

Editorial Notes

REFERENCES IN TEXT

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 under section 3901 of this title and Tables.

CODIFICATION

In subsec. (a)(5), “sections 3101(a) and (c), 3104, 3106, 3301(b)(2), and 6101 of title 41” substituted for “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) and section 302 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

2016—Subsec. (a)(4)(B). Pub. L. 114-323 substituted “education and training specialists, including language instructors and linguists, and other specialists who perform work directly relating to the design, delivery, oversight, or coordination of training delivered by the institution” for “language instructors, linguists, and other academic and training specialists”.

1998—Subsec. (d). Pub. L. 105-277 added subsec. (d).

1994—Subsec. (a)(1) to (3). Pub. L. 103-236 substituted “institution” for “Institute”.

1982—Subsec. (b)(2). Pub. L. 97-241 substituted “section 3972 of this title” for “section 3971 of this title”.

§ 4025. Training grants**(a) Family members attending approved programs of study; limitations**

To facilitate training provided to members of families of Government employees under this subchapter, the Secretary may make grants (by advance payment or by reimbursement) to family members attending approved programs of study. No such grant may exceed the amount actually expended for necessary costs incurred in conjunction with such attendance.

(b) Compensation for individuals unable to participate in language training furnished by Government

If a member of the Service who is assigned abroad, or a member of his or her family, is unable to participate in language training furnished by the Government through the institution or otherwise, the Secretary may compensate that individual for all or part of the costs of language training, related to the assignment abroad, which is undertaken at a public or private institution.

(Pub. L. 96-465, title I, §705, Oct. 17, 1980, 94 Stat. 2101; Pub. L. 103-236, title I, §126(3), Apr. 30, 1994, 108 Stat. 394.)

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AMENDMENTS

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

§ 4026. Career counseling**(a) Facilitation of transition from Service**

In order to facilitate their transition from the Service, the Secretary may provide (by contract or otherwise, subject to the availability of ap-

propriations) professional career counseling, advice, and placement assistance to members of the Service, and to former members of the Service who were assigned to receive counseling and assistance under this subsection before they were separated from the Service, other than those separated for cause. Career counseling and related services provided pursuant to this chapter shall not be construed to permit an assignment that consists primarily of paid time to conduct a job search and without other substantive duties for more than one month.

(b) Facilitation of employment of spouses of members; establishment of family liaison office

(1) The Secretary shall implement such measures as the Secretary considers necessary to facilitate the employment of spouses and members of the Service. The measures may include—

(A) providing regular career counseling for such spouses;

(B) maintaining a centralized system for cataloging their skills and the various governmental and nongovernmental employment opportunities available to them; and

(D)¹ otherwise assisting them in obtaining employment.

(2) The Secretary may prescribe regulations—

(A) to provide preference to eligible family members in hiring for any civilian position in the Department, notwithstanding the prohibition on marital discrimination found in 5 U.S.C. 2302(b)(1)(E), if —

(i) the eligible family member is among persons determined to be best qualified for the position; and

(ii) the position is located in the overseas country of assignment of their sponsoring employee;

(B) to ensure that notice of any vacant position in the Department is provided in a manner reasonably designed to reach eligible family members of sponsoring employees whose permanent duty stations are in the same country as that in which the position is located; and

(C) to ensure that an eligible family member who applies for a vacant position in the Department shall, to the extent practicable, be considered for any such position located in the same country as the permanent duty station of their sponsoring employee.

(3) Nothing in this section may be construed to provide an eligible family member with entitlement or preference in hiring over an individual who is preference eligible.

(4) Under regulations prescribed by the Secretary, a chief of mission may, consistent with all applicable laws and regulations pertaining to the ICASS system, make available to an eligible family member and a non-Department entity space in an embassy or consulate for the purpose of the non-Department entity providing employment-related training for eligible family members.

(5) The Secretary may work with the Director of the Office of Personnel Management and the

¹ So in original. There is no subpar. (C).

heads of other Federal departments and agencies to expand and facilitate the use of existing Federal programs and resources in support of eligible family member employment.

(6) The Secretary shall establish a family liaison office to carry out this subsection and such other functions as the Secretary may determine.

(7) In this subsection, the term “eligible family member” refers to family members of government employees assigned abroad or hired for service at their post of residence who are appointed by the Secretary of State or the Administrator of the United States Agency for International Development pursuant to sections 3902, 3922, 3943, and 3951 of this title.

(Pub. L. 96-465, title I, § 706, Oct. 17, 1980, 94 Stat. 2101; Pub. L. 105-277, div. G, subdiv. B, title XXIII, § 2314(a), Oct. 21, 1998, 112 Stat. 2681-827; Pub. L. 117-81, div. F, title LXII, § 6203, Dec. 27, 2021, 135 Stat. 2389.)

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AMENDMENTS

2021—Subsec. (b)(1). Pub. L. 117-81, § 6203(1)(A), which directed substitution of “The Secretary shall implement such measures as the Secretary considers necessary to facilitate the employment of spouses and members of the Service. The measures may include—” for “The Secretary may facilitate the employment of spouses of members of the Foreign Service by—” in introductory provisions, was executed by making the substitution for “The Secretary may facilitate the employment of spouses of members of the Service by—”, to reflect the probable intent of Congress.

Subsec. (b)(1)(C). Pub. L. 117-81, § 6203(1)(C), which directed amendment of subpar. (C) to read as follows: “establishing a program for assisting eligible family members in accessing employment and education opportunities, as appropriate, including by exercising the authorities, in relevant part, under sections 1784 and 1784a of title 10 and subject to such regulations as the Secretary may prescribe modeled after those prescribed pursuant to subsection (b) of such section 1784;”, could not be executed because of the prior redesignation of subpar. (C) as (D) by Pub. L. 117-81, § 6203(1)(B). See below.

Subsec. (b)(1)(D). Pub. L. 117-81, § 6203(1)(B), redesignated subpar. (C) as (D).

Subsec. (b)(2) to (5). Pub. L. 117-81, § 6203(3), added pars. (2) to (5). Former par. (2) redesignated (6).

Subsec. (b)(6). Pub. L. 117-81, § 6203(2), redesignated par. (2) as (6).

Subsec. (b)(7). Pub. L. 117-81, § 6203(4), added par. (7).

1998—Subsec. (a). Pub. L. 105-277 inserted at end “Career counseling and related services provided pursuant to this chapter shall not be construed to permit an assignment that consists primarily of paid time to conduct a job search and without other substantive duties for more than one month.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-277, div. G, subdiv. B, title XXIII, § 2314(b), Oct. 21, 1998, 112 Stat. 2681-828, provided that: “The amendment made by subsection (a) [amending this section] shall be effective 180 days after the date of the enactment of this Act [Oct. 21, 1998].”

AUTHORITY OF SECRETARY OF STATE

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.

§ 4027. Visiting Scholars Program

(a) Establishment of program

There is authorized to be established at the institution a program whereby selected scholars would participate fully in the educational and training activities of the institution. This program may be referred to as the “Visiting Scholars Program”.

(b) Selection and appointment of scholars

(1) Scholars participating in the Visiting Scholars Program shall be selected by a five-member board described in subsection (c).

(2) Each visiting scholar shall serve a term of one year, except that such term may be extended for one additional one-year period.

(c) Establishment of selection board

The board referred to in subsection (b) shall be composed of the Director of the institution, who shall serve as chairperson, and four other members appointed by the Secretary of State.

(Pub. L. 96-465, title I, § 707, as added Pub. L. 101-246, title I, § 144(a), Feb. 16, 1990, 104 Stat. 36; amended Pub. L. 103-236, title I, § 126(3), Apr. 30, 1994, 108 Stat. 394.)

Editorial Notes

AMENDMENTS

1994—Subsecs. (a), (c). Pub. L. 103-236 substituted “institution” for “Foreign Service Institute” and “Institute” in subsec. (a) and “institution” for “Foreign Service Institute” in subsec. (c).

§ 4028. Training for Foreign Service officers

(a) Human rights, religious freedom, and human trafficking training

(1) In general

The Secretary of State, with the assistance of other relevant officials, such as the Ambassador at Large for International Religious Freedom appointed under section 6411(b) of this title, the Director of the Office to Monitor and Combat Trafficking, and the director of the George P. Shultz National Foreign Affairs Training Center, shall establish as part of the standard training provided after January 1, 1999, for officers of the Service, including chiefs of mission, instruction in the field of internationally recognized human rights. Such training shall include—

(A) instruction on international documents and United States policy in human rights, which shall be mandatory for all members of the Service having reporting responsibilities relating to human rights and for chiefs of mission;

(B) instruction on the internationally recognized right to freedom of religion, the nature, activities, and beliefs of different religions, and the various aspects and manifestations of violations of religious freedom;

(C) instruction on international documents and United States policy on trafficking in persons, including provisions of