

Editorial Notes

REFERENCES IN TEXT

Public Law 96-517, referred to in subsec. (a)(3)(A), is Pub. L. 96-517, Dec. 12, 1980, 94 Stat. 3015, which enacted sections 200 to 211 and 301 to 307 of Title 35, Patents, amended section 1113 of Title 15, Commerce and Trade, sections 101 and 117 of Title 17, Copyrights, sections 41, 42, and 154 of Title 35, and sections 2186 and 5908 and former section 2457 of Title 42, The Public Health and Welfare, and enacted provisions set out as notes under sections 13 and 41 of Title 35. Section 2457 of Title 42 was repealed and restated as section 20135 of Title 51, National and Commercial Space Programs, by Pub. L. 111-314, §§ 3, 6, Dec. 18, 2010, 124 Stat. 3328, 3444. For complete classification of this Act to the Code, see Short Title of 1980 Amendment note set out under section 41 of Title 35 and Tables.

The Stevenson-Wydler Technology Innovation Act of 1980, referred to in subsec. (a)(3)(A), is Pub. L. 96-480, Oct. 21, 1980, 94 Stat. 2311, which is classified generally to chapter 63 (§3701 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 3701 of Title 15 and Tables.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-418 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “In order to implement the policy set forth in section 2656b of this title, the Secretary of State (hereafter in this section referred to as the ‘Secretary’) shall have primary responsibility for coordination and oversight with respect to all major science or science and technology agreements and activities between the United States and foreign countries, international organizations, or commissions of which the United States and one or more foreign countries are members.”

1982—Subsec. (e). Pub. L. 97-241 struck out subsec. (e) which provided that not later than Jan. 20, 1979, the Secretary transmit to the Committee on Appropriations and the Committee on International Relations of the House of Representatives, and to the Committee on Appropriations and the Committee on Foreign Relations of the Senate, a report on the implementation of his responsibilities under this title, which report was to include an assessment of the personnel required in order to carry out such responsibilities, existing and planned programs for research and analysis to support long-range planning for the application of science and technology to foreign policy, existing and planned programs for training officers and employees of the United States Government pursuant to subsec. (c) of this section, and existing and planned programs to enter into long-term contracts with academic and other organizations for assistance in training and in obtaining studies, analyses, and recommendations with respect to the application of science or technology to problems of foreign policy.

Statutory Notes and Related SubsidiariesMULTILATERAL AGREEMENT GOVERNING USE OF
NUCLEAR-POWERED SATELLITES

Pub. L. 95-426, title VI, §608, Oct. 7, 1978, 92 Stat. 988, as amended by Pub. L. 97-241, title V, §505(a)(2), Aug. 24, 1982, 96 Stat. 299, provided that:

“(a) The Congress finds that—

“(1) no international regime governs the use of nuclear-powered satellites in space;

“(2) the unregulated use of such technology poses the possibility of catastrophic damage to human life and the global environment; and

“(3) this danger has been evidenced by mishaps encountered, despite certain precautions, by nuclear-powered satellites of both the United States and the Soviet Union.

“(b) It is therefore the sense of the Congress that the United States should take the initiative immediately

in seeking a multilateral agreement governing the use of nuclear-powered satellites in space.

“(c) [Repealed. Pub. L. 97-241, title V, §505(a)(2), Aug. 24, 1982, 96 Stat. 299.]”

§ 2656e. Terrorism-related travel advisories

The Secretary of State shall promptly advise the Congress whenever the Department of State issues a travel advisory, or other public warning notice for United States citizens traveling abroad, because of a terrorist threat or other security concern.

(Pub. L. 99-399, title V, §505, Aug. 27, 1986, 100 Stat. 871.)

§ 2656f. Annual country reports on terrorism**(a) Requirement of annual country reports on terrorism**

The Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, by April 30 of each year, a full and complete report providing—

(1)(A) detailed assessments with respect to each foreign country—

(i) in which acts of international terrorism occurred which were, in the opinion of the Secretary, of major significance;

(ii) about which the Congress was notified during the preceding five years pursuant to section 4605(j)¹ of title 50; and

(iii) which the Secretary determines should be the subject of such report; and

(B) detailed assessments with respect to each foreign country whose territory is being used as a sanctuary for terrorists or terrorist organizations;

(2) all relevant information about the activities during the preceding year of any terrorist group, and any umbrella group under which such terrorist group falls, known to be responsible for the kidnapping or death of an American citizen during the preceding five years, any terrorist group known to have obtained or developed, or to have attempted to obtain or develop, weapons of mass destruction, any terrorist group known to be financed by countries about which Congress was notified during the preceding year pursuant to section 4605(j)¹ of title 50, any group designated by the Secretary as a foreign terrorist organization under section 1189 of title 8, and any other known international terrorist group which the Secretary determines should be the subject of such report;

(3) with respect to each foreign country from which the United States Government has sought cooperation during the previous five years in the investigation or prosecution of an act of international terrorism against United States citizens or interests, information on—

(A) the extent to which the government of the foreign country is cooperating with the United States Government in apprehending, convicting, and punishing the individual or individuals responsible for the act; and

(B) the extent to which the government of the foreign country is cooperating in pre-

¹ See References in Text note below.

venting further acts of terrorism against United States citizens in the foreign country; and

(4) with respect to each foreign country from which the United States Government has sought cooperation during the previous five years in the prevention of an act of international terrorism against such citizens or interests, the information described in paragraph (3)(B).

(b) Provisions to be included in report

The report required under subsection (a) should to the extent feasible include (but not be limited to)—

(1) with respect to subsection (a)(1)(A)—

(A) a review of major counterterrorism efforts undertaken by countries which are the subject of such report, including, as appropriate, steps taken in international fora;

(B) the response of the judicial system of each country which is the subject of such report with respect to matters relating to terrorism affecting American citizens or facilities, or which have, in the opinion of the Secretary, a significant impact on United States counterterrorism efforts, including responses to extradition requests; and

(C) significant support, if any, for international terrorism by each country which is the subject of such report, including (but not limited to)—

- (i) political and financial support;
- (ii) diplomatic support through diplomatic recognition and use of the diplomatic pouch;
- (iii) providing sanctuary to terrorists or terrorist groups;
- (iv) providing weapons of mass destruction, or assistance in obtaining or developing such weapons, to terrorists or terrorist groups;²
- (v) the positions (including voting records) on matters relating to terrorism in the General Assembly of the United Nations and other international bodies and fora of each country which is the subject of such report;

(2) with respect to subsection (a)(1)(B)—

(A) the extent of knowledge by the government of the country with respect to terrorist activities in the territory of the country; and

- (B) the actions by the country—
 - (i) to eliminate each terrorist sanctuary in the territory of the country;
 - (ii) to cooperate with United States antiterrorism efforts; and
 - (iii) to prevent the proliferation of and trafficking in weapons of mass destruction in and through the territory of the country;

(3)³ with respect to subsection (a)(2), any—

(A) significant financial support provided by foreign governments to those groups directly, or provided in support of their activities;

(B) provisions of significant military or paramilitary training or transfer of weapons by foreign governments to those groups;

(C) efforts by those groups to obtain or develop weapons of mass destruction;

(D) provision of diplomatic recognition or privileges by foreign governments to those groups;

(E) provision by foreign governments of sanctuary from prosecution to these groups or their members responsible for the commission, attempt, or planning of an act of international terrorism; and

(F) efforts by the United States to eliminate international financial support provided to those groups directly or provided in support of their activities;

(4)³ a strategy for addressing, and where possible eliminating, terrorist sanctuaries that shall include—

(A) a description of terrorist sanctuaries, together with an assessment of the priorities of addressing and eliminating such sanctuaries;

(B) an outline of strategies for disrupting or eliminating the security provided to terrorists by such sanctuaries;

(C) a description of efforts by the United States to work with other countries in bilateral and multilateral fora to address or eliminate terrorist sanctuaries and disrupt or eliminate the security provided to terrorists by such sanctuaries; and

(D) a description of long-term goals and actions designed to reduce the conditions that allow the formation of terrorist sanctuaries; and

(5) an update of the information contained in the report required to be transmitted to Congress under 7120(b)⁴ of the 9/11 Commission Implementation Act of 2004.

(3)⁵ to the extent practicable, complete statistical information on the number of individuals, including United States citizens and dual nationals, killed, injured, or kidnapped by each terrorist group during the preceding calendar year; and

(4)⁵ an analysis, as appropriate, of trends in international terrorism, including changes in technology used, methods and targets of attack, demographic information on terrorists, and other appropriate information.

(c) Classification of report

(1) Except as provided in paragraph (2), the report required under subsection (a) shall, to the extent practicable, be submitted in an unclassified form and may be accompanied by a classified appendix.

(2) If the Secretary of State determines that the transmittal of the information with respect to a foreign country under paragraph (3) or (4) of subsection (a) in classified form would make more likely the cooperation of the government of the foreign country as specified in such paragraph, the Secretary may transmit the information under such paragraph in classified form.

² So in original. Probably should be followed by “and”.

³ So in original. Another par. (3) and par. (4) follow par. (5).

⁴ So in original. Probably should be preceded by the word “section”.

⁵ So in original. Another par. (3) and par. (4) precede par. (5).

(d) Definitions

As used in this section—

(1) the term “international terrorism” means terrorism involving citizens or the territory of more than 1 country;

(2) the term “terrorism” means premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents;

(3) the term “terrorist group” means any group practicing, or which has significant subgroups which practice, international terrorism;

(4) the terms “territory” and “territory of the country” mean the land, waters, and airspace of the country; and

(5) the terms “terrorist sanctuary” and “sanctuary” mean an area in the territory of the country—

(A) that is used by a terrorist or terrorist organization—

(i) to carry out terrorist activities, including training, fundraising, financing, and recruitment; or

(ii) as a transit point; and

(B) the government of which expressly consents to, or with knowledge, allows, tolerates, or disregards such use of its territory and is not subject to a determination under—

(i) section 4605(j)(1)(A)¹ of title 50;

(ii) section 2371(a) of this title; or

(iii) section 2780(d) of this title.

(e) Reporting period

(1) The report required under subsection (a) shall cover the events of the calendar year preceding the year in which the report is submitted.

(2) The report required by subsection (a) to be submitted by March 31, 1988, may be submitted no later than August 31, 1988.

(Pub. L. 100–204, title I, § 140, Dec. 22, 1987, 101 Stat. 1347; Pub. L. 101–246, title I, § 122, Feb. 16, 1990, 104 Stat. 27; Pub. L. 103–236, title I, § 133(b)(1), Apr. 30, 1994, 108 Stat. 395; Pub. L. 104–208, div. A, title I, § 101(c) [title V, § 578], Sept. 30, 1996, 110 Stat. 3009–121, 3009–169; Pub. L. 108–458, title VII, § 7102(d)(1)–(3), Dec. 17, 2004, 118 Stat. 3777, 3778; Pub. L. 108–487, title VII, § 701(a), Dec. 23, 2004, 118 Stat. 3961.)

Editorial Notes

REFERENCES IN TEXT

Section 4605(j) of title 50, referred to in subsecs. (a)(1)(A)(ii), (2) and (d)(5)(B)(i), was repealed by Pub. L. 115–232, div. A, title XVII, § 1766(a), Aug. 13, 2018, 132 Stat. 2232.

[Section] 7120(b) of the 9/11 Commission Implementation Act of 2004, referred to in subsec. (b)(5), is section 7120(b) of Pub. L. 108–458, title VII, Dec. 17, 2004, 118 Stat. 3803, which is not classified to the Code.

AMENDMENTS

2004—Subsec. (a)(1). Pub. L. 108–458, § 7102(d)(1), designated existing provisions as subpar. (A), redesignated former subpars. (A) to (C) as cls. (i) to (iii), respectively, of subpar. (A), and added subpar. (B).

Subsec. (a)(2). Pub. L. 108–487, § 701(a)(1), inserted “any terrorist group known to have obtained or developed, or to have attempted to obtain or develop, weap-

ons of mass destruction,” after “during the preceding five years,” and “any group designated by the Secretary as a foreign terrorist organization under section 1189 of title 8,” after “section 2405(j) of the Appendix to title 50”.

Subsec. (b)(1). Pub. L. 108–458, § 7102(d)(2)(A)(i), substituted “subsection (a)(1)(A)” for “subsection (a)(1)” in introductory provisions.

Subsec. (b)(1)(C)(iv). Pub. L. 108–487, § 701(a)(2)(A), added cl. (iv) and redesignated former cl. (iv) as (v).

Subsec. (b)(2). Pub. L. 108–458, § 7102(d)(2)(A)(ii), (C), added par. (2). Former par. (2), relating to report provisions with respect to subsec. (a)(2), redesignated (3).

Subsec. (b)(3). Pub. L. 108–487, § 701(a)(2)(C), added par. (3) relating to statistical information on individuals killed, injured, or kidnapped by terrorist groups.

Pub. L. 108–487, § 701(a)(2)(B)(iii), which directed amendment of subsec. (b)(2)(F), as redesignated by Pub. L. 108–487, § 701(a)(2)(B)(i), by substituting a semicolon for the period, was probably intended as an amendment to subpar. (F) of subsec. (b)(3) relating to report provisions with respect to subsec. (a)(2), as redesignated by Pub. L. 108–458, § 7102(d)(2)(B), and Pub. L. 108–487, § 701(a)(2)(B)(i), but could not be executed because of the amendment by Pub. L. 108–458, § 7102(d)(2)(D). See below.

Pub. L. 108–458, § 7102(d)(2)(B), (D), redesignated par. (2), relating to report provisions with respect to subsec. (a)(2), as (3) and substituted a semicolon for the period at end.

Subsec. (b)(3)(C) to (F). Pub. L. 108–487, § 701(a)(2)(B)(i), (ii), which directed amendment of subsec. (b)(2) by adding subpar. (C) and redesignating former subpars. (C) to (E) as (D) to (F), respectively, was executed by making the amendment to subsec. (b)(3) relating to report provisions with respect to subsec. (a)(2) to reflect the probable intent of Congress and the redesignation of subsec. (b)(2) as (b)(3) by Pub. L. 108–458. See above.

Subsec. (b)(4). Pub. L. 108–487, § 701(a)(2)(C), added par. (4) relating to analysis of trends in international terrorism.

Pub. L. 108–458, § 7102(d)(2)(E), added par. (4) relating to strategy for addressing, and where possible eliminating, terrorist sanctuaries.

Subsec. (b)(5). Pub. L. 108–458, § 7102(d)(2)(E), added par. (5).

Subsec. (d)(4), (5). Pub. L. 108–458, § 7102(d)(3), added pars. (4) and (5).

1996—Subsec. (a)(3), (4). Pub. L. 104–208, § 101(c) [title V, § 578(1)], added pars. (3) and (4).

Subsec. (c). Pub. L. 104–208, § 101(c) [title V, § 578(2)], designated existing provisions as par. (1), realigned margins, substituted “Except as provided in paragraph (2), the report” for “The report”, and added par. (2).

1994—Subsec. (b)(2)(E). Pub. L. 103–236 added subpar. (E).

1990—Subsec. (a). Pub. L. 101–246 substituted “April 30” for “March 31”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENTS

Pub. L. 108–487, title VII, § 701(b), Dec. 23, 2004, 118 Stat. 3962, provided that: “The amendments made by subsection (a) [amending this section] shall apply beginning with the first report under section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 [this section] that is submitted more than one year after the date of the enactment of this Act [Dec. 23, 2004].”

Pub. L. 108–487, title VIII, § 801, Dec. 23, 2004, 118 Stat. 3962, provided that: “Except as otherwise expressly provided in this Act, this Act [enacting sections 1912, 3032, 3201 to 3205, 3221, 3523, and 3617 of Title 50, War and National Defense, amending this section and sections 1902, 1903, 1910, 1911, 3036, 3361, and 3519a of Title 50, enacting provisions set out as notes under this section, section 873 of Title 21, Food and Drugs, and sections 1902, 3001,

3032, 3036, 3106, and 3322 of Title 50, and amending provisions set out as a note under section 8331 of Title 5, Government Organization and Employees] (and the amendments made by this Act) shall take effect on the date of the enactment of this Act [Dec. 23, 2004].”

Pub. L. 108-458, title VII, § 7102(d)(4), Dec. 17, 2004, 118 Stat. 3778, provided that: “The amendments made by this subsection [amending this section] apply with respect to the report required to be transmitted under section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), by April 30, 2006, and by April 30 of each subsequent year.”

Amendment by Pub. L. 108-458 effective Dec. 17, 2004, notwithstanding any other provision of such Act, see section 7122 of Pub. L. 108-458, set out as a note under section 112a of Title 1, General Provisions.

TERRORIST SANCTUARIES

Pub. L. 108-458, title VII, § 7102(a), (b), Dec. 17, 2004, 118 Stat. 3776, provided that:

“(a) FINDINGS.—Consistent with the report of the National Commission on Terrorist Attacks Upon the United States, Congress makes the following findings:

“(1) Complex terrorist operations require locations that provide such operations sanctuary from interference by Government or law enforcement personnel.

“(2) A terrorist sanctuary existed in Afghanistan before September 11, 2001.

“(3) The terrorist sanctuary in Afghanistan provided direct and indirect value to members of al Qaeda who participated in the terrorist attacks on the United States on September 11, 2001, and in other terrorist operations.

“(4) Terrorist organizations have fled to some of the least governed and most lawless places in the world to find sanctuary.

“(5) During the 21st century, terrorists are often focusing on remote regions and failing states as locations to seek sanctuary.

“(b) SENSE OF CONGRESS ON UNITED STATES POLICY ON TERRORIST SANCTUARIES.—It is the sense of Congress that it should be the policy of the United States—

“(1) to identify foreign countries that are being used as terrorist sanctuaries;

“(2) to assess current United States resources and tools being used to assist foreign governments to eliminate such sanctuaries;

“(3) to develop and implement a coordinated strategy to prevent terrorists from using such foreign countries as sanctuaries; and

“(4) to work in bilateral and multilateral fora to elicit the cooperation needed to identify and address terrorist sanctuaries that may exist today, but, so far, remain unknown to governments.”

REPORT ON TERRORIST ACTIVITY IN WHICH UNITED STATES CITIZENS WERE KILLED AND RELATED MATTERS

Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title VIII, § 805], Nov. 29, 1999, 113 Stat. 1536, 1501A-470, as amended by Pub. L. 107-228, div. A, title II, § 216(c), Sept. 30, 2002, 116 Stat. 1367, provided that:

“(a) IN GENERAL.—Not later than May 1, 2003, and not later than May 1, 2004, the Secretary of State shall prepare and submit a report, with a classified annex as necessary, to the appropriate congressional committees [Committee on Foreign Affairs of the House of Representatives and Committee on Foreign Relations of the Senate] regarding terrorist attacks in Israel, in territory administered by Israel, and in territory administered by the Palestinian Authority. The report shall contain the following information:

“(1) A list of formal commitments the Palestinian Authority has made to combat terrorism.

“(2) A list of terrorist attacks, occurring between September 13, 1993 and the date of the report, against United States citizens in Israel, in territory administered by Israel, or in territory administered by the Palestinian Authority, including—

“(A) a list of all citizens of the United States killed or injured in such attacks;

“(B) the date of each attack and the total number of people killed or injured in each attack;

“(C) the person or group claiming responsibility for the attack and where such person or group has found refuge or support;

“(D) a list of suspects implicated in each attack and the nationality of each suspect, including information on—

“(i) which suspects are in the custody of the Palestinian Authority and which suspects are in the custody of Israel;

“(ii) which suspects are still at large in areas controlled by the Palestinian Authority or Israel; and

“(iii) the whereabouts (or suspected whereabouts) of suspects implicated in each attack.

“(3) Of the suspects implicated in the attacks described in paragraph (2) and detained by Palestinian or Israeli authorities, information on—

“(A) the date each suspect was incarcerated;

“(B) whether any suspects have been released, the date of such release, and whether any released suspect was implicated in subsequent acts of terrorism; and

“(C) the status of each case pending against a suspect, including information on whether the suspect has been indicted, prosecuted, or convicted by the Palestinian Authority or Israel.

“(4) The policy of the Department of State with respect to offering rewards for information on terrorist suspects, including any information on whether a reward has been posted for suspects involved in terrorist attacks listed in the report.

“(5) A list of each request by the United States for assistance in investigating terrorist attacks listed in the report, a list of each request by the United States for the transfer of terrorist suspects from the Palestinian Authority and Israel since September 13, 1993, and the response to each request from the Palestinian Authority and Israel.

“(6) A description of efforts made by United States officials since September 13, 1993 to bring to justice perpetrators of terrorist acts against United States citizens as listed in the report.

“(7) A list of any terrorist suspects in these cases who are members of Palestinian police or security forces, the Palestine Liberation Organization, or any Palestinian governing body.

“(8) A list of all United States citizens killed or injured in terrorist attacks in Israel or in territory administered by Israel between 1950 and September 13, 1993, to include in each case, where such information is reasonably available, any stated claim of responsibility and the resolution or disposition of each case, except that this list shall be submitted only once with the initial report required under this section unless additional relevant information on these cases becomes available.

“(b) CONSULTATION WITH OTHER DEPARTMENTS.—The Secretary of State shall, in preparing the report required by this section, consult and coordinate with all other Government officials who have information necessary to complete the report. Nothing contained in this section shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests or jeopardize ongoing criminal investigations or proceedings.

“(c) INITIAL REPORT.—Except as provided in subsection (a)(8), the initial report filed under this section shall cover the period between September 13, 1993 and the date of the report.”

§ 2656g. Report on terrorist assets in United States

(a) Reports to Congress

Beginning 90 days after October 28, 1991, and every 365 days thereafter, the Secretary of the