

- Sec.
3982. Assignments to Foreign Service positions.
3983. Assignments to non-Service and other positions.
3984. Service in United States and abroad.
3985. Temporary details.
- SUBCHAPTER VI—PROMOTION AND RETENTION
4001. Promotions.
4002. Establishment of selection boards.
4003. Recommendations and rankings.
4004. Records.
4005. Implementation of selection board recommendations.
4006. Other bases for promoting or increasing pay.
4007. Retirement for expiration of time in class.
4008. Retirement based on failure to meet standard of performance.
4009. Retirement benefits.
4010. Separation for cause; suspension.
4010a. Reductions in force.
4011. Termination of limited appointments.
4012. Termination of appointments of consular agents and foreign national employees.
4012a. Foreign national employees separation pay.
4013. Foreign Service awards.
- SUBCHAPTER VII—CAREER DEVELOPMENT, TRAINING, AND ORIENTATION
4021. Institution for training.
4022. Foreign language requirements.
4023. Career development program.
4024. Functions of Secretary.
4025. Training grants.
4026. Career counseling.
4027. Visiting Scholars Program.
4028. Training for Foreign Service officers.
4029. Increased training in multilateral diplomacy.
- SUBCHAPTER VIII—FOREIGN SERVICE RETIREMENT AND DISABILITY
- PART I—FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM
4041. Administration.
4042. Maintenance of Fund.
4043. Participants.
4044. Definitions.
4045. Contributions to Fund.
4046. Computation of annuities.
4047. Payment of annuity.
4048. Retirement for disability or incapacity.
4049. Death in service.
4050. Discontinued service retirement.
4051. Voluntary retirement.
4052. Mandatory retirement.
4053. Reassignment and retirement of former Presidential appointees.
4054. Former spouses.
4055. Lump-sum payments.
4056. Creditable service.
4057. Extra credit for service at unhealthful posts.
4058. Estimate of appropriations needed.
4059. Investment of Fund.
4060. Assignment and attachment of moneys.
4061. Payments for future benefits.
4062. Unfunded liability obligations.
4063. Annuity adjustment for recall service.
4064. Reemployment.
4065. Voluntary contribution account.
4066. Cost-of-living adjustment of annuities.
4067. Compatibility between retirement systems.
4068. Remarriage.
4069. Thrift Savings Fund participation.
4069-1. Qualified former wives and husbands.
4069a. Retirement benefits for certain former spouses.
4069a-1. Retirement benefits for certain former spouses.
4069b. Survivor benefits for certain former spouses.
- Sec.
4069b-1. Survivor benefits for certain former spouses.
4069c. Health benefits for certain former spouses.
4069c-1. Health benefits for certain former spouses.
- PART II—FOREIGN SERVICE PENSION SYSTEM
4071. Establishment; application of Federal Employees' Retirement System to Foreign Service Pension System participants.
4071a. Definitions.
4071b. Participants.
4071c. Creditable service.
4071d. Entitlement to annuity.
4071e. Deductions and withholdings from pay.
4071f. Government contributions.
4071g. Cost-of-living adjustments.
4071h. General and administrative provisions.
4071i. Transition provisions.
4071j. Former spouses.
4071k. Spousal agreements.
- SUBCHAPTER IX—TRAVEL, LEAVE, AND OTHER BENEFITS
4081. Travel and related expenses.
4082. Loan of household effects.
4083. Required leave.
4084. Health care program.
4085. Entertainment and representation expenses.
4086. Entitlement to vote in a State in a Federal election; preconditions; applicability.
- SUBCHAPTER X—LABOR-MANAGEMENT RELATIONS
4101. Congressional findings and policy.
4102. Definitions.
4103. Application.
4104. Employee rights.
4105. Management rights.
4106. Foreign Service Labor Relations Board.
4107. Functions of Foreign Service Labor Relations Board.
4108. Functions of General Counsel.
4109. Judicial review and enforcement.
4110. Foreign Service Impasse Disputes Panel.
4111. Exclusive recognition.
4112. Employees represented.
4113. Representation rights and duties.
4114. Resolution of implementation disputes.
4115. Unfair labor practices.
4116. Prevention of unfair labor practices.
4117. Standards of conduct for labor organizations.
4118. Administrative provisions.
- SUBCHAPTER XI—GRIEVANCES
4131. Definitions and applicability.
4132. Grievances concerning former members or their survivors.
4133. Freedom of action.
4134. Time limitations.
4135. Foreign Service Grievance Board.
4136. Foreign Service Grievance Board procedures.
4137. Foreign Service Grievance Board decisions.
4138. Access to records.
4139. Relationship to other remedies.
4140. Judicial review.
- SUBCHAPTER XI-A—FOREIGN SERVICE INTERNSHIP PROGRAM
4141. Statement of policy; objectives.
4141a. Foreign Service Internship Program.
4141b. Report to Congress.
4141c. Authorization of appropriations.
- SUBCHAPTER XII—TRANSITION
4151. Pay and benefits pending conversion.
4152. Conversion to Foreign Service Schedule.
4153. Conversion to Senior Foreign Service.
4154. Conversion from Foreign Service.
4155. Conversion of certain positions in Department of Agriculture.

- 4156. Preservation of status and benefits.
- 4157. Regulations.
- 4158. Authority of other agencies.
- 4159. Survivor benefits for certain former spouses.

SUBCHAPTER XIII—MISCELLANEOUS

- 4171. Model foreign language competence posts.
- 4172. Savings provisions.
- 4173. Congressional oversight of implementation.

SUBCHAPTER XIV—POWERS, DUTIES AND LIABILITIES OF CONSULAR OFFICERS GENERALLY

- 4191. General application of provisions to consular officers.
- 4192. Repealed.
- 4193. Protests.
- 4194. Lists and returns of seamen and vessels, etc.
- 4195. Repealed.
- 4196. Notification of death of decedent; transmission of inventory of effects.
- 4197. Following testamentary directions; assistance to testamentary appointee.
- 4198. Bond as administrator or guardian; action on bond.
- 4199. Penalty for failure to give bond and for embezzlement.
- 4200. Certification of invoices generally.
- 4201. Fees for certification of invoices.
- 4202. Exaction of excessive fees for verification of invoices; penalty.
- 4203. Destruction of old invoices.
- 4204. Restriction as to certificate for goods from countries adjacent to United States.
- 4205. Retention of papers of American vessels until payment of demands and wages.
- 4206. Fees for services to American vessels or seamen prohibited.
- 4207. Profits from dealings with discharged seamen; prohibition.
- 4208. Valuation of foreign coins in payment of fees.
- 4209. Exaction of excessive fees generally; penalty of treble amount.
- 4210. Liability for uncollected fees.
- 4211. Returns as to fees by officers compensated by fees.
- 4212 to 4214. Repealed.
- 4215. Notarial acts, oaths, affirmations, affidavits, and depositions; fees.
- 4216. Posting rates of fees.
- 4217. Embezzlement of fees or of effects of American citizens.
- 4218. False certificate as to ownership of property.
- 4219. Regulation of fees by President.
- 4220. Medium for payment of fees.
- 4221. Depositions and notarial acts; perjury.
- 4222. Authentication of documents of State of Vatican City by consular officer in Rome.
- 4223. General duty to account for fees.
- 4224. Fees; accounting; stamps.
- 4225. Fiscal districts; establishment; district accounting and disbursing offices; personnel; duties.
- 4226. Fees and official monies from diplomatic missions, consular offices and district accounting and disbursing offices; disposition.

CODIFICATION

Provisions of this chapter are derived from the Foreign Service Act of 1946, former section 801 et seq. of this title, and related and miscellaneous provisions as follows:

<i>New</i>	<i>Old</i>
3901	801
3902	802
3903	861
3904	841
3905	807

<i>New</i>	<i>Old</i>
3921	811a
3922	1224, 2385, 2506
3923	1225
3924	1225
3925	842, 843
3926	2680a
3927	811a, 821
3928	2384 note
3929	826
3930	827
3931	910, 922, 939, 1234
3941	901, 911, 961
3942	922, 929, 936, 946, 951
3943	900, 901a, 902
3944	906
3945	911, 929
3946	911, 912
3947	915
3948	922, 936
3949	928
3950	889 note, 2693
3951	907, 908, 924, 938, 1231
3952	866, 881
3961	868
3962, 3963	868
3964	868
3965	995, 1017
3966	995, 1017
3967	889, 2693
3968	873, 890
3969	889
3970	876, 877
3971	896
3972	2679a
3973	886
3981	901
3982	961, 964, 966
3983	961, 962, 966
3984	991
3985	993
4001	986, 996
4002	987
4003	993
4004	1003, 2385, 2506
4005, 4006	1004, 2506
4007, 4008	1007
4009	1005, 1008
4010	1027, 1028, 1031
4011	1041
4012	968, 2385
4013	1042-1045, 1047, 1048
4021	1048
4022	1009, 2693
4023	1061
4024	1062
4025	929, 1063, 1229, 2385
4026	1064, 1086
4041	1071, 1086
4042	1076
4043	1076a
4044	1081
4045	1082
4046	1084
4047	1006
4048	1001, 1002
4049	914
4050	1086
4051	1091
4052	1093
4053	1101
4054	1103
4055	1004, 1104
4056	1105
4057	1106
4058	1111
4059	1112
4060	1116
4061	1121
4062	1065
4063	966, 1136, 1138, 1157
4064	1137
4065	1148
4066	1156, 1158-1160
4067	1131
4081	1037a
4082	1037b
4083	1037c
4084	1037c
4085	1037c
4101-4118	1037c
4131-4138	1037c
4139	1037c
4140	1037c
4151-4159	1037c
4171-4173	1037c
4191-4215	1171-1195
4216	1197
4217	1198
4218-4222	1200-1204
4223	99
4224-4226	812-814

FOREIGN COMMERCIAL SERVICE

For authority of Secretary of Commerce to establish a Foreign Commercial Service in Department of Commerce, see section 1-104 of Ex. Ord. No. 12188, Jan. 2, 1980, 45 F.R. 991, as amended, set out as a note under section 2171 of Title 19, Customs Duties.

SUBCHAPTER I—GENERAL PROVISIONS

§ 3901. Congressional findings and objectives

(a) The Congress finds that—

(1) a career foreign service, characterized by excellence and professionalism, is essential in the national interest to assist the President and the Secretary of State in conducting the foreign affairs of the United States;

(2) the scope and complexity of the foreign affairs of the Nation have heightened the need for a professional foreign service that will serve the foreign affairs interests of the United States in an integrated fashion and that can provide a resource of qualified personnel for the President, the Secretary of State, and the agencies concerned with foreign affairs;

(3) the Foreign Service of the United States, established under the Act of May 24, 1924 (commonly known as the Rogers Act) and continued by the Foreign Service Act of 1946, must be preserved, strengthened, and improved in order to carry out its mission effectively in response to the complex challenges of modern diplomacy and international relations;

(4) the members of the Foreign Service should be representative of the American people, aware of the principles and history of the United States and informed of current concerns and trends in American life, knowledgeable of the affairs, cultures, and languages of other countries, and available to serve in assignments throughout the world; and

(5) the Foreign Service should be operated on the basis of merit principles.

(b) The objective of this chapter is to strengthen and improve the Foreign Service of the United States by—

(1) assuring, in accordance with merit principles, admission through impartial and rigorous examination, acquisition of career status only by those who have demonstrated their fitness through successful completion of probationary assignments, effective career development, advancement and retention of the ablest, and separation of those who do not meet the requisite standards of performance;

(2) fostering the development and vigorous implementation of policies and procedures, including affirmative action programs, which will facilitate and encourage (A) entry into and advancement in the Foreign Service by persons from all segments of American society, and (B) equal opportunity and fair and equitable treatment for all without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition;

(3) providing for more efficient, economical, and equitable personnel administration through a simplified structure of Foreign Service personnel categories and salaries;

(4) establishing a statutory basis for participation by the members of the Foreign Service,

through their elected representatives, in the formulation of personnel policies and procedures which affect their conditions of employment, and maintaining a fair and effective system for the resolution of individual grievances that will ensure the fullest measure of due process for the members of the Foreign Service;

(5) minimizing the impact of the hardships, disruptions, and other unusual conditions of service abroad upon the members of the Foreign Service, and mitigating the special impact of such conditions upon their families;

(6) providing salaries, allowances, and benefits that will permit the Foreign Service to attract and retain qualified personnel as well as a system of incentive payments and awards to encourage and reward outstanding performance;

(7) establishing a Senior Foreign Service which is characterized by strong policy formulation capabilities, outstanding executive leadership qualities, and highly developed functional, foreign language, and area expertise;

(8) improving Foreign Service managerial flexibility and effectiveness;

(9) increasing efficiency and economy by promoting maximum compatibility among the agencies authorized by law to utilize the Foreign Service personnel system, as well as compatibility between the Foreign Service personnel system and other personnel systems of the Government; and

(10) otherwise enabling the Foreign Service to serve effectively the interests of the United States and to provide the highest caliber of representation in the conduct of foreign affairs.

(Pub. L. 96-465, title I, §101, Oct. 17, 1980, 94 Stat. 2074.)

REFERENCES IN TEXT

Act of May 24, 1924 (commonly known as the Rogers Act), referred to in subsec. (a)(3), is act May 24, 1924, ch. 182, 43 Stat. 140, as amended, which was classified generally to section 1 et seq. of this title and was repealed in large part by section 1131 of title XI of act Aug. 13, 1946, ch. 957, 60 Stat. 1037, known as the Foreign Service Act of 1946, which generally revised the laws relating to the administration of the Foreign Service (see below). For complete classification of Act May 24, 1924 to the Code, see Tables.

The Foreign Service Act of 1946, referred to in subsec. (a)(3), is act Aug. 13, 1946, ch. 957, titles I to X, 60 Stat. 999, as amended, which was classified principally to chapter 14 (§801 et seq.) of this title, and was repealed by Pub. L. 96-465, title II, §2205(1), Oct. 17, 1980, 94 Stat. 2159, the Foreign Service Act of 1980, as part of the general revision of the laws relating to the administration of the Foreign Service. For complete classification of the 1946 Act to the Code prior to its repeal, see Tables.

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, as amended, known as the Foreign Service Act of 1980, which is classified principally to this chapter (§3901 et seq.). For complete classification of this Act to the Code, see Short Title note set out below and Tables.

EFFECTIVE DATE

Pub. L. 96-465, title II, §2403, Oct. 17, 1980, 94 Stat. 2169, as amended by Pub. L. 99-93, title I, §119(b), Aug. 16, 1985, 99 Stat. 412, provided that: