

performed by a consular officer of the United States under this Act.

(R.S. § 1750; Apr. 5, 1906, ch. 1366, § 3, 34 Stat. 100; Pub. L. 103-415, § 1(mm)(2), Oct. 25, 1994, 108 Stat. 4304; Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2222(c)(1), Oct. 21, 1998, 112 Stat. 2681-818.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, probably means the act of Aug. 18, 1856, ch. 127, 11 Stat. 52. That act was incorporated into the Revised Statutes as R.S. §§ 208, 211, 1674 to 1676, 1680, 1685 to 1687, 1689, 1690, 1692, 1695, 1697, 1699, 1700, 1701, 1703, 1706, 1708, 1711, 1713, 1715, 1718, 1719, 1730, 1731, 1735, 1738 to 1741, 1743 to 1748, 1750 to 1752, 4207, 4213, 4580, 4581, 4583, and 4584. For complete classification of those sections of the Revised Statutes to the Code, see Tables.

CODIFICATION

R.S. § 1750 derived from act Aug. 18, 1856, ch. 127, § 24, 11 Stat. 61.

Reference to “commercial agency” was omitted in view of the abolition of the grade of commercial agent by act Apr. 5, 1906.

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 1203 of this title, and prior thereto to section 131 of this title.

AMENDMENTS

1998—Pub. L. 105-277 inserted after first sentence “At any post, port, or place where there is no consular officer, the Secretary of State may authorize any other officer or employee of the United States Government who is a United States citizen serving overseas, including any contract employee of the United States Government, to perform such acts, and any such contractor so authorized shall not be considered to be a consular officer.”

1994—Pub. L. 103-415, which directed amendment of section 24 of the Act of August 18, 1856 (11 Stat. 61, 22 U.S.C. 4221) by inserting at end “Pursuant to such regulations as the Secretary of State may prescribe, the Secretary may designate any other employee of the Department of State who is a citizen of the United States to perform any notarial function authorized to be performed by a consular officer of the United States under this Act.”, was executed to this section, which is section 1750 of the Revised Statutes, to reflect the probable intent of Congress. Section 24 of the Act of Aug. 18, 1856, was restated in section 1750 of the Revised Statutes and repealed by section 5596 of the Revised Statutes.

§ 4222. Authentication of documents of State of Vatican City by consular officer in Rome

Until the United States shall have consular officer resident in the State of the Vatican City, a copy of any document of record or on file in a public office of said State of the Vatican City, certified by the lawful custodian of such document, may be authenticated, as provided in section 1741 of title 28, by a consular officer of the United States resident in the city of Rome, Kingdom of Italy, and such document or record shall, when so certified and authenticated, be admissible in evidence in any court of the United States.

(June 20, 1936, ch. 640, § 6A, as added June 25, 1938, ch. 682, 52 Stat. 1163.)

Editorial Notes

CODIFICATION

“Section 1741 of title 28” substituted in text for “section 6 of this Act [28 U.S.C. 695e]” on authority of act June 25, 1948, ch. 646, 62 Stat. 869, section 1 of which enacted Title 28, Judiciary and Judicial Procedure.

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 1204 of this title, and prior thereto to section 695e-1 of Title 28.

§ 4223. General duty to account for fees

All fees, official or unofficial, received by any officer in the Consular Service for services rendered in connection with the duties of his office or as a consular officer, including fees for notarial services, and fees for taking depositions, executing commissions or letters rogatory, settling estates, receiving or paying out moneys, caring for or disposing of property, shall be accounted for and paid into the Treasury of the United States, and the sole and only compensation of such officers shall be by salaries fixed by law. And vice-consuls, in addition to such compensation as they may be entitled to receive as consuls or clerks, may receive such portion of the salaries of the consul-general or consuls for whom they act as shall be provided by regulation.

(Apr. 5, 1906, ch. 1366, § 8, 34 Stat. 101; Feb. 5, 1915, ch. 23, §§ 3, 6, 38 Stat. 805, 806; May 24, 1924, ch. 182, § 11, 43 Stat. 142; Aug. 13, 1946, ch. 957, title XI, § 1131(26), 60 Stat. 1037.)

Editorial Notes

CODIFICATION

Compensation provisions pertaining to the positions of vice-consuls-general, deputy consuls-general, and deputy consuls were omitted from this section on the authority of act Feb. 5, 1915.

Section was not enacted as a part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 99 of this title.

AMENDMENTS

1946—Act Aug. 13, 1946, struck out “but this shall not apply to consular agents, who shall be paid one-half of the fees received in their offices, up to a maximum sum of one thousand dollars in any one year, the other half being accounted for and paid into the Treasury of the United States.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1946 AMENDMENT

Amendment by act Aug. 13, 1946, effective three months after Aug. 13, 1946.

REPEALS

Act Aug. 13, 1946, ch. 957, title XI, § 1131(26), 60 Stat. 1037, cited as a credit to this section, was repealed by Pub. L. 96-465, title II, § 2205(1), Oct. 17, 1980, 94 Stat. 2159.

§ 4224. Fees; accounting; stamps

The provisions of sections 1196¹ and 4223 of this title, relative to official fees and the method of accounting therefor shall apply to diplo-

¹ See References in Text note below.

matic officers below the grade of minister and to consular officers.

(May 24, 1924, ch. 182, §18, formerly §11, 43 Stat. 142, renumbered and amended Feb. 23, 1931, ch. 276, §7, 46 Stat. 1209.)

Editorial Notes

REFERENCES IN TEXT

Section 1196 of this title, referred to in text, was repealed by act June 28, 1955, ch. 196, 69 Stat. 187.

CODIFICATION

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 812 of this title, and prior thereto to section 13 of this title.

AMENDMENTS

1931—Act Feb. 23, 1931, substituted “shall apply to diplomatic officers below the grade of minister and to consular officers” for “shall include both branches of the Foreign Service”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1931 AMENDMENT

Act May 24, 1924, ch. 182, §37, as added act Feb. 23, 1931, ch. 276, §7, 46 Stat. 1217, provided: “That this Act [see Tables for classification] shall take effect on July 1, 1931.”

§ 4225. Fiscal districts; establishment; district accounting and disbursing offices; personnel; duties

The President is authorized, whenever the necessity for such offices with a view to effecting economies in accounting procedure is apparent, to prescribe certain fiscal districts or areas and to establish within each such district as a part of the Department of State service, a district accounting and disbursing office to exercise control over the accounts and returns of all diplomatic missions and consular offices within the district in such manner as the President may direct. To each such office may be assigned the administrative accounting responsibility for receipts and expenditures of the diplomatic missions and consular offices within the district. Each district office shall be in charge of an accountable officer, to whom all fees, and other official monies, received by any diplomatic, consular, or Foreign Service officer may be accounted for, under such rules and regulations as may be prescribed by the Secretary of State, all such fees and monies, or the residue thereof after the payment of salaries, allowances, and current expenses of the diplomatic missions and consular offices within the district, to be paid by the district accounting and disbursing officer into the Treasury of the United States. Such district accounting and disbursing officers accountable for public monies may entrust monies to other officers for the purpose of having them make disbursements as his agent, and the officer to whom the monies are entrusted, as well as the officer who entrusts the monies to him, shall be held pecuniarily responsible therefor to the United States. All diplomatic, consular or Foreign Service officers on duty within the area covered by such district offices may be required to render accounts of their disbursements to the

officer in charge of such district office to be included in his accounts.

Provided further, That the Secretary of State is authorized to appoint such district accounting and disbursing officers and their assistants in the same manner as clerks in diplomatic missions and consular offices are appointed.

Section 3522 of title 31, and any other existing statutes, in so far as they conflict with this section are hereby amended.

(May 24, 1924, ch. 182, §35, as added Feb. 23, 1931, ch. 276, §7, 46 Stat. 1216; amended Pub. L. 92-310, title II, § 227(b), June 6, 1972, 86 Stat. 207.)

Editorial Notes

CODIFICATION

“Section 3522 of title 31” substituted in text for “Section 3622 of the Revised Statutes of the United States (U.S.C., title 31, sec. 496)”, on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section was not enacted as part of the Foreign Service Act of 1980 which comprises this chapter.

Section was formerly classified to section 813 of this title, and prior thereto to section 23k of this title.

AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which required district accounting and disbursing officers and their agents to be bonded.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective July 1, 1931, see section 7 of act Feb. 23, 1931, set out as an Effective Date of 1931 Amendment note under section 4224 of this title.

Executive Documents

TRANSFER OF FUNCTIONS

Function of disbursement of moneys of the United States of any agency (with certain exceptions) transferred to Treasury Department by Ex. Ord. No. 6166, §4, June 10, 1933, set out as a note under section 901 of Title 5, Government Organization and Employees. Section 4 of Ex. Ord. No. 6166 was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1086, the first section of which enacted Title 31, Money and Finance. See section 3321 of Title 31.

§ 4226. Fees and official monies from diplomatic missions, consular offices and district accounting and disbursing offices; disposition

All fees and other official monies received by diplomatic missions or consular offices or by the district accounting and disbursing offices provided in section 4225 of this title, may be transmitted through the Department of State for deposit in the United States Treasury, or may be used in payment of salaries, allowances, and current expenses of said missions and offices, under such rules and regulations as the President may from time to time prescribe; the residue, if any, to be transmitted through the Department of State for deposit in the United States Treasury. Section 3302(b) of title 31 is hereby amended.

(May 24, 1924, ch. 182, §36, as added Feb. 23, 1931, ch. 276, §7, 46 Stat. 1216.)