

and the member is not receiving an education allowance or educational travel allowance for the child under section 5924(4) of title 5; or

(B) to visit the other parent of the child if the other parent resides in a country other than the country to which the member is assigned and the child regularly resides with the member and does not regularly attend school in the country in which the other parent resides,

except that a payment under this paragraph may not exceed the cost of round-trip travel between the post to which the member is assigned and the residence of the other parent, or between the post to which the member is assigned and the residence of the child if the child does not reside with a parent.

(Pub. L. 96-465, title I, §901, Oct. 17, 1980, 94 Stat. 2124; Pub. L. 101-246, title I, §148, Feb. 16, 1990, 104 Stat. 38; Pub. L. 102-138, title I, §§145, 146, Oct. 28, 1991, 105 Stat. 668, 669; Pub. L. 107-228, div. A, title III, §§315(a), 328, Sept. 30, 2002, 116 Stat. 1379, 1387; Pub. L. 109-234, title I, §1602(d)(1), June 15, 2006, 120 Stat. 442; Pub. L. 110-321, §2(1), Sept. 19, 2008, 122 Stat. 3535.)

#### AMENDMENTS

2008—Par. (6)(B). Pub. L. 110-321 inserted “or its territories, including American Samoa, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands” after “United States”.

2006—Par. (6). Pub. L. 109-234, which directed amendment of section 901(6) of the Foreign Service Act by striking out “unbroken by home leave” wherever appearing, was executed by striking out those words after “2-year tour” and “3-year tour” in concluding provisions of par. (6) of this section, which is section 901 of the Foreign Service Act of 1980, to reflect the probable intent of Congress.

2002—Par. (8). Pub. L. 107-228, §315(a), substituted “Service, and members of his or her family,” for “Service”.

Par. (15). Pub. L. 107-228, §328, in concluding provisions, substituted “residence of the other parent, or between the post to which the member is assigned and the residence of the child if the child does not reside with a parent” for “port of entry in the contiguous 48 States which is nearest to that post”.

1991—Par. (10). Pub. L. 102-138, §146, inserted before semicolon “or, if death occurs in the United States, transport of the remains to the designated home in the United States or to a place not more distant”.

Par. (12)(B). Pub. L. 102-138, §145(1), inserted before semicolon “, except that in extraordinary circumstances the Secretary may extend this period for not more than an additional 90 days”.

Par. (12)(C). Pub. L. 102-138, §145(2), inserted before semicolon “, except that in extraordinary circumstances the Secretary may extend this period for not more than an additional 90 days”.

1990—Par. (9). Pub. L. 101-246 amended par. (9) generally. Prior to amendment, par. (9) read as follows: “round-trip travel from a location abroad for purposes of family visitation in emergency situations involving personal hardship”.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-228, div. A, title III, §315(c), Sept. 30, 2002, 116 Stat. 1379, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on the date on which guidance for implementation of such amendment is issued by the Secretary.” [Guidance in the form of a State Department cable was issued Nov. 5, 2002.]

[For definition of “Secretary” as used in section 315(c) of Pub. L. 107-228, set out above, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.]

#### PROMULGATION OF GUIDANCE

Pub. L. 107-228, div. A, title III, §315(b), Sept. 30, 2002, 116 Stat. 1379, provided that: “The Secretary shall promulgate guidance for the implementation of the amendment made by subsection (a) [amending this section] to ensure its implementation in a manner which does not substantially increase the total amount of travel expenses paid or reimbursed by the Department for travel under section 901 of the Foreign Service Act of 1980 (22 U.S.C. 4081).”

[For definitions of “Secretary” and “Department” as used in section 315(b) of Pub. L. 107-228, set out above, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.]

#### § 4082. Loan of household effects

The Secretary may, as a means of eliminating transportation costs, provide members of the Service with basic household furnishing and equipment for use on a loan basis in personally owned or leased residences.

(Pub. L. 96-465, title I, §902, Oct. 17, 1980, 94 Stat. 2127.)

#### § 4083. Required leave

##### (a) Criteria; length of continuous service

The Secretary may order a member of the Service (other than a member employed under section 3951 of this title) who is a citizen of the United States to take a leave of absence under section 6305 of title 5 (without regard to the introductory clause of subsection (a) of that section), upon completion by that member of 12 months of continuous service abroad. The Secretary shall order on such a leave of absence a member of the Service (other than a member employed under section 3951 of this title) who is a citizen of the United States as soon as possible after completion by that member of 3 years of continuous service abroad.

##### (b) Place leave may be taken

Leave ordered under this section may be taken in the United States or its territories, including American Samoa, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

##### (c) Availability for work or duties in Department

While on a leave of absence ordered under this section, the services of any member of the Service shall be available for such work or duties in the Department or elsewhere as the Secretary may prescribe, but the time of such work or duties shall not be counted as leave.

(Pub. L. 96-465, title I, §903, Oct. 17, 1980, 94 Stat. 2127; Pub. L. 103-236, title I, §180(a)(8), Apr. 30, 1994, 108 Stat. 416; Pub. L. 109-234, title I, §1602(d)(2), June 15, 2006, 120 Stat. 442; Pub. L. 110-321, §2(2), Sept. 19, 2008, 122 Stat. 3535.)

#### AMENDMENTS

2008—Subsec. (b). Pub. L. 110-321 substituted “or its territories, including American Samoa, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, and the United States