

AMENDMENTS

2024—Par. (1). Pub. L. 118-159, in introductory provisions, substituted “the Department and the United States Agency for International Development (USAID), and other United States Government employees under chief of mission authority are” for “the Department is” and “Department and USAID personnel, and other United States Government employees under chief of mission authority” for “Department personnel”.

Statutory Notes and Related Subsidiaries

DEFINITION

For definition of “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.

§ 4081b. Presence of chiefs of mission at diplomatic posts**(a) Requirement for arrival at diplomatic post within 60 days****(1) In general**

The Secretary shall require that to be eligible for payment of travel expenses for initial arrival at the assigned post, a chief of mission must arrive at the post not later than 60 days after the date on which the chief of mission was confirmed by the Senate.

(2) Exceptions

The restriction under paragraph (1) shall not apply to a chief of mission who arrives later than 60 days after confirmation by the Senate if the delay was caused by one or more of the following:

(A) A flight delay that was outside of the control of the chief of mission or the Department.

(B) A natural disaster, global health emergency, or other naturally occurring event that prevented the chief of mission from entering the country of the assigned post.

(C) Delay or refusal by the government of the host country to accept diplomatic accreditation.

(D) Family or medical emergency.

(E) Extenuating circumstances beyond the control of the chief of mission.

(3) Waiver

The Secretary may waive the requirement under paragraph (1) upon a determination that extenuating circumstances warrant such a waiver and upon submission of a brief description of the determination to the appropriate congressional committees.

(4) Notification required

Not later than 90 days after December 23, 2024, and in each case that a chief of mission arrives at an assigned post more than 60 days after confirmation, the Secretary shall submit to the appropriate congressional committees a report identifying any chief of mission who arrived at the assigned post more than 60 days after confirmation by the Senate, and includes a description of the justification.

(b) Notifications on departures of chiefs of mission

Beginning on April 1, 2025, for 5 years, the Secretary shall notify the appropriate congres-

sional committees of any chief of mission who has permanently departed from the assigned post within 90 days of the departure.

(Pub. L. 118-159, div. G, title LXXII, § 7202, Dec. 23, 2024, 138 Stat. 2528.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Department of State Authorization Act for Fiscal Year 2025, and also as part of the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025, 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”, “Department”, and “appropriate congressional committees” as used in this section, see section 7002 of Pub. L. 118-159, set out as a note under section 2651 of this title.

§ 4082. Loan of household effects

The Secretary may, as a means of eliminating transportation costs, provide members of the Service with basic household furnishing and equipment for use on a loan basis in personally owned or leased residences.

(Pub. L. 96-465, title I, § 902, Oct. 17, 1980, 94 Stat. 2127.)

§ 4083. Required leave**(a) Criteria; length of continuous service**

The Secretary may order a member of the Service (other than a member employed under section 3951 of this title) who is a citizen of the United States to take a leave of absence under section 6305 of title 5 (without regard to the introductory clause of subsection (a) of that section), upon completion by that member of 12 months of continuous service abroad. The Secretary shall order on such a leave of absence a member of the Service (other than a member employed under section 3951 of this title) who is a citizen of the United States as soon as possible after completion by that member of 3 years of continuous service abroad.

(b) Place leave may be taken

Leave ordered under this section may be taken in the United States or its territories, including American Samoa, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands. In cases in which a member of the Service has official orders to an unaccompanied post and in which the family members of the member reside apart from the member at authorized locations outside the United States, the member may take the leave ordered under this section where that member’s family members reside, notwithstanding section 10305 of title 5.

(c) Availability for work or duties in Department

While on a leave of absence ordered under this section, the services of any member of the Service shall be available for such work or duties in the Department or elsewhere as the Secretary may prescribe, but the time of such work or duties shall not be counted as leave.

(Pub. L. 96-465, title I, §903, Oct. 17, 1980, 94 Stat. 2127; Pub. L. 103-236, title I, §180(a)(8), Apr. 30, 1994, 108 Stat. 416; Pub. L. 109-234, title I, §1602(d)(2), June 15, 2006, 120 Stat. 442; Pub. L. 110-321, §2(2), Sept. 19, 2008, 122 Stat. 3535; Pub. L. 117-81, div. E, title LIII, §5305, Dec. 27, 2021, 135 Stat. 2362.)

Editorial Notes

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2021—Subsec. (b). Pub. L. 117-81 inserted at end “In cases in which a member of the Service has official orders to an unaccompanied post and in which the family members of the member reside apart from the member at authorized locations outside the United States, the member may take the leave ordered under this section where that member’s family members reside, notwithstanding section 10305 of title 5.”

2008—Subsec. (b). Pub. L. 110-321 substituted “or its territories, including American Samoa, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands” for “, its territories and possessions, or the Commonwealth of Puerto Rico”.

2006—Subsec. (a). Pub. L. 109-234, which directed substitution of “12 months” for “18 months” in section 903(a) of the Foreign Service Act, was executed to subsec. (a) of this section, which is section 903 of the Foreign Service Act of 1980, to reflect the probable intent of Congress.

1994—Subsec. (a). Pub. L. 103-236 inserted “(other than a member employed under section 3951 of this title)” after “member of the Service” in two places.

§ 4083a. Rest and recuperation leave

(a) Definitions

In this section—

(1) the term “agency” means an Executive agency (as that term is defined in section 105 of title 5), but does not include the Government Accountability Office;

(2) the term “combat zone” means a geographic area designated by an Executive order of the President as an area in which the Armed Forces are engaging or have engaged in combat, an area designated by law to be treated as a combat zone, or a location the Department of Defense has certified for combat zone tax benefits due to its direct support of military operations;

(3) the term “employee” means an officer or an individual who is—

(A) appointed in the civil service, the Foreign Service, or any appointment authority other than the uniformed services (as that term is defined in section 101 of title 37), by one of the following acting in an official capacity:

- (i) The President.
- (ii) A Member or Members of Congress, or Congress.
- (iii) An individual who is an employee under this section.
- (iv) The head of a Government-controlled corporation;

(B) engaged in the performance of a Federal function under authority of law or an Executive act; and

(C) subject to the supervision of an individual described in subparagraph (A) while engaged in the performance of the duties of his or her position;

(4) the term “high risk, high threat post” has the meaning given that term in section 4803 of this title; and

(5) the term “leave year” means the period beginning on the first day of the first complete pay period in a calendar year and ending on the day immediately before the first day of the first complete pay period in the following calendar year.

(b) Leave for rest and recuperation

The Secretary or other head of an agency may prescribe regulations to grant up to 20 days of paid leave, per leave year, for the purposes of rest and recuperation to an employee of the agency serving in a combat zone, any other high risk, high threat post, or any other location presenting significant security or operational challenges.

(c) Discretionary authority of the Secretary or other agency head

Use of the authority under subsection (b) is at the sole and exclusive discretion of the head of the agency concerned.

(d) Records

An agency shall record leave provided under this section separately from leave authorized under any other provision of law.

(Pub. L. 96-465, title I, §903a, as added Pub. L. 118-159, div. G, title LXXII, §7215(a), Dec. 23, 2024, 138 Stat. 2536.)

§ 4083b. Overseas operations leave

(a) Definitions

In this section—

(1) the term “agency” means an Executive agency (as that term is defined in section 105 of title 5), but does not include the Government Accountability Office.

(2) the term “employee” means an officer or an individual who is—

(A) appointed in the civil service, the Foreign Service, or any appointment authority other than the uniformed services (as that term is defined in section 101 of title 37), by one of the following acting in an official capacity:

- (i) The President.
- (ii) A Member or Members of Congress, or Congress.
- (iii) An individual who is an employee under this section.
- (iv) The head of a Government-controlled corporation;

(B) engaged in the performance of a Federal function under authority of law or an Executive act; and

(C) subject to the supervision of an individual described in subparagraph (A) while engaged in the performance of the duties of his or her position; and

(3) the term “leave year” means the period beginning with the first day of the first complete pay period in a calendar year and ending with the day immediately before the first day of the first complete pay period in the following calendar year.

(b) Leave for overseas operations

The Secretary or other head of an agency may prescribe regulations to grant up to 10 days of