

“(2) Of amounts authorized to be appropriated to the Department of State for fiscal years beginning after September 30, 1987, for ‘Administration of Foreign Affairs’, a total not to exceed \$70,000,000 may be transferred by the Secretary of State to the Administrator of General Services for carrying out construction under subsection (b) of this section.

“(3) Funds may not be obligated for construction of a facility under this section before the end of the period of 30 days of continuous session of Congress beginning on the date on which plans and estimates developed to carry out this section are submitted to the Committees on Foreign Affairs and Public Works and Transportation of the House of Representatives and the Committees on Foreign Relations and Environment and Public Works of the Senate. In determining days of continuous session of Congress for purposes of this paragraph—

“(A) continuity of session is broken only by an adjournment of Congress sine die; and

“(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the determination. If both Houses of Congress are not in session on the day any plans and estimates are submitted to such committees, such submittal shall be deemed to have been submitted on the first succeeding day on which both Houses are in session. If all such committees do not receive a submittal on the same day, such period shall not begin until the date on which all such committees have received it.

“(d) JURISDICTION AND CUSTODY.—The facility constructed under this section and the site of such facility shall be under jurisdiction and in the custody of the Administrator of General Services.

“(e) OPERATION, MAINTENANCE, SECURITY, ALTERATION, AND REPAIR.—(1) The Administrator of General Services shall delegate, in accordance with section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486) [see 40 U.S.C. 121 and Historical and Revision notes thereunder] and section 15 of the Public Buildings Act of 1959 (40 U.S.C. 614) [now 40 U.S.C. 3315], to the Secretary of State responsibility for the operation, maintenance, and security of and alterations and repairs to the facility constructed pursuant to this section, provided the facility is used by the Secretary for the purposes authorized by this section.

“[(2) Repealed. Pub. L. 105-277, div. G, subd. B, title XXII, §2219(a)(3), Oct. 21, 1998, 112 Stat. 2681-817.]

“(f) EXEMPTION FROM PAYMENT OF CHARGES.—(1) Except as provided in paragraph (2), the Department of State shall be exempt from the charges required by section 210(j) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(j)) [now 40 U.S.C. 586(a), (b)] for the use of the facility constructed under this section for the Foreign Service Institute.

“(2) The Administrator of General Services shall charge the Department of State under such section 210(j) for the costs of any operation, maintenance, repairs, or alterations of such facility carried out by the Administrator of General Services.”

LANGUAGE TRAINING FOR FAMILY MEMBERS OF FOREIGN SERVICE PERSONNEL

Pub. L. 95-105, title IV, §414, Aug. 17, 1977, 91 Stat. 857, as amended by Pub. L. 97-241, title V, §505(a)(3), (b)(1), Aug. 24, 1982, 96 Stat. 299, provided that: “It is the sense of Congress that, in order to increase the effectiveness of United States diplomatic representation abroad, the Secretary of State should make greater use of his authority under section 701 of the Foreign Service Act of 1946 [former section 1041 of this title] in order to increase the language training opportunities available to the family members of Foreign Service personnel.”

§ 4022. Foreign language requirements

(a) In general

The Secretary shall establish foreign language proficiency requirements for members of the

Service who are to be assigned abroad in order that Foreign Service posts abroad will be staffed by individuals having a useful knowledge of the language or dialect common to the country in which the post is located.

(b) Training

The Secretary of State shall arrange for appropriate language training of members of the Service by the institution or otherwise in order to assist in meeting the requirements established under subsection (a).

(c) Report

Not later than January 31 of each year, the Director General of the Foreign Service shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives summarizing the number of positions in each overseas mission requiring foreign language competence that—

(1) became vacant during the previous fiscal year; and

(2) were filled by individuals having the required foreign language competence.

(Pub. L. 96-465, title I, §702, Oct. 17, 1980, 94 Stat. 2099; Pub. L. 103-236, title I, §126(3), Apr. 30, 1994, 108 Stat. 394; Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title II, §208(a)], Nov. 29, 1999, 113 Stat. 1536, 1501A-422; Pub. L. 107-228, div. A, title III, §327, Sept. 30, 2002, 116 Stat. 1387.)

Editorial Notes

AMENDMENTS

2002—Subsec. (c). Pub. L. 107-228 substituted “January 31” for “March 31” in introductory provisions and “fiscal year” for “calendar year” in par. (1).

1999—Subsec. (c). Pub. L. 106-113 added subsec. (c).

1994—Subsec. (b). Pub. L. 103-236 substituted “institution” for “Institute”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 4023. Career development program

(a) Establishment; primary attention and emphasis

The Secretary shall establish a professional development program to assure that members of the Service obtain the skills and knowledge required at the various stages of their careers. With regard to Foreign Service officers, primary attention shall be given to training for career candidate officers and for midcareer officers, both after achieving tenure and as they approach eligibility for entry to the Senior Foreign Service, to enhance and broaden their qualifications for more senior levels of responsibility in the Service. Training for other members of the Service shall emphasize programs designed to enhance their particular skills and expert knowledge, including development of the management skills appropriate to their occupational categories.

(b) Primary direction for Junior Foreign Service officer training and midcareer training

Junior Foreign Service officer training shall be directed primarily toward providing expert knowledge in the basic functions of analysis and reporting as well as in consular, administrative, and linguistic skills relevant to the full range of future job assignments. Midcareer training shall be directed primarily toward development and perfection of management, functional, negotiating, and policy development skills to prepare the officers progressively for more senior levels of responsibility.

(c) Purpose; completion of training as condition for placement or appointment

At each stage the program of professional development should be designed to provide members of the Service with the opportunity to acquire skills and knowledge relevant to clearly established professional standards of expected performance. Career candidates should satisfactorily complete candidate training prior to attainment of career status. Members of the Service should satisfactorily complete midcareer training before appointment to the Senior Foreign Service.

(d) University degree credit

In formulating programs under this section, the Secretary should establish a system to provide, insofar as possible, credit toward university degrees for successful completion of courses comparable to graduate-level, university courses.

(e) Institutions conducting training

Training provided under this section shall be conducted by the Department and by other governmental and nongovernmental institutions as the Secretary may consider appropriate.

(Pub. L. 96-465, title I, § 703, Oct. 17, 1980, 94 Stat. 2100; Pub. L. 100-204, title I, § 185(c)(1), Dec. 22, 1987, 101 Stat. 1366.)

Editorial Notes

AMENDMENTS

1987—Subsec. (f). Pub. L. 100-204 struck out subsec. (f) which related to report to Congress and President.

§ 4024. Functions of Secretary

(a) Nature and correlation of training and instruction; encouragement of complementary programs; employment of personnel; acquisition of property and equipment

In the exercise of functions under this subchapter, the Secretary of State may—

- (1) provide for the general nature of the training and instruction to be furnished by the institution, including functional and geographic area specializations;
- (2) correlate training and instruction furnished by the institution with courses given at other Government institutions and at private institutions which furnish training and instruction useful in the field of foreign affairs;
- (3) encourage and foster programs complementary to those furnished by the institution, including through grants and other gratuitous assistance to nonprofit institutions co-

operating in any of the programs under this subchapter;

(4)(A) employ in accordance with the civil service laws such personnel as may be necessary to carry out the provisions of this subchapter, and

(B) if and to the extent determined to be necessary by the Secretary of State, obtain without regard to the provisions of law governing appointments in the competitive service, by appointment or contract (subject to the availability of appropriations), the services of individuals to serve as education and training specialists, including language instructors and linguists, and other specialists who perform work directly relating to the design, delivery, oversight, or coordination of training delivered by the institution (including, in the absence of suitably qualified United States citizens, qualified individuals who are not citizens of the United States); and

(5) acquire such real and personal property and equipment as may be necessary for the establishment, maintenance, and operation of the facilities necessary to carry out the provisions of this subchapter without regard to sections 3101(a) and (c), 3104, 3106, 3301(b)(2), and 6101 of title 41.

(b) Payment of salary, tuition, and other expenses; special monetary or other incentives

In furtherance of the objectives of this chapter, the Secretary may—

(1) pay the tuition and other expenses of members of the Service and employees of the Department who are assigned or detailed in accordance with law for special instruction or training, including orientation, language, and career development training;

(2) pay the salary (excluding premium pay or any special differential under section 3972 of this title) of members of the Service selected and assigned for training; and

(3) provide special monetary or other incentives to encourage members of the Service to acquire or retain proficiency in foreign languages or special abilities needed in the Service.

(c) Orientation and training for family members

The Secretary may provide to family members of members of the Service or of employees of the Department or other agencies, in anticipation of their assignment abroad or while abroad—

(1) appropriate orientation and language training; and

(2) functional training for anticipated prospective employment under section 3951 of this title.

(d) Training and certification for employees performing consular functions

(1) Before a United States citizen employee (other than a diplomatic or consular officer of the United States) may be designated by the Secretary of State, pursuant to regulation, to perform a consular function abroad, the United States citizen employee shall—

(A) be required to complete successfully a program of training essentially equivalent to the training that a consular officer who is a member of the Foreign Service would receive for purposes of performing such function; and