

the Department of State that the authority had reasonable cause to believe the alien committed a serious criminal offense within the United States, and any additional information provided to the Secretary relating to other serious criminal offenses that any such authority had reasonable cause to believe the alien committed before the period covered by the report. The Secretary may omit from such report any matter the provision of which the Secretary reasonably believes would compromise a criminal investigation or prosecution or which would directly compromise law enforcement or intelligence sources or methods.

(C) Each case described in subparagraph (B) in which the Secretary of State has certified that a person enjoys full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(D) The number of United States citizens who are residing in a receiving state and who enjoy full immunity from the criminal jurisdiction of such state under laws extending diplomatic privileges and immunities.

(E) Each case involving a United States citizen under subparagraph (D) in which the United States has been requested by the government of a receiving state to waive the immunity from criminal jurisdiction of the United States citizen.

(F) Whether the Secretary has made the notifications referred to in subsection (c) of this section during the period covered by the report.

(3) Serious criminal offense defined

For the purposes of this section, the term “serious criminal offense” means—

- (A) any felony under Federal, State, or local law;
- (B) any Federal, State, or local offense punishable by a term of imprisonment of more than 1 year;
- (C) any crime of violence as defined for purposes of section 16 of title 18; or
- (D)(i) driving under the influence of alcohol or drugs;
 - (ii) reckless driving; or
 - (iii) driving while intoxicated.

(b) United States policy concerning reform of diplomatic immunity

It is the sense of the Congress that the Secretary of State should explore, in appropriate fora, whether states should enter into agreements and adopt legislation—

- (1) to provide jurisdiction in the sending state to prosecute crimes committed in the receiving state by persons entitled to immunity from criminal jurisdiction under laws extending diplomatic privileges and immunities; and
- (2) to provide that where there is probable cause to believe that an individual who is entitled to immunity from the criminal jurisdiction of the receiving state under laws extending diplomatic privileges and immunities committed a serious crime, the sending state will waive such immunity or the sending state will prosecute such individual.

(c) Notification of diplomatic corps

The Secretary should periodically notify each foreign mission of United States policies relating to criminal offenses committed by individuals with immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(Aug. 1, 1956, ch. 841, title I, §56, as added Pub. L. 105-277, div. G, subdiv. B, title XXII, §2217, Oct. 21, 1998, 112 Stat. 2681-815.)

§2729. State Department records of overseas deaths of United States citizens from non-natural causes

(a) Collection of information

The Secretary shall, to the maximum extent practicable, collect, with respect to each foreign country, the following information with respect to each United States citizen who dies in that country from a nonnatural cause on or after September 30, 2002:

- (1) The date of death.
- (2) The locality where the death occurred (including the state or province and municipality, if available).
- (3) The cause of death, including information on the circumstances of the death, and including, if the death resulted from an act of terrorism, a statement disclosing that information.
- (4) Such other information as the Secretary shall prescribe.

(b) Database

The Secretary shall establish and maintain a database containing the information collected under subsection (a) of this section.

(c) Public availability of information

Beginning three months after September 30, 2002, the Secretary, shall make available, on a country-by-country basis, on the Internet website of the Department’s Bureau of Consular Affairs, the information from the database described in subsection (b) of this section with respect to deaths occurring since September 30, 2002, or occurring during the preceding three calendar years, whichever period is shorter. The information shall be updated at least every six months.

(Aug. 1, 1956, ch. 841, title I, §57, as added Pub. L. 107-228, div. A, title II, §204, Sept. 30, 2002, 116 Stat. 1363.)

§2730. Prohibition on funding the involuntary return of refugees

(a) Prohibition

(1) In general

Except as provided in paragraph (2), none of the funds made available to the Department of State, or the United States Emergency Refugee and Migration Assistance Fund established in section 2601(c) of this title, may be available to effect the involuntary return by the United States of any person to a country in which the person has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

(2) Exception

The prohibition in paragraph (1) does not apply to the return of any person on grounds