

for training in a third, with exceptions for priority needs of the service at the discretion of the Director General;

“(3) requiring that employees receiving long-term training in a language, or hired with a hiring preference for a language, serve at least 2 tours in jobs requiring that language, with exceptions for certain limited-use languages and priority needs of the service at the discretion of the Director General;

“(4) requiring that significant consideration be given to foreign language competence and use in the evaluation, assignment, and promotion of all Foreign Service Officers of the Department of State, the Agency for International Development, and the United States Information Agency;

“(5) requiring the identification of appropriate Washington, D.C. metropolitan area positions as language-designated; and

“(6) requiring remedial training and suspension of language differential payments for employees receiving such payments who have failed to maintain required levels of proficiency.”

[For abolition of United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau), transfer of functions, and treatment of references thereto, see sections 6531, 6532, and 6551 of this title.]

### § 3927. Chief of mission

#### (a) Duties

Under the direction of the President, the chief of mission to a foreign country—

(1) shall have full responsibility for the direction, coordination, and supervision of all Government executive branch employees in that country (except for Voice of America correspondents on official assignment and employees under the command of a United States area military commander); and

(2) shall keep fully and currently informed with respect to all activities and operations of the Government within that country, and shall insure that all Government executive branch employees in that country (except for Voice of America correspondents on official assignment and employees under the command of a United States area military commander) comply fully with all applicable directives of the chief of mission.

#### (b) Duties of agencies with employees in foreign countries

Any executive branch agency having employees in a foreign country shall keep the chief of mission to that country fully and currently informed with respect to all activities and operations of its employees in that country, and shall insure that all of its employees in that country (except for Voice of America correspondents on official assignment and employees under the command of a United States area military commander) comply fully with all applicable directives of the chief of mission.

#### (c) Promotion of United States goods and services

Each chief of mission to a foreign country shall have as a principal duty the promotion of United States goods and services for export to such country.

(Pub. L. 96-465, title I, § 207, Oct. 17, 1980, 94 Stat. 2079; Pub. L. 97-241, title I, § 123, Aug. 24, 1982, 96 Stat. 281; Pub. L. 100-204, title I, § 136, Dec. 22, 1987, 101 Stat. 1345; Pub. L. 107-228, div. A, title V, § 505(b), Sept. 30, 2002, 116 Stat. 1393.)

#### AMENDMENTS

2002—Subsecs. (a)(1), (2), (b). Pub. L. 107-228 inserted “Voice of America correspondents on official assignment and” after “except for”.

1987—Subsec. (a). Pub. L. 100-204, § 136(1), (2), inserted “executive branch” after “Government” in par. (1) and after second reference to “Government” in par. (2).

Subsec. (b). Pub. L. 100-204, § 136(3), inserted “executive branch” after “Any”.

1982—Subsec. (c). Pub. L. 97-241 added subsec. (c).

### § 3927a. Review by chief of mission

#### (a) Review of staff element under chief of mission authority; approval; process

The Secretary of State shall require each chief of mission to review, not less than once every 5 years, every staff element under chief of mission authority, including staff from other departments or agencies of the United States, and recommend approval or disapproval of each staff element. Each such review shall be conducted pursuant to a process established by the President for determining appropriate staffing at diplomatic missions and overseas constituent posts (commonly referred to as the “NSDD-38 process”).

#### (b) Actions by Secretary of State

The Secretary of State, as part of the process established by the President referred to in subsection (a), shall take actions to carry out the recommendations made in each such review.

(Pub. L. 108-447, div. B, title IV, § 409, Dec. 8, 2004, 118 Stat. 2904; Pub. L. 112-74, div. I, title VII, § 7034(n), Dec. 23, 2011, 125 Stat. 1217.)

#### CODIFICATION

Section was enacted as part of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005, and also as part of the Consolidated Appropriations Act, 2005, and not as part of the Foreign Service Act of 1980 which comprises this chapter.

#### AMENDMENTS

2011—Subsec. (c). Pub. L. 112-74 struck out subsec. (c). Prior to amendment, text read as follows: “Not later than 1 year after December 8, 2004, and annually thereafter, the Secretary of State shall submit a report on such reviews that occurred during the previous 12 months, together with the Secretary’s recommendations regarding such reviews to the appropriate committees of Congress, the heads of all affected departments or agencies, and the Inspector General of the Department of State.”

### § 3928. Director General of Foreign Service

The President shall appoint, by and with the advice and consent of the Senate, a Director General of the Foreign Service, who shall be a current or former career member of the Foreign Service. The Director General should assist the Secretary of State in the management of the Service and perform such functions as the Secretary of State may prescribe.

(Pub. L. 96-465, title I, § 208, Oct. 17, 1980, 94 Stat. 2080; Pub. L. 103-236, title I, § 163, Apr. 30, 1994, 108 Stat. 411.)

#### AMENDMENTS

1994—Pub. L. 103-236 amended section generally. Prior to amendment, section read as follows: “There shall be