§2671. Emergency expenditures

(a) Delegation of authority pertaining to certification of expenditures

The Secretary of State is authorized to—

(1) subject to subsection (b), make expenditures, from such amounts as may be specifically appropriated therefor, for unforeseen emergencies arising in the diplomatic and consular service and, to the extent authorized in appropriations Acts, funds expended for such purposes may be accounted for in accordance with section 3526(e) of title 31; and

(2) delegate to subordinate officials the authority vested in him by section 3526(e) of title 31 pertaining to certification of expenditures.

(b) Activities subject to expenditures

(1) Expenditures described under subsection (a) shall be made only for such activities as—

(A) are in the public interest; 

(B) are of a nature or quality warranted by extraordinary circumstances; 

(C) serve to further the realization of foreign policy objectives; 

(D) are a matter of urgency to implement; 

(E) with respect to activities the expenditures for which are required to be certified under subsection (a), require confidentiality in the best interests of the conduct of foreign policy by the United States; and

(F) are not otherwise prohibited by law.

(2) Activities described in paragraph (1) include—

(A) the evacuation when their lives are endangered by war, civil unrest, or natural disaster of—

(i) United States Government employees and their dependents; and

(ii) private United States citizens or third-country nationals, on a reimbursable basis to the maximum extent practicable, with such reimbursements to be credited to the applicable Department of State appropriation and to remain available until expended, except that no reimbursement under this clause shall be paid that is greater than the amount the person evacuated would have been charged for a reasonable commercial air fare immediately prior to the events giving rise to the evacuation;

(B) loans made to destitute citizens of the United States who are outside the United States and made to provide for the return to the United States of its citizens;

(C) visits by foreign chiefs of state or heads of government to the United States;

(D) travel of delegations representing the President at any inauguration or funeral of a foreign dignitary;

(E) travel of the President, the Vice President, or a Member of Congress to a foreign country, including advance arrangements, escort, and official entertainment;

(F) travel of the Secretary of State within the United States and outside the United States, including official entertainment;

(G) official representation functions of the Secretary of State and other principal officers of the Department of State;

(H) official functions outside the United States by the Secretary of State and other principal officers of the Department of State;

(I) investigations and apprehension of groups or individuals involved in fraudulent issuance of United States passports and visas; and

(J) gifts of nominal value given by the President, Vice President, or Secretary of State to a foreign dignitary.

(c) Annual confidential audit and report

The Inspector General of the Department of State shall conduct a periodic audit of the Department of State’s emergency expenditures and prepare and transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate an annual report indicating whether such expenditures were made in accordance with subsections (a) and (b) of this section.

(d) Repatriation loan program

With regard to the repatriation loan program, the Secretary of State shall—

(1) require the borrower to provide a verifiable address and social security number at the time of application;

(2) require a written loan agreement which includes a repayment schedule;
(3) bar passports from being issued or renewed for those individuals who are in default; 
(4) refer any loan more than one year past due to the Department of Justice for litigation; 
(5) obtain addresses from the Internal Revenue Service for all delinquent accounts which have social security numbers; 
(6) report defaults to commercial credit bureaus as provided in section 3711(e) of title 31; 
(7) be permitted to use any funds necessary to contract with commercial collection agencies, notwithstanding section 3718(c) of title 31; 
(8) charge interest on all loans as of May 1, 1983, with the rate of interest to be that set forth in section 3717(a) of title 31; 
(9) assess charges, in addition to the interest provided for in paragraph (8), to cover the costs of processing and handling delinquent claims, as of May 1, 1983; 
(10) assess a penalty charge, in addition to the interest provided for in paragraphs (8) and (9), of 6 per centum per year for failure to pay any portion of a debt more than ninety days past due; and 
(11) implement the interest and penalty provisions in paragraphs (8), (9), and (10) for all current and future loans, regardless of whether the debts were incurred before or after May 1, 1983.


REFERENCES IN TEXT
Section 3718(c) of title 31, referred to in subsec. (d)(7), was renumbered section 3718(e) of title 31 by Pub. L. 99–578, §111, Oct. 28, 1986, 100 Stat. 3305.

CODIFICATION

Section was formerly classified to section 170j of Title 31, referred to in subsec. (d)(7), was renumbered section 170i of Title 31 by Pub. L. 99–578, §111, Oct. 28, 1986, 100 Stat. 3305.

AMENDMENTS
2002—Subsec. (b)(2)(A). Pub. L. 107–228 amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “the evacuation of United States Government employees and their dependents and private United States citizens when their lives are endangered by war, civil unrest, or natural disaster.”
1996—Subsec. (d)(6). Pub. L. 104–316 substituted “section 3717(e)” for “section 3717(c)”.
1994—Subsec. (c). Pub. L. 103–236 struck out “and the Foreign Service” after “Department of State” and substituted “a periodic” for “an annual confidential”.
1983—Pub. L. 98–164 designated existing provisions as subsec. (a), redesignated former pars. (a) and (b) as pars. (1) and (2), respectively, in par. (1) inserted reference to subsec. (b), and added subsecs. (b) to (d).

1 See References in Text note below.

Termination of Reporting Requirements
For termination, effective May 15, 2000, of provisions in subsec. (c) of this section relating to transmitting an annual report to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 131 of House Document No. 103–7.

§ 2672. Participation in international activities; restriction; expenses

The Secretary of State is authorized to—
(a) provide for participation by the United States in international activities which arise from time to time in the conduct of foreign affairs for which provision has not been made by the terms of any treaty, convention, or special Act of Congress: Provided, That this subsection shall not be construed as granting authority to accept membership for the United States in any international organization, or to participate in the activities of any international organization for more than one year without approval by the Congress; and
(b) pay the expenses of participation in activities in which the United States participates by authority of subsection (a) of this section, including, but not limited to the following:
(1) Employment of aliens; 
(2) Travel expenses without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under subchapter I of chapter 57 of title 5; 
(3) Travel expenses of persons serving without compensation in an advisory capacity while away from their homes or regular places of business not in excess of those authorized for regular officers and employees traveling in connection with said international activities; and
(4) Rental of quarters by contract or otherwise.


CODIFICATION

Section was formerly classified to section 170i of Title 31, referred to in subsec. (d)(7), was renumbered section 170j of Title 31 by Pub. L. 99–578, §111, Oct. 28, 1986, 100 Stat. 3305.

AMENDMENTS
2002—Subsec. (b)(2)(A). Pub. L. 107–228 amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “the evacuation of United States Government employees and their dependents and private United States citizens when their lives are endangered by war, civil unrest, or natural disaster.”
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1983—Pub. L. 98–164 designated existing provisions as subsec. (a), redesignated former pars. (a) and (b) as pars. (1) and (2), respectively, in par. (1) inserted reference to subsec. (b), and added subsecs. (b) to (d).

1 See References in Text note below.