

105TH CONGRESS
1ST SESSION

H. R. 1547

To provide for notification regarding crimes committed by diplomats.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 1997

Mr. HEFLEY introduced the following bill; which was referred to the
Committee on International Relations

A BILL

To provide for notification regarding crimes committed by
diplomats.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NOTIFICATION OF CRIMES COMMITTED BY DIP-**
4 **LOMATS.**

5 Title II of the State Department Basic Authorities
6 Act of 1956 (22 U.S.C. 4301 et seq.; commonly referred
7 to as the “Foreign Missions Act”) is amended by inserting
8 after section 204A the following:

9 **“SEC. 204B. CRIMES COMMITTED BY DIPLOMATS.**

10 “(a) RECORDS.—(1) The Director shall develop and
11 maintain records on each incident in which an individual

1 with immunity from the criminal jurisdiction of the United
2 States under the Vienna Convention who the Director rea-
3 sonably believes has committed a serious criminal offense
4 within the United States which was not subject to the
5 criminal jurisdiction of the United States. Each such
6 record shall include—

7 “(A) the identity of such individual;

8 “(B) the nature of the offense committed by
9 such individual, including whether against property
10 or persons;

11 “(C) whether such offense involved reckless
12 driving or driving while intoxicated; and

13 “(D) the number and nature of all other crimi-
14 nal offenses committed in the United States by such
15 individual.

16 “(2) The Director shall submit an annual report to
17 the Congress on the incidents occurring during the preced-
18 ing year. The report shall include the information main-
19 tained under paragraph (1).

20 “(b) EDUCATION AND ENCOURAGEMENT OF LOCAL
21 LAW ENFORCEMENT INDIVIDUALS.—The Director shall
22 take such steps as may be necessary—

23 “(1) to educate local law enforcement officials
24 on the extent of the immunity from criminal juris-
25 diction provided to members of a foreign mission,

1 and family members of such members, under the
2 Vienna Convention; and

3 “(2) to encourage local law enforcement offi-
4 cials to fully investigate, charge, and prosecute, to
5 the extent consistent with immunity from criminal
6 jurisdiction under the Vienna Convention, any mem-
7 ber of a foreign mission, and any family member of
8 such a member, who commits a serious criminal of-
9 fense within the United States.

10 “(c) INTERFERENCE WITH LOCAL PROSECUTIONS.—
11 No officer or employee of the Department of State may
12 interfere with any investigation, charge, or prosecution by
13 a State or local government of—

14 “(1) an alien who is a member of a foreign mis-
15 sion,

16 “(2) a family member of an alien described in
17 subparagraph (A), or

18 “(3) any other alien,
19 not covered by immunity from the criminal jurisdic-
20 tion of the United States under the Vienna Conven-
21 tion.

22 “(d) NOTIFICATION OF DIPLOMATIC CORPS.—The
23 Director shall notify the members of each foreign mission
24 of United States policies relating to criminal offenses (par-
25 ticularly crimes of violence) committed by such members,

1 and the family members of such members, including the
2 policy of obtaining criminal indictments, requiring such
3 members to leave the country, and declaring such mem-
4 bers persona non grata.

5 “(e) VIENNA CONVENTION.—For the purposes of this
6 section, the term ‘Vienna Convention’ means the Vienna
7 Convention on Diplomatic Relations of April 18, 1961
8 (TIAS numbered 7502; 23 UST 3227), entered into force
9 with respect to the United States on December 13,
10 1972.”.

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