

(3) implement the competitive procedures required by paragraphs (1) and (2) at the prime contracting level and, to the maximum extent practicable, the subcontracting level.

(Pub. L. 105-277, div. G, subdiv. B, title XXII, §2218, Oct. 21, 1998, 112 Stat. 2681-816.)

**§ 2670. Insurance on motor vehicles in foreign countries; tie lines and teletype equipment; ice and drinking water; excise taxes on negotiable instruments; remains of deceased persons; relief, protection, and burial of seamen; acknowledgement of services of foreign vessels and aircraft; rentals and leases**

The Secretary of State is authorized to—

(a) obtain insurance on official motor vehicles operated by the Department of State in foreign countries, and pay the expenses incident thereto;

(b) rent tie lines and teletype equipment;

(c) provide ice and drinking water for United States Embassies and Consulates abroad;

(d) pay excise taxes on negotiable instruments which are negotiated by the Department of State abroad;

(e) Omitted;

(f) pay expenses incident to the relief, protection, and burial of American seamen, and alien seamen from United States vessels in foreign countries and in the United States Territories and possessions;

(g) pay the expenses incurred in the acknowledgment of the services of officers and crews of foreign vessels and aircraft in rescuing American seamen, airmen, or citizens from shipwreck or other catastrophe abroad or at sea;

(h) rent or lease, for periods of less than ten years, such offices, buildings, grounds, and living quarters for the use of the Foreign Service abroad as he may deem necessary, and make payments therefor in advance;

(i) maintain, improve, and repair properties rented or leased pursuant to authority contained in subsection (h) of this section and furnish fuel, water, and utilities for such properties;

(j) provide emergency medical attention and dietary supplements, and other emergency assistance, for United States citizens incarcerated abroad or destitute United States citizens abroad who are unable to obtain such services otherwise, such assistance to be provided on a reimbursable basis to the extent feasible;

(k) subject to the availability of appropriated funds, obtain insurance on the historic and artistic articles of furniture, fixtures, and decorative objects which may from time-to-time be within the responsibility of the Fine Arts Committee of the Department of State for the Diplomatic Rooms of the Department;

(l) make payments in advance, of the United States share of necessary expenses for international fisheries commissions, from appropriations available for such purpose; and

(m) establish, maintain, and operate passport and dispatch agencies.

(Aug. 1, 1956, ch. 841, title I, §3, 70 Stat. 890; Pub. L. 95-45, §2, June 15, 1977, 91 Stat. 221; 1977 Reorg. Plan No. 2, §9(a)(7), 42 F.R. 62461, 91 Stat.

1639; Pub. L. 95-426, title I, §108(a), Oct. 7, 1978, 92 Stat. 966; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282; Pub. L. 100-204, title I, §126(b), Dec. 22, 1987, 101 Stat. 1342; Pub. L. 102-138, title I, §166, Oct. 28, 1991, 105 Stat. 676; Pub. L. 103-236, title I, §162(k)(3), Apr. 30, 1994, 108 Stat. 409.)

CODIFICATION

Section was formerly classified to section 170h 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.

Subsec. (e) of this section, relating to the payment of the actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who die away from their homes while participating in international educational exchange activities under the jurisdiction of the Department of State, was omitted pursuant to Reorg. Plan No. 2 of 1977, §9(a)(7), 42 F.R. 62461, 91 Stat. 1639, set out under section 1461 of this title, effective on or before July 1, 1978, at such time as specified by the President, which abolished the functions of the Secretary of State under subsec. (e).

AMENDMENTS

1994—Subsec. (m). Pub. L. 103-236 added subsec. (m).

1991—Subsec. (l). Pub. L. 102-138 added subsec. (l).

1987—Subsec. (k). Pub. L. 100-204 added subsec. (k).

1978—Subsec. (j). Pub. L. 95-426 inserted “or destitute United States citizens abroad” after “incarcerated abroad”.

1977—Subsec. (j). Pub. L. 95-45 added subsec. (j).

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.

EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95-426, title I, §108(b), Oct. 7, 1978, 92 Stat. 966, provided that: “The amendment made by this section [amending this section] shall take effect on October 1, 1978.”

**§ 2671. Emergency expenditures**

**(a) Delegation of authority pertaining to certification of expenditures**

The Secretary of State is authorized to—

(1) subject to subsection (b) of this section, make expenditures, from such amounts as may be specifically appropriated therefor, for unforeseen emergencies arising in the diplomatic and consular service and, to the extent authorized in appropriation Acts, funds expended for such purposes may be accounted for in accordance with section 3526(e) of title 31; and

(2) delegate to subordinate officials the authority vested in him by section 3526(e) of title 31 pertaining to certification of expenditures.

**(b) Activities subject to expenditures**

(1) Expenditures described under subsection (a) of this section shall be made only for such activities as—

(A) serve to further the realization of foreign policy objectives;

(B) are a matter of urgency to implement;

(C) with respect to activities the expenditures for which are required to be certified under subsection (a) of this section, require confidentiality in the best interests of the conduct of foreign policy by the United States; and

(D) are not otherwise prohibited by law.

(2) Activities described in paragraph (1) include—

(A) the evacuation when their lives are endangered by war, civil unrest, or natural disaster of—

(i) United States Government employees and their dependents; and

(ii) private United States citizens or third-country nationals, on a reimbursable basis to the maximum extent practicable, with such reimbursements to be credited to the applicable Department of State appropriation and to remain available until expended, except that no reimbursement under this clause shall be paid that is greater than the amount the person evacuated would have been charged for a reasonable commercial air fare immediately prior to the events giving rise to the evacuation;

(B) loans made to destitute citizens of the United States who are outside the United States and made to provide for the return to the United States of its citizens;

(C) visits by foreign chiefs of state or heads of government to the United States;

(D) travel of delegations representing the President at any inauguration or funeral of a foreign dignitary;

(E) travel of the President, the Vice President, or a Member of Congress to a foreign country, including advance arrangements, escort, and official entertainment;

(F) travel of the Secretary of State within the United States and outside the United States, including official entertainment;

(G) official representational functions of the Secretary of State and other principal officers of the Department of State;

(H) official functions outside the United States the expenses for which are not otherwise covered by amounts appropriated for representation allowances;

(I) investigations and apprehension of groups or individuals involved in fraudulent issuance of United States passports and visas; and

(J) gifts of nominal value given by the President, Vice President, or Secretary of State to a foreign dignitary.

**(c) Annual confidential audit and report**

The Inspector General of the Department of State shall conduct a periodic audit of the Department of State's emergency expenditures and prepare and transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate an annual report indicating whether such expenditures were made in accordance with subsections (a) and (b) of this section.

**(d) Repatriation loan program**

With regard to the repatriation loan program, the Secretary of State shall—

(1) require the borrower to provide a verifiable address and social security number at the time of application;

(2) require a written loan agreement which includes a repayment schedule;

(3) bar passports from being issued or renewed for those individuals who are in default;

(4) refer any loan more than one year past due to the Department of Justice for litigation;

(5) obtain addresses from the Internal Revenue Service for all delinquent accounts which have social security numbers;

(6) report defaults to commercial credit bureaus as provided in section 3711(e) of title 31;

(7) be permitted to use any funds necessary to contract with commercial collection agencies, notwithstanding section 3718(c)<sup>1</sup> of title 31;

(8) charge interest on all loans as of May 1, 1983, with the rate of interest to be that set forth in section 3717(a) of title 31;

(9) assess charges, in addition to the interest provided for in paragraph (8), to cover the costs of processing and handling delinquent claims, as of May 1, 1983;

(10) assess a penalty charge, in addition to the interest provided for in paragraphs (8) and (9), of 6 per centum per year for failure to pay any portion of a debt more than ninety days past due; and

(11) implement the interest and penalty provisions in paragraphs (8), (9), and (10) for all current and future loans, regardless of whether the debts were incurred before or after May 1, 1983.

(Aug. 1, 1956, ch. 841, title I, § 4, 70 Stat. 890; renumbered title I, Pub. L. 97-241, title II, § 202(a), Aug. 24, 1982, 96 Stat. 282; Pub. L. 98-164, title I, § 122(a), Nov. 22, 1983, 97 Stat. 1023; Pub. L. 103-236, title I, § 125, Apr. 30, 1994, 108 Stat. 393; Pub. L. 104-316, title I, § 115(g)(2)(D), Oct. 19, 1996, 110 Stat. 3835; Pub. L. 107-228, div. A, title II, § 201, Sept. 30, 2002, 116 Stat. 1361.)

REFERENCES IN TEXT

Section 3718(c) of title 31, referred to in subsec. (d)(7), was renumbered section 3718(e) of title 31 by Pub. L. 99-578, § 1(1), Oct. 28, 1986, 100 Stat. 3305.

CODIFICATION

In subsec. (a), "section 3526(e) of title 31" substituted for "section 291 of the Revised Statutes (31 U.S.C. 107)" 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 formerly classified to section 170i 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.

AMENDMENTS

2002—Subsec. (b)(2)(A). Pub. L. 107-228 amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: "the evacuation of United States Government employees and their dependents and private United States citizens when their lives are endangered by war, civil unrest, or natural disaster;"

1996—Subsec. (d)(6). Pub. L. 104-316 substituted "section 3711(e)" for "section 3711(f)".

1994—Subsec. (c). Pub. L. 103-236 struck out "and the Foreign Service" after "Department of State" and substituted "a periodic" for "an annual confidential".

1983—Pub. L. 98-164 designated existing provisions as subsec. (a), redesignated former pars. (a) and (b) as

<sup>1</sup> See References in Text note below.

pars. (1) and (2), respectively, in par. (1) inserted reference to subsec. (b), and added subsecs. (b) to (d).

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (c) of this section relating to transmitting an annual report to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 131 of House Document No. 103-7.

#### § 2672. Participation in international activities; restriction; expenses

The Secretary of State is authorized to—

(a) provide for participation by the United States in international activities which arise from time to time in the conduct of foreign affairs for which provision has not been made by the terms of any treaty, convention, or special Act of Congress: *Provided*, That this subsection shall not be construed as granting authority to accept membership for the United States in any international organization, or to participate in the activities of any international organization for more than one year without approval by the Congress; and

(b) pay the expenses of participation in activities in which the United States participates by authority of subsection (a) of this section, including, but not limited to the following:

(1) Employment of aliens;

(2) Travel expenses without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under subchapter I of chapter 57 of title 5;

(3) Travel expenses of persons serving without compensation in an advisory capacity while away from their homes or regular places of business not in excess of those authorized for regular officers and employees traveling in connection with said international activities; and

(4) Rental of quarters by contract or otherwise.

(Aug. 1, 1956, ch. 841, title I, § 5, 70 Stat. 891; renumbered title I, Pub. L. 97-241, title II, § 202(a), Aug. 24, 1982, 96 Stat. 282.)

#### CODIFICATION

In subsec. (b)(2), “subchapter I of chapter 57 of title 5” substituted for “the Travel Expense Act of 1949, as amended (5 U.S.C. 835-842),” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 170j 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.

#### § 2672a. Alternate United States Commissioners for international fisheries commissions

In order to insure appropriate representation at meetings of international fisheries commissions, the Secretary of State, in consultation with the Secretary of Commerce or of the Interior as appropriate may designate from time to time Alternate United States Commissioners to

the North Pacific Fur Seal Commission, the Inter-American Tropical Tuna Commission, the International Pacific Halibut Commission, the International Whaling Commission, the Commission for the Conservation of Shrimp in the Eastern Gulf of Mexico, the International Commission for the Conservation of Atlantic Tunas, and any similar commission (other than the International Commission for the Northwest Atlantic Fisheries and the International North Pacific Fisheries Commission) established pursuant to a convention between the United States and other governments. Alternate United States Commissioners may exercise, at any meeting of the respective Commission or of the United States Section thereof, all powers and duties of a United States Commissioner in the absence of a duly designated Commissioner for whatever reason. The number of such Alternate United States Commissioners that may be designated for any such meeting shall be limited to the number of authorized United States Commissioners that will not be present. In the event that there are Deputy United States Commissioners pursuant to the convention or statute, such Deputy United States Commissioners shall have precedence over any Alternate Commissioners so designated pursuant to this section.

(Pub. L. 92-471, title II, § 201, Oct. 9, 1972, 86 Stat. 787; Pub. L. 99-659, title IV, § 405(c), Nov. 14, 1986, 100 Stat. 3738.)

#### AMENDMENTS

1986—Pub. L. 99-659 struck out “the Great Lakes Fishery Commission,” after “the International Pacific Halibut Commission.”

#### § 2672b. Compensation of Alternate United States Commissioners; travel expenses and other allowances

Alternate United States Commissioners shall receive no compensation for their services. They may be paid travel expenses and per diem in lieu of subsistence at the rates authorized by section 5703 of title 5 when engaged in the performance of their duties.

(Pub. L. 92-471, title II, § 202, Oct. 9, 1972, 86 Stat. 787.)

#### § 2673. International Civil Aviation Organization; availability of funds for participation

The provisions of section 287e of this title, and regulations thereunder, applicable to expenses incurred pursuant to sections 287 to 287e of this title, may be applicable to the obligation and expenditure of funds in connection with United States participation in the International Civil Aviation Organization.

(Aug. 1, 1956, ch. 841, title I, § 6, 70 Stat. 891; renumbered title I, Pub. L. 97-241, title II, § 202(a), Aug. 24, 1982, 96 Stat. 282.)

#### CODIFICATION

Section was formerly classified to section 170k 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.

#### ANNUAL APPROPRIATIONS

Annual appropriations to meet the obligations of membership in various international organizations