

(2) develop a group of highly specialized, technical experts with country expertise capable of administering the nonproliferation and political-military affairs functions of the Department.

(b) Authority

To carry out the purposes of subsection (a), the Secretary is authorized to establish the position of Counselor for Nonproliferation and Political Military Affairs in United States diplomatic missions overseas, to be filled by individuals who are career Civil Service officers or Foreign Service officers committed to follow-on assignments in the Nonproliferation Bureau or the Political Military Affairs Bureau of the Department.

(c) Training

After being selected to serve as Counselor, any person so selected shall spend not less than 10 months in language training courses at the Foreign Service Institute,¹ or in technical courses administered by the Department of Defense, the Department of Energy, or other appropriate departments and agencies of the United States, except that such requirement for training may be waived by the Secretary.

(Pub. L. 107–228, div. B, title XVI, § 1604, Sept. 30, 2002, 116 Stat. 1460.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

References to Foreign Service Institute considered to refer to George P. Shultz National Foreign Affairs Training Center, see section 1(b) of Pub. L. 107–132, set out as a note under section 4021 of this title.

DEFINITIONS

For definitions of “Department” and “Secretary” as used in this section, see section 3 of Pub. L. 107–228, set out as a note under section 2651 of this title.

§ 2656. Management of foreign affairs

The Secretary of State shall perform such duties as shall from time to time be enjoined on or intrusted to him by the President relative to correspondences, commissions, or instructions to or with public ministers or consuls from the United States, or to negotiations with public ministers from foreign states or princes, or to memorials or other applications from foreign public ministers or other foreigners, or to such other matters respecting foreign affairs as the President of the United States shall assign to the Department, and he shall conduct the business of the Department in such manner as the President shall direct.

(R.S. § 202.)

Editorial Notes

CODIFICATION

R.S. § 202 derived from acts July 27, 1789, ch. 4, § 1, 1 Stat. 28; Sept. 15, 1789, ch. 14, § 1, 1 Stat. 68.

Section was formerly classified to section 156 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

¹ See Change of Name note below.

Statutory Notes and Related Subsidiaries

CONSTRUCTION

Pub. L. 115–409, § 412, Dec. 31, 2018, 132 Stat. 5411, provided that: “Nothing in this Act [see Short Title of 2018 Amendment note set out under section 2651 of this title] may be construed as authorizing the use of military force.”

MITIGATION AND PREVENTION OF ATROCITIES IN HIGH-RISK COUNTRIES

Pub. L. 116–283, div. A, title XII, § 1210D, Jan. 1, 2021, 134 Stat. 3916, provided that:

“(a) STATEMENT OF POLICY.—It is the policy of the United States that the Department of State, in coordination with the Department of Defense and the United States Agency for International Development, should address global fragility, as required by the Global Fragility Act of 2019 [22 U.S.C. 9801 et seq.] and, to the extent practicable, incorporate efforts to identify, prevent, and respond to the causes of atrocities, as required by section 3 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 [Pub. L. 115–441] (22 U.S.C. 2656 note), into security assistance and cooperation planning and implementation for covered foreign countries.

“(b) IN GENERAL.—The Secretary of State, in consultation with chiefs of mission and the Administrator of the United States Agency for International Development, shall ensure that the Department of State’s Atrocity Assessment Framework is factored into the Integrated Country Strategy and the Country Development Cooperation Strategy where appropriate for covered foreign countries.

“(c) REPORT.—

“(1) IN GENERAL.—[Amended section 5 of Pub. L. 115–441, 132 Stat. 5587.]

“(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect and apply beginning with the first report required under section 5 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 that is required after the date of the enactment of this Act [Jan. 1, 2021].

“(d) STAKEHOLDER CONSULTATION.—Consistent with section 504(b) of the Global Fragility Act of 2019 (22 U.S.C. 9803(b)), the Secretary of State and other relevant agencies should consult with credible representatives of civil society with experience in atrocities prevention and national and local governance entities, as well as relevant international development organizations with experience implementing programs in fragile and violence-affected communities, multilateral organizations and donors, and relevant private, academic, and philanthropic entities, as appropriate, in identifying covered foreign countries as defined in this section.

“(e) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

“(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

“(2) COVERED FOREIGN COUNTRY.—The term ‘covered foreign country’ means a foreign country that is not listed as a priority country under section 505 of the Global Fragility Act of 2019 (22 U.S.C. 9804) but remains among the top 30 most at risk countries for new onset of mass killing, according to the Department of State’s internal assessments, and in consultation with the appropriate congressional committees.”

TERMINATION OF NATIONAL INTELLIGENCE AUTHORITY AND CENTRAL INTELLIGENCE GROUP

National Intelligence Authority and Central Intelligence Group, established by Presidential Directive, Feb. 1, 1946, 11 F.R. 1337, to coordinate Federal foreign

intelligence activities, ceased to exist upon creation of Central Intelligence Agency; personnel, property and records of the group were transferred to the Agency; and unexpended funds of the group were made available to the Agency, by act July 26, 1947, ch. 343, title I, § 102, 61 Stat. 497, formerly set out as section 403 of Title 50, War and National Defense. See Prior Provisions note under section 3023 of Title 50.

GENOCIDE AND ATROCITIES PREVENTION

Pub. L. 115-441, §§ 3, 6, 7, Jan. 14, 2019, 132 Stat. 5586, 5588, 5589, provided that:

“SEC. 3. STATEMENT OF POLICY.

“It shall be the policy of the United States to—

“(1) regard the prevention of atrocities as in its national interest;

“(2) work with partners and allies, including to build their capacity, and enhance the capacity of the United States, to identify, prevent, and respond to the causes of atrocities, including insecurity, mass displacement, violent conflict, and other conditions that may lead to such atrocities; and

“(3) pursue a United States Government-wide strategy to identify, prevent, and respond to the risk of atrocities by—

“(A) strengthening the diplomatic, risk analysis and monitoring, strategic planning, early warning, and response capacities of the Government;

“(B) improving the use of foreign assistance to respond early, effectively, and urgently in order to address the causes of atrocities;

“(C) strengthening diplomatic response and the effective use of foreign assistance to support appropriate transitional justice measures, including criminal accountability, for past atrocities;

“(D) supporting and strengthening local civil society, including human rights defenders and others working to help prevent and respond to atrocities;

“(E) promoting financial transparency and enhancing anti-corruption initiatives as part of addressing causes of conditions that may lead to atrocities; and

“(F) employing a variety of unilateral, bilateral, and multilateral means to prevent and respond to atrocities by—

“(i) placing a high priority on timely, preventive diplomatic efforts; and

“(ii) exercising leadership in promoting international efforts to prevent atrocities.

“SEC. 6. DEFINITIONS.

“In this Act [see Short Title of 2019 Amendment note set out under section 2651 of this title]—

“(1) the term ‘genocide’ means an offense under subsection (a) of section 1091 of title 18, United States Code;

“(2) the term ‘atrocities’ means war crimes, crimes against humanity, and genocide;

“(3) the term ‘transitional justice’ means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes to redress legacies of atrocities and to promote long-term, sustainable peace; and

“(4) the term ‘war crime’ has the meaning given the term in section 2441(c) of title 18, United States Code.

“SEC. 7. RULE OF CONSTRUCTION.

“Nothing in this Act shall be construed as authorizing the use of military force.”

UNITED STATES POLICY AND DIPLOMATIC STRATEGY IN THE INDO-PACIFIC REGION

Pub. L. 115-409, title I, Dec. 31, 2018, 132 Stat. 5389, provided that:

“SEC. 101. POLICY.

“It is the policy of the United States to develop and commit to a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region that—

“(1) secures the vital national security interests of the United States and our allies and partners;

“(2) promotes American prosperity and economic interests by advancing economic growth and development of a rules-based Indo-Pacific economic community;

“(3) advances American influence by reflecting the values of the American people and universal human rights;

“(4) supports functional problem-solving regional architecture; and

“(5) accords with and supports the rule of law and international norms.

“SEC. 102. DIPLOMATIC STRATEGY.

“It is the diplomatic strategy of the United States—

“(1) to work with United States allies—

“(A) to confront common challenges;

“(B) to improve information sharing;

“(C) to increase defense investment and trade;

“(D) to ensure interoperability; and

“(E) to strengthen shared capabilities;

“(2) to strengthen relationships with partners who—

“(A) share mutual respect for the rule of law;

“(B) agree with fair and reciprocal trade; and

“(C) understand the importance of civil society, the rule of law, the free and reliable flow of information, and transparent governance;

“(3) to support functional problem-solving regional architecture, including through the Association of Southeast Asian Nations, Asia-Pacific Economic Cooperation, and the East Asia Summit;

“(4) to emphasize the commitment of the United States—

“(A) to freedom of navigation under international law;

“(B) to promote peaceful resolutions of maritime and territorial disputes; and

“(C) to expand security and defense cooperation with allies and partners, as appropriate;

“(5) to pursue diplomatic measures to achieve complete, verifiable, and irreversible denuclearization of North Korea;

“(6) to improve civil society, strengthen the rule of law, and advocate for transparent governance;

“(7) to develop and grow the economy through private sector partnerships between the United States and Indo-Pacific partners;

“(8) to pursue multilateral and bilateral trade agreements in a free, fair, and reciprocal manner and build a network of partners in the Indo-Pacific committed to free markets;

“(9) to work with and encourage Indo-Pacific countries—

“(A) to pursue high-quality and transparent infrastructure projects;

“(B) to maintain unimpeded commerce, open sea lines or air ways, and communication; and

“(C) to seek the peaceful resolution of disputes; and

“(10) to sustain a strong military presence in the Indo-Pacific region and strengthen security relationships with allies and partners throughout the region.”

[Nothing in title I of Pub. L. 115-409, set out above, to be construed as authorizing the use of military force, see section 412 of Pub. L. 115-409, set out as a note above.]

IRAQ AND SYRIA GENOCIDE RELIEF AND ACCOUNTABILITY

Pub. L. 115-300, Dec. 11, 2018, 132 Stat. 4390, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Iraq and Syria Genocide Relief and Accountability Act of 2018’.

“SEC. 2. FINDINGS.

“Congress finds the following:

“(1) The Secretary of State of State [sic] declared on March 17, 2016, and on August 15, 2017, that Daesh (also known as the Islamic State of Iraq and Syria or ISIS) is responsible for genocide, crimes against humanity, and other atrocity crimes against religious and ethnic minority groups in Iraq and Syria, including Christians, Yezidis, and Shia, among other religious and ethnic groups.

“(2) According to the Department of State’s annual reports on international religious freedom—

“(A) the number of Christians living in Iraq has dropped from an estimated 800,000 to 1,400,000 in 2002 to fewer than 250,000 in 2017; and

“(B) the number of Yezidis living in Iraq has fluctuated from 500,000 in 2013, to between 350,000 and 400,000 in 2016, and between 600,000 and 750,000 in 2017.

“(3) The annual reports on international religious freedom further suggest that—

“(A) Christian communities living in Syria, which had accounted for between 8 and 10 percent of Syria’s total population in 2010, are now ‘considerably’ smaller as a result of the civil war, and

“(B) there was a population of approximately 80,000 Yezidis before the commencement of the conflict in Syria.

“(4) Local communities and entities have sought to mitigate the impact of violence directed against religious and ethnic minorities in Iraq and Syria, including the Chaldean Catholic Archdiocese of Erbil (Kurdistan Region of Iraq), which has used predominantly private funds to provide assistance to internally displaced Christians, Yezidis, and Muslims throughout the greater Erbil region, while significant needs and diminishing resources have made it increasingly difficult to continue these efforts.

“SEC. 3. DEFINITIONS.

“In this Act:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Relations of the Senate;

“(B) the Committee on the Judiciary of the Senate;

“(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(D) the Committee on Appropriations of the Senate;

“(E) the Select Committee on Intelligence of the Senate;

“(F) the Committee on Foreign Affairs of the House of Representatives;

“(G) the Committee on the Judiciary of the House of Representatives;

“(H) the Committee on Homeland Security of the House of Representatives;

“(I) the Committee on Appropriations of the House of Representatives; and

“(J) the Permanent Select Committee on Intelligence of the House of Representatives.

“(2) FOREIGN TERRORIST ORGANIZATION.—The term ‘foreign terrorist organization’ mean an organization designated by the Secretary of State as a foreign terrorist organization pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

“(3) HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS.—The term ‘humanitarian, stabilization, and recovery needs’, with respect to an individual, includes water, sanitation, hygiene, food security and nutrition, shelter and housing, reconstruction, medical, education, psychosocial needs, and other assistance to address basic human needs, including stabilization assistance (as defined by the Stabilization Assistance Review in ‘A Framework for Maximizing the Effectiveness of U.S. Government Efforts to Stabilize Conflict-Affected Areas, 2018[.]’).

“(4) HYBRID COURT.—The term ‘hybrid court’ means a court with a combination of domestic and international lawyers, judges, and personnel.

“(5) INTERNATIONALIZED DOMESTIC COURT.—The term ‘internationalized domestic court’ means a domestic court with the support of international advisers.

“SEC. 4. STATEMENT OF POLICY.

“It is the policy of the United States to ensure that assistance for humanitarian, stabilization, and recovery needs of individuals who are or were nationals and residents of Iraq or Syria, and of communities in and from those countries, is directed toward those individuals and communities with the greatest need, including those individuals from communities of religious and ethnic minorities, and communities of religious and ethnic minorities, that the Secretary of State declared were targeted for genocide, crimes against humanity, or war crimes, and have been identified as being at risk of persecution, forced migration, genocide, crimes against humanity, or war crimes.

“SEC. 5. ACTIONS TO PROMOTE ACCOUNTABILITY IN IRAQ FOR GENOCIDE, CRIMES AGAINST HUMANITY, AND WAR CRIMES.

“(a) ASSISTANCE.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance, as necessary and appropriate, to support the efforts of entities, including nongovernmental organizations with expertise in international criminal investigations and law, to address genocide, crimes against humanity, or war crimes, and their constituent crimes by ISIS in Iraq by—

“(1) conducting criminal investigations;

“(2) developing indigenous investigative and judicial skills, including by partnering, directly mentoring, and providing necessary equipment and infrastructure to effectively adjudicating cases consistent with due process and respect for the rule of law; and

“(3) collecting and preserving evidence and the chain of evidence, including for use in prosecutions in domestic courts, hybrid courts, and internationalized domestic courts, consistent with the activities described in subsection (b).

“(b) ACTIONS BY FOREIGN GOVERNMENTS.—The Secretary of State, in consultation with the Attorney General, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall encourage governments of foreign countries—

“(1) to include information in appropriate security databases and security screening procedures of such countries to identify suspected ISIS members for whom credible evidence exists of having committed genocide, crimes against humanity, or war crimes, and their constituent crimes, in Iraq; and

“(2) to apprehend and prosecute such ISIS members for genocide, crimes against humanity, or war crimes, as appropriate.

“(c) CONSULTATION.—In carrying out subsection (a), the Secretary of State shall consult with and consider credible information from entities described in such subsection.

“SEC. 6. IDENTIFICATION OF AND ASSISTANCE TO ADDRESS HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS OF CERTAIN PERSONS IN IRAQ AND SYRIA.

“(a) IDENTIFICATION.—The Secretary of State, in consultation with the Secretary of Defense, the Administrator of the United States Agency for International Development, and Director of National Intelligence, shall seek to identify—

“(1) threats of persecution and other early-warning indicators of genocide, crimes against humanity, and war crimes against individuals who are or were nationals and residents of Iraq or Syria, are members of religious or ethnic minority groups in such countries, and against whom the Secretary of State has determined ISIS has committed genocide, crimes against humanity, or war crimes;

“(2) the religious and ethnic minority groups in Iraq or Syria identified pursuant to paragraph (1)

that are at risk of forced migration, within or across the borders of Iraq, Syria, or a country of first asylum, and the primary reasons for such risk;

“(3)(A) the humanitarian, stabilization, and recovery needs of individuals described in paragraphs (1) and (2), including the assistance provided by the United States and by the United Nations, respectively—

“(i) to address the humanitarian, stabilization, and recovery needs of such individuals; and

“(ii) to mitigate the risks of forced migration of such individuals; and

“(B) assistance provided through the Funding Facility for Immediate Stabilization and Funding Facility for Expanded Stabilization; and

“(4) to the extent practicable and appropriate—

“(A) the entities, including faith-based entities, that are providing assistance to address the humanitarian, stabilization, and recovery needs of individuals described in paragraphs (1) and (2); and

“(B) the extent to which the United States is providing assistance to or through the entities referred to in subparagraph (A).

“(b) ADDITIONAL CONSULTATION.—In carrying out subsection (a), the Secretary of State shall consult with, and consider credible information from—

“(1) individuals described in paragraphs (1) and (2) of such subsection; and

“(2) the entities described in paragraph (4)(A) of such subsection.

“(c) ASSISTANCE.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance as necessary and appropriate, to support the entities described in subsection (a)(4)(A).

“SEC. 7. REPORT.

“(a) IMPLEMENTATION REPORT.—Not later than 90 days after the date of the enactment of this Act [Dec. 11, 2018], the Secretary of State shall submit a report to the appropriate congressional committees that includes—

“(1) a detailed description of the efforts taken, and efforts proposed to be taken, to implement the provisions of this Act;

“(2) an assessment of—

“(A) the feasibility and advisability of prosecuting ISIS members for whom credible evidence exists of having committed genocide, crimes against humanity, or war crimes in Iraq, including in domestic courts in Iraq, hybrid courts, and internationalized domestic courts; and

“(B) the measures needed—

“(i) to ensure effective criminal investigations of such individuals; and

“(ii) to effectively collect and preserve evidence, and preserve the chain of evidence, for prosecution; and

“(3) recommendations for legislative remedies and administrative actions to facilitate the implementation of this Act.

“(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex, if necessary.”

HUMAN RIGHTS SANCTIONS

Pub. L. 114-328, div. A, title XII, subtitle F, Dec. 23, 2016, 130 Stat. 2533, provided that:

“SEC. 1261. SHORT TITLE.

“This subtitle may be cited as the ‘Global Magnitsky Human Rights Accountability Act’.

“SEC. 1262. DEFINITIONS.

“In this subtitle:

“(1) FOREIGN PERSON.—The term ‘foreign person’ has the meaning given that term in section 595.304 of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act [Dec. 23, 2016]).

“(2) GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS.—The term ‘gross violations of internationally recognized human rights’ has the meaning given that term in section 502B(d)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)(1)).

“(3) PERSON.—The term ‘person’ has the meaning given that term in section 591.308 of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

“(4) UNITED STATES PERSON.—The term ‘United States person’ has the meaning given that term in section 595.315 of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

“SEC. 1263. AUTHORIZATION OF IMPOSITION OF SANCTIONS.

“(a) IN GENERAL.—The President may impose the sanctions described in subsection (b) with respect to any foreign person the President determines, based on credible evidence—

“(1) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in any foreign country who seek—

“(A) to expose illegal activity carried out by government officials; or

“(B) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections;

“(2) acted as an agent of or on behalf of a foreign person in a matter relating to an activity described in paragraph (1);

“(3) is a government official, or a senior associate of such an official, that is responsible for, or complicit in, ordering, controlling, or otherwise directing, acts of significant corruption, including the expropriation of private or public assets for personal gain, corruption related to government contracts or the extraction of natural resources, bribery, or the facilitation or transfer of the proceeds of corruption to foreign jurisdictions; or

“(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an activity described in paragraph (3).

“(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

“(1) INADMISSIBILITY TO UNITED STATES.—In the case of a foreign person who is an individual—

“(A) ineligibility to receive a visa to enter the United States or to be admitted to the United States; or

“(B) if the individual has been issued a visa or other documentation, revocation, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of the visa or other documentation.

“(2) BLOCKING OF PROPERTY.—

“(A) IN GENERAL.—The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of a foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

“(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

“(C) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

“(i) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under subparagraph (A) shall not include the authority to impose sanctions on the importation of goods.

“(ii) GOOD.—In this subparagraph, the term ‘good’ has the meaning given that term in [former] section 16 of the Export Administration Act of 1979 ([former] 50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

“(c) CONSIDERATION OF CERTAIN INFORMATION IN IMPOSING SANCTIONS.—In determining whether to impose sanctions under subsection (a), the President shall consider—

“(1) information provided jointly by the chairperson and ranking member of each of the appropriate congressional committees; and

“(2) credible information obtained by other countries and nongovernmental organizations that monitor violations of human rights.

“(d) REQUESTS BY APPROPRIATE CONGRESSIONAL COMMITTEES.—

“(1) IN GENERAL.—Not later than 120 days after receiving a request that meets the requirements of paragraph (2) with respect to whether a foreign person has engaged in an activity described in subsection (a), the President shall—

“(A) determine if that person has engaged in such an activity; and

“(B) submit a classified or unclassified report to the chairperson and ranking member of the committee or committees that submitted the request with respect to that determination that includes—

“(i) a statement of whether or not the President imposed or intends to impose sanctions with respect to the person; and

“(ii) if the President imposed or intends to impose sanctions, a description of those sanctions.

“(2) REQUIREMENTS.—

“(A) REQUESTS RELATING TO HUMAN RIGHTS VIOLATIONS.—A request under paragraph (1) with respect to whether a foreign person has engaged in an activity described in paragraph (1) or (2) of subsection (a) shall be submitted to the President in writing jointly by the chairperson and ranking member of one of the appropriate congressional committees.

“(B) REQUESTS RELATING TO CORRUPTION.—A request under paragraph (1) with respect to whether a foreign person has engaged in an activity described in paragraph (3) or (4) of subsection (a) shall be submitted to the President in writing jointly by the chairperson and ranking member of—

“(i) one of the appropriate congressional committees of the Senate; and

“(ii) one of the appropriate congressional committees of the House of Representatives.

“(e) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT OBJECTIVES.—Sanctions under subsection (b)(1) shall not apply to an individual if admitting the individual into the United States would further important law enforcement objectives or is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States.

“(f) ENFORCEMENT OF BLOCKING OF PROPERTY.—A person that violates, attempts to violate, conspires to violate, or causes a violation of a sanction described in subsection (b)(2) that is imposed by the President or any regulation, license, or order issued to carry out such a sanction shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

“(g) TERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to a person if the President determines and reports to the appropriate congressional

committees not later than 15 days before the termination of the sanctions that—

“(1) credible information exists that the person did not engage in the activity for which sanctions were imposed;

“(2) the person has been prosecuted appropriately for the activity for which sanctions were imposed;

“(3) the person has credibly demonstrated a significant change in behavior, has paid an appropriate consequence for the activity for which sanctions were imposed, and has credibly committed to not engage in an activity described in subsection (a) in the future; or

“(4) the termination of the sanctions is in the national security interests of the United States.

“(h) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

“(i) IDENTIFICATION OF SANCTIONABLE FOREIGN PERSONS.—The Assistant Secretary of State for Democracy, Human Rights, and Labor, in consultation with the Assistant Secretary of State for Consular Affairs and other bureaus of the Department of State, as appropriate, is authorized to submit to the Secretary of State, for review and consideration, the names of foreign persons who may meet the criteria described in subsection (a).

“(j) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

“(2) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

“SEC. 1264. REPORTS TO CONGRESS.

“(a) IN GENERAL.—The President shall submit to the appropriate congressional committees, in accordance with subsection (b), a report that includes—

“(1) a list of each foreign person with respect to which the President imposed sanctions pursuant to section 1263 during the year preceding the submission of the report;

“(2) a description of the type of sanctions imposed with respect to each such person;

“(3) the number of foreign persons with respect to which the President—

“(A) imposed sanctions under section 1263(a) during that year; and

“(B) terminated sanctions under section 1263(g) during that year;

“(4) the dates on which such sanctions were imposed or terminated, as the case may be;

“(5) the reasons for imposing or terminating such sanctions; and

“(6) a description of the efforts of the President to encourage the governments of other countries to impose sanctions that are similar to the sanctions authorized by section 1263.

“(b) DATES FOR SUBMISSION.—

“(1) INITIAL REPORT.—The President shall submit the initial report under subsection (a) not later than 120 days after the date of the enactment of this Act [Dec. 23, 2016].

“(2) SUBSEQUENT REPORTS.—

“(A) IN GENERAL.—The President shall submit a subsequent report under subsection (a) on December 10, or the first day thereafter on which both Houses of Congress are in session, of—

“(i) the calendar year in which the initial report is submitted if the initial report is submitted before December 10 of that calendar year; and

“(ii) each calendar year thereafter.

“(B) CONGRESSIONAL STATEMENT.—Congress notes that December 10 of each calendar year has been recognized in the United States and internationally since 1950 as ‘Human Rights Day’.

“(c) FORM OF REPORT.—

“(1) IN GENERAL.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

“(2) EXCEPTION.—The name of a foreign person to be included in the list required by subsection (a)(1) may be submitted in the classified annex authorized by paragraph (1) only if the President—

“(A) determines that it is vital for the national security interests of the United States to do so;

“(B) uses the annex in a manner consistent with congressional intent and the purposes of this subtitle; and

“(C) not later than 15 days before submitting the name in a classified annex, provides to the appropriate congressional committees notice of, and a justification for, including the name in the classified annex despite any publicly available credible information indicating that the person engaged in an activity described in section 1263(a).

“(d) PUBLIC AVAILABILITY.—

“(1) IN GENERAL.—The unclassified portion of the report required by subsection (a) shall be made available to the public, including through publication in the Federal Register.

“(2) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The President shall publish the list required by subsection (a)(1) without regard to the requirements of section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States.

“(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate; and

“(2) the Committee on Appropriations, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives.

“SEC. 1265. SUNSET.

“(a) IN GENERAL.—The authority to impose sanctions under this subtitle shall terminate on the date that is 6 years after the date of the enactment of this Act [Dec. 23, 2016].

“(b) CONTINUATION IN EFFECT OF SANCTIONS.—Sanctions imposed under this subtitle on or before the date specified in subsection (a), and in effect as of such date, shall remain in effect until terminated in accordance with the requirements of section 1263(g).”

[Authority to administer financial sanctions under section 1263 of Pub. L. 114-328, set out in a note above, delegated to Secretary of the Treasury and authority to administer visa sanctions under such section 1263 delegated to Secretary of State by Memorandum of President of the United States, Sept. 8, 2017, 82 F.R. 45411.]

GLOBAL ENGAGEMENT CENTER

Pub. L. 117-81, div. E, title LIII, § 5320, Dec. 27, 2021, 135 Stat. 2368, provided that: “The Secretary may appoint, for a 3-year period that may be extended for up to an additional 2 years, solely to carry out the functions of the Global Engagement Center, employees of the Department without regard to the provisions of title 5, United States Code, governing appointment in the competitive service, and may fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of such title.”

[For definitions of “Secretary” and “Department” as used in section 5320 of Pub. L. 117-81, set out above, see section 5002 of Pub. L. 117-81, set out as a note under section 263c of this title.]

Pub. L. 114-328, div. A, title XII, § 1287, Dec. 23, 2016, 130 Stat. 2546, as amended by Pub. L. 115-232, div. A, title XII, § 1284, Aug. 13, 2018, 132 Stat. 2076, provided that:

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2016], the Secretary of State, in coordination with the Secretary of Defense and the heads of other relevant Federal departments and agencies, shall establish within the Department of State a Global Engagement Center (in this section referred to as the ‘Center’).

“(2) PURPOSE.—The purpose of the Center shall be to direct, lead, synchronize, integrate, and coordinate efforts of the Federal Government to recognize, understand, expose, and counter foreign state and foreign non-state propaganda and disinformation efforts aimed at undermining or influencing the policies, security, or stability of the United States and United States allies and partner nations.

“(b) FUNCTIONS.—The Center shall carry out the following functions:

“(1) Direct, lead, synchronize, integrate, and coordinate interagency and international efforts to track and evaluate counterfactual narratives abroad that threaten the policies, security, or stability of the United States and United States allies and partner nations.

“(2) Analyze relevant information, data, analysis, and analytics from United States Government agencies, United States allies and partner nations, think tanks, academic institutions, civil society groups, and other nongovernmental organizations.

“(3) As needed, support the development and dissemination of fact-based narratives and analysis to counter propaganda and disinformation directed at the United States and United States allies and partner nations.

“(4) Identify current and emerging trends in foreign propaganda and disinformation in order to coordinate and shape the development of tactics, techniques, and procedures to expose and refute foreign propaganda and disinformation, and pro-actively support the promotion of credible, fact-based narratives and policies to audiences outside the United States.

“(5) Facilitate the use of a wide range of technologies and techniques by sharing expertise among Federal departments and agencies, seeking expertise from external sources, and implementing best practices.

“(6) Measure and evaluate the activities of the Center, including the outcomes of such activities, and implement mechanisms to ensure that the activities of the Center are updated to reflect the results of such measurement and evaluation.

“(7) Identify gaps in United States capabilities in areas relevant to the purpose of the Center and recommend necessary enhancements or changes.

“(8) Use information from appropriate interagency entities to identify the countries, geographic areas, and populations most susceptible to propaganda and disinformation, as well as the countries, geographic areas, and populations in which such propaganda and disinformation is likely to cause the most harm.

“(9) Administer the information access fund established pursuant to subsection (f).

“(10) Coordinate with United States allies and partner nations in order to amplify the Center’s efforts and avoid duplication.

“(11) Maintain, collect, use, and disseminate records (as such term is defined in section 552a(a)(4) of title 5, United States Code) for research and data analysis of foreign state and non-state propaganda and disinformation efforts and communications related to public diplomacy efforts intended for foreign audiences. Such research and data analysis shall be reasonably tailored to meet the purposes of this paragraph and shall be carried out with due regard for privacy and civil liberties guidance and oversight.

“(c) HEAD OF CENTER.—

“(1) APPOINTMENT.—The head of the Center shall be an individual who is an official of the Federal Government, who shall be appointed by the President.

“(2) COMPLIANCE WITH PRIVACY AND CIVIL LIBERTIES LAWS.—The President shall designate a senior official

to develop guidance for the Center relating to relevant privacy and civil liberties laws and to ensure compliance with such guidance.

“(d) EMPLOYEES OF THE CENTER.—

“(1) DETAILEES AND ASSIGNEES.—Any Federal Government employee may be detailed or assigned to the Center with or without reimbursement, consistent with applicable laws and regulations regarding such employee, and such detail or assignment shall be without interruption or loss of status or privilege.

“(2) TEMPORARY PERSONNEL.—The Secretary of State should, when hiring temporary United States citizen personnel, preference the use of Foreign Service limited appointments both in the United States and abroad in accordance with section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949). The Secretary may hire United States citizens or aliens, as appropriate, including as personal services contractors, for purposes of personnel resources of the Center, if—

“(A) the Secretary determines that existing personnel resources or expertise are insufficient;

“(B) the period in which services are provided by a personal services contractor, including options, does not exceed 3 years, unless the Secretary determines that exceptional circumstances justify an extension of up to one additional year;

“(C) not more than 50 United States citizens or aliens are employed as personal services contractors under the authority of this paragraph at any time; and

“(D) the authority of this paragraph is only used to obtain specialized skills or experience or to respond to urgent needs.

“(e) TRANSFER OF AMOUNTS AUTHORIZED.—

“(1) IN GENERAL.—For each of fiscal years 2019 and 2020, the Secretary of Defense is authorized to transfer, from amounts appropriated to the Secretary pursuant to the authorization under this Act [see Tables for classification], to the Secretary of State not more than \$60,000,000, to carry out the functions of the Center.

“(2) NOTICE REQUIREMENT.—The Secretary of Defense shall notify the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate and the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Committee on Oversight and Government Reform [now Committee on Oversight and Reform] of the House of Representatives of a proposed transfer under paragraph (1) not less than 15 days prior to making such transfer.

“(3) INAPPLICABILITY OF REPROGRAMMING REQUIREMENTS.—The authority to transfer amounts under paragraph (1) shall not be subject to any reprogramming requirement under any other provision of law.

“(f) INFORMATION ACCESS FUND.—

“(1) AUTHORITY FOR GRANTS.—The Center is authorized to provide grants or contracts of financial support to civil society groups, media content providers, nongovernmental organizations, federally funded research and development centers, private companies, or academic institutions for the following purposes:

“(A) To support local entities and linkages among such entities, including independent media entities, that are best positioned to refute foreign propaganda and disinformation in affected communities.

“(B) To collect and store examples of print, online, and social media disinformation and propaganda directed at the United States or United States allies and partner nations.

“(C) To analyze and report on tactics, techniques, and procedures of foreign information warfare and other efforts with respect to disinformation and propaganda.

“(D) To support efforts by the Center to counter efforts by foreign entities to use disinformation and propaganda to undermine or influence the policies, security, and social and political stability of the

United States and United States allies and partner nations.

“(2) FUNDING AVAILABILITY AND LIMITATIONS.—The Secretary of State shall provide that each entity that receives funds under this subsection is selected in accordance with the relevant existing regulations through a process that ensures such entity has the credibility and capability to carry out effectively and in accordance with United States interests and objectives the purposes specified in paragraph (1) for which such entity received such funding.

“(g) REPORTS.—

“(1) IN GENERAL.—Not later than one year after the date on which the Center is established, the Secretary of State shall submit to the appropriate congressional committees a report evaluating the success of the Center in carrying out its functions under subsection (b) and outlining steps to improve any areas of deficiency.

“(2) DEFINITION.—In this subsection, the term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

“(B) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

“(h) CONGRESSIONAL BRIEFINGS.—The Secretary of State, together with the heads of other relevant Federal departments and agencies, shall provide a briefing to the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate and the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Committee on Oversight and Government Reform [now Committee on Oversight and Reform] of the House of Representatives not less often than annually regarding the activities of the Global Engagement Center. The briefings required under this subsection shall terminate on the date specified in subsection (j).

“(i) LIMITATION.—None of the funds authorized to be appropriated or otherwise made available to carry out this section shall be used for purposes other than countering foreign propaganda and misinformation that threatens United States national security.

“(j) TERMINATION.—The Center shall terminate on the date that is 8 years after the date of the enactment of this Act [Dec. 23, 2016].”

STRATEGY FOR THE UNITED STATES RELATIONSHIP WITH SAUDI ARABIA

Pub. L. 110-53, title XX, §2043, Aug. 3, 2007, 121 Stat. 524, provided that:

“(a) CONGRESSIONAL FINDINGS.—Congress finds that:

“(1) The National Commission on Terrorist Attacks Upon the United States concluded that the Kingdom of Saudi Arabia has ‘been a problematic ally in combating Islamic extremism. At the level of high policy, Saudi Arabia’s leaders cooperated with American diplomatic initiatives aimed at the Taliban or Pakistan before 9/11. At the same time, Saudi Arabia’s society was a place where al Qaeda raised money directly from individuals and through charities. It was the society that produced 15 of the 19 hijackers.’

“(2) Saudi Arabia has an uneven record in the fight against terrorism, especially with respect to terrorist financing, support for radical madrassas, a lack of political outlets for its citizens, and restrictions on religious pluralism, that poses a threat to the security of the United States, the international community, and Saudi Arabia itself.

“(3) The National Commission on Terrorist Attacks Upon the United States concluded that the ‘problems in the U.S.-Saudi relationship must be confronted, openly’. It recommended that the two countries build a relationship that includes a ‘shared commitment to

political and economic reform . . . and a shared interest in greater tolerance and cultural respect, translating into a commitment to fight the violent extremists who foment hatred’.

“(4) The United States has a national security interest in working with the Government of Saudi Arabia to combat international terrorists that operate within that country or that operate outside Saudi Arabia with the support of citizens of Saudi Arabia.

“(5) The United States and Saudi Arabia established a Strategic Dialogue in 2005, which provides a framework for the two countries to discuss a range of bilateral issues at high levels, including counterterrorism policy and political and economic reforms.

“(6) It is in the national security interest of the United States to support the Government of Saudi Arabia in undertaking a number of political and economic reforms, including increasing anti-terrorism operations conducted by law enforcement agencies, providing more political and religious rights to its citizens, increasing the rights of women, engaging in comprehensive educational reform, enhancing monitoring of charitable organizations, and promulgating and enforcing domestic laws and regulation on terrorist financing.

“(b) STATEMENT OF POLICY.—It is the policy of the United States—

“(1) to engage with the Government of Saudi Arabia to openly confront the issue of terrorism, as well as other problematic issues such as the lack of political freedoms;

“(2) to enhance counterterrorism cooperation with the Government of Saudi Arabia; and

“(3) to support the efforts of the Government of Saudi Arabia to make political, economic, and social reforms, including greater religious freedom, throughout the country.

“(c) PROGRESS IN COUNTERTERRORISM AND OTHER OPERATION.—

“(1) REPORT.—Not later than 180 days after the date of the enactment of this Act [Aug. 3, 2007], the President shall transmit to the appropriate congressional committees a report that—

“(A) describes the long-term strategy of the United States—

“(i) to engage with the Government of Saudi Arabia to facilitate political, economic, and social reforms, including greater religious freedom, that will enhance the ability of the Government of Saudi Arabia to combat international terrorism; and

“(ii) to work with the Government of Saudi Arabia to combat terrorism, including through effective measures to prevent and prohibit the financing of terrorists by Saudi institutions and citizens; and

“(B) provides an assessment of the progress made by Saudi Arabia since 2001 on the matters described in subparagraph (A), including—

“(i) whether Saudi Arabia has become a party to the International Convention for the Suppression of the Financing of Terrorism; and

“(ii) the activities and authority of the Saudi Nongovernmental National Commission for Relief and Charity Work Abroad.

“(2) FORM.—The report required by paragraph (1) shall be transmitted in unclassified form, but may include a classified annex, if necessary.”

[For definition of “appropriate congressional committees” as used in section 2043 of Pub. L. 110–53, set out above, see section 2002 of Pub. L. 110–53, set out as a note under section 2151 of this title.]

[For assignment of functions of President under section 2043(c)(1) of Pub. L. 110–53, set out above, see Memorandum of President of the United States, Sept. 28, 2007, 72 F.R. 56871, set out as a note under section 2228 of this title.]

FINDINGS

Pub. L. 108–458, title VII, §7101, Dec. 17, 2004, 118 Stat. 3775, provided that: “Consistent with the report of the

National Commission on Terrorist Attacks Upon the United States, Congress makes the following findings:

“(1) Long-term success in the war on terrorism demands the use of all elements of national power, including diplomacy, military action, intelligence, covert action, law enforcement, economic policy, foreign aid, public diplomacy, and homeland defense.

“(2) To win the war on terrorism, the United States must assign to economic and diplomatic capabilities the same strategic priority that is assigned to military capabilities.

“(3) The legislative and executive branches of the Government of the United States must commit to robust, long-term investments in all of the tools necessary for the foreign policy of the United States to successfully accomplish the goals of the United States.

“(4) The investments referred to in paragraph (3) will require increased funding to United States foreign affairs programs in general, and to priority areas as described in this title [see Tables for classification] in particular.”

COMPREHENSIVE COALITION STRATEGY FOR FIGHTING TERRORISM

Pub. L. 108–458, title VII, §7117, Dec. 17, 2004, 118 Stat. 3799, 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) Almost every aspect of the counterterrorism strategy of the United States relies on international cooperation.

“(2) Since September 11, 2001, the number and scope of United States Government contacts with foreign governments concerning counterterrorism have expanded significantly, but such contacts have often been ad hoc and not integrated as a comprehensive and unified approach to counterterrorism.

“(b) IN GENERAL.—The Secretary of State is authorized in consultation with relevant United States Government agencies, to negotiate on a bilateral or multilateral basis, as appropriate, international agreements under which parties to an agreement work in partnership to address and interdict acts of international terrorism.

“(c) INTERNATIONAL CONTACT GROUP ON COUNTERTERRORISM.—

“(1) SENSE OF CONGRESS.—It is the sense of Congress that the President—

“(A) should seek to engage the leaders of the governments of other countries in a process of advancing beyond separate and uncoordinated national counterterrorism strategies to develop with those other governments a comprehensive multilateral strategy to fight terrorism; and

“(B) to that end, should seek to establish an international counterterrorism policy contact group with the leaders of governments providing leadership in global counterterrorism efforts and governments of countries with sizable Muslim populations, to be used as a ready and flexible international means for discussing and coordinating the development of important counterterrorism policies by the participating governments.

“(2) AUTHORITY.—The President is authorized to establish an international counterterrorism policy contact group with the leaders of governments referred to in paragraph (1) for the following purposes:

“(A) To meet annually, or more frequently as the President determines appropriate, to develop in common with such other governments important policies and a strategy that address the various components of international prosecution of the war on terrorism, including policies and a strategy that address military issues, law enforcement, the collection, analysis, and dissemination of intelligence, issues relating to interdiction of travel by terrorists, counterterrorism-related customs issues, financial issues, and issues relating to terrorist sanctuaries.

“(B) To address, to the extent (if any) that the President and leaders of other participating governments determine appropriate, long-term issues that can contribute to strengthening stability and security in the Middle East.”

INTERNATIONAL AGREEMENTS TO TRACK AND CURTAIL TERRORIST TRAVEL THROUGH THE USE OF FRAUDULENTLY OBTAINED DOCUMENTS

Pub. L. 108-458, title VII, §7204, Dec. 17, 2004, 118 Stat. 3814, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) International terrorists travel across international borders to raise funds, recruit members, train for operations, escape capture, communicate, and plan and carry out attacks.

“(2) The international terrorists who planned and carried out the attack on the World Trade Center on February 26, 1993, the attack on the embassies of the United States in Kenya and Tanzania on August 7, 1998, the attack on the USS Cole on October 12, 2000, and the attack on the World Trade Center and the Pentagon on September 11, 2001, traveled across international borders to plan and carry out these attacks.

“(3) The international terrorists who planned other attacks on the United States, including the plot to bomb New York City landmarks in 1993, the plot to bomb the New York City subway in 1997, and the millennium plot to bomb Los Angeles International Airport on December 31, 1999, traveled across international borders to plan and carry out these attacks.

“(4) Many of the international terrorists who planned and carried out large-scale attacks against foreign targets, including the attack in Bali, Indonesia, on October 11, 2002, and the attack in Madrid, Spain, on March 11, 2004, traveled across international borders to plan and carry out these attacks.

“(5) Throughout the 1990s, international terrorists, including those involved in the attack on the World Trade Center on February 26, 1993, the plot to bomb New York City landmarks in 1993, and the millennium plot to bomb Los Angeles International Airport on December 31, 1999, traveled on fraudulent passports and often had more than 1 passport.

“(6) Two of the September 11, 2001, hijackers were carrying passports that had been manipulated in a fraudulent manner.

“(7) The National Commission on Terrorist Attacks Upon the United States, (commonly referred to as the 9/11 Commission), stated that ‘Targeting travel is at least as powerful a weapon against terrorists as targeting their money.’

“(b) INTERNATIONAL AGREEMENTS TO TRACK AND CURTAIL TERRORIST TRAVEL.—

“(1) INTERNATIONAL AGREEMENT ON LOST, STOLEN, OR FALSIFIED DOCUMENTS.—The President should lead efforts to track and curtail the travel of terrorists by supporting the drafting, adoption, and implementation of international agreements, and relevant United Nations Security Council resolutions to track and stop international travel by terrorists and other criminals through the use of lost, stolen, or falsified documents to augment United Nations and other international anti-terrorism efforts.

“(2) CONTENTS OF INTERNATIONAL AGREEMENT.—The President should seek, as appropriate, the adoption or full implementation of effective international measures to—

“(A) share information on lost, stolen, and fraudulent passports and other travel documents for the purposes of preventing the undetected travel of persons using such passports and other travel documents that were obtained improperly;

“(B) establish and implement a real-time verification system of passports and other travel documents with issuing authorities;

“(C) share with officials at ports of entry in any such country information relating to lost, stolen,

and fraudulent passports and other travel documents;

“(D) encourage countries—

“(i) to criminalize—

“(I) the falsification or counterfeiting of travel documents or breeder documents for any purpose;

“(II) the use or attempted use of false documents to obtain a visa or cross a border for any purpose;

“(III) the possession of tools or implements used to falsify or counterfeit such documents;

“(IV) the trafficking in false or stolen travel documents and breeder documents for any purpose;

“(V) the facilitation of travel by a terrorist; and

“(VI) attempts to commit, including conspiracies to commit, the crimes specified in subclauses (I) through (V);

“(ii) to impose significant penalties to appropriately punish violations and effectively deter the crimes specified in clause (i); and

“(iii) to limit the issuance of citizenship papers, passports, identification documents, and similar documents to persons—

“(I) whose identity is proven to the issuing authority;

“(II) who have a bona fide entitlement to or need for such documents; and

“(III) who are not issued such documents principally on account of a disproportional payment made by them or on their behalf to the issuing authority;

“(E) provide technical assistance to countries to help them fully implement such measures; and

“(F) permit immigration and border officials—

“(i) to confiscate a lost, stolen, or falsified passport at ports of entry;

“(ii) to permit the traveler to return to the sending country without being in possession of the lost, stolen, or falsified passport; and

“(iii) to detain and investigate such traveler upon the return of the traveler to the sending country.

“(3) INTERNATIONAL CIVIL AVIATION ORGANIZATION.—The United States shall lead efforts to track and curtail the travel of terrorists by supporting efforts at the International Civil Aviation Organization to continue to strengthen the security features of passports and other travel documents.

“(c) REPORT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Dec. 17, 2004], and at least annually thereafter, the President shall submit to the appropriate congressional committees a report on progress toward achieving the goals described in subsection (b).

“(2) TERMINATION.—Paragraph (1) shall cease to be effective when the President certifies to the Committee on International Relations [now Committee on Foreign Affairs] of the House of Representatives and the Committee on Foreign Relations of the Senate that the goals described in subsection (b) have been fully achieved.”

[Functions of President under subsec. (c) of section 7204 of Pub. L. 108-458, set out above, assigned to Secretary of State by section 1 of Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 48633, set out as a note under section 301 of title 3, The President.]

EAST TIMOR TRANSITION TO INDEPENDENCE

Pub. L. 107-228, div. A, title VI, subtitle C, Sept. 30, 2002, 116 Stat. 1399, provided that:

“SEC. 631. SHORT TITLE.

“This subtitle may be cited as the ‘East Timor Transition to Independence Act of 2002’.

“SEC. 632. BILATERAL ASSISTANCE.

“(a) AUTHORITY.—The President, acting through the Administrator of the United States Agency for International Development, is authorized to—

“(1) support the development of civil society, including nongovernmental organizations in East Timor;

“(2) promote the development of an independent news media;

“(3) support job creation, including support for small business and microenterprise programs, environmental protection, sustainable development, development of East Timor’s health care infrastructure, educational programs, and programs strengthening the role of women in society;

“(4) promote reconciliation, conflict resolution, and prevention of further conflict with respect to East Timor, including establishing accountability for past gross human rights violations;

“(5) support the voluntary and safe repatriation and reintegration of refugees into East Timor;

“(6) support political party development, voter education, voter registration, and other activities in support of free and fair elections in East Timor; and

“(7) promote the development of the rule of law.

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to the President to carry out this section \$25,000,000 for the fiscal year 2003.

“(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

“SEC. 633. MULTILATERAL ASSISTANCE.

“The Secretary of the Treasury shall instruct the United States executive director at each international financial institution to which the United States is a member to use the voice, vote, and influence of the United States to support economic and democratic development in East Timor.

“SEC. 634. TRADE AND INVESTMENT ASSISTANCE.

“(a) OPIC.—The President should initiate negotiations with the Government of East Timor to enter into a new agreement authorizing the Overseas Private Investment Corporation [now the United States International Development Finance Corporation] to carry out programs with respect to East Timor in order to expand United States investment in East Timor, emphasizing partnerships with local East Timorese enterprises.

“(b) TRADE AND DEVELOPMENT AGENCY.—

“(1) IN GENERAL.—The Director of the Trade and Development Agency is authorized to carry out projects in East Timor under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421).

“(2) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There are authorized to be appropriated to the Trade and Development Agency to carry out this subsection \$1,000,000 for fiscal year 2003.

“(B) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subparagraph (A) are authorized to remain available until expended.

“(c) EXPORT-IMPORT BANK.—The Export-Import Bank of the United States should expand its activities in connection with exports to East Timor to the extent such activities are requested and to the extent there is a reasonable assurance of repayment.

“SEC. 635. GENERALIZED SYSTEM OF PREFERENCES.

“As soon as possible after the enactment of this Act [Sept. 30, 2002], the United States Trade Representative and the Commissioner of Customs should send an assessment team to East Timor to compile a list of duty-free eligible products so that the Government of East Timor can begin the process of applying for General System of Preference benefits.

“SEC. 636. AUTHORITY FOR RADIO BROADCASTING.

“The Broadcasting Board of Governors [now United States Agency for Global Media] should broadcast to East Timor in an appropriate language or languages.

“SEC. 637. SECURITY ASSISTANCE FOR EAST TIMOR.

“(a) STUDY AND REPORT.—

“(1) STUDY.—The President shall conduct a study to determine—

“(A) the extent to which East Timor’s security needs can be met by the transfer of excess defense articles under section 516 of the Foreign Assistance Act of 1961 [22 U.S.C. 2321j];

“(B) the extent to which international military education and training (IMET) assistance will enhance professionalism of the armed forces of East Timor, provide training in human rights, and promote respect for human rights and humanitarian law; and

“(C) the terms and conditions under which such defense articles or training, as appropriate, should be provided.

“(2) REPORT.—Not later than 180 days after the date of the enactment of this Act [Sept. 30, 2002], the President shall transmit to the appropriate congressional committees a report that contains the findings of the study conducted under paragraph (1).

“(b) AUTHORIZATION OF ASSISTANCE.—

“(1) IN GENERAL.—Beginning on the date on which Congress receives the report transmitted under subsection (a)(2), or the date on which Congress receives the certification transmitted under paragraph (2), whichever occurs later, the President is authorized—

“(A) to transfer excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) to East Timor in accordance with such section; and

“(B) to provide military education and training under chapter 5 of part II of such Act (22 U.S.C. 2347 et seq.) for the armed forces of East Timor in accordance with such chapter.

“(2) CERTIFICATION.—A certification described in this paragraph is a certification that—

“(A) East Timor has established an independent armed forces; and

“(B) the assistance proposed to be provided pursuant to paragraph (1)—

“(i) is in the national security interests of the United States; and

“(ii) will promote both human rights in East Timor and the professionalization of the armed forces of East Timor.

“SEC. 638. REPORTING REQUIREMENT.

“(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Sept. 30, 2002], and every 12 months thereafter for the next five years, the Secretary shall prepare and transmit to the appropriate congressional committees a report that contains the information described in subsection (b).

“(b) INFORMATION.—The report required by subsection (a) shall include—

“(1) developments in East Timor’s political and economic situation in the period covered by the report, including an evaluation of any elections which have occurred in East Timor and the refugee reintegration process in East Timor;

“(2) in the initial report, a 3-year plan for United States foreign assistance to East Timor in accordance with section 632, prepared by the Administrator of the United States Agency for International Development, which outlines the goals for United States foreign assistance to East Timor during the 3-year period;

“(3) a description of the activities undertaken in East Timor by the International Bank for Reconstruction and Development, the Asian Development Bank, and other international financial institutions, and an evaluation of the effectiveness of these activities;

“(4) an assessment of the status of United States trade and investment relations with East Timor, including a detailed analysis of any trade and investment-related activity supported by the Overseas Pri-

vate Investment Corporation [now the United States International Development Finance Corporation], the Export-Import Bank of the United States, or the Trade and Development Agency during the period of time since the previous report;

“(5) a comprehensive study and report on local agriculture in East Timor, emerging opportunities for producing, processing, and exporting indigenous agricultural products, and recommendations for appropriate technical assistance from the United States; and

“(6) statistical data drawn from other sources on economic growth, health, education, and distribution of resources in East Timor.”

[For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 of Title 6.]

[For definitions of “appropriate congressional committees” and “Secretary” as used in subtitle C of title VI of div. A of Pub. L. 107-228, set out above, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.]

[For Presidential certification authorizing security assistance to East Timor pursuant to section 637(b)(2) of Pub. L. 107-228, set out above, see Presidential Determination No. 2003-19, set out below.]

PACIFIC CHARTER COMMISSION

Pub. L. 106-570, title IV, Dec. 27, 2000, 114 Stat. 3047, known as the Pacific Charter Commission Act of 2000, provided for the establishment of the Pacific Charter Commission to promote United States foreign policy, support democratization, rule of law, and human rights, promote United States exports, assist in combating terrorism and spread of illicit narcotics, and advocate for United States diplomacy, all in the Asia-Pacific region, with authority to establish the Commission to expire Dec. 31, 2002, and termination of the Commission to occur not later than six years after the date of establishment.

RECORD OF WAR CRIMINALS AND SANCTIONED COUNTRIES, ENTITIES, AND MUNICIPALITIES; ROLE OF HUMAN RIGHTS ORGANIZATIONS AND GOVERNMENT AGENCIES

Pub. L. 106-429, §101(a) [title V, §564(e), (g), (j), (k)], Nov. 6, 2000, 114 Stat. 1900, 1900A-48 to 1900A-50, as amended by Pub. L. 112-74, div. I, title VII, §7034(n), Dec. 23, 2011, 125 Stat. 1217, provided that:

“(e) SANCTIONED COUNTRY, ENTITY, OR MUNICIPALITY.—A sanctioned country, entity, or municipality described in this section [114 Stat. 1900A-46] is one whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to apprehend and transfer to the Tribunal all persons who have been publicly indicted by the Tribunal.

“(g) CURRENT RECORD OF WAR CRIMINALS AND SANCTIONED COUNTRIES, ENTITIES, AND MUNICIPALITIES.—

“(1) IN GENERAL.—The Secretary of State shall establish and maintain a current record of the location, including the municipality, if known, of publicly indicted war criminals and a current record of sanctioned countries, entities, and municipalities.

“(2) INFORMATION OF THE DCI AND THE SECRETARY OF DEFENSE.—The Director of Central Intelligence and the Secretary of Defense should collect and provide

to the Secretary of State information concerning the location, including the municipality, of publicly indicted war criminals.

“(3) INFORMATION OF THE TRIBUNAL.—The Secretary of State shall request that the Tribunal and other international organizations and governments provide the Secretary of State information concerning the location, including the municipality, of publicly indicted war criminals and concerning country, entity and municipality authorities known to have obstructed the work of the Tribunal.

“[(4) Repealed. Pub. L. 112-74, div. I, title VII, §7034(n), Dec. 23, 2011, 125 Stat. 1217.]

“(5) INFORMATION TO CONGRESS.—Upon the request of the chairman or ranking minority member of any of the appropriate congressional committees, the Secretary of State shall make available to that committee the information recorded under paragraph (1) in a report submitted to the committee in classified and unclassified form.

“(j) DEFINITIONS.—As used in this section—

“(1) COUNTRY.—The term ‘country’ means Bosnia-Herzegovina, Croatia, and Serbia.

“(2) ENTITY.—The term ‘entity’ refers to the Federation of Bosnia and Herzegovina, Kosova, Montenegro, and the Republika Srpska.

“(3) DAYTON AGREEMENT.—The term ‘Dayton Agreement’ means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

“(4) TRIBUNAL.—The term ‘Tribunal’ means the International Criminal Tribunal for the Former Yugoslavia.

“(k) ROLE OF HUMAN RIGHTS ORGANIZATIONS AND GOVERNMENT AGENCIES.—In carrying out this section, the Secretary of State, the Administrator of the Agency for International Development, and the executive directors of the international financial institutions shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent publicly indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (e).”

[Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of Title 50, War and National Defense.]

Similar provisions were contained in the following prior appropriation act:

Pub. L. 106-113, div. B, §1000(a)(2) [title V, §566(e), (g), (j), (k)], Nov. 29, 1999, 113 Stat. 1535, 1501A-107 to 1501A-109.

REPORT CONCERNING FINANCIAL DISADVANTAGES FOR ADMINISTRATIVE AND TECHNICAL PERSONNEL

Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title III, §338], Nov. 29, 1999, 113 Stat. 1536, 1501A-443, provided findings regarding financial disadvantages of administrative and technical personnel posted to United States missions abroad who do not have diplomatic status and required related report to Congress by the Secretary of State not later than one year after Nov. 29, 1999.

PRISONER INFORMATION REGISTRY FOR THE PEOPLE’S REPUBLIC OF CHINA

Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title VIII, §873], Nov. 29, 1999, 113 Stat. 1536, 1501A-474, provided that:

“(a) REQUIREMENT.—The Secretary of State shall establish and maintain a registry which shall, to the ex-

tent practicable, provide information on all political prisoners, prisoners of conscience, and prisoners of faith in the People's Republic of China. The registry shall be known as the 'Prisoner Information Registry for the People's Republic of China'.

“(b) INFORMATION IN REGISTRY.—The registry required by subsection (a) shall include information on the charges, judicial processes, administrative actions, uses of forced labor, incidents of torture, lengths of imprisonment, physical and health conditions, and other matters associated with the incarceration of prisoners in the People's Republic of China referred to in that subsection.

“(c) AVAILABILITY OF FUNDS.—The Secretary may make a grant to nongovernmental organizations currently engaged in monitoring activities regarding political prisoners in the People's Republic of China in order to assist in the establishment and maintenance of the registry required by subsection (a).”

REPORT TO CONGRESS ON ACTIVITIES OF NORTH KOREAN ARMED FORCES

Pub. L. 104-208, div. A, title I, §101(c) [title V, §585], Sept. 30, 1996, 110 Stat. 3009-121, 3009-171, as amended by Pub. L. 107-228, div. B, title XIII, §1308(g)(1)(D), (2), Sept. 30, 2002, 116 Stat. 1441, which required the Secretary of State, in consultation with the Secretary of Defense, to provide semiannual reports relating to the military forces of the Democratic People's Republic of Korea, was repealed by Pub. L. 113-76, div. K, title VII, §7034(i), Jan. 17, 2014, 128 Stat. 514.

REPORTS TO WAR CRIMES TRIBUNAL FOR FORMER YUGOSLAVIA

Pub. L. 106-113, div. B, §1000(a)(2) [title V, §552], Nov. 29, 1999, 113 Stat. 1535, 1501A-99, provided in part: “That 60 days after the date of the enactment of this Act [Nov. 29, 1999], and every 180 days thereafter, the Secretary of State shall submit a report to the Committees on Appropriations describing the steps the United States Government is taking to collect information regarding allegations of genocide or other violations of international law in the former Yugoslavia and to furnish that information to the United Nations War Crimes Tribunal for the former Yugoslavia”.

Similar provisions were contained in the following appropriation acts:

Pub. L. 106-429, §101(a) [title V, §552], Nov. 6, 2000, 114 Stat. 1900, 1900A-41.

Pub. L. 105-277, div. A, §101(d) [title V, §554], Oct. 21, 1998, 112 Stat. 2681-150, 2681-188.

Pub. L. 105-118, title V, §553, Nov. 26, 1997, 111 Stat. 2422.

Pub. L. 104-208, div. A, title I, §101(c) [title V, §555], Sept. 30, 1996, 110 Stat. 3009-121, 3009-160.

Pub. L. 104-107, title V, §556, Feb. 12, 1996, 110 Stat. 743.

Pub. L. 103-306, title V, §575, Aug. 23, 1994, 108 Stat. 1653.

REPORTING REQUIREMENTS ON OCCUPIED TIBET

Pub. L. 103-236, title V, §536, Apr. 30, 1994, 108 Stat. 481, provided that:

“(a) REPORT ON UNITED STATES-TIBET RELATIONS.—Because Congress has determined that Tibet is an occupied sovereign country under international law and that its true representatives are the Dalai Lama and the Tibetan Government in exile—

“(1) it is the sense of the Congress that the United States should seek to establish a dialogue with those recognized by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives and the Tibetan Government in exile, concerning the situation in Tibet and the future of the Tibetan people and to expand and strengthen United States-Tibet cultural and educational relations, including promoting bilateral exchanges arranged directly with the Tibetan Government in exile; and

“(2) not later than 6 months after the date of enactment of this Act [Apr. 30, 1994], and every 12 months

thereafter, the Secretary of State shall transmit to the Chairman of the Committee on Foreign Relations and the Speaker of the House of Representatives a report on the state of relations between the United States and those recognized by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives and the Tibetan Government in exile, and on conditions in Tibet.

“(b) SEPARATE TIBET REPORTS.—

“(1) It is the sense of the Congress that whenever a report is transmitted to the Congress on a country-by-country basis there should be included in such report, where applicable, a separate report on Tibet listed alphabetically with its own state heading.

“(2) The reports referred to in paragraph (1) include, but are not limited to, reports transmitted under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 [22 U.S.C. 2151n(d), 2304(b)] (relating to human rights).”

CAMBODIAN GENOCIDE

Pub. L. 103-236, title V, part D, Apr. 30, 1994, 108 Stat. 486, provided that:

“SEC. 571. SHORT TITLE.

“This part may be cited as the ‘Cambodian Genocide Justice Act’.

“SEC. 572. POLICY.

“(a) IN GENERAL.—Consistent with international law, it is the policy of the United States to support efforts to bring to justice members of the Khmer Rouge for their crimes against humanity committed in Cambodia between April 17, 1975, and January 7, 1979.

“(b) SPECIFIC ACTIONS URGED.—To that end, the Congress urges the President—

“(1) to collect, or assist appropriate organizations and individuals to collect relevant data on crimes of genocide committed in Cambodia;

“(2) in circumstances which the President deems appropriate, to encourage the establishment of a national or international criminal tribunal for the prosecution of those accused of genocide in Cambodia; and

“(3) as necessary, to provide such national or international tribunal with information collected pursuant to paragraph (1).

“SEC. 573. ESTABLISHMENT OF STATE DEPARTMENT OFFICE.

“(a) ESTABLISHMENT.—(1) None of the funds authorized to be appropriated by this Act for ‘Diplomatic and Consular Programs’ shall be available for obligation or expenditure during fiscal years 1994 and 1995 unless, not later than 90 days after the date of enactment of this Act [Apr. 30, 1994], the Secretary of State has established within the Department of State under the Assistant Secretary for East Asia and Pacific Affairs (or any successor Assistant Secretary) the Office of Cambodian Genocide Investigation (hereafter in this part referred to as the ‘Office’).

“(2) The Office may carry out its activities inside or outside of Cambodia, except that not less than 75 percent of the funds made available for the Office and its activities shall be used to carry out activities within Cambodia.

“(b) PURPOSE.—The purpose of the Office shall be to support, through organizations and individuals with whom the Secretary of State may contract to carry out the operations of the Office, as appropriate, efforts to bring to justice members of the Khmer Rouge for their crimes against humanity committed in Cambodia between April 17, 1975, and January 7, 1979, including—

“(1) to investigate crimes against humanity committed by national Khmer Rouge leaders during that period;

“(2) to provide the people of Cambodia with access to documents, records, and other evidence held by the Office as a result of such investigation;

“(3) to submit the relevant data to a national or international penal tribunal that may be convened to

formally hear and judge the genocidal acts committed by the Khmer Rouge; and

“(4) to develop the United States proposal for the establishment of an international criminal tribunal for the prosecution of those accused of genocide in Cambodia.

“(c) CONTRACTING AUTHORITY.—The Secretary of State shall, subject to the availability of appropriations, contract with appropriate individuals and organizations to carry out the purpose of the Office.

“(d) NOTIFICATION TO CONGRESS.—The Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives shall be notified of any exercise of the authority of section 34 of the State Department Basic Authorities Act of 1956 [22 U.S.C. 2706] with respect to the Office or any of its programs, projects, or activities at least 15 days in advance in accordance with procedures applicable to notifications under that section.

“SEC. 574. REPORTING REQUIREMENT.

“(a) IN GENERAL.—Beginning 6 months after the date of enactment of this Act [Apr. 30, 1994], and every 6 months thereafter, the President shall submit a report to the appropriate congressional committees—

“(1) that describes the activities of the Office, and sets forth new facts learned about past Khmer Rouge practices, during the preceding 6-month period; and

“(2) that describes the steps the President has taken during the preceding 6-month period to promote human rights, to support efforts to bring to justice the national political and military leadership of the Khmer Rouge, and to prevent the recurrence of human rights abuses in Cambodia through actions which are not related to United Nations activities in Cambodia.

“(b) DEFINITION.—For purposes of this section, the term ‘appropriate congressional committees’ means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.”

[Functions of President under section 574 of Pub. L. 103-236, set out above, delegated to Secretary of State by Memorandum of President of the United States, July 26, 1994, 59 F.R. 40205, set out as a note under section 2370a of this title.]

BROADENING CULTURAL, GEOGRAPHIC, AND ETHNIC REPRESENTATION OF FOREIGN SERVICE AND DEPARTMENT OF STATE; PLAN

Pub. L. 101-246, title I, §153(a), (b), Feb. 16, 1990, 104 Stat. 43, as amended by Pub. L. 101-302, title III, §320(b)(2), May 25, 1990, 104 Stat. 247, required the Secretary of State to submit, not later than 120 days after Feb. 16, 1990, and to implement, not later than Jan. 1, 1991, a plan to assure equal efforts in recruiting certain employees from different regions in the United States.

PROHIBITION ON USE OF FUNDS FOR POLITICAL PURPOSES

Pub. L. 100-204, title I, §109, Dec. 22, 1987, 101 Stat. 1339, provided that: “No funds authorized to be appropriated by this Act or by any other Act authorizing funds for any entity engaged in any activity concerning the foreign affairs of the United States shall be used—

“(1) for publicity or propaganda purposes designed to support or defeat legislation pending before Congress;

“(2) to influence in any way the outcome of a political election in the United States; or

“(3) for any publicity or propaganda purposes not authorized by Congress.”

CONSULAR AND DIPLOMATIC POSTS ABROAD

Pub. L. 100-204, title I, §122, Dec. 22, 1987, 101 Stat. 1339, prohibited use of appropriated funds for closing United States consular or diplomatic posts abroad, or

for paying expenses related to Bureau of Administration of Department of State if a post was closed after Jan. 1, 1987, and not reopened, provided funding for certain consulates, provided exceptions for prohibition on use of appropriated funds, permitted Secretary of State, in case of a sequestration order, to submit a report proposing a list of consular posts to be downgraded or closed in order to comply with sequestration order, and provided that the prohibitions were to be effective 180 days after Dec. 22, 1987, prior to repeal by Pub. L. 102-138, title I, §112(b), Oct. 28, 1991, 105 Stat. 655. See section 2720 of this title.

CLOSING OF DIPLOMATIC AND CONSULAR POSTS IN ANTIGUA AND BARBUDA

Pub. L. 100-204, title I, §123, Dec. 22, 1987, 101 Stat. 1339, directed that none of the funds made available for the Department of State for any fiscal year be used for expenses of maintaining a United States diplomatic or consular post in Antigua and Barbuda and provided that such prohibition take effect 60 days after Dec. 22, 1987, unless the President made a determination that such closing would not be in the national security interest of the United States and informed both the Chairman of the Senate Foreign Relations Committee and the House Foreign Affairs Committee of such determination, prior to repeal by Pub. L. 101-246, title I, §121, Feb. 16, 1990, 104 Stat. 27. Such a determination had been made by Determination of President of the United States, No. 88-9, Feb. 9, 1988, 53 F.R. 5749.

ASSIGNMENT OF DRUG ENFORCEMENT ADMINISTRATION AGENTS ABROAD

Pub. L. 100-204, title VIII, §801, Dec. 22, 1987, 101 Stat. 1397, provided that: “If the Secretary of State, in exercising his authority to establish overseas staffing levels for Federal agencies with activities abroad, authorizes the assignment of any Drug Enforcement Administration agent to a particular United States mission abroad, the Secretary shall authorize the assignment of at least two such agents to that mission.”

WAIVER OF PROVISIONS OF PUBLIC LAW 100-204 DURING FISCAL YEARS 1988 AND 1989

Pub. L. 100-202, §101(a) [title III, §305], Dec. 22, 1987, 101 Stat. 1329, 1329-23, provided that: “The following sections of H.R. 1777 (the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 [Pub. L. 100-204]) are waived during Fiscal Years 1988 and 1989 in the event that H.R. 1777 is enacted into law: Sec. 122 [set out above], Sec. 151, and Sec. 204 [22 U.S.C. 1461 note].”

REPORT TO CONGRESS ON SOVIET BREACH OF DUTIES OBLIGATIONS TO UNITED STATES DIPLOMATS OR MISSIONS

Pub. L. 99-500, §101(b) [title III, §300], Oct. 18, 1986, 100 Stat. 1783-39, 1783-58, and Pub. L. 99-591, §101(b) [title III, §300], Oct. 30, 1986, 100 Stat. 3341-39, 3341-58, which required the Secretary of State to report every six months to the Speaker of the House of Representatives and the President of the Senate on failures by Soviet agencies to perform obligations to United States diplomats or United States missions to the Soviet Union and on actions undertaken by the Department of State to redress these failures, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 127 of House Document No. 103-7.

RESPONSIBILITY OF UNITED STATES MISSIONS TO PROMOTE FREEDOM OF PRESS ABROAD

Pub. L. 99-93, title I, §138, Aug. 16, 1985, 99 Stat. 422, provided that:

“(a) RESPONSIBILITY.—The United States chief of mission to a foreign country in which there is not respect for freedom of the press shall actively promote respect for freedom of the press in that country.

“(b) DEFINITION.—As used in this section, the term ‘respect for freedom of the press’ means that a government—

“(1) allows foreign news correspondents into the country and does not subject them to harassment or restrictions;

“(2) allows nongovernment-owned press to operate in the country; and

“(3) does not subject the press in the country to systematic censorship.”

EMERGENCY TELEPHONE SERVICE AT UNITED STATES
CONSULAR OFFICES

Pub. L. 99-93, title I, §139, Aug. 16, 1985, 99 Stat. 422, provided that: “It is the sense of the Congress that the Secretary of State should ensure that all United States consular offices are equipped with 24-hour emergency telephone service through which United States citizens can contact a member of the staff of any such office. The Secretary should publicize the telephone number of each such service for the information of United States citizens. Not more than 90 days after the date of the enactment of this Act [Aug. 16, 1985], the Secretary shall submit a report to the Congress on steps taken in accordance with this section.”

TORTURE BY FOREIGN GOVERNMENTS; UNITED STATES
POLICY IN OPPOSITION; IMPLEMENTATION

Pub. L. 98-447, Oct. 4, 1984, 98 Stat. 1721, provided: “That the Congress reaffirms that it is the continuing policy of the United States Government to oppose the practice of torture by foreign governments through public and private diplomacy and, when necessary and appropriate, through the enactment and vigorous implementation of laws intended to reinforce United States policies with respect to torture. The United States Government opposes acts of torture wherever they occur, without regard to ideological or regional considerations, and will make every effort to work cooperatively with other governments and with nongovernmental organizations to combat the practice of torture worldwide.

“SEC. 2. (a) The President is requested—

“(1) to instruct the Permanent Representative of the United States to the United Nations to continue to raise the issue of torture practiced by governments; and

“(2) to continue to involve the United States Government in the formulation of international standards and effective implementing mechanisms, particularly the draft Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

“(b) In order to implement the policy expressed in the first section of this resolution, the Secretary of State is requested to issue formal instructions to each United States chief of mission regarding United States policy with respect to torture, including—

“(1) instructions—

“(A) to examine allegations of the practice of torture, particularly allegations concerning the existence of secret detention, extended incommunicado detention, and restrictions on access by family members, lawyers, and independent medical personnel to detainees; and

“(B) to forward such information as may be gathered, including information regarding any efforts made by the host government to reduce and eliminate the practice of torture, to the Assistant Secretary of State for Human Rights and Humanitarian Affairs for analysis in preparing the Department’s annual country reports on human rights practices;

“(2) in the case of a chief of mission assigned to a country where torture is regularly practiced, instructions to report on a periodic basis as circumstances require to the Assistant Secretary of State for Human Rights and Humanitarian Affairs regarding efforts made by the respective United States diplomatic mission to implement United States policy with respect to combating torture;

“(3) instructions to meet with indigenous human rights monitoring groups knowledgeable about the

practice of torture for the purpose of gathering information about such practice; and

“(4) instructions to express concern in individual cases of torture brought to the attention of a United States diplomatic mission including, whenever feasible, sending United States observers to trials when there is reason to believe that torture has been used against the accused.

“(c) The Secretary of Commerce should continue to enforce vigorously the current restrictions on the export of crime control equipment pursuant to the Export Administration Act of 1979 [50 U.S.C. 4601 et seq.].

“(d) The heads of the appropriate departments of the United States Government that furnish military and law enforcement training to foreign personnel, particularly personnel from countries where the practice of torture has been a documented concern, shall include in such training, when relevant, instruction regarding international human rights standards and the policy of the United States with respect to torture.”

[Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of this title and section 161(d) of Pub. L. 103-236, set out as a note under section 2651a of this title.]

UNITED STATES DIPLOMATIC RELATIONS WITH THE
VATICAN

Pub. L. 98-164, title I, §134, Nov. 22, 1983, 97 Stat. 1029, provided that: “In order to provide for the establishment of United States diplomatic relations with the Vatican, the Act entitled ‘An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-eight, and for other purposes’, approved February 28, 1867, is amended by repealing the following sentence (14 Stat. 413): ‘And no money hereby or otherwise appropriated shall be paid for the support of an American legation at Rome, from and after the thirtieth day of June, eighteen hundred and sixty-seven.’”

REOPENING CERTAIN UNITED STATES CONSULATES

Pub. L. 97-241, title I, §103(b), (c), Aug. 24, 1982, 96 Stat. 273, as amended by Pub. L. 98-164, title I, §137, Nov. 22, 1983, 97 Stat. 1030; Pub. L. 103-236, title I, §139(8), Apr. 30, 1994, 108 Stat. 398, provided that:

“(b) None of the funds made available under this [Pub. L. 97-241] or any other Act for ‘Administration of Foreign Affairs’ may be used for the establishment or operation of any United States consulate that did not exist on the date of enactment of this Act [Aug. 24, 1982] (other than the consulates specified in subsection (c)) until all the United States consulates specified in subsection (c) have been reopened as required by section 108 of the Department of State Authorization Act, Fiscal Years 1980 and 1981 [section 108 of Pub. L. 96-60, set out as a note below], to the extent such reopening is authorized by the foreign government involved.

“(c) The consulates referred to in subsections (a) [section 103(a) of Pub. L. 97-241, which was not classified to the Code] and (b) of this section are the consulates in the following locations: Turin, Italy; Salzburg, Austria; Goteborg, Sweden; Bremen, Germany; Nice, France; Mandalay, Burma; and Brisbane, Australia.”

UNITED STATES CONSULATES

Pub. L. 96-60, title I, §108, Aug. 15, 1979, 93 Stat. 397, provided that U.S. consulates in Salzburg, Austria; Bremen, Germany; Nice, France; Turin, Italy; Goteborg, Sweden; Adana, Turkey; Tangier, Morocco; Mandalay, Burma; Brisbane, Australia; and Surabaya, Indonesia, would not be closed or, if closed as of Aug. 15, 1979, would be reopened as soon as possible after such date.

ACTION WITH REGARD TO INTERNATIONAL JOURNALISTIC FREEDOM

Pub. L. 95-426, title VI, § 603, Oct. 7, 1978, 92 Stat. 985, 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) news dissemination and the free flow of information across national boundaries are vital to international understanding and to healthy relations among countries; and

“(2) recurring and reliable reports strongly indicate that in many countries foreign news correspondents are subject to governmental harassment and restriction, including the denial of access to legitimate news sources, the imposition of censorship, and detention, incarceration, and expulsion.

“(b) It is therefore the sense of the Congress that the President should—

“(1) advise the appropriate officials of any foreign government which subjects foreign news correspondents to harassment and restrictions that the United States considers such mistreatment a significant and potentially damaging factor in overall relations of the United States with such country; and

“(2) raise in appropriate international forums the issue of the treatment of foreign news correspondents, with a view toward gaining multilateral support for the legitimate rights of such correspondents.

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

DIPLOMATIC RELATIONS WITH FOREIGN GOVERNMENT NOT INDICATION OF APPROVAL OF SUCH GOVERNMENT

Pub. L. 95-426, title VI, § 607, Oct. 7, 1978, 92 Stat. 988, provided that: “The Congress finds that the conduct of diplomatic relations with a foreign government has as its principal purpose the discussion and negotiation with that government of outstanding issues and, like the recognition of a foreign government, does not in itself imply approval of that government or of the political-economic system it represents.”

Executive Documents

DELEGATION OF FUNCTIONS

Functions of President respecting certain facilities constructed and maintained on United States borders delegated to Secretary of State, see Ex. Ord. No. 11423, Aug. 16, 1968, 33 F.R. 11741, set out as a note under section 301 of Title 3, The President.

EXECUTIVE ORDER NO. 13584

Ex. Ord. No. 13584, Sept. 9, 2011, 76 F.R. 56945, which related to developing an integrated strategic counterterrorism communications initiative and establishing a temporary organization to support certain government-wide communications activities directed abroad, was revoked by Ex. Ord. No. 13721, § 2, Mar. 17, 2016, 81 F.R. 14685, set out below.

EX. ORD. NO. 13721. DEVELOPING AN INTEGRATED GLOBAL ENGAGEMENT CENTER TO SUPPORT GOVERNMENT-WIDE COUNTERTERRORISM COMMUNICATIONS ACTIVITIES DIRECTED ABROAD AND REVOKING EXECUTIVE ORDER 13584

Ex. Ord. No. 13721, Mar. 14, 2016, 81 F.R. 14685, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 2656 of title 22, United States Code, and section 3161 of title 5, United States Code, it is hereby ordered as follows:

SECTION 1. *Establishment of the Global Engagement Center.* The Secretary of State (Secretary) shall establish the Global Engagement Center (Center) which shall lead the coordination, integration, and synchronization of Government-wide communications activities directed at foreign audiences abroad in order to counter the messaging and diminish the influence of inter-

national terrorist organizations, including the Islamic State of Iraq and the Levant (ISIL), al Qaeda, and other violent extremists abroad, with specific responsibilities as set forth in section 3 of this order. The executive director of the Center shall be the Special Envoy and Coordinator for Global Engagement Communications (Coordinator), who shall report to the Secretary through the Under Secretary of State for Public Diplomacy.

SEC. 2. *Revocation.* Executive Order 13584 of September 9, 2011 (Developing an Integrated Strategic Counterterrorism Communications Initiative and Establishing a Temporary Organization to Support Certain Government-Wide Communications Activities Directed Abroad), is revoked.

SEC. 3. *Responsibilities Assigned to the Center.* Recognizing the need for innovation and new approaches to counter the messaging and diminish the influence of international terrorist organizations, including ISIL, al Qaeda, and other violent extremists abroad, and in order to protect the vital national interests of the United States, while also recognizing the importance of protections for freedom of expression, including those under the First Amendment to the Constitution of the United States and international human rights obligations, the responsibilities and functions of the Center shall include the following:

(a) coordinating, integrating, and synchronizing all public communications of the United States Government directed toward foreign audiences abroad in order to counter the messaging and diminish the influence of international terrorist organizations and other violent extremists abroad;

(b) developing and promulgating throughout the executive branch, on the basis of rigorous research and modern data analysis, the U.S. strategic counterterrorism narratives, guidance, and associated communications strategies directed toward foreign audiences abroad in order to counter the messaging and diminish the influence of international terrorist organizations and other violent extremists abroad;

(c) consulting and engaging, in coordination with agencies and the Countering Violent Extremism Task Force, as appropriate, with a range of communications-related actors and entities, within the United States and abroad, including governments, private sector and civil society entities, in order to contribute to U.S. Government efforts to counter the communications-related radicalization to violence and recruitment activities of international terrorist organizations and other violent extremists abroad, while also building the capacity of partners to create resonant positive alternative narratives and to diminish the influence of such international terrorist organizations and other violent extremists abroad;

(d) identifying, engaging, employing, or acquiring the best available talent across the U.S. and from global private sectors, academia, and elsewhere to support the Center's mission;

(e) identifying shortfalls in any U.S. capabilities in any areas relevant to the Center's mission and implementing or recommending, as appropriate, necessary enhancements or changes; and

(f) developing, supporting, and sustaining networks of governmental and non-governmental partners, to provide original content and disseminate messaging products to foreign audiences abroad and to create, develop, and sustain effective positive alternative narratives consistent with U.S. policy objectives.

SEC. 4. *Establishment of a Steering Committee.* The Secretary shall establish a Steering Committee composed of senior representatives of agencies relevant to the Center's mission to provide advice to the Secretary on the operations and strategic orientation of the Center and to ensure adequate support for the Center. The Steering Committee shall be chaired by the Under Secretary of State for Public Diplomacy. The Steering Committee shall include one senior representative designated by the head of each of the following agencies: the Department of Defense, the Department of Justice,

the Department of Homeland Security, the Department of the Treasury, the Small Business Administration, the National Counterterrorism Center, the Joint Chiefs of Staff, the Counterterrorism Center of the Central Intelligence Agency, the Broadcast Board of Governors, and the United States Agency for International Development. Other agencies may be invited to participate in the Steering Committee at the discretion of the Chair.

SEC. 5. *Interagency Support.* Agencies are hereby directed, consistent with budget priorities and mission constraints, upon request by the Secretary and to the extent permitted by law and consistent with the need to protect intelligence and law enforcement sources, methods, operations, and investigations, to provide to the Center, and the Center is authorized to use, for the purpose of carrying out the responsibilities outlined in this order:

(a) details or assignments of personnel, which shall be based on reasonable requests in light of the need for specific domain expertise, and after consultation with the relevant agency to ensure that such requests align with their authorities and resources;

(b) the use of physical premises, equipment, and logistical or administrative support;

(c) relevant information, research, intelligence, and analysis; and

(d) such other resources and assistance as the Coordinator may request for the purpose of carrying out the responsibilities outlined in this order.

SEC. 6. *Establishment of a Temporary Organization.* (a) There is established within the Department of State, in accordance with section 3161 of title 5, United States Code, a temporary organization to be known as the Global Engagement Center Coordination Office (GECCO).

(b) The purpose of the GECCO shall be to perform the specific project of providing technical, marketing, management, and operational support to the Center in its efforts to build and maintain a network of partners outside the U.S. Government, including private sector entities and non-governmental organizations, and to develop research and analytics to enable measurement and evaluation of the activities of the Center and related activities conducted by other agencies.

(c) In carrying out the purposes set forth in subsection (b) of this section, the GECCO shall:

(i) provide technical, marketing, management, and operational support for the management of contracts, grants, and cooperative agreements;

(ii) assist the Center in building and maintaining partnerships with private sector entities, non-governmental organizations, and others as appropriate in support of the Center's mission;

(iii) design and develop sustained campaigns, in coordination with and primarily for use by private sector entities and non-governmental organizations, on specific areas of interest to foreign audiences abroad in support of the Center's mission;

(iv) conduct or commission baseline research to establish the basis for evaluation of the activities of the Center and related activities conducted by other agencies;

(v) develop analytical models and metrics, consistent with the Center's responsibilities, in order to enable measurement and evaluation of the activities of the Center in coordinating effective strategies to counter the messaging and diminish the influence of international terrorist organizations and other violent extremists abroad, and related activities conducted by other agencies; and

(vi) perform such other functions related to the specific project set forth in subsection (b) of this section as the Secretary may assign.

(d) The GECCO shall be headed by the Coordinator. Its staff may include, as determined by the Coordinator: (1) personnel with relevant expertise detailed on a non-reimbursable basis from other agencies; (2) senior and other technical advisers; (3) executive-level personnel; and (4) such other personnel as the Secretary

may request to support the GECCO. To accomplish this mission, the heads of agencies shall, upon request, provide to the GECCO, on a non-reimbursable basis, assistance, services, and other support including but not limited to logistical and administrative support and details of personnel to the extent permitted by law. Non-reimbursable details to the GECCO shall be based on reasonable requests from the Coordinator in light of the need for specific expertise, and after consultation with the relevant agency, to the extent permitted by law.

(e) The GECCO shall terminate at the end of the maximum period permitted by section 3161(a)(1) of title 5, United States Code, unless sooner terminated by the Secretary consistent with section 3161(a)(2) of such title.

(f) The termination of the GECCO as required by subsection (e) of this section shall not be interpreted to imply the termination, attenuation or amendment of any other authority or provision of this order.

SEC. 7. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to an agency, or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA.

PRESIDENTIAL CERTIFICATION AUTHORIZING SECURITY ASSISTANCE TO EAST TIMOR

Determination of President of the United States, No. 2003-19, Mar. 28, 2003, 68 F.R. 16167, provided:

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 637(b)(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 [Pub. L. 107-228, §637(b)(2), set out above], I hereby certify that East Timor has established an independent armed forces; and that the provision to East Timor of military assistance in the form of excess defense articles and international military education and training is in the national security interests of the United States, and will promote both human rights in East Timor and the professionalization of the armed forces of East Timor.

You are hereby authorized and directed to report this certification, accompanying memorandum of justification [not set out in the Code], and report on East Timor security assistance to the Congress, and to arrange for the publication of this memorandum in the Federal Register.

GEORGE W. BUSH.

NATIONAL SECURITY MEMORANDUM-4—ADVANCING THE HUMAN RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, AND INTERSEX PERSONS AROUND THE WORLD

National Security Memorandum-4, Feb. 4, 2021, 86 F.R. 11843, provided:

Memorandum for the Secretary of State[,] the Secretary of the Treasury[,] the Secretary of Defense[,] the Attorney General[,] the Secretary of Agriculture[,] the Secretary of Commerce[,] the Secretary of Labor[,] the Secretary of Health and Human Services[,] the Secretary of Homeland Security[,] the United States Trade Representative[,] the Assistant to the President for National Security Affairs[,] the Assistant to the President and Counsel to the President[,] the Administrator of the United States Agency for International Development[, and] the Chief Executive Officer, Millennium Challenge Corporation

This memorandum reaffirms and supplements the principles established in the Presidential Memorandum of December 6, 2011 (International Initiatives to Advance the Human Rights of Lesbian, Gay, Bisexual, and Transgender Persons). That memorandum, for the first time, directed agencies engaged abroad to ensure that U.S. diplomacy and foreign assistance promote and protect the human rights of lesbian, gay, bisexual, and transgender persons everywhere. This memorandum builds upon that historic legacy and updates the 2011 Memorandum.

All human beings should be treated with respect and dignity and should be able to live without fear no matter who they are or whom they love. Around the globe, including here at home, brave lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) activists are fighting for equal protection under the law, freedom from violence, and recognition of their fundamental human rights.

The United States belongs at the forefront of this struggle—speaking out and standing strong for our most dearly held values. It shall be the policy of the United States to pursue an end to discrimination on the basis of sexual orientation, gender identity or expression, or sex characteristics, and to lead by the power of our example in the cause of advancing the human rights of LGBTQI+ persons around the world.

By this memorandum I am directing all agencies engaged abroad to ensure that U.S. diplomacy and foreign assistance promote and protect the human rights of LGBTQI+ persons. Specifically, I direct the following actions, consistent with applicable law:

SECTION 1. *Combating Criminalization of LGBTQI+ Status or Conduct Abroad.* Agencies engaged abroad are directed to strengthen existing efforts to combat the criminalization by foreign governments of LGBTQI+ status or conduct and expand efforts to combat discrimination, homophobia, transphobia, and intolerance on the basis of LGBTQI+ status or conduct. The Department of State shall, on an annual basis and as part of the annual report submitted to the Congress pursuant to sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)), report on human rights abuses experienced by LGBTQI+ persons globally. This reporting shall include anti-LGBTQI+ laws as well as discrimination and violence committed by both state and non-state actors against LGBTQI+ persons.

SEC. 2. *Protecting Vulnerable LGBTQI+ Refugees and Asylum Seekers.* LGBTQI+ persons who seek refuge from violence and persecution face daunting challenges. In order to improve protection for LGBTQI+ refugees and asylum seekers at all stages of displacement, the Departments of State and Homeland Security shall enhance their ongoing efforts to ensure that LGBTQI+ refugees and asylum seekers have equal access to protection and assistance, particularly in countries of first asylum. In addition, the Departments of State, Justice, and Homeland Security shall ensure appropriate training is in place so that relevant federal government personnel and key partners can effectively identify and respond to the particular needs of LGBTQI+ refugees and asylum seekers, including by providing to them adequate assistance and ensuring that the Federal Government takes all appropriate steps, such as potential increased use of Embassy Priority-1 referrals, to identify and expedite resettlement of highly vulnerable persons with urgent protection needs.

SEC. 3. *Foreign Assistance to Protect Human Rights and Advance Nondiscrimination.* Agencies involved with foreign aid, assistance, and development programs shall enhance their ongoing efforts to ensure regular federal government engagement with governments, citizens, civil society, and the private sector in order to build respect for the human rights of LGBTQI+ persons and combat discrimination. Agencies involved with foreign aid, assistance, and development programs should consider the impact of programs funded by the federal government on human rights, including the rights of LGBTQI+ persons, when making funding decisions, as appropriate and consistent with applicable law.

SEC. 4. *Swift and Meaningful U.S. Responses to Human Rights Abuses of LGBTQI+ Persons Abroad.* The Department of State shall lead a standing group, with appropriate interagency representation, to help ensure the federal government's swift and meaningful response to serious incidents that threaten the human rights of LGBTQI+ persons abroad. When foreign governments move to restrict the rights of LGBTQI+ persons or fail to enforce legal protections in place, thereby contributing to a climate of intolerance, agencies engaged abroad shall consider appropriate responses, including using the full range of diplomatic tools and, as appropriate, sanctions, visa bans, and other actions.

SEC. 5. *Building Coalitions of Like-Minded Nations and Engaging International Organizations in the Fight Against LGBTQI+ Discrimination.* Bilateral relationships with allies and partners, as well as multilateral fora and international organizations, are key vehicles to promote respect for and protection of the human rights of LGBTQI+ persons and to bring global attention to these goals. Agencies engaged abroad should strengthen the work they have done and initiate additional efforts with other nations, bilaterally and within multilateral fora and international organizations, to: counter discrimination on the basis of LGBTQI+ status or conduct; broaden the number of countries willing to support and defend the human rights of LGBTQI+ persons; strengthen the role, including in multilateral fora, of civil society advocates on behalf of the human rights of LGBTQI+ persons; and strengthen the policies and programming of multilateral institutions, including with respect to protecting vulnerable LGBTQI+ refugees and asylum seekers.

SEC. 6. *Rescinding Inconsistent Policies and Reporting on Progress.* Within 100 days of the date of this memorandum [Feb. 4, 2021] or as soon as possible thereafter, all agencies engaged abroad shall review and, as appropriate and consistent with applicable law, take steps to rescind any directives, orders, regulations, policies, or guidance inconsistent with this memorandum, including those issued from January 20, 2017, to January 20, 2021, to the extent that they are inconsistent with this memorandum. The heads of such agencies shall also, within 100 days of the date of this memorandum, report to the President on their progress in implementing this memorandum and recommend additional opportunities and actions to advance the human rights of LGBTQI+ persons around the world. Agencies engaged abroad shall each prepare a report within 180 days of the date of this memorandum, and annually thereafter, on their progress toward advancing these initiatives. All such agencies shall submit these reports to the Department of State, which will compile a report on the federal government's progress in advancing these initiatives for transmittal to the President. The Department of State shall make a version of the compiled annual report available to the Members of the Congress and the public.

SEC. 7. *Definitions.* (a) For the purposes of this memorandum, agencies engaged abroad include the Departments of State, the Treasury, Defense, Justice, Agriculture, Commerce, Labor, Health and Human Services, and Homeland Security, the United States Agency for International Development (USAID), the United States International Development Finance Corporation (DFC), the Millennium Challenge Corporation, the Export-Import Bank of the United States, the Office of the United States Trade Representative, and such other agencies as the President may designate.

(b) For the purposes of this memorandum, agencies involved with foreign aid, assistance, and development programs include the Departments of State, the Treasury, Defense, Justice, Agriculture, Commerce, Labor, Health and Human Services, and Homeland Security, USAID, DFC, the Millennium Challenge Corporation, the Export-Import Bank of the United States, the Office of the United States Trade Representative, and such other agencies as the President may designate.

SEC. 8. *General Provisions.* (a) Nothing in this order shall be construed to impair, or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

J.R. BIDEN, JR.

§ 2656a. Congressional declaration of findings of major significance of modern scientific and technological advances in foreign policy

The Congress finds that—

(1) the consequences of modern scientific and technological advances are of such major significance in United States foreign policy that understanding and appropriate knowledge of modern science and technology by officers and employees of the United States Government are essential in the conduct of modern diplomacy;

(2) many problems and opportunities for development in modern diplomacy lie in scientific and technological fields;

(3) in the formulation, implementation, and evaluation of the technological aspects of United States foreign policy, the United States Government should seek out and consult with both public and private industrial, academic, and research institutions concerned with modern technology; and

(4) the effective use of science and technology in international relations for the mutual benefit of all countries requires the development and use of the skills and methods of long-range planning.

(Pub. L. 95–426, title V, § 501, Oct. 7, 1978, 92 Stat. 982.)

§ 2656b. Congressional declaration of policy regarding consequences of science and technology on conduct of foreign policy

In order to maximize the benefits and to minimize the adverse consequences of science and technology in the conduct of foreign policy, the Congress declares the following to be the policy of the United States:

(1) Technological opportunities, impacts, changes, and threats should be anticipated and assessed, and appropriate measures should be implemented to influence such technological developments in ways beneficial to the United States and other countries.

(2) The mutually beneficial applications of technology in bilateral and multilateral agreements and activities involving the United States and foreign countries or international organizations should be recognized and supported as an important element of United States foreign policy.

(3) The United States Government should implement appropriate measures to insure that individuals are trained in the use of

science and technology as an instrument in international relations and that officers and employees of the United States Government engaged in formal and informal exchanges of scientific and technical information, personnel, and hardware are knowledgeable in international affairs.

(4) In recognition of the environmental and technological factors that change relations among countries and in recognition of the growing interdependence between the domestic and foreign policies and programs of the United States, United States foreign policy should be continually reviewed by the executive and legislative branches of the Government to insure appropriate and timely application of science and technology to the conduct of United States foreign policy.

(5) Federally supported international science and technology agreements should be negotiated to ensure that—

(A) intellectual property rights are properly protected; and

(B) access to research and development opportunities and facilities, and the flow of scientific and technological information, are, to the maximum extent practicable, equitable and reciprocal.

(Pub. L. 95–426, title V, § 502, Oct. 7, 1978, 92 Stat. 982; Pub. L. 100–418, title V, § 5171(a), Aug. 23, 1988, 102 Stat. 1452.)

Editorial Notes

AMENDMENTS

1988—Par. (5). Pub. L. 100–418 added par. (5).

§ 2656c. Responsibilities of President

(a) Identification, evaluation and initiation of scientific and technological developments

The President, in consultation with the Director of the Office of Science and Technology Policy and other officials whom the President considers appropriate, shall—

(1) notwithstanding any other provision of law, insure that the Secretary of State is informed and consulted before any agency of the United States Government takes any major action, primarily involving science or technology, with respect to any foreign government or international organization;

(2) identify and evaluate elements of major domestic science and technology programs and activities of the United States Government with significant international implications;

(3) identify and evaluate international scientific or technological developments with significant implications for domestic programs and activities of the United States Government; and

(4) assess and initiate appropriate international scientific and technological activities which are based upon domestic scientific and technological activities of the United States Government and which are beneficial to the United States and foreign countries.

(b) Repealed. Pub. L. 104–66, title I, § 1111(b), Dec. 21, 1995, 109 Stat. 723

(c) Disclosure of sensitive information

Except as otherwise provided by law, nothing in this section shall be construed as requiring