

**Editorial Notes**

## AMENDMENTS

1998—Subsec. (b). Pub. L. 105-277 inserted at end “Funds deposited under this subsection shall remain available for obligation through September 30 of the fiscal year following the fiscal year in which the funds were deposited.”

**§ 2725. Fees for use of the George P. Shultz National Foreign Affairs Training Center**

The Secretary is authorized to charge a fee for use of the George P. Shultz National Foreign Affairs Training Center of the Department of State. Amounts collected under this section (including reimbursements and surcharges) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of such use and shall remain available for obligation until expended.

(Aug. 1, 1956, ch. 841, title I, § 53, as added Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2205(b), Oct. 21, 1998, 112 Stat. 2681-809; amended Pub. L. 107-132, § 2(a), Jan. 16, 2002, 115 Stat. 2412.)

**Editorial Notes**

## AMENDMENTS

2002—Pub. L. 107-132 inserted “George P. Shultz” before “National Foreign Affairs Training Center” in section catchline and in text.

**Statutory Notes and Related Subsidiaries**

## REPORTING ON PILOT PROGRAM

Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2205(c), Oct. 21, 1998, 112 Stat. 2681-809, required the Secretary of State to submit, two years after Oct. 21, 1998, a report to Congress on the number of persons taking advantage of the pilot program established under section 4021 of this title and this section, their business or government affiliations, the amount of fees collected, and the impact of the program on the primary mission of the National Foreign Affairs Training Center, prior to repeal by Pub. L. 107-228, div. A, title III, § 318(3), Sept. 30, 2002, 116 Stat. 1380.

**§ 2726. Fee for use of diplomatic reception rooms**

The Secretary is authorized to charge a fee for use of the diplomatic reception rooms of the Department of State. Amounts collected under this section (including reimbursements and surcharges) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of such use and shall remain available for obligation until expended.

(Aug. 1, 1956, ch. 841, title I, § 54, as added Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2206, Oct. 21, 1998, 112 Stat. 2681-810.)

**§ 2727. Accounting of collections in budget presentation documents**

The Secretary shall include in the annual Congressional Presentation Document and the Budget in Brief a detailed accounting of the total collections received by the Department of State from all sources, including fee collections. Reporting on total collections shall also cover collections from the preceding fiscal year and the projected expenditures from all collections accounts.

(Aug. 1, 1956, ch. 841, title I, § 55, as added Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2207, Oct. 21, 1998, 112 Stat. 2681-810.)

**§ 2728. Crimes committed by diplomats****(a) Annual report concerning diplomatic immunity****(1) Report to Congress**

180 days after October 21, 1998, and annually thereafter, the Secretary of State shall prepare and submit to the Congress, a report concerning diplomatic immunity entitled “Report on Cases Involving Diplomatic Immunity”.

**(2) Content of report**

In addition to such other information as the Secretary of State may consider appropriate, the report under paragraph (1) shall include the following:

(A) The number of persons residing in the United States who enjoy full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(B) Each case involving an alien described in subparagraph (A) in which an appropriate authority of a State, a political subdivision of a State, or the United States reported to the Department of State that the authority had reasonable cause to believe the alien committed a serious criminal offense within the United States, and any additional information provided to the Secretary relating to other serious criminal offenses that any such authority had reasonable cause to believe the alien committed before the period covered by the report. The Secretary may omit from such report any matter the provision of which the Secretary reasonably believes would compromise a criminal investigation or prosecution or which would directly compromise law enforcement or intelligence sources or methods.

(C) Each case described in subparagraph (B) in which the Secretary of State has certified that a person enjoys full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(D) The number of United States citizens who are residing in a receiving state and who enjoy full immunity from the criminal jurisdiction of such state under laws extending diplomatic privileges and immunities.

(E) Each case involving a United States citizen under subparagraph (D) in which the United States has been requested by the government of a receiving state to waive the immunity from criminal jurisdiction of the United States citizen.

(F) Whether the Secretary has made the notifications referred to in subsection (c) during the period covered by the report.

**(3) Serious criminal offense defined**

For the purposes of this section, the term “serious criminal offense” means—

(A) any felony under Federal, State, or local law;

(B) any Federal, State, or local offense punishable by a term of imprisonment of more than 1 year;

(C) any crime of violence as defined for purposes of section 16 of title 18; or

(D)(i) driving under the influence of alcohol or drugs;

(ii) reckless driving; or

(iii) driving while intoxicated.

**(b) United States policy concerning reform of diplomatic immunity**

It is the sense of the Congress that the Secretary of State should explore, in appropriate fora, whether states should enter into agreements and adopt legislation—

(1) to provide jurisdiction in the sending state to prosecute crimes committed in the receiving state by persons entitled to immunity from criminal jurisdiction under laws extending diplomatic privileges and immunities; and

(2) to provide that where there is probable cause to believe that an individual who is entitled to immunity from the criminal jurisdiction of the receiving state under laws extending diplomatic privileges and immunities committed a serious crime, the sending state will waive such immunity or the sending state will prosecute such individual.

**(c) Notification of diplomatic corps**

The Secretary should periodically notify each foreign mission of United States policies relating to criminal offenses committed by individuals with immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(Aug. 1, 1956, ch. 841, title I, § 56, as added Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2217, Oct. 21, 1998, 112 Stat. 2681-815.)

**§ 2729. State Department records of overseas deaths of United States citizens from non-natural causes**

**(a) Collection of information**

The Secretary shall, to the maximum extent practicable, collect, with respect to each foreign country, the following information with respect to each United States citizen who dies in that country from a nonnatural cause on or after September 30, 2002:

(1) The date of death.

(2) The locality where the death occurred (including the state or province and municipality, if available).

(3) The cause of death, including information on the circumstances of the death, and including, if the death resulted from an act of terrorism, a statement disclosing that information.

(4) Such other information as the Secretary shall prescribe.

**(b) Database**

The Secretary shall establish and maintain a database containing the information collected under subsection (a).

**(c) Public availability of information**

Beginning three months after September 30, 2002, the Secretary, shall make available, on a country-by-country basis, on the Internet website of the Department's Bureau of Consular Affairs, the information from the database de-

scribed in subsection (b) with respect to deaths occurring since September 30, 2002, or occurring during the preceding three calendar years, whichever period is shorter. The information shall be updated at least every six months.

(Aug. 1, 1956, ch. 841, title I, § 57, as added Pub. L. 107-228, div. A, title II, § 204, Sept. 30, 2002, 116 Stat. 1363.)

**§ 2730. Prohibition on funding the involuntary return of refugees**

**(a) Prohibition**

**(1) In general**

Except as provided in paragraph (2), none of the funds made available to the Department of State, or the United States Emergency Refugee and Migration Assistance Fund established in section 2601(c) of this title, may be available to effect the involuntary return by the United States of any person to a country in which the person has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

**(2) Exception**

The prohibition in paragraph (1) does not apply to the return of any person on grounds recognized as precluding protection as a refugee under the United Nations Convention Relating to the Status of Refugees of July 28, 1951, and the Protocol Relating to the Status of Refugees of January 31, 1967, subject to the reservations contained in the United States Senate resolution of advice and consent to ratification of the Protocol.

**(b) Congressional notification required in all cases**

None of the funds made available to the Department of State, or the United States Emergency Refugee and Migration Assistance Fund established in section 2601(c) of this title, may be available to effect the involuntary return by the United States of any person to any country unless the Secretary first notifies the appropriate congressional committees, except that, in the case of an emergency involving a threat to human life, the Secretary shall notify the appropriate congressional committees as soon as practicable.

**(c) Statutory construction**

Nothing in this section shall be construed as affecting activities of the Department of State that relate to removal proceedings under the Immigration and Nationality Act [8 U.S.C. 1101 et seq.] or extradition.

**(d) Definitions**

In this section:

**(1) Appropriate congressional committees**

The term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

**(2) To effect the involuntary return**

The term "to effect the involuntary return" means to require, by means of physical force