personnel from countries where the practice of torture has been a documented concern, shall include in such training, when relevant, instruction regarding international human rights standards and the policy of the United States with respect to torture.”

[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.]

UNITED STATES DIPLOMATIC RELATIONS WITH THE VATICAN

Pub. L. 98-164, title I, §134, Nov. 22, 1983, 97 Stat. 1029, provided that: “In order to provide for the establishment of United States diplomatic relations with the Vatican, the Act entitled ‘An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-eight, and for other purposes’, approved February 28, 1867, is amended by repealing the following sentence (14 Stat. 413): ‘And no money hereby or otherwise appropriated shall be paid for the support of an American legation at Rome, from and after the thirtieth day of June, eighteen hundred and sixty-seven.’”

REOPENING CERTAIN UNITED STATES CONSULATES

Pub. L. 97-241, title I, §103(b), (c), Aug. 24, 1982, 96 Stat. 273, as amended by Pub. L. 98-164, title I, §137, Nov. 22, 1983, 97 Stat. 1030; Pub. L. 103-236, title I, §139(8), Apr. 30, 1994, 108 Stat. 398, provided that:

“(b) None of the funds made available under this [Pub. L. 97-241] or any other Act for ‘Administration of Foreign Affairs’ may be used for the establishment or operation of any United States consulate that did not exist on the date of enactment of this Act [Aug. 24, 1982] (other than the consulates specified in subsection (c)) until all the United States consulates specified in subsection (c) have been reopened as required by section 108 of the Department of State Authorization Act, Fiscal Years 1980 and 1981 [section 108 of Pub. L. 96-60, set out as a note below], to the extent such reopening is authorized by the foreign government involved.

“(c) The consulates referred to in subsections (a) [section 103(a) of Pub. L. 97-241, which was not classified to the Code] and (b) of this section are the consulates in the following locations: Turin, Italy; Salzburg, Austria; Goteborg, Sweden; Bremen, Germany; Nice, France; Mandalay, Burma; and Brisbane, Australia.”

UNITED STATES CONSULATES

Pub. L. 96-60, title I, §108, Aug. 15, 1979, 93 Stat. 397, provided that:

“(a) The following United States consulates shall not be closed or, if closed on the date of enactment of this Act [Aug. 15, 1979], shall be reopened as soon as possible after such date: Salzburg, Austria; Bremen, Germany; Nice, France; Turin, Italy; Goteborg, Sweden; Adana, Turkey; Tangier, Morocco; Mandalay, Burma; Brisbane, Australia; and Surabaya, Indonesia.

“(b) Personnel assigned to the consulates described in subsection (a) shall not be counted toward any personnel ceiling for the Department of State established by the Director of the Office of Management and Budget.”

ACTION WITH REGARD TO INTERNATIONAL JOURNALISTIC FREEDOM

Pub. L. 95-426, title VI, §603, Oct. 7, 1978, 92 Stat. 985, as amended by Pub. L. 97-241, title V, §505(a)(2), Aug. 24, 1982, 96 Stat. 299, provided that:

“(a) The Congress finds that—

“(1) news dissemination and the free flow of information across national boundaries are vital to international understanding and to healthy relations among countries; and

“(2) recurring and reliable reports strongly indicate that in many countries foreign news correspondents are subject to governmental harassment and restriction, including the denial of access to legitimate news sources, the imposition of censorship, and detention, incarceration, and expulsion.

“(b) It is therefore the sense of the Congress that the President should—

“(1) advise the appropriate officials of any foreign government which subjects foreign news correspondents to harassment and restrictions that the United States considers such mistreatment a significant and potentially damaging factor in overall relations of the United States with such country; and

“(2) raise in appropriate international forums the issue of the treatment of foreign news correspondents, with a view toward gaining multilateral support for the legitimate rights of such correspondents.

“(c) [Repealed. Pub. L. 97-241, title V, §505(a)(2), Aug. 24, 1982, 96 Stat. 299.]”

DIPLOMATIC RELATIONS WITH FOREIGN GOVERNMENT NOT INDICATION OF APPROVAL OF SUCH GOVERNMENT

Pub. L. 95-426, title VI, §607, Oct. 7, 1978, 92 Stat. 988, provided that: “The Congress finds that the conduct of diplomatic relations with a foreign government has as its principal purpose the discussion and negotiation with that government of outstanding issues and, like the recognition of a foreign government, does not in itself imply approval of that government or of the political-economic system it represents.”

EX. ORD. NO. 13584. DEVELOPING AN INTEGRATED STRATEGIC COUNTERTERRORISM COMMUNICATIONS INITIATIVE AND ESTABLISHING A TEMPORARY ORGANIZATION TO SUPPORT CERTAIN GOVERNMENT-WIDE COMMUNICATIONS ACTIVITIES DIRECTED ABROAD

Ex. Ord. No. 13584, Sept. 9, 2011, 76 F.R. 56945, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 2656 of title 22, United States Code, and section 3161 of title 5, United States Code, it is hereby ordered as follows:

SECTION 1. Policy. The United States is committed to actively countering the actions and ideologies of al-Qa’ida, its affiliates and adherents, other terrorist organizations, and violent extremists overseas that threaten the interests and national security of the United States. These efforts take many forms, but all contain a communications element and some use of communications strategies directed to audiences outside the United States to counter the ideology and activities of such organizations. These communications strategies focus not only on the violent actions and human costs of terrorism, but also on narratives that can positively influence those who may be susceptible to radicalization and recruitment by terrorist organizations.

The purpose of this Executive Order is to reinforce, integrate, and complement public communications efforts across the executive branch that are (1) focused on countering the actions and ideology of al-Qa’ida, its affiliates and adherents, and other international terrorist organizations and violent extremists overseas, and (2) directed to audiences outside the United States. This collaborative work among executive departments and agencies (agencies) brings together expertise, capabilities, and resources to realize efficiencies and better coordination of U.S. Government communications investments to combat terrorism and extremism.

SEC. 2. Assigned Responsibilities to the Center for Strategic Counterterrorism Communications.

(a) Under the direction of the Secretary of State (Secretary), the Center for Strategic Counterterrorism Communications (Center) that has been established in the Department of State by the Secretary shall coordinate, orient, and inform Government-wide public communications activities directed at audiences abroad

and targeted against violent extremists and terrorist organizations, especially al-Qa'ida and its affiliates and adherents, with the goal of using communication tools to reduce radicalization by terrorists and extremist violence and terrorism that threaten the interests and national security of the United States. Consistent with section 404o [now 3056] of title 50, United States Code, the Center shall coordinate its analysis, evaluation, and planning functions with the National Counterterrorism Center. The Center shall also coordinate these functions with other agencies, as appropriate.

Executive branch efforts undertaken through the Center shall draw on all agencies with relevant information or capabilities, to prepare, plan for, and conduct these communications efforts.

(b) To achieve these objectives, the Center's functions shall include:

(i) monitoring and evaluating narratives (overarching communication themes that reflect a community's identity, experiences, aspirations, and concerns) and events abroad that are relevant to the development of a U.S. strategic counterterrorism narrative designed to counter violent extremism and terrorism that threaten the interests and national security of the United States;

(ii) developing and promulgating for use throughout the executive branch the U.S. strategic counterterrorism narratives and public communications strategies to counter the messaging of violent extremists and terrorist organizations, especially al-Qa'ida and its affiliates and adherents;

(iii) identifying current and emerging trends in extremist communications and communications by al-Qa'ida and its affiliates and adherents in order to coordinate and provide thematic guidance to U.S. Government communicators on how best to proactively promote the U.S. strategic counterterrorism narrative and policies and to respond to and rebut extremist messaging and narratives when communicating to audiences outside the United States, as informed by a wide variety of Government and non-government sources, including nongovernmental organizations, academic sources, and finished intelligence created by the intelligence community;

(iv) facilitating the use of a wide range of communications technologies, including digital tools, by sharing expertise among agencies, seeking expertise from external sources, and extending best practices;

(v) identifying and requesting relevant information from agencies, including intelligence reporting, data, and analysis; and

(vi) identifying shortfalls in U.S. capabilities in any areas relevant to the Center's mission and recommending necessary enhancements or changes.

(c) The Secretary shall establish a Steering Committee composed of senior representatives of agencies relevant to the Center's mission to provide advice to the Secretary on the operations and strategic orientation of the Center and to ensure adequate support for the Center. The Steering Committee shall meet not less than every 6 months. The Steering Committee shall be chaired by the Under Secretary of State for Public Diplomacy. The Coordinator for Counterterrorism of the Department of State shall serve as Vice Chair. The Coordinator of the Center shall serve as Executive Secretary. The Steering Committee shall include one senior representative designated by the head of each of the following agencies: the Department of Defense, the Department of Justice, the Department of Homeland Security, the Department of the Treasury, the National Counterterrorism Center, the Joint Chiefs of Staff, the Counterterrorism Center of the Central Intelligence Agency, the Broadcast Board of Governors, and the Agency for International Development. Other agencies may be invited to participate in the Steering Committee at the discretion of the Chair.

SEC. 3. Establishment of a Temporary Organization.

(a) There is established within the Department of State, in accordance with section 3161 of title 5, United States Code, a temporary organization to be known as

the Counterterrorism Communications Support Office (CCSO).

(b) The purpose of the CCSO shall be to perform the specific project of supporting agencies in Government-wide public communications activities targeted against violent extremism and terrorist organizations, especially al-Qa'ida and its affiliates and adherents, to audiences abroad by using communication tools designed to counter violent extremism and terrorism that threaten the interests and national security of the United States.

(c) In carrying out its purpose set forth in subsection (b) of this section, the CCSO shall:

(i) support agencies in their implementation of whole-of-government public communications activities directed at audiences abroad, including by providing baseline research on characteristics of these audiences, by developing expertise and studies on aspirations, narratives, information strategies and tactics of violent extremists and terrorist organizations overseas, by designing and developing sustained campaigns on specific areas of interest to audiences abroad, and by developing expertise on implementing highly focused social media campaigns; and

(ii) perform such other functions related to the specific project set forth in subsection (b) of this section as the Secretary may assign.

(d) The CCSO shall be headed by a Director selected by the Secretary, with the advice of the Steering Committee. Its staff may include, as determined by the Secretary: (1) personnel with relevant expertise detailed on a non-reimbursable basis from other agencies; (2) senior and other technical advisers; and (3) such other personnel as the Secretary may direct to support the CCSO. To accomplish this mission, the heads of agencies participating on the Steering Committee shall provide to the CCSO, on a non-reimbursable basis, assistance, services, and other support including but not limited to logistical and administrative support and details of personnel. Non-reimbursable details shall be based on reasonable requests from the Secretary in light of the need for specific expertise, and after consultation with the relevant agency, to the extent permitted by law.

(e) The CCSO shall terminate at the end of the maximum period permitted by section 3161(a)(1) of title 5, United States Code, unless sooner terminated by the Secretary consistent with section 3161(a)(2) of such title.

SEC. 4. General Provisions.

(a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to an agency, or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA.

§ 2656a. Congressional declaration of findings of major significance of modern scientific and technological advances in foreign policy

The Congress finds that—

(1) the consequences of modern scientific and technological advances are of such major significance in United States foreign policy that understanding and appropriate knowledge of modern science and technology by officers and employees of the United States Government are essential in the conduct of modern diplomacy;