

§ 4208. Valuation of foreign coins in payment of fees

Consuls, vice consuls, and consular agents in the Dominion of Canada, in the collection of official fees, shall receive foreign moneys at the rate given in the Treasury schedule of the value of foreign coins.

(R.S. § 1722.)

CODIFICATION

R.S. § 1722 derived from act Mar. 3, 1869, ch. 125, § 3, 15 Stat. 321.

Provisions of R.S. § 1722 that no consul, vice consul, or consular agent in the Dominion of Canada shall be allowed tonnage fees for any services, actual or constructive, rendered any vessel owned and registered in the United States that may touch at a Canadian port, were omitted as superseded by section 12 of act June 26, 1884, ch. 121, 23 Stat. 56, which is classified to section 4206 of this title.

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 1188 of this title, and prior thereto to section 91 of this title.

§ 4209. Exaction of excessive fees generally; penalty of treble amount

Whenever any consular officer collects, or knowingly allows to be collected for any service, any other or greater fees than are allowed by law for such service, he shall, besides his liability to refund the same, be liable to pay to the person by whom or in whose behalf the same are paid, treble the amount of the unlawful charge so collected, as a penalty, to be recovered with costs, in any proper form of action, by such person for his own use. And in any such case the Secretary of the Treasury may retain, out of the compensation of such officer, the amount of such overcharge and of such penalty, and charge the same to such officer in account, and may thereupon refund such unlawful charge, and pay such penalty to the person entitled to the same if he shall think proper so to do.

(R.S. § 1723.)

CODIFICATION

R.S. § 1723 derived from act Aug. 18, 1856, ch. 127, § 17, 11 Stat. 58.

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 1189 of this title, and prior thereto to section 92 of this title.

§ 4210. Liability for uncollected fees

Every consul general, consul, or vice consul appointed to perform the duty of any such officer, who omits to collect any fees which he is entitled to charge for any official service, shall be liable to the United States therefor, as if he had collected the same; unless, upon good cause shown therefor, the Secretary of the Treasury shall think proper to remit the same.

(R.S. § 1724; Apr. 5, 1906, ch. 1366, § 3, 34 Stat. 100.)

CODIFICATION

R.S. § 1724 derived from act Aug. 18, 1856, ch. 127, § 18, 11 Stat. 58.

References to “commercial agent” and “vice-commercial agent” were omitted in view of the abolition of the grade of commercial agent by act Apr. 5, 1906.

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 1190 of this title, and prior thereto to section 93 of this title.

§ 4211. Returns as to fees by officers compensated by fees

All consular agents, as are allowed for their compensation the whole or any part of the fees which they may collect, shall make returns in such manner as the Government Accountability Office shall prescribe, of all such fees as they or any person in their behalf so collect.

(R.S. § 1725; July 31, 1894, ch. 174, § 5, 28 Stat. 206; Apr. 5, 1906, ch. 1366, § 3, 34 Stat. 100; June 10, 1921, ch. 18, title III, § 304, 42 Stat. 24; Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814.)

CODIFICATION

R.S. § 1725 derived from act Aug. 18, 1856, ch. 127, § 18, 11 Stat. 58.

References to “commercial agents” and “vice-commercial agents” were omitted in view of the abolition of the grade of commercial agent by act Apr. 5, 1906.

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 1191 of this title, and prior thereto to section 94 of this title.

TRANSFER OF FUNCTIONS

“Government Accountability Office” substituted in text for “General Accounting Office” pursuant to section 8(b) of Pub. L. 108–271, set out as a note under section 702 of Title 31, Money and Finance, which redesignated the General Accounting Office and any references thereto as the Government Accountability Office. Previously, “General Accounting Office” substituted in text for “Comptroller of the Treasury” pursuant to act June 10, 1921, which transferred all powers and duties conferred upon Comptroller, six auditors, and certain other officers of the Treasury to General Accounting Office. See section 701 et seq. of Title 31. Previously, functions of Secretary of State under this section transferred to Comptroller of the Treasury by act July 31, 1894.

§§ 4212 to 4214. Repealed. Pub. L. 105–277, div. G, subd. B, title XXII, § 2223, Oct. 21, 1998, 112 Stat. 2681–819

Section 4212, R.S. §§ 1726, 1727, required receipts for fees collected for consular services.

Section 4213, R.S. § 1727, required registry of fees.

Section 4214, R.S. § 1728; June 28, 1955, ch. 196, 69 Stat. 187, required full transcript and certification of register.

§ 4215. Notarial acts, oaths, affirmations, affidavits, and depositions; fees

Every consular officer of the United States is required, whenever application is made to him therefor, within the limits of his consulate, to administer to or take from any person any oath, affirmation, affidavit, or deposition, and to perform any other notarial act which any notary public is required or authorized by law to do within the United States; and for every such notarial act performed he shall charge in each instance the appropriate fee prescribed by the President under section 4219 of this title.

(Apr. 5, 1906, ch. 1366, § 7, 34 Stat. 101; Pub. L. 103–236, title I, § 127(b), Apr. 30, 1994, 108 Stat. 394; Pub. L. 103–415, § 1(mm)(1), Oct. 25, 1994, 108 Stat. 4303.)