

§ 251. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

Section, R.S. § 4062, related to violation of safe conduct. See sections 112 and 1545 of Title 18, Crimes and Criminal Procedure.

§§ 252 to 254. Repealed. Pub. L. 95-393, § 3(a)(1), Sept. 30, 1978, 92 Stat. 808

Section 252, R.S. § 4063, related to the immunity of any ambassador or public minister of any foreign prince or State, or any domestic or domestic servant of any such minister against arrest, imprisonment, or seizure of his goods or chattels.

Section 253, R.S. § 4064, related to imprisonment for not more than three years of anyone suing out a writ or process in violation of the provisions of former section 252 of this title, granting diplomatic immunity to certain persons.

Section 254, R.S. §§ 4065, 4066, related to suits against persons in the service of an ambassador or public minister founded upon a debt contracted before entering such service, and registration of the names of persons serving as domestic servants of an ambassador or a public minister with the State Department.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective at end of ninety-day period beginning on Sept. 30, 1978, see section 9 of Pub. L. 95-393, set out as an Effective Date note under section 254a of this title.

INSURANCE COVERAGE OF DIPLOMATIC MISSIONS TO UNITED STATES; REPORTS TO SPEAKER OF HOUSE OF REPRESENTATIVES AND PRESIDENT OF SENATE

Pub. L. 95-148, title V, § 510(1), (2), Oct. 31, 1977, 91 Stat. 1240, provided that it was the sense of the Congress that the Secretary of State should prepare and submit to the Speaker of the House of Representatives and to the President of the Senate: (1) not later than six months after Oct. 31, 1977, a report on the adequacy of insurance provided by the accredited diplomatic missions to the United States to cover loss or injury arising from the wrongful acts or omissions of the employees of such missions in the United States; and (2) not later than one year after Oct. 31, 1977, a report on what efforts the President and the Secretary of State had made to encourage the provision of such coverage.

§ 254a. Definitions

As used in this Act—

(1) the term “members of a mission” means—

(A) the head of a mission and those members of a mission who are members of the diplomatic staff or who, pursuant to law, are granted equivalent privileges and immunities,

(B) members of the administrative and technical staff of a mission, and

(C) members of the service staff of a mission,

as such terms are defined in Article 1 of the Vienna Convention;

(2) the term “family” means—

(A) the members of the family of a member of a mission described in paragraph (1)(A) who form part of his or her household if they are not nationals of the United States, and

(B) the members of the family of a member of a mission described in paragraph (1)(B) who form part of his or her household if they

are not nationals or permanent residents of the United States,

within the meaning of Article 37 of the Vienna Convention;

(3) the term “mission” includes missions within the meaning of the Vienna Convention and any missions representing foreign governments, individually or collectively, which are extended the same privileges and immunities, pursuant to law, as are enjoyed by missions under the Vienna Convention; and

(4) the term “Vienna Convention” means the Vienna Convention on Diplomatic Relations of April 18, 1961 (T.I.A.S. numbered 7502; 23 U.S.T. 3227), entered into force with respect to the United States on December 13, 1972.

(Pub. L. 95-393, § 2, Sept. 30, 1978, 92 Stat. 808; Pub. L. 97-241, title II, § 203(b)(1), Aug. 24, 1982, 96 Stat. 290.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 95-393, Sept. 30, 1978, 92 Stat. 808, as amended, known as the Diplomatic Relations Act. For complete classification of this Act to the Code, see Short Title note below and Tables.

AMENDMENTS

1982—Par. (1)(A). Pub. L. 97-241 substituted “those members of a mission who are members of the diplomatic staff or who, pursuant to law, are granted equivalent privileges and immunities” for “members of the diplomatic staff of a mission”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-241 effective Oct. 1, 1982, see section 204 of Pub. L. 97-241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Pub. L. 95-393, § 9, Sept. 30, 1978, 92 Stat. 810, provided that: “This Act [see Short Title note below] shall take effect at the end of the ninety-day period beginning on the date of its enactment [Sept. 30, 1978]”.

SHORT TITLE

Pub. L. 95-393, § 1, Sept. 30, 1978, 92 Stat. 808, provided that: “This Act [enacting this section, sections 254b to 254e of this title, and section 1364 of Title 28, Judiciary and Judicial Procedure, amending sections 1251 and 1351 of Title 28, repealing sections 252 to 254 of this title, and enacting provisions set out as a note under this section] may be cited as the ‘Diplomatic Relations Act’.”

NOTIFICATION OF TRAVEL BY ACCREDITED DIPLOMATIC AND CONSULAR PERSONNEL OF THE RUSSIAN FEDERATION IN THE UNITED STATES

Pub. L. 116-92, div. E, title LXVII, § 6704, Dec. 20, 2019, 133 Stat. 2223, provided that: “In carrying out the advance notification requirements set out in section 502 of the Intelligence Authorization Act for Fiscal Year 2017 (division N of Public Law 115-31; 131 Stat. 825; 22 U.S.C. 254a note), the Secretary of State shall—

“(1) ensure that the Russian Federation provides notification to the Secretary of State at least 2 business days in advance of all travel that is subject to such requirements by accredited diplomatic and consular personnel of the Russian Federation in the United States, and take necessary action to secure

full compliance by Russian personnel and address any noncompliance; and

“(2) provide notice of travel described in paragraph (1) to the Director of National Intelligence and the Director of the Federal Bureau of Investigation within 1 hour of receiving notice of such travel.”

Pub. L. 115–31, div. N, title V, § 502, May 5, 2017, 131 Stat. 825, as amended by Pub. L. 116–92, div. E, title LXVII, § 6717, Dec. 20, 2019, 133 Stat. 2228, provided that:

“(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the congressional intelligence committees [Select Committee on Intelligence of the Senate and Permanent Select Committee on Intelligence of the House of Representatives];

“(2) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate; and

“(3) the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives.

“(b) ADVANCE NOTIFICATION REQUIREMENT.—The Secretary of State shall, in coordination with the Director of the Federal Bureau of Investigation and the Director of National Intelligence, establish a mandatory advance notification regime governing all travel by accredited diplomatic and consular personnel of the Russian Federation in the United States and take necessary action to secure full compliance by Russian personnel and address any noncompliance.

“(c) INTERAGENCY COOPERATION.—The Secretary of State, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence shall develop written mechanisms to share information—

“(1) on travel by accredited diplomatic and consular personnel of the Russian Federation who are in the United States; and

“(2) on any known or suspected noncompliance by such personnel with the regime required by subsection (b).

“(d) QUARTERLY REPORTS.—Not later than 90 days after the date of the enactment of this Act [May 5, 2017], and quarterly thereafter, and consistent with the protection of intelligence sources and methods—

“(1) the Secretary of State shall submit to the appropriate committees of Congress a written report detailing the number of notifications submitted under the regime required by subsection (b); and

“(2) the Secretary of State and the Director of the Federal Bureau of Investigation shall jointly submit to the appropriate committees of Congress a written report detailing a best estimate of known or suspected violations of such requirements by any accredited diplomatic and consular personnel of the Russian Federation.”

§ 254b. Privileges and immunities of mission of nonparty to Vienna Convention

With respect to a nonparty to the Vienna Convention, the mission, the members of the mission, their families, and diplomatic couriers shall enjoy the privileges and immunities specified in the Vienna Convention.

(Pub. L. 95–393, § 3(b), Sept. 30, 1978, 92 Stat. 808; Pub. L. 97–241, title II, § 203(b)(2), Aug. 24, 1982, 96 Stat. 291.)

Editorial Notes

AMENDMENTS

1982—Pub. L. 97–241 substituted “With respect to a nonparty to the Vienna Convention, the mission, the members of the mission, their families, and diplomatic couriers” for “Members of the mission of a sending state which has not ratified the Vienna Convention, their families, and the diplomatic couriers of such state.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97–241 effective Oct. 1, 1982, see section 204 of Pub. L. 97–241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective at end of ninety-day period beginning on Sept. 30, 1978, see section 9 of Pub. L. 95–393, set out as a note under section 254a of this title.

§ 254c. Extension of more favorable or less favorable treatment than provided under Vienna Convention; authority of President

(a) In general

The President may, on the basis of reciprocity and under such terms and conditions as he may determine, specify privileges and immunities for the mission, the members of the mission, their families, and the diplomatic couriers which result in more favorable treatment or less favorable treatment than is provided under the Vienna Convention.

(b) Consular immunity

(1) In general

The Secretary of State, with the concurrence of the Attorney General, may, on the basis of reciprocity and under such terms and conditions as the Secretary may determine, specify privileges and immunities for a consular post, the members of a consular post, and their families which result in more favorable or less favorable treatment than is provided in the Vienna Convention on Consular Relations, of April 24, 1963 (T.I.A.S. 6820), entered into force for the United States on December 24, 1969.

(2) Consultation

Before exercising the authority under paragraph (1), the Secretary of State shall consult with the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate regarding the circumstances that may warrant the need for privileges and immunities providing more favorable or less favorable treatment than is provided in the Vienna Convention.

(Pub. L. 95–393, § 4, Sept. 30, 1978, 92 Stat. 809; Pub. L. 97–241, title II, § 203(b)(3), Aug. 24, 1982, 96 Stat. 291; Pub. L. 114–323, title V, § 501, Dec. 16, 2016, 130 Stat. 1935; Pub. L. 115–94, § 2(e), Dec. 18, 2017, 131 Stat. 2038.)

Editorial Notes

AMENDMENTS

2017—Subsec. (b)(2). Pub. L. 115–94 substituted “and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations” for “of the House of Representatives and the Committee on Foreign Relations”.

2016—Pub. L. 114–323 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1982—Pub. L. 97–241 substituted “immunities for the mission, the members” for “immunities for members” and “diplomatic couriers which” for “diplomatic couriers of any sending state which”.