

subsection (b), the Secretary shall, not later than 90 days after the receipt of such recommendations, submit a report to the Congress on each such recommendation and the action taken with respect to that recommendation.

(2) Personnel recommendations

In any case in which a Board transmits a finding of reasonable cause under subsection (c), the head of the Federal agency or instrumentality receiving the information shall review the evidence and recommendations and shall, not later than 30 days after the receipt of that finding, transmit to the Congress a report specifying—

(A) the nature of the case and a summary of the evidence transmitted by the Board; and

(B) the decision by the Federal agency or instrumentality to take disciplinary or other appropriate action against that individual or the reasons for deciding not to take disciplinary or other action with respect to that individual.

(Pub. L. 99-399, title III, §304, Aug. 27, 1986, 100 Stat. 861; Pub. L. 100-204, title I, §156(b), Dec. 22, 1987, 101 Stat. 1354; Pub. L. 114-323, title I, §104(a), Dec. 16, 2016, 130 Stat. 1909.)

AMENDMENTS

2016—Subsec. (c). Pub. L. 114-323, §104(a)(3), in concluding provisions, substituted “has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual as described in this subsection” for “has breached a duty of that individual” and struck out “to the performance of the duties of that individual” after “pertinent”.

Pub. L. 114-323, §104(a)(1), in introductory provisions, substituted “If” for “Whenever” and “has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or the serious breach of security that is the subject of the Board’s examination as described in subsection (a)” for “has breached the duty of that individual”.

Subsec. (c)(2). Pub. L. 114-323, §104(a)(2), substituted “findings” for “finding” in two places.

1987—Subsec. (a). Pub. L. 100-204 inserted “or surrounding the serious breach of security involving intelligence activities of a foreign government directed at a United States Government mission abroad (as the case may be)” after first reference to “mission abroad”.

EFFECTIVE DATE OF 2016 AMENDMENT

Pub. L. 114-323, title I, §104(b), Dec. 16, 2016, 130 Stat. 1910, provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to any Accountability Review Board that is convened under section 301 of the Diplomatic Security Act (22 U.S.C. 4831) on or after the date of the enactment of this Act [Dec. 16, 2016].”

§ 4835. Relation to other proceedings

Nothing in this subchapter shall be construed to create administrative or judicial review remedies or rights of action not otherwise available by law, nor shall any provision of this subchapter be construed to deprive any person of any right or legal defense which would otherwise be available to that person under any law, rule, or regulation.

(Pub. L. 99-399, title III, §305, Aug. 27, 1986, 100 Stat. 862.)

SUBCHAPTER IV—DIPLOMATIC SECURITY PROGRAM

§ 4851. Authorization

(a) Diplomatic security program

(1) In general

In addition to amounts otherwise available for such purposes, the following amounts are authorized to be appropriated for fiscal years 1986 and 1987, for the Department of State to carry out diplomatic security construction, acquisition, and operations pursuant to the Department of State’s Supplemental Diplomatic Security Program, as justified to the Congress for the respective fiscal year for “Administration of Foreign Affairs”, as follows:

(A) For “Salaries and Expenses”, \$308,104,000.

(B) For “Acquisition and Maintenance of Buildings Abroad”, \$857,806,000.

(C) For “Counterterrorism Research and Development”, \$15,000,000.

(2) Omitted

(3) Repealed. Pub. L. 103-236, title I, §101(c), Apr. 30, 1994, 108 Stat. 388

(4) Allocation of amounts authorized to be appropriated

Amounts authorized to be appropriated by this subsection, and by the amendment made by paragraph (2), shall be allocated as provided in the table entitled “Diplomatic Security Program” relating to this section which appears in the Joint Explanatory Statement of the Committee of Conference to accompany H.R. 4151 of the 99th Congress (the Omnibus Diplomatic Security and Antiterrorism Act of 1986).

(b) Notification to authorizing Committees of requests for appropriations

In any fiscal year, whenever the Secretary of State submits to the Congress a request for appropriations to carry out the program described in subsection (a), the Secretary shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such request, together with a justification of each item listed in such request.

(c) Repealed. Pub. L. 103-236, title I, §122(b), Apr. 30, 1994, 108 Stat. 392

(d) Prohibition on reallocations of authorizations

Section 2696(d) of this title shall not apply with respect to any amounts authorized to be appropriated under this section.

(e) Security requirements of other foreign affairs agencies

Based solely on security requirements and within the total amount of funds available for security, the Secretary of State shall ensure that an equitable level of funding is provided for the security requirements of other foreign affairs agencies.

(f) Insufficiency of funds

In the event that sufficient funds are not available in any fiscal year for all of the diplo-