

§ 4029. Increased training in multilateral diplomacy

(1) Statement of policy

It shall be the policy of the United States that training courses should be established for Foreign Service Officers and civil service employees of the State Department, including appropriate chiefs of mission, on the conduct of multilateral diplomacy, including the conduct of negotiations at international organizations and multilateral institutions, negotiating skills that are required at multilateral settings, coalition-building techniques, and lessons learned from previous United States multilateral negotiations.

(2) Personnel

(A) In general

The Secretary shall ensure that the training described in paragraph (1) is provided at various stages of the career of members of the Service.

(B) Actions of the Secretary

The Secretary shall ensure that—

(i) officers of the Service receive training on the conduct of diplomacy at international organizations and other multilateral institutions and at broad-based multilateral negotiations of international instruments as part of their training upon entry into the Service; and

(ii) officers of the Service, including chiefs of mission, who are assigned to United States missions representing the United States to international organizations and other multilateral institutions or who are assigned in Washington, D.C., to positions that have as their primary responsibility formulation of policy toward such organizations and institutions or toward participation in broad-based multilateral negotiations of international instruments, receive specialized training in the areas described in paragraph (1) prior to beginning of service for such assignment or, if receiving such training at that time is not practical, within the first year of beginning such assignment.

(3) Training for civil service employees

The Secretary shall ensure that employees of the Department of State who are members of the civil service and who are assigned to positions described in paragraph (2) receive training described in paragraph (1) prior to the beginning of service for such assignment or, if receiving such training at such time is not practical, within the first year of beginning such assignment.

(Pub. L. 108–458, title VII, §7111(c), Dec. 17, 2004, 118 Stat. 3795.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Intelligence Reform and Terrorism Prevention Act of 2004, and also as part of the 9/11 Commission Implementation Act of 2004, and not as part of the Foreign Service Act of 1980 which comprises this chapter.

§ 4030. Suitability reviews for Foreign Service Institute instructors

The Secretary shall take reasonable steps to ensure that all instructors at the Foreign Service Institute, including direct hires and contractors, who provide language instruction are—

(1) subject to suitability reviews and background investigations; and

(2) subject to periodic background checks or reinvestigations to the extent consistent with Department and Executive policy for other Department personnel.

(Pub. L. 118–31, div. F, title LXI, §6116, Dec. 22, 2023, 137 Stat. 970.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Department of State Authorization Act of 2023, and also as part of the National Defense Authorization Act for Fiscal Year 2024, and not as part of the Foreign Service Act of 1980 which comprises this chapter.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “Secretary” and “Department” as used in this section, see section 6002 of Pub. L. 118–31, set out as a note under section 2651 of this title.

SUBCHAPTER VIII—FOREIGN SERVICE RETIREMENT AND DISABILITY

PART I—FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

§ 4041. Administration

In accordance with such regulations as the President may prescribe, the Secretary of State shall administer the Foreign Service Retirement and Disability System (hereinafter in this part referred to as the “System”), originally established pursuant to section 18 of the Act of May 24, 1924 (43 Stat. 144).

(Pub. L. 96–465, title I, §801, Oct. 17, 1980, 94 Stat. 2102; Pub. L. 99–335, title IV, §402(a)(2), June 6, 1986, 100 Stat. 609.)

Editorial Notes

REFERENCES IN TEXT

Section 18 of the Act of May 24, 1924 (43 Stat. 144), referred to in text, which was classified to section 21 of this title, was repealed by act Aug. 13, 1946, ch. 957, title XI, §1131(44), 60 Stat. 1038.

AMENDMENTS

1986—Pub. L. 99–335 substituted “part” for “subchapter”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99–335 effective Jan. 1, 1987, see section 702(a) of Pub. L. 99–335, set out as an Effective Date note under section 8401 of Title 5, Government Organization and Employees.

EFFECTIVE DATE

Subchapter effective Feb. 15, 1981, except regarding the rights of former spouses to any annuity under sec-

tion 4054(a) of this title or except to the extent provided in section 4159 of this title, regarding rights of former spouses to receive survivor annuities under this subchapter, see section 2403(a) and (e) of Pub. L. 96-465, set out as a note under section 3901 of this title.

TERMINATION OF RETIREMENT BENEFITS FOR FOREIGN NATIONAL EMPLOYEES ENGAGING IN HOSTILE INTELLIGENCE ACTIVITIES

Pub. L. 100-204, title I, §158, Dec. 22, 1987, 101 Stat. 1355, provided that:

“(a) **TERMINATION.**—The Secretary of State shall exercise the authorities available to him to ensure that the United States does not provide, directly or indirectly, any retirement benefits of any kind to any present or former foreign national employee of a United States diplomatic or consular post against whom the Secretary has convincing evidence that such employee has engaged in intelligence activities directed against the United States. To the extent practicable, the Secretary shall provide due process in implementing this section.

“(b) **WAIVER.**—The Secretary of State may waive the applicability of subsection (a) on a case-by-case basis with respect to an employee if he determines that it is vital to the national security of the United States to do so and he reports such waiver to the appropriate committees of the Congress.”

TEMPORARY RETIREMENT CONTRIBUTIONS AND PROCEDURES FOR CERTAIN PARTICIPANTS

For temporary provisions providing modified contributions and procedures for members of the Service participating in the Foreign Service Retirement and Disability System who are also required to pay employment taxes relating to benefits under title II of the Social Security Act, 42 U.S.C. 401 et seq., until they are covered by a new Government retirement system or Jan. 1, 1986, whichever is earlier, see title II of Pub. L. 98-168, set out as a note under section 8331 of Title 5, Government Organization and Employees.

Executive Documents

DELEGATION OF FUNCTIONS

Functions of President under this section delegated to Secretary of State, see section 1 of Ex. Ord. No. 12293, Feb. 23, 1981, 46 F.R. 13969, set out as a note under section 3901 of this title.

§ 4042. Maintenance of Fund

The Secretary of the Treasury shall maintain the special fund known as the Foreign Service Retirement and Disability Fund (hereinafter in this part referred to as the “Fund”), originally created by section 18 of the Act of May 24, 1924 (43 Stat. 144).

(Pub. L. 96-465, title I, §802, Oct. 17, 1980, 94 Stat. 2102; Pub. L. 99-335, title IV, §402(a)(2), June 6, 1986, 100 Stat. 609.)

Editorial Notes

REFERENCES IN TEXT

Section 18 of the Act of May 24, 1924 (43 Stat. 144), referred to in text, which was classified to section 21 of this title, was repealed by act Aug. 13, 1946, ch. 957, title XI, §1131(44), 60 Stat. 1038.

AMENDMENTS

1986—Pub. L. 99-335 substituted “part” for “subchapter”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-335 effective Jan. 1, 1987, see section 702(a) of Pub. L. 99-335, set out as an Effect-

tive Date note under section 8401 of Title 5, Government Organization and Employees.

§ 4043. Participants

(a) Career appointees or candidates; chiefs of mission

Except as provided in subsection (d), the following members of the Service (hereinafter in this part referred to as “participants”) shall be entitled to the benefits of the System:

(1) Every member who is serving under a career appointment or as a career candidate under section 3946 of this title—

(A) in the Senior Foreign Service, or

(B) assigned to a salary class in the Foreign Service Schedule.

(2) Every chief of mission, who is not a participant under paragraph (1), who—

(A) has served as chief of mission for an aggregate period of 20 years or more, and

(B) has paid into the Fund a special contribution for each year of such service in accordance with section 4045 of this title.

(b) Executive branch appointees

Any otherwise eligible member of the Service who is appointed to a position in the executive branch by the President, by and with the advice and consent of the Senate, or by the President alone, shall not by virtue of the acceptance of such appointment cease to be eligible to participate in the System.

(c) Binational Center Grantees

In addition to the individuals who are participants in the System under subsection (a), any individual who was appointed as a Binational Center Grantee and who completed at least 5 years of satisfactory service as such a grantee or under any other appointment under the Foreign Service Act of 1946 may become a participant in the System, and shall receive credit for such service if an appropriate special contribution is made to the Fund in accordance with section 4045(d) or (f) of this title.

(d) Exclusion

An individual subject to the Foreign Service Pension System (described in part II) is not a participant in this System.

(Pub. L. 96-465, title I, §803, Oct. 17, 1980, 94 Stat. 2102; Pub. L. 99-335, title IV, §§402(a)(2), 414, June 6, 1986, 100 Stat. 609, 614.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Service Act of 1946, referred to in subsection (c), is act Aug. 13, 1946, ch. 957, titles I to X, 60 Stat. 999, which was classified principally to chapter 14 (§801 et seq.) of this title, and was repealed by Pub. L. 96-465, title II, 2205(1), Oct. 17, 1980, 94 Stat. 2159.

AMENDMENTS

1986—Subsec. (a). Pub. L. 99-335, §§402(a)(2), 414(1), substituted “Except as provided in subsection (d), the” for “The” and “part” for “subchapter” in provisions preceding par. (1).

Subsec. (d). Pub. L. 99-335, §414(2), added subsec. (d).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-335 effective Jan. 1, 1987, see section 702(a) of Pub. L. 99-335, set out as an Effect-