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|---|---|
| <p>Sec.
3983. Assignments to non-Service and other positions.</p> <p>3984. Service in United States and abroad.</p> <p>3985. Temporary details.</p> <p style="text-align: center;">SUBCHAPTER VI—PROMOTION AND RETENTION</p> <p>4001. Promotions.</p> <p>4002. Establishment of selection boards.</p> <p>4003. Recommendations and rankings.</p> <p>4004. Records.</p> <p>4005. Implementation of selection board recommendations.</p> <p>4006. Other bases for promoting or increasing pay.</p> <p>4007. Retirement for expiration of time in class.</p> <p>4008. Retirement based on failure to meet standard of performance.</p> <p>4009. Retirement benefits.</p> <p>4010. Separation for cause; suspension.</p> <p>4010a. Reductions in force.</p> <p>4011. Termination of limited appointments.</p> <p>4012. Termination of appointments of consular agents and foreign national employees.</p> <p>4012a. Foreign national employees separation pay.</p> <p>4013. Department awards.</p> <p style="text-align: center;">SUBCHAPTER VII—CAREER DEVELOPMENT, TRAINING, AND ORIENTATION</p> <p>4021. Institution for training.</p> <p>4022. Foreign language requirements.</p> <p>4023. Career development program.</p> <p>4024. Functions of Secretary.</p> <p>4025. Training grants.</p> <p>4026. Career counseling.</p> <p>4027. Visiting Scholars Program.</p> <p>4028. Training for Foreign Service officers.</p> <p>4029. Increased training in multilateral diplomacy.</p> <p style="text-align: center;">SUBCHAPTER VIII—FOREIGN SERVICE RETIREMENT AND DISABILITY</p> <p style="text-align: center;">PART I—FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM</p> <p>4041. Administration.</p> <p>4042. Maintenance of Fund.</p> <p>4043. Participants.</p> <p>4044. Definitions.</p> <p>4045. Contributions to Fund.</p> <p>4046. Computation of annuities.</p> <p>4047. Payment of annuity.</p> <p>4048. Retirement for disability or incapacity.</p> <p>4049. Death in service.</p> <p>4050. Discontinued service retirement.</p> <p>4051. Voluntary retirement.</p> <p>4052. Mandatory retirement.</p> <p>4053. Reassignment and retirement of former Presidential appointees.</p> <p>4054. Former spouses.</p> <p>4055. Lump-sum payments.</p> <p>4056. Creditable service.</p> <p>4057. Extra credit for service at unhealthful posts.</p> <p>4058. Estimate of appropriations needed.</p> <p>4059. Investment of Fund.</p> <p>4060. Assignment and attachment of moneys.</p> <p>4061. Payments for future benefits.</p> <p>4062. Unfunded liability obligations.</p> <p>4063. Annuity adjustment for recall service.</p> <p>4064. Reemployment.</p> <p>4065. Voluntary contribution account.</p> <p>4066. Cost-of-living adjustment of annuities.</p> <p>4067. Compatibility between retirement systems.</p> <p>4068. Remarriage.</p> <p>4069. Thrift Savings Fund participation.</p> <p>4069-1. Qualified former wives and husbands.</p> <p>4069a. Retirement benefits for certain former spouses.</p> <p>4069a-1. Retirement benefits for certain former spouses.</p> <p>4069b. Survivor benefits for certain former spouses.</p> <p>4069b-1. Survivor benefits for certain former spouses.</p> | <p>Sec.
4069c. Health benefits for certain former spouses.</p> <p>4069c-1. Health benefits for certain former spouses.</p> <p style="text-align: center;">PART II—FOREIGN SERVICE PENSION SYSTEM</p> <p>4071. Establishment; application of Federal Employees' Retirement System to Foreign Service Pension System participants.</p> <p>4071a. Definitions.</p> <p>4071b. Participants.</p> <p>4071c. Creditable service.</p> <p>4071d. Entitlement to annuity.</p> <p>4071e. Deductions and withholdings from pay.</p> <p>4071f. Government contributions.</p> <p>4071g. Cost-of-living adjustments.</p> <p>4071h. General and administrative provisions.</p> <p>4071i. Transition provisions.</p> <p>4071j. Former spouses.</p> <p>4071k. Spousal agreements.</p> <p style="text-align: center;">SUBCHAPTER IX—TRAVEL, LEAVE, AND OTHER BENEFITS</p> <p>4081. Travel and related expenses.</p> <p>4082. Loan of household effects.</p> <p>4083. Required leave.</p> <p>4084. Health care program.</p> <p>4085. Entertainment and representation expenses.</p> <p>4086. Entitlement to vote in a State in a Federal election; preconditions; applicability.</p> <p>4087. Termination of residential or motor vehicle leases and telephone service contracts.</p> <p style="text-align: center;">SUBCHAPTER X—LABOR-MANAGEMENT RELATIONS</p> <p>4101. Congressional findings and policy.</p> <p>4102. Definitions.</p> <p>4103. Application.</p> <p>4104. Employee rights.</p> <p>4105. Management rights.</p> <p>4106. Foreign Service Labor Relations Board.</p> <p>4107. Functions of Foreign Service Labor Relations Board.</p> <p>4108. Functions of General Counsel.</p> <p>4109. Judicial review and enforcement.</p> <p>4110. Foreign Service Impasse Disputes Panel.</p> <p>4111. Exclusive recognition.</p> <p>4112. Employees represented.</p> <p>4113. Representation rights and duties.</p> <p>4114. Resolution of implementation disputes.</p> <p>4115. Unfair labor practices.</p> <p>4116. Prevention of unfair labor practices.</p> <p>4117. Standards of conduct for labor organizations.</p> <p>4118. Administrative provisions.</p> <p style="text-align: center;">SUBCHAPTER XI—GRIEVANCES</p> <p>4131. Definitions and applicability.</p> <p>4132. Grievances concerning former members or their survivors.</p> <p>4133. Freedom of action.</p> <p>4134. Time limitations.</p> <p>4135. Foreign Service Grievance Board.</p> <p>4136. Foreign Service Grievance Board procedures.</p> <p>4137. Foreign Service Grievance Board decisions.</p> <p>4138. Access to records.</p> <p>4139. Relationship to other remedies.</p> <p>4140. Judicial review.</p> <p style="text-align: center;">SUBCHAPTER XI-A—FOREIGN SERVICE INTERNSHIP PROGRAM</p> <p>4141. Statement of policy; objectives.</p> <p>4141a. Foreign Service Internship Program.</p> <p>4141b. Report to Congress.</p> <p>4141c. Authorization of appropriations.</p> <p style="text-align: center;">SUBCHAPTER XII—TRANSITION</p> <p>4151. Pay and benefits pending conversion.</p> <p>4152. Conversion to Foreign Service Schedule.</p> <p>4153. Conversion to Senior Foreign Service.</p> <p>4154. Conversion from Foreign Service.</p> <p>4155. Conversion of certain positions in Department of Agriculture.</p> |
|---|---|

Sec.		<i>New</i>	<i>Old</i>
4156.	Preservation of status and benefits.	3921	811a
4157.	Regulations.	3922	1224, 2385, 2506
4158.	Authority of other agencies.	3923	1225
4159.	Survivor benefits for certain former spouses.	3924	1225
SUBCHAPTER XIII—MISCELLANEOUS			
4171.	Model foreign language competence posts.	3925	842, 843
4172.	Savings provisions.	3926	2680a
4173.	Congressional oversight of implementation.	3927	811a, 821
SUBCHAPTER XIV—POWERS, DUTIES AND LIABILITIES OF CONSULAR OFFICERS GENERALLY			
4191.	General application of provisions to consular officers.	3928	2384 note
4192.	Repealed.	3929	826
4193.	Protests.	3930	827
4194.	Lists and returns of seamen and vessels, etc.	3931	910, 922, 939, 1234
4195.	Repealed.	3942	901, 911, 961
4196.	Notification of death of decedent; transmission of inventory of effects.	3943	922, 929, 936, 946, 951
4197.	Following testamentary directions; assistance to testamentary appointee.	3944	900, 901a, 902
4198.	Bond as administrator or guardian; action on bond.	3945	906
4199.	Penalty for failure to give bond and for embezzlement.	3946	911, 929
4200.	Certification of invoices generally.	3947	911, 912
4201.	Fees for certification of invoices.	3948	915
4202.	Exaction of excessive fees for verification of invoices; penalty.	3949	922, 936
4203.	Destruction of old invoices.	3950	928
4204.	Restriction as to certificate for goods from countries adjacent to United States.	3951	889 note, 2693
4205.	Retention of papers of American vessels until payment of demands and wages.	3952	907, 908, 924, 938, 1231
4206.	Fees for services to American vessels or seamen prohibited.	3961	866, 881
4207.	Profits from dealings with discharged seamen; prohibition.	3962, 3963	868
4208.	Valuation of foreign coins in payment of fees.	3964	868
4209.	Exaction of excessive fees generally; penalty of treble amount.	3965	995, 1017
4210.	Liability for uncollected fees.	3966	889, 2693
4211.	Returns as to fees by officers compensated by fees.	3967	873, 890
4212 to 4214.	Repealed.	3968	889
4215.	Notarial acts, oaths, affirmations, affidavits, and depositions; fees.	3969	876, 877
4216.	Posting rates of fees.	3970	896
4217.	Embezzlement of fees or of effects of American citizens.	3971	2679a
4218.	False certificate as to ownership of property.	3972	886
4219.	Regulation of fees by President.	3973	901
4220.	Medium for payment of fees.	3981	961, 964, 966
4221.	Depositions and notarial acts; perjury.	3982	961, 962, 966
4222.	Authentication of documents of State of Vatican City by consular officer in Rome.	3983	991
4223.	General duty to account for fees.	3984	993
4224.	Fees; accounting; stamps.	3985	1003, 2385, 2506
4225.	Fiscal districts; establishment; district accounting and disbursing offices; personnel; duties.	4001	1004, 2506
4226.	Fees and official monies from diplomatic missions, consular offices and district accounting and disbursing offices; disposition.	4002	1007
CODIFICATION			
Provisions of this chapter are derived from the Foreign Service Act of 1946, former section 801 et seq. of this title, and related and miscellaneous provisions as follows:			
	<i>New</i>	<i>Old</i>	
3901	801	1005, 1008	
3902	802	1027, 1028, 1031	
3903	861	1041	
3904	841	968, 2385	
3905	807	1042-1045, 1047, 1048	
		1048	
		1009, 2693	
		1061	
		1062	
		929, 1063, 1229, 2385	
		1064, 1086	
		1071, 1086	
		1076	
		1076a	
		1081	
		1082	
		1084	
		1006	
		1001, 1002	
		914	
		1086	
		1091	
		1093	
		1101	
		1103	
		1004, 1104	
		1105	
		1106	
		1111	
		1112	
		1116	
		1121	
		1065	
		966, 1136, 1138, 1157	
		1137	
		1148	
		1156, 1158-1160	
		1131	
		4085	
		4101-4118	
		4131-4138	
		4139	1037a
		4140	1037b
		4151-4159	1037c
		4171-4173	
		4191-4215	1171-1195
		4216	1197
		4217	1198
		4218-4222	1200-1204
		4223	99
		4224-4226	812-814

Executive Documents

FOREIGN COMMERCIAL SERVICE

For authority of Secretary of Commerce to establish a Foreign Commercial Service in Department of Commerce, see section 1-104 of Ex. Ord. No. 12188, Jan. 2, 1980, 45 F.R. 991, as amended, set out as a note under section 2171 of Title 19, Customs Duties.

SUBCHAPTER I—GENERAL PROVISIONS

§ 3901. Congressional findings and objectives

(a) The Congress finds that—

(1) a career foreign service, characterized by excellence and professionalism, is essential in the national interest to assist the President and the Secretary of State in conducting the foreign affairs of the United States;

(2) the scope and complexity of the foreign affairs of the Nation have heightened the need for a professional foreign service that will serve the foreign affairs interests of the United States in an integrated fashion and that can provide a resource of qualified personnel for the President, the Secretary of State, and the agencies concerned with foreign affairs;

(3) the Foreign Service of the United States, established under the Act of May 24, 1924 (commonly known as the Rogers Act) and continued by the Foreign Service Act of 1946, must be preserved, strengthened, and improved in order to carry out its mission effectively in response to the complex challenges of modern diplomacy and international relations;

(4) the members of the Foreign Service should be representative of the American people, aware of the principles and history of the United States and informed of current concerns and trends in American life, knowledgeable of the affairs, cultures, and languages of other countries, and available to serve in assignments throughout the world; and

(5) the Foreign Service should be operated on the basis of merit principles.

(b) The objective of this chapter is to strengthen and improve the Foreign Service of the United States by—

(1) assuring, in accordance with merit principles, admission through impartial and rigorous examination, acquisition of career status only by those who have demonstrated their fitness through successful completion of probationary assignments, effective career development, advancement and retention of the ablest, and separation of those who do not meet the requisite standards of performance;

(2) fostering the development and vigorous implementation of policies and procedures, including affirmative action programs, which will facilitate and encourage (A) entry into and advancement in the Foreign Service by persons from all segments of American society, and (B) equal opportunity and fair and equitable treatment for all without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition;

(3) providing for more efficient, economical, and equitable personnel administration through a simplified structure of Foreign Service personnel categories and salaries;

(4) establishing a statutory basis for participation by the members of the Foreign Service, through their elected representatives, in the formulation of personnel policies and procedures which affect their conditions of employment, and maintaining a fair and effective system for the resolution of individual grievances that will ensure the fullest measure of due process for the members of the Foreign Service;

(5) minimizing the impact of the hardships, disruptions, and other unusual conditions of service abroad upon the members of the Foreign Service, and mitigating the special impact of such conditions upon their families;

(6) providing salaries, allowances, and benefits that will permit the Foreign Service to attract and retain qualified personnel as well as a system of incentive payments and awards to encourage and reward outstanding performance;

(7) establishing a Senior Foreign Service which is characterized by strong policy formulation capabilities, outstanding executive leadership qualities, and highly developed functional, foreign language, and area expertise;

(8) improving Foreign Service managerial flexibility and effectiveness;

(9) increasing efficiency and economy by promoting maximum compatibility among the agencies authorized by law to utilize the Foreign Service personnel system, as well as compatibility between the Foreign Service personnel system and other personnel systems of the Government; and

(10) otherwise enabling the Foreign Service to serve effectively the interests of the United States and to provide the highest caliber of representation in the conduct of foreign affairs.

(Pub. L. 96-465, title I, §101, Oct. 17, 1980, 94 Stat. 2074.)

Editorial Notes

REFERENCES IN TEXT

Act of May 24, 1924 (commonly known as the Rogers Act), referred to in subsec. (a)(3), is act May 24, 1924, ch. 182, 43 Stat. 140, as amended, which was classified generally to section 1 et seq. of this title and was repealed in large part by section 1131 of title XI of act Aug. 13, 1946, ch. 957, 60 Stat. 1037, known as the Foreign Service Act of 1946, which generally revised the laws relating to the administration of the Foreign Service (see below). For complete classification of Act May 24, 1924 to the Code, see Tables.

The Foreign Service Act of 1946, referred to in subsec. (a)(3), is act Aug. 13, 1946, ch. 957, titles I to X, 60 Stat. 999, as amended, which was classified principally to chapter 14 (§801 et seq.) of this title, and was repealed by Pub. L. 96-465, title II, §2205(1), Oct. 17, 1980, 94 Stat. 2159, the Foreign Service Act of 1980, as part of the general revision of the laws relating to the administration of the Foreign Service. For complete classification of the 1946 Act to the Code prior to its repeal, see Tables.

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, as amended, known as the Foreign Service Act of 1980, which is classified principally to this chapter (§3901 et seq.). For complete classification of this Act to the Code, see Short Title note set out below and Tables.