

under this subsection shall remain available for obligation through September 30 of the fiscal year following the fiscal year in which the funds were deposited.

(Aug. 1, 1956, ch. 841, title I, § 52, as added Pub. L. 103-236, title I, § 136, Apr. 30, 1994, 108 Stat. 396; amended Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2204, Oct. 21, 1998, 112 Stat. 2681-808.)

AMENDMENTS

1998—Subsec. (b). Pub. L. 105-277 inserted at end “Funds deposited under this subsection shall remain available for obligation through September 30 of the fiscal year following the fiscal year in which the funds were deposited.”

§ 2725. Fees for use of National Foreign Affairs Training Center

The Secretary is authorized to charge a fee for use of the National Foreign Affairs Training Center of the Department of State. Amounts collected under this section (including reimbursements and surcharges) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of such use and shall remain available for obligation until expended.

(Aug. 1, 1956, ch. 841, title I, § 53, as added Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2205(b), Oct. 21, 1998, 112 Stat. 2681-809.)

REPORTING ON PILOT PROGRAM

Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2205(c), Oct. 21, 1998, 112 Stat. 2681-809, provided that: “Two years after the date of enactment of this Act [Oct. 21, 1998], the Secretary of State shall submit a report to the appropriate congressional committees [Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate] containing—

“(1) the number of persons who have taken advantage of the pilot program established under subsections (e) and (f) of section 701 of the Foreign Service Act of 1980 [22 U.S.C. 4021] and section 53 of the State Department Basic Authorities Act of 1956 [22 U.S.C. 2725], as added by this section;

“(2) the business or government affiliation of such persons;

“(3) the amount of fees collected; and

“(4) the impact of the program on the primary mission of the National Foreign Affairs Training Center.”

§ 2726. Fee for use of diplomatic reception rooms

The Secretary is authorized to charge a fee for use of the diplomatic reception rooms of the Department of State. Amounts collected under this section (including reimbursements and surcharges) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of such use and shall remain available for obligation until expended.

(Aug. 1, 1956, ch. 841, title I, § 54, as added Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2206, Oct. 21, 1998, 112 Stat. 2681-810.)

§ 2727. Accounting of collections in budget presentation documents

The Secretary shall include in the annual Congressional Presentation Document and the Budget in Brief a detailed accounting of the

total collections received by the Department of State from all sources, including fee collections. Reporting on total collections shall also cover collections from the preceding fiscal year and the projected expenditures from all collections accounts.

(Aug. 1, 1956, ch. 841, title I, § 55, as added Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2207, Oct. 21, 1998, 112 Stat. 2681-810.)

§ 2728. Crimes committed by diplomats

(a) Annual report concerning diplomatic immunity

(1) Report to Congress

180 days after October 21, 1998, and annually thereafter, the Secretary of State shall prepare and submit to the Congress, a report concerning diplomatic immunity entitled “Report on Cases Involving Diplomatic Immunity”.

(2) Content of report

In addition to such other information as the Secretary of State may consider appropriate, the report under paragraph (1) shall include the following:

(A) The number of persons residing in the United States who enjoy full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(B) Each case involving an alien described in subparagraph (A) in which an appropriate authority of a State, a political subdivision of a State, or the United States reported to the Department of State that the authority had reasonable cause to believe the alien committed a serious criminal offense within the United States, and any additional information provided to the Secretary relating to other serious criminal offenses that any such authority had reasonable cause to believe the alien committed before the period covered by the report. The Secretary may omit from such report any matter the provision of which the Secretary reasonably believes would compromise a criminal investigation or prosecution or which would directly compromise law enforcement or intelligence sources or methods.

(C) Each case described in subparagraph (B) in which the Secretary of State has certified that a person enjoys full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(D) The number of United States citizens who are residing in a receiving state and who enjoy full immunity from the criminal jurisdiction of such state under laws extending diplomatic privileges and immunities.

(E) Each case involving a United States citizen under subparagraph (D) in which the United States has been requested by the government of a receiving state to waive the immunity from criminal jurisdiction of the United States citizen.

(F) Whether the Secretary has made the notifications referred to in subsection (c) of this section during the period covered by the report.

(3) Serious criminal offense defined

For the purposes of this section, the term “serious criminal offense” means—

- (A) any felony under Federal, State, or local law;
- (B) any Federal, State, or local offense punishable by a term of imprisonment of more than 1 year;
- (C) any crime of violence as defined for purposes of section 16 of title 18; or
- (D)(i) driving under the influence of alcohol or drugs;
- (ii) reckless driving; or
- (iii) driving while intoxicated.

(b) United States policy concerning reform of diplomatic immunity

It is the sense of the Congress that the Secretary of State should explore, in appropriate fora, whether states should enter into agreements and adopt legislation—

- (1) to provide jurisdiction in the sending state to prosecute crimes committed in the receiving state by persons entitled to immunity from criminal jurisdiction under laws extending diplomatic privileges and immunities; and
- (2) to provide that where there is probable cause to believe that an individual who is entitled to immunity from the criminal jurisdiction of the receiving state under laws extending diplomatic privileges and immunities committed a serious crime, the sending state will waive such immunity or the sending state will prosecute such individual.

(c) Notification of diplomatic corps

The Secretary should periodically notify each foreign mission of United States policies relating to criminal offenses committed by individuals with immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(Aug. 1, 1956, ch. 841, title I, § 56, as added Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2217, Oct. 21, 1998, 112 Stat. 2681-815.)

CHAPTER 39—ARMS EXPORT CONTROL**SUBCHAPTER I—FOREIGN AND NATIONAL SECURITY POLICY OBJECTIVES AND RESTRAINTS**

- | | |
|---------------|--|
| Sec.
2751. | Need for international defense cooperation and military export controls; Presidential waiver; report to Congress; arms sales policy. |
| 2752. | Coordination with foreign policy. <ul style="list-style-type: none"> (a) Noninfringement of powers or functions of Secretary of State. (b) Responsibility for supervision and direction of sales, leases, financing, cooperative projects, and exports. (c) Coordination among representatives of United States. |
| 2753. | Eligibility for defense services or defense articles. <ul style="list-style-type: none"> (a) Prerequisites for consent by President; report to Congress. (b) Necessity of consent by President. (c) Termination of credits, guarantees or sales; report of violation by President; national security exception; conditions for reinstatement. |

Sec.

2754.

2755.

2756.

2761.

2762.

- (d) Submission of written certification to Congress; contents; classified material; effective date of consent; report to Congress; transfers not subject to procedures.
 - (e) Transfers without consent of President; report to Congress.
 - (f) Sales and leases to countries in breach of nuclear nonproliferation agreements and treaties.
 - (g) Unauthorized use of articles.
- Purposes for which military sales or leases by the United States are authorized; report to Congress.
- Discrimination prohibited if based on race, religion, national origin, or sex.
- (a) Congressional declaration of policy.
 - (b) Employment of personnel; required contractual provision.
 - (c) Report by President; contents.
 - (d) Congressional request for information from President; information required; 60 day period; failure to supply information; termination or restriction of sale.
- Foreign intimidation and harassment of individuals in United States.
- SUBCHAPTER II—FOREIGN MILITARY SALES AUTHORIZATIONS**
- Sales from stocks.
- (a) Eligible countries or international organizations; basis of payment; valuation of certain defense articles.
 - (b) Time of payment.
 - (c) Personnel performing defense services sold as prohibited from performing combat activities.
 - (d) Billings; interest after due date, rates of interest and extension of due date.
 - (e) Charges; reduction or waiver.
 - (f) Public inspection of contracts.
 - (g) North Atlantic Treaty Organization standardization agreements, similar agreements; reimbursement for costs; transmittal to Congress.
 - (h) Reciprocal quality assurance, inspection, contract administrative services, and contract audit defense services; catalog data and services.
 - (i) Sales affecting combat readiness of Armed Forces; statement to Congress; limitation on delivery.
 - (j) Repealed.
 - (k) Effect of sales of excess defense articles on national technology and industrial base.
 - (l) Repair of defense articles.
 - (m) Return of defense articles.
- Procurement for cash sales.
- (a) Authority of President; dependable undertaking by foreign country or international organization; interest rates.
 - (b) Issuance of letters of offer under emergency determination; availability of appropriations for payment.