

(Pub. L. 101-179, title VIII, § 805, Nov. 28, 1989, 103 Stat. 1323.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (b)(1), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424. Part I of the Act is classified generally to subchapter I (§ 2151 et seq.) of chapter 32 of this title. For provisions deeming references to subchapter I to include parts IV (§ 2346 et seq.), VI (§ 2348 et seq.), and VIII (§ 2349aa et seq.) of subchapter II of chapter 32, see section 202(b) of Pub. L. 92-226, set out as a note under section 2346 of this title, and sections 2348c and 2349aa-5 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

CHAPTER 64—UNITED STATES RESPONSE TO TERRORISM AFFECTING AMERICANS ABROAD

Sec.	
5501.	International negotiations concerning aviation security.
5502.	Coordinator for Counterterrorism.
5503.	Department of State notification of families of victims.
5504.	Designation of State Department-family liaison and toll-free family communications system.
5505.	Disaster training for State Department personnel.
5506.	Department of State responsibilities and procedures at international disaster site.
5507.	Recovery and disposition of remains and personal effects.
5508.	Assessment of Lockerbie experience.
5509.	Official Department of State recognition.
5510.	United States Government compensation for victims of terrorism.
5511.	Overseas Security Electronic Bulletin Board.
5512.	Antiterrorism measures.
5513.	Proposal for consideration by International Civil Aviation Organization.

§ 5501. International negotiations concerning aviation security

(a) United States policy

It is the policy of the United States—

(1) to seek bilateral agreements to achieve United States aviation security objectives with foreign governments;

(2) to continue to press vigorously for security improvements through the Foreign Airport Security Act¹ and the foreign airport assessment program; and

(3) to continue to work through the International Civil Aviation Organization to improve aviation security internationally.

(b) Negotiations for aviation security

(1) The Department of State, in consultation with the Department of Transportation, shall be responsible for negotiating requisite aviation security agreements with foreign governments concerning the implementation of United States rules and regulations which affect the foreign operations of United States air carriers, foreign air carriers, and foreign international airports. The Secretary of State is directed to enter, expeditiously, into negotiations for bilateral and multilateral agreements—

(A) for enhanced aviation security objectives;

(B) to implement the Foreign Airport Security Act¹ and the foreign airport assessment program to the fullest extent practicable; and

(C) to achieve improved availability of passenger manifest information.

(2) A principal objective of bilateral and multilateral negotiations with foreign governments and the International Civil Aviation Organization shall be improved availability of passenger manifest information.

(Pub. L. 101-604, title II, § 201, Nov. 16, 1990, 104 Stat. 3081.)

Editorial Notes

REFERENCES IN TEXT

No act with the title Foreign Airport Security Act, referred to in subsecs. (a)(2) and (b)(1)(B), has been enacted. The Foreign Airport Security Act probably means part B (§§ 551-559) of title V of Pub. L. 99-83, Aug. 8, 1985, 99 Stat. 222. For complete classification of part B to the Code, see Tables.

Statutory Notes and Related Subsidiaries

CONGRESSIONAL FINDINGS

Pub. L. 101-604, § 2, Nov. 16, 1990, 104 Stat. 3066, provided that: “Congress finds that—

“(1) the safety and security of passengers of United States air carriers against terrorist threats should be given the highest priority by the United States Government;

“(2) the report of the President’s Commission on Aviation Security and Terrorism, dated May 15, 1990, found that current aviation security systems are inadequate to provide such protection;

“(3) the United States Government should immediately take steps to ensure fuller compliance with existing laws and regulations relating to aviation security;

“(4) the United States Government should work through the International Civil Aviation Organization and directly with foreign governments to enhance aviation security of foreign carriers and at foreign airports;

“(5) the United States Government should ensure that enhanced security measures are fully implemented by both United States and foreign air carriers;

“(6) all nations belonging to the Summit Seven should promptly amend the Bonn Declaration to extend sanctions for all terrorist acts, including attacks against airports and air carrier ticket offices;

“(7) the United States Government, in bilateral negotiations with foreign governments, should emphasize upgrading international aviation security objectives;

“(8) the United States Government should have in place a mechanism by which the Government notifies the public, on a case-by-case basis and through the application of a uniform national standard, of certain credible threats to civil aviation security;

“(9) the United States Government has a special obligation to United States victims of acts of terrorism directed against this Nation and should provide prompt assistance to the families of such victims and assure that fair and prompt compensation is provided to such victims and their families;

“(10) the United States should work with other nations to treat as outlaws state sponsors of terrorism, isolating such sponsors politically, economically, and militarily;

“(11) the United States must develop a clear understanding that state-sponsored terrorism threatens

¹ See References in Text note below.

United States values and interests, and that active measures are needed to counter more effectively the terrorist threat; and

“(12) the United States must have the national will to take every feasible action to prevent, counter, and respond to terrorist activities.”

§ 5502. Coordinator for Counterterrorism

The Coordinator for Counterterrorism shall be responsible for the coordination of international aviation security for the Department of State.

(Pub. L. 101-604, title II, §202, Nov. 16, 1990, 104 Stat. 3082.)

§ 5503. Department of State notification of families of victims

(a) Department of State policy

It is the policy of the Department of State pursuant to section 2715 of this title to directly and promptly notify the families of victims of aviation disasters abroad concerning citizens of the United States directly affected by such a disaster, including timely written notice. The Secretary of State shall ensure that such notification by the Department of State is carried out notwithstanding notification by any other person.

(b) Department of State guidelines

Not later than 60 days after November 16, 1990, the Secretary of State shall issue such regulations, guidelines, and circulars as are necessary to ensure that the policy under subsection (a) is fully implemented.

(Pub. L. 101-604, title II, §204, Nov. 16, 1990, 104 Stat. 3083.)

§ 5504. Designation of State Department-family liaison and toll-free family communications system

(a) Designation of State Department-family liaison

Not later than 60 days after November 16, 1990, the Secretary of State shall issue such rules and guidelines as are necessary to provide that in the event of an aviation disaster directly involving United States citizens abroad, if possible, the Department of State will assign a specific individual, and an alternate, as the Department of State liaison for the family of each such citizen.

(b) Toll-free communications system

In the establishment of the Department of State toll-free communications system to facilitate inquiries concerning the affect of any disaster abroad on United States citizens residing or traveling abroad, the Secretary of State shall ensure that a toll-free telephone number is reserved for the exclusive use of the families of citizens who have been determined to be directly involved in any such disaster.

(Pub. L. 101-604, title II, §205, Nov. 16, 1990, 104 Stat. 3083.)

§ 5505. Disaster training for State Department personnel

(a) Additional training

The Secretary of State shall institute a supplemental program of training in disaster management for all consular officers.

(b) Training improvements

(1) In expanding the training program under subsection (a), the Secretary of State shall consult with death and bereavement counselors concerning the particular demands posed by aviation tragedies and terrorist activities.

(2) In providing such additional training under subsection (a) the Secretary of State shall consider supplementing the current training program through—

(A) providing specialized training to create a team of “disaster specialists” to deploy immediately in a crisis; or

(B) securing outside experts to be brought in during the initial phases to assist consular personnel.

(Pub. L. 101-604, title II, §206, Nov. 16, 1990, 104 Stat. 3084.)

§ 5506. Department of State responsibilities and procedures at international disaster site

(a) Dispatch of senior State Department official to site

Not later than 60 days after November 16, 1990, the Secretary of State shall issue such rules and guidelines as are necessary to provide that in the event of an international disaster, particularly an aviation tragedy, directly involving significant numbers of United States citizens abroad not less than one senior officer from the Bureau of Consular Affairs of the Department of State shall be dispatched to the site of such disaster.

(b) Criteria for Department of State staffing at disaster site

Not later than 60 days after November 16, 1990, the Secretary of State shall promulgate criteria for Department of State staffing of disaster sites abroad. Such criteria shall define responsibility for staffing decisions and shall consider the deployment of crisis teams under subsection (d). The Secretary of State shall promptly issue such rules and guidelines as are necessary to implement criteria developed pursuant to this subsection.

(c) State Department ombudsman

Not later than 60 days after November 16, 1990, the Secretary of State shall issue such rules and guidelines as are necessary to provide that in the event of an international aviation disaster involving significant numbers of United States citizens abroad not less than one officer or employee of the Department of State shall be dispatched to the disaster site to provide on-site assistance to families who may visit the site and to act as an ombudsman in matters involving the foreign local government authorities and social service agencies.

(d) Crisis teams

Not later than 60 days after November 16, 1990, the Secretary of State shall promulgate procedures for the deployment of a “crisis team”, which may include public affairs, forensic, and bereavement experts, to the site of any international disaster involving United States citizens abroad to augment in-country Embassy and consulate staff. The Secretary of State shall promptly issue such rules and guidelines as are