

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).

(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) 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 recognized as precluding protection as a refugee under the United Nations Convention Relating to the Status of Refugees of July 28, 1951, and the Protocol Relating to the Status of Refugees of January 31, 1967, subject to the reservations contained in the United States Senate resolution of advice and consent to ratification of the Protocol.

(b) Congressional notification required in all cases

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 any country unless the Secretary first notifies the appropriate congressional committees, except that, in the case of an emergency involving a threat to human life, the Secretary shall notify the appropriate congressional committees as soon as practicable.

(c) Statutory construction

Nothing in this section shall be construed as affecting activities of the Department of State that relate to removal proceedings under the Immigration and Nationality Act [8 U.S.C. 1101 et seq.] or extradition.

(d) Definitions

In this section:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) To effect the involuntary return

The term “to effect the involuntary return” means to require, by means of physical force or circumstances amounting to a threat thereof, a person to return to a country against the person's will, regardless of whether the person is physically present in the United States and regardless of whether the United States acts directly or through an agent.

(Aug. 1, 1956, ch. 841, title I, §58, as added Pub. L. 107-228, div. A, title II, §241, Sept. 30, 2002, 116 Stat. 1373.)