

“(E) the payment and approval of payment, shall be governed by procedures developed by the Secretary of State, in consultation with the Attorney General.

“(2) Before making a reward under this section in a matter over which there is Federal criminal jurisdiction, the Secretary of State shall obtain the concurrence of the Attorney General.

“(3) Rewards under this section shall be subject to any requirements or limitations that apply to rewards under section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) with respect to the ineligibility of government employees for rewards, maximum reward amount, and procedures for the approval and certification of rewards for payment.

“(c) REFERENCE.—(1) For the purposes of subsection (a), the statute of the International Criminal Tribunal for the Former Yugoslavia means the Annex to the Report of the Secretary General of the United Nations pursuant to paragraph 2 of Security Council Resolution 827 (1993) (S/25704).

“(2) For the purposes of subsection (a), the statute of the International Criminal Tribunal for Rwanda means the statute contained in the annex to Security Council Resolution 955 of November 8, 1994.

“(3) For the purposes of subsection (a), the Statute of the Special Court for Sierra Leone means the Statute contained in the Annex to the Agreement Between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone.

“(d) DETERMINATION OF THE SECRETARY.—A determination made by the Secretary of State under this section shall be final and conclusive and shall not be subject to judicial review.

“(e) PRIORITY.—Rewards under this section may be paid from funds authorized to carry out section 36 of the State Department Basic Authorities Act of 1956 [22 U.S.C. 2708]. In the Administration and payment of rewards under the rewards program of section 36 of the State Department Basic Authorities Act of 1956, the Secretary of State shall ensure that priority is given for payments to individuals described in section 36 of that Act and that funds paid under this section are paid only after any and all due and payable demands are met under section 36 of that Act.

“(f) REPORTS.—The Secretary shall inform the appropriate committees of rewards paid under this section in the same manner as required by section 36(g) of the State Department Basic Authorities Act of 1956.”

AVOIDING DUPLICATIVE AMENDMENTS

Pub. L. 101-231, §13(b), Dec. 13, 1989, 103 Stat. 1963, provided that: “If the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 [Pub. L. 101-246, Feb. 16, 1990, 104 Stat. 87], is enacted before this Act [Dec. 13, 1989], and that Act makes the same amendment as is described in subsection (a) [amending this section], then subsection (a) shall not take effect. If, however, this Act is enacted before the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, and that Act would make the same amendment as is made by subsection (a), then that amendment as proposed to be made by that Act shall not take effect.”

REWARDS FOR INTERNATIONAL TERRORISTS

Pub. L. 99-399, title V, §501, Aug. 27, 1986, 100 Stat. 869, provided that: “It is the sense of the Congress that the Secretary of State should more vigorously utilize the moneys available under section 36(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(a)); relating to rewards for information on international terrorism) to more effectively apprehend and prosecute international terrorists. It is further the sense of the Congress that the Secretary of State should consider widely publicizing the sizable rewards available under present law so that major international terrorist figures may be brought to justice.”

§ 2708a. Award of Thomas Jefferson Star for Foreign Service

(a) Authority to award

The President, upon the recommendation of the Secretary, may award a Thomas Jefferson Star for Foreign Service to any member of the Foreign Service or any other civilian employee of the Government of the United States who, while employed at, or assigned permanently or temporarily to, an official mission overseas or while traveling abroad on official business, incurred a wound or other injury or an illness (whether or not the wound, other injury, or illness resulted in death)—

(1) as the person was performing official duties;

(2) as the person was on the premises of a United States mission abroad; or

(3) by reason of the person's status as a United States Government employee.

(b) Selection criteria

The Secretary shall prescribe the procedures for identifying and considering persons eligible for award of a Thomas Jefferson Star for Foreign Service and for selecting the persons to be recommended for the award.

(c) Award in the event of death

If a person selected for award of a Thomas Jefferson Star for Foreign Service dies before being presented the award, the award may be made and the star presented to the person's family or to the person's representative, as designated by the President.

(d) Form of award

The Secretary shall prescribe the design of the Thomas Jefferson Star for Foreign Service. The award may not include a stipend or any other cash payment.

(e) Funding

Any expenses incurred in awarding a person a Thomas Jefferson Star for Foreign Service may be paid out of appropriations available at the time of the award for personnel of the department or agency of the United States Government in which the person was employed when the person incurred the wound, injury, or illness upon which the award is based.

(Aug. 1, 1956, ch. 841, title I, §36A, as added Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title III, §321], Nov. 29, 1999, 113 Stat. 1536, 1501A-436; amended Pub. L. 107-228, div. A, title III, §311, Sept. 30, 2002, 116 Stat. 1377.)

Editorial Notes

AMENDMENTS

2002—Pub. L. 107-228 substituted “Thomas Jefferson Star for Foreign Service” for “Foreign Service star” in section catchline and wherever appearing in text.

§ 2709. Special agents

(a) General authority

Under such regulations as the Secretary of State may prescribe, special agents of the Department of State and the Foreign Service may—

(1) conduct investigations concerning—