

## DEFINITIONS

The definitions in section 262r of this title apply to this section.

**§ 262t. Personnel practices****(a) Statement of policy**

It shall be the policy of the United States that no initiatives, discussions, or recommendations concerning the placement or removal of any personnel employed by the international financial institutions shall be based on the political philosophy or activity of the individual under consideration.

**(b) Consultation**

The Secretary of the Treasury shall consult with the Chairman and the ranking minority member of the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate before any discussion or recommendations by any official of the United States Government concerning the placement or removal of any principal officer of any international financial institutions.

(Pub. L. 95-118, title XIX, § 1901, as added Pub. L. 101-240, title V, § 541(a), Dec. 19, 1989, 103 Stat. 2517.)

**Statutory Notes and Related Subsidiaries**

## CHANGE OF NAME

Committee on Banking, Finance and Urban Affairs of House of Representatives treated as referring to Committee on Banking and Financial Services of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Banking and Financial Services of House of Representatives abolished and replaced by Committee on Financial Services of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred from Committee on Energy and Commerce of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

## DEFINITIONS

The definitions in section 262r of this title apply to this section.

**§ 263. International Prison Commission**

The United States shall continue as an adhering member of the International Prison Commission and participate in the work of said commission.

The Secretary of the Treasury be, and he is hereby, authorized annually to pay the pro rata share of the United States in the administration expenses of the International Prison Commission and the necessary expenses of a commissioner to represent the United States on said commission at its annual meetings, together with necessary clerical and other expenses, out of any money which shall be appropriated for such purposes from time to time by Congress.

(Feb. 28, 1913, ch. 86, 37 Stat. 692.)

**§ 263a. International Criminal Police Organization**

The Attorney General is authorized to accept and maintain, on behalf of the United States,

membership in the International Criminal Police Organization, and to designate any departments and agencies which may participate in the United States representation with that organization. All dues and expenses to be paid for the membership of the United States shall be paid out of sums authorized and appropriated for the Department of Justice.

(June 10, 1938, ch. 335, 52 Stat. 640; Pub. L. 85-768, Aug. 27, 1958, 72 Stat. 921; Pub. L. 90-159, Nov. 28, 1967, 81 Stat. 517; Pub. L. 92-380, § 1, Aug. 10, 1972, 86 Stat. 531; Pub. L. 93-468, § 1, Oct. 24, 1974, 88 Stat. 1422; Pub. L. 95-624, § 21(a), Nov. 9, 1978, 92 Stat. 3466.)

**Editorial Notes**

## AMENDMENTS

1978—Pub. L. 95-624 substituted provision authorizing payment of all dues and expenses for membership of the United States out of sums authorized and appropriated for Department of Justice for provisions authorizing each participating department and agency to pay its pro rata share of expenses of such membership and forbidding total dues paid for such membership to exceed \$120,000 per annum.

1974—Pub. L. 93-468 substituted “\$120,000” for “\$80,000”.

1972—Pub. L. 92-380 substituted “\$80,000” for “\$28,500”.

1967—Pub. L. 90-159 substituted “\$28,500” for “\$25,000”.

1958—Pub. L. 85-768 authorized the Attorney General to designate departments and agencies which may participate, on a pro rata share basis, in the United States representation with the International Criminal Police Organization, and increased from \$1,500 to \$25,000 per annum the amount of expenses which may be incurred by reason of United States membership.

**§ 263b. Transnational repression accountability and prevention****(a) Sense of Congress**

It is the sense of Congress that some INTERPOL member countries have repeatedly misused INTERPOL’s databases and processes, including Notice and Diffusion mechanisms, to conduct activities of an overtly political or other unlawful character and in violation of international human rights standards, including by making requests to harass or persecute political opponents, human rights defenders, or journalists.

**(b) Support for INTERPOL institutional reforms**

The Attorney General and the Secretary of State shall—

(1) use the voice, vote, and influence of the United States, as appropriate, within INTERPOL’s General Assembly and Executive Committee to promote reforms aimed at improving the transparency of INTERPOL and ensuring its operation consistent with its Constitution, particularly articles 2 and 3, and Rules on the Processing of Data, including—

(A) supporting INTERPOL’s reforms enhancing the screening process for Notices, Diffusions, and other INTERPOL communications to ensure they comply with INTERPOL’s Constitution and Rules on the Processing of Data (RPD);

(B) supporting and strengthening INTERPOL’s coordination with the Commis-

sion for Control of INTERPOL's Files (CCF) in cases in which INTERPOL or the CCF has determined that a member country issued a Notice, Diffusion, or other INTERPOL communication against an individual in violation of articles 2 or 3 of the INTERPOL Constitution, or the RPD, to prohibit such member country from seeking the publication or issuance of any subsequent Notices, Diffusions, or other INTERPOL communication against the same individual based on the same set of claims or facts;

(C) increasing, to the extent practicable, dedicated funding to the CCF and the Notices and Diffusions Task Force in order to further expand operations related to the review of requests for red notices and red diffusions;

(D) supporting candidates for positions within INTERPOL's structures, including the Presidency, Executive Committee, General Secretariat, and CCF who have demonstrated experience relating to and respect for the rule of law;

(E) seeking to require INTERPOL in its annual report to provide a detailed account, disaggregated by member country or entity of—

(i) the number of Notice requests, disaggregated by color, that it received;

(ii) the number of Notice requests, disaggregated by color, that it rejected;

(iii) the category of violation identified in each instance of a rejected Notice;

(iv) the number of Diffusions that it cancelled without reference to decisions by the CCF; and

(v) the sources of all INTERPOL income during the reporting period; and

(F) supporting greater transparency by the CCF in its annual report by providing a detailed account, disaggregated by country, of—

(i) the number of admissible requests for correction or deletion of data received by the CCF regarding issued Notices, Diffusions, and other INTERPOL communications; and

(ii) the category of violation alleged in each such complaint;

(2) inform the INTERPOL General Secretariat about incidents in which member countries abuse INTERPOL communications for politically motivated or other unlawful purposes so that, as appropriate, action can be taken by INTERPOL; and

(3) request to censure member countries that repeatedly abuse and misuse INTERPOL's red notice and red diffusion mechanisms, including restricting the access of those countries to INTERPOL's data and information systems.

**(c) Report on INTERPOL**

**(1) In general**

Not later than 180 days after December 27, 2021, and biannually thereafter for a period of 4 years, the Attorney General and the Secretary of State, in consultation with the heads of other relevant United States Government departments or agencies, shall submit to the

appropriate committees of Congress a report containing an assessment of how INTERPOL member countries abuse INTERPOL Red Notices, Diffusions, and other INTERPOL communications for political motives and other unlawful purposes within the past three years.

**(2) Elements**

The report required under paragraph (1) shall include the following elements:

(A) A list of countries that the Attorney General and the Secretary determine have repeatedly abused and misused the red notice and red diffusion mechanisms for political purposes.

(B) A description of the most common tactics employed by member countries in conducting such abuse, including the crimes most commonly alleged and the INTERPOL communications most commonly exploited.

(C) An assessment of the adequacy of INTERPOL mechanisms for challenging abusive requests, including the Commission for the Control of INTERPOL's Files (CCF), an assessment of the CCF's March 2017 Operating Rules, and any shortcoming the United States believes should be addressed.

(D) A description of how INTERPOL's General Secretariat identifies requests for red notice or red diffusions that are politically motivated or are otherwise in violation of INTERPOL's rules and how INTERPOL reviews and addresses cases in which a member country has abused or misused the red notice and red diffusion mechanisms for overtly political purposes.

(E) A description of any incidents in which the Department of Justice assesses that United States courts and executive departments or agencies have relied on INTERPOL communications in contravention of existing law or policy to seek the detention of individuals or render judgments concerning their immigration status or requests for asylum, with holding of removal, or convention against torture claims and any measures the Department of Justice or other executive departments or agencies took in response to these incidents.

(F) A description of how the United States monitors and responds to likely instances of abuse of INTERPOL communications by member countries that could affect the interests of the United States, including citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

(G) A description of what actions the United States takes in response to credible information it receives concerning likely abuse of INTERPOL communications targeting employees of the United States Government for activities they undertook in an official capacity.

(H) A description of United States advocacy for reform and good governance within INTERPOL.

(I) A strategy for improving interagency coordination to identify and address instances of INTERPOL abuse that affect the interests of the United States, including international respect for human rights and fundamental freedoms, citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

**(3) Form of report**

Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex, as appropriate. The unclassified portion of the report shall be posted on a publicly available website of the Department of State and of the Department of Justice.

**(4) Briefing**

Not later than 30 days after the submission of each report under paragraph (1), the Department of Justice and the Department of State, in coordination with other relevant United States Government departments and agencies, shall brief the appropriate committees of Congress on the content of the reports and recent instances of INTERPOL abuse by member countries and United States efforts to identify and challenge such abuse, including efforts to promote reform and good governance within INTERPOL.

**(d) Prohibition regarding basis for extradition**

No United States Government department or agency may extradite an individual based solely on an INTERPOL Red Notice or Diffusion issued by another INTERPOL member country for such individual.

**(e) Definitions**

In this section:

**(1) Appropriate committees of Congress**

The term “appropriate committees of Congress” means—

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

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

**(2) INTERPOL communications**

The term “INTERPOL communications” means any INTERPOL Notice or Diffusion or any entry into any INTERPOL database or other communications system maintained by INTERPOL.

(Pub. L. 117–81, div. F, title LXV, §6503, Dec. 27, 2021, 135 Stat. 2423.)

**§ 263c. Anti-piracy information sharing**

The Secretary is authorized to provide for the participation by the United States in the Information Sharing Centre located in Singapore, as

established by the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP).

(Pub. L. 117–81, div. E, title LI, §5107, Dec. 27, 2021, 135 Stat. 2347.)

**Statutory Notes and Related Subsidiaries**

DEFINITIONS

Pub. L. 117–81, div. E, §5002, Dec. 27, 2021, 135 Stat. 2341, provided that: “In this division [see Tables for classification]:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

“(2) DEPARTMENT.—If not otherwise specified, the term ‘Department’ means the Department of State.

“(3) SECRETARY.—If not otherwise specified, the term ‘Secretary’ means the Secretary of State.”

**§§ 264, 265. Omitted**

**Editorial Notes**

CODIFICATION

Section 264, act Aug. 18, 1894, ch. 301, 28 Stat. 418, which related to Pan American Union, was superseded by Convention of 1928, ratified by the United States and providing that the government of Pan American Union should be vested in a governing board.

Section 265, act Jan. 25, 1929, ch. 102, title I, 45 Stat. 1102, which was from an appropriation act, related to disposition of receipts of Pan American Union, and was not repeated in subsequent appropriation acts.

**§ 266. International commission of congresses of navigation; authorization of appropriation for expenses**

The sum of \$3,000 a year is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the support and maintenance of the permanent international commission of the congresses of navigation and for the payment of the actual expenses of the properly accredited national delegates of the United States to the meetings of the congresses and of the commission; and the Secretary of the Army is authorized to draw his warrant each year upon the Secretary of the Treasury for such sum, not to exceed \$3,000, as may in his opinion be proper to apply to the purposes above mentioned, and the said sum shall be disbursed under such regulations as may be prescribed by the Secretary of the Army.

The national delegates aforesaid from the United States shall serve without compensation, but shall be reimbursed for their actual expenses incurred while traveling to and from the meetings, and while in attendance thereon, from the funds appropriated in this section and authorized to be expended.

(June 28, 1902, ch. 1306, 32 Stat. 485; June 26, 1934, ch. 756, §2, 48 Stat. 1225; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

**Editorial Notes**

CODIFICATION

Act June 26, 1934, ch. 756, §2(a), 48 Stat. 1225, which was classified to section 725a of former Title 31, Money and Finance, provided for the repeal, effective July 1,