

Amendment by section 1422(b)(3)(C) of Pub. L. 105-277 effective Apr. 1, 1999, see section 1401 of Pub. L. 105-277, set out as an Effective Date note under section 6561 of this title.

#### EFFECTIVE DATE

Section effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as a note under section 3901 of this title.

### § 2705. Documentation of citizenship

The following documents shall have the same force and effect as proof of United States citizenship as certificates of naturalization or of citizenship issued by the Attorney General or by a court having naturalization jurisdiction:

(1) A passport, during its period of validity (if such period is the maximum period authorized by law), issued by the Secretary of State to a citizen of the United States.

(2) The report, designated as a "Report of Birth Abroad of a Citizen of the United States", issued by a consular officer to document a citizen born abroad. For purposes of this paragraph, the term "consular officer" includes any United States citizen employee of the Department of State who is designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe.

(Aug. 1, 1956, ch. 841, title I, § 33, as added and renumbered title I, Pub. L. 97-241, title I, § 117, title II, § 202(a), Aug. 24, 1982, 96 Stat. 279, 282; amended Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2222(a), Oct. 21, 1998, 112 Stat. 2681-818.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 33 of act Aug. 1, 1956, was renumbered section 34 by section 117 of Pub. L. 97-241, 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

1998—Par. (2). Pub. L. 105-277 inserted at end "For purposes of this paragraph, the term 'consular officer' includes any United States citizen employee of the Department of State who is designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe."

#### Statutory Notes and Related Subsidiaries

##### RECORD OF PLACE OF BIRTH FOR TAIWANESE-AMERICANS

Pub. L. 103-236, title I, § 132, Apr. 30, 1994, 108 Stat. 395, as amended by Pub. L. 103-415, § 1(r), Oct. 25, 1994, 108 Stat. 4302, provided that: "For purposes of the registration of birth or certification of nationality or issuance of a passport of a United States citizen born in Taiwan, the Secretary of State shall permit the place of birth to be recorded as Taiwan."

### § 2706. Reprogramming of funds; notice requirements

#### (a) In general

Unless the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee

on Appropriations of the Senate are notified fifteen days in advance of the proposed reprogramming, funds appropriated for the Department of State shall not be available for obligation or expenditure through any reprogramming of funds—

- (1) which creates new programs;
- (2) which eliminates a program, project, or activity;
- (3) which increases funds or personnel by any means for any project or activity for which funds have been denied or restricted by the Congress;
- (4) which relocates an office or employees;
- (5) which reorganizes offices, programs, or activities;
- (6) which involves contracting out functions which had been performed by Federal employees; or
- (7) which involves a reprogramming in excess of \$1,000,000 or 10 per centum, whichever is less, and which (A) augments existing programs, projects, or activities, (B) reduces by 10 per centum or more the funding for any existing program, project, activity, or personnel approved by the Congress, or (C) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects approved by the Congress.

#### (b) Final 15 days in which funds available

Funds appropriated for the Department of State may not be available for obligation or expenditure through any reprogramming described in subsection (a) during the period which is the last 15 days in which such funds are available unless notice of such reprogramming is made before such period.

#### (c) Waiver

The Secretary of State may waive the notification requirement of subsection (a), if the Secretary determines that failure to do so would pose a substantial risk to human health or welfare. In the case of any waiver under this subsection, notification to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives shall be provided as soon as practicable, but not later than 3 days after taking the action to which the notification requirement was applicable, and shall contain an explanation of the emergency circumstances.

(Aug. 1, 1956, ch. 841, title I, § 34, as added Pub. L. 98-164, title I, § 123, Nov. 22, 1983, 97 Stat. 1025; amended Pub. L. 100-204, title I, § 121, Dec. 22, 1987, 101 Stat. 1339; Pub. L. 102-138, title I, § 117(b), Oct. 28, 1991, 105 Stat. 657; Pub. L. 103-236, title I, § 122(c), Apr. 30, 1994, 108 Stat. 392; Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2243, Oct. 21, 1998, 112 Stat. 2681-823.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 34 of act Aug. 1, 1956, was renumbered sections 35 and 36 by sections 123 and 124 of Pub. L. 98-164, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651