

“(a) REFERRAL SYSTEM.—Certain members of the Foreign Service (as described in subsection (b)), may participate in the Office of Personnel Management’s Inter-agency Placement programs or any successor program. Such members of the Foreign Service shall be treated in the same manner as employees participating in such a program as of the effective date of this Act [Apr. 30, 1994].

“(b) CERTAIN MEMBERS OF THE FOREIGN SERVICE.—For purposes of this section, the term ‘members of the Foreign Service’ means any individuals holding career or career candidate appointments under chapter 3 of the Foreign Service Act of 1980 [22 U.S.C. 3941 et seq.].”

CONSULTATION WITH DIRECTOR OF OFFICE OF PERSONNEL MANAGEMENT PRIOR TO PRESCRIBING REGULATIONS FOR REDUCTIONS IN FORCE

Pub. L. 103-236, title I, §181(c), Apr. 30, 1994, 108 Stat. 418, as amended by Pub. L. 103-415, §1(i), Oct. 25, 1994, 108 Stat. 4301, provided that: “The Secretary of State (or in the case of any other agency authorized by law to utilize the Foreign Service personnel system, the head of that agency) shall consult with the Director of the Office of Personnel Management before prescribing regulations for reductions in force under section 611 of the Foreign Service Act of 1980 [22 U.S.C. 4010a] (as added by subsection (a) of this section), and shall publish such regulations.”

**§ 4011. Termination of limited appointments**

Except as provided in section 4010(a)(2) of this title, the Secretary may terminate at any time the appointment of any member of the Service serving under a limited appointment who is in the Senior Foreign Service, who is assigned to a salary class in the Foreign Service Schedule or who is paid in accordance with section 3967 of this title or is a United States citizen paid under a compensation plan under section 3968 of this title.

(Pub. L. 96-465, title I, §612, formerly §611, Oct. 17, 1980, 94 Stat. 2099; renumbered §612 and amended Pub. L. 103-236, title I, §§180(a)(7), 181(a)(1), Apr. 30, 1994, 108 Stat. 416.)

PRIOR PROVISIONS

A prior section 612 of Pub. L. 96-465 was renumbered section 613 and is classified to section 4012 of this title.

AMENDMENTS

1994—Pub. L. 103-236, §180(a)(7), substituted “or who is paid in accordance with section 3967 of this title or is a United States citizen paid under a compensation plan under section 3968 of this title.” for “, or who is a family member of a Government employee serving under a local compensation plan established under section 3968 of this title.”

**§ 4012. Termination of appointments of consular agents and foreign national employees**

(a) The Secretary of State may terminate at any time the appointment of any consular agent in light of the criteria and procedures normally followed in the locality in similar circumstances.

(b) The Secretary may terminate at any time the appointment of any foreign national employee in light of the criteria and procedures normally followed in the locality in similar circumstances.

(Pub. L. 96-465, title I, §613, formerly §612, Oct. 17, 1980, 94 Stat. 2099; renumbered §613, Pub. L. 103-236, title I, §181(a)(1), Apr. 30, 1994, 108 Stat. 416.)

PRIOR PROVISIONS

A prior section 613 of Pub. L. 96-465 was renumbered section 614 and is classified to section 4013 of this title.

**§ 4012a. Foreign national employees separation pay**

**(a) Establishment**

There is established in the Treasury of the United States a fund to provide separation pay for foreign national employees of agencies of the United States Government, other than the Department of Defense.

**(b) Funding**

There shall be deposited in such account—

(1) all amounts previously obligated for accrued separation pay of foreign national employees of such agencies of the United States Government; and

(2) amounts obligated for fiscal years after 1991 by such agencies for the current and future costs of separation pay of foreign national employees.

**(c) Availability**

Amounts shall be deposited in the fund annually and are authorized to be available until expended.

**(d) Expenditures from fund**

Amounts deposited in the fund shall be available for expenditure to make separation payments to foreign national employees in countries in which such pay is legally authorized.

(Pub. L. 102-138, title I, §151, Oct. 28, 1991, 105 Stat. 672.)

CODIFICATION

Section was enacted as part of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993, and not as part of the Foreign Service Act of 1980 which comprises this chapter.

**§ 4013. Foreign Service awards**

The President shall establish a system of awards to confer appropriate recognition of outstanding contributions to the Nation by members of the Service. The awards system established under this section shall provide for presentation by the President and by the Secretary of medals or other suitable commendations for performance in the course of or beyond the call of duty which involves distinguished, meritorious service to the Nation, including extraordinary valor in the face of danger to life or health. Distinguished, meritorious service in the promotion of internationally recognized human rights, including the right to freedom of religion, shall serve as a basis for granting awards under this section.

(Pub. L. 96-465, title I, §614, formerly §613, Oct. 17, 1980, 94 Stat. 2099; renumbered §614, Pub. L. 103-236, title I, §181(a)(1), Apr. 30, 1994, 108 Stat. 416; amended Pub. L. 105-292, title V, §504(b), Oct. 27, 1998, 112 Stat. 2811.)

AMENDMENTS

1998—Pub. L. 105-292 inserted at end “Distinguished, meritorious service in the promotion of internationally recognized human rights, including the right to freedom of religion, shall serve as a basis for granting awards under this section.”