

§ 2712. Authority to control certain terrorism-related services

(a) Authority

The Secretary of State may, by regulation, impose controls on the provision of the services described in subsection (b) if the Secretary determines that provision of such services would aid and abet international terrorism.

(b) Services subject to control

The services subject to control under subsection (a) are the following:

(1) Serving in or with the security forces of a designated foreign government.

(2) Providing training or other technical services having a direct military, law enforcement, or intelligence application, to or for the security forces of a designated foreign government.

Any regulations issued to impose controls on services described in paragraph (2) shall list the specific types of training and other services subject to the controls.

(c) Persons subject of controls

These services may be controlled under subsection (a) when they are provided within the United States by any individual or entity and when they are provided anywhere in the world by a United States person.

(d) Licenses

In carrying out subsection (a), the Secretary of State may require licenses, which may be revoked, suspended, or amended, without prior notice, whenever such action is deemed to be advisable.

(e) Definitions

(1) Designated foreign government

As used in this section, the term “designated foreign government” means a foreign government that the Secretary of State has determined, for purposes of section 4605(j)(1) of title 50, has repeatedly provided support for acts of international terrorism.

(2) Security forces

As used in this section, the term “security forces” means any military or paramilitary forces, any police or other law enforcement agency (including any police or other law enforcement agency at the regional or local level), and any intelligence agency of a foreign government.

(3) United States

As used in this section, the term “United States” includes any State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.

(4) United States person

As used in this section, the term “United States person” means any United States national, any permanent resident alien, and any sole proprietorship, partnership, company, association, or corporation organized under the laws of or having its principal place of business within the United States.

(f) Violations

(1) Penalties

Whoever willfully violates any regulation issued under this section shall be fined not more than \$100,000 or five times the total compensation received for the conduct which constitutes the violation, whichever is greater, or imprisoned for not more than ten years, or both, for each such offense.

(2) Investigations

The Attorney General and the Secretary of the Treasury shall have authority to investigate violations of regulations issued under this section.

(g) Congressional oversight

(1) Review of regulations

Not less than 30 days before issuing any regulations under this section (including any amendments thereto), the Secretary of State shall transmit the proposed regulations to the Congress.

(2) Reports

Not less than once every six months, the Secretary of State shall report to the Congress concerning the number and character of licenses granted and denied during the previous reporting period, and such other information as the Secretary may find to be relevant to the accomplishment of the objectives of this section.

(h) Relationship to other laws

The authority granted by this section is in addition to the authorities granted by any other provision of law.

(Aug. 1, 1956, ch. 841, title I, § 40, as added Pub. L. 99-399, title V, § 506(2), Aug. 27, 1986, 100 Stat. 871.)

PRIOR PROVISIONS

A prior section 40 of act Aug. 1, 1956, was renumbered section 41 by section 506(1) of Pub. L. 99-399, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102-138, title I, § 111(1), Oct. 28, 1991, 105 Stat. 654.

§ 2713. Protection of historic and artistic furnishings of reception areas of the Harry S Truman Federal Building

(a) In general

The Secretary of State shall administer the historic and artistic articles of furniture, fixtures, and decorative objects of the reception areas of the Department of State by such means and measures as conform to the purposes of the reception areas, which include conserving those articles, fixtures, and objects and providing for their enjoyment in such manner and by such means as will leave them for the use of the American people. Nothing shall be done under this subsection which conflicts with the administration of the Department of State or with the use of the reception areas for official purposes of the United States Government.

(b) Disposition of historic and artistic items

(1) Items covered

Articles of furniture, fixtures, and decorative objects of the reception areas (and similar

articles, fixtures, and objects acquired by the Secretary of State), when declared by the Secretary of State to be of historic or artistic interest, shall thereafter be considered to be the property of the Secretary in his or her official capacity and shall be subject to disposition solely in accordance with this subsection.

(2) Sale or trade

Whenever the Secretary of State determines that—

(A) any item covered by paragraph (1) is no longer needed for use or display in the reception areas, or

(B) in order to upgrade the reception areas, a better use of that article would be its sale or exchange,

the Secretary may, with the advice and concurrence of the Director of the National Gallery of Art, sell the item at fair market value or trade it, without regard to the requirements of chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41. The proceeds of any such sale may be credited to the unconditional gift account of the Department of State, and items obtained in trade shall be the property of the Secretary of State under this subsection.

(3) Smithsonian Institution

The Secretary of State may also lend items covered by paragraph (1), when not needed for use or display in the reception areas, to the Smithsonian Institution or a similar institution for care, repair, study, storage, or exhibition.

(c) “Reception areas” defined

For purposes of this section, the term “reception areas” means the areas of the Harry S Truman Federal Building, located at 2201 C Street, Northwest, Washington, District of Columbia, known as the Diplomatic Reception Rooms (eighth floor), the Secretary of State’s offices (seventh floor), the Deputy Secretary of State’s offices (seventh floor), and the seventh floor reception area.

(Aug. 1, 1956, ch. 841, title I, §41, as added Pub. L. 100–204, title I, §126(a)(2), Dec. 22, 1987, 101 Stat. 1341; amended Pub. L. 106–218, §2, June 20, 2000, 114 Stat. 345.)

CODIFICATION

In subsec. (b)(2), “chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949” on authority of Pub. L. 111–350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

PRIOR PROVISIONS

A prior section 41 of act Aug. 1, 1956, was renumbered section 42 by section 126(a)(1) of Pub. L. 100–204, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102–138, title I, §111(1), Oct. 28, 1991, 105 Stat. 654.

AMENDMENTS

2000—Pub. L. 106–218 substituted “Harry S Truman Federal Building” for “Department of State Building” in section catchline and in subsec. (c).

DESIGNATION OF DEPARTMENT OF STATE BUILDING AS HARRY S TRUMAN FEDERAL BUILDING

Pub. L. 106–218, June 20, 2000, 114 Stat. 345, provided that:

“SECTION 1. DESIGNATION.

“The Federal building located at 2201 C Street, Northwest, in the District of Columbia, currently headquarters for the Department of State, shall be known and designated as the ‘Harry S Truman Federal Building’.

“SEC. 2. REFERENCES.

“Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ‘Harry S Truman Federal Building’.”

§ 2714. Denial of passports to certain convicted drug traffickers

(a) Ineligibility for passport

(1) In general

A passport may not be issued to an individual who is convicted of an offense described in subsection (b) during the period described in subsection (c) if the individual used a passport or otherwise crossed an international border in committing the offense.

(2) Passport revocation

The Secretary of State shall revoke a passport previously issued to an individual who is ineligible to receive a passport under paragraph (1).

(b) Drug law offenses

(1) Felonies

Subsection (a) applies with respect to any individual convicted of a Federal drug offense, or a State drug offense, if the offense is a felony.

(2) Certain misdemeanors

Subsection (a) also applies with respect to an individual convicted of a Federal drug offense, or a State drug offense, if the offense is¹ misdemeanor, but only if the Secretary of State determines that subsection (a) should apply with respect to that individual on account of that offense. This paragraph does not apply to an individual’s first conviction for a misdemeanor which involves only possession of a controlled substance.

(c) Period of ineligibility

Subsection (a) applies during the period that the individual—

(1) is imprisoned, or is legally required to be imprisoned, as the result of the conviction for the offense described in subsection (b); or

(2) is on parole or other supervised release after having been imprisoned as the result of that conviction.

(d) Emergency and humanitarian exceptions

Notwithstanding subsection (a), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual with respect to whom that subsection applies.

¹ So in original. Probably should be followed by “a”.