

or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as a note under section 2651a of this title.

#### CONSTRUCTION OF UNITED STATES EMBASSY IN OTTAWA

Pub. L. 101-246, title I, §125, Feb. 16, 1990, 104 Stat. 27, provided that: "Section 402(a) of the Diplomatic Security Act (22 U.S.C. 4852(a)) shall not apply to the construction or renovation of the United States Embassy in Ottawa, Canada."

#### § 4853. Security requirements for contractors

Not later than 90 days after August 27, 1986, the Secretary of State shall issue regulations to—

(1) strengthen the security procedures applicable to contractors and subcontractors involved in any way with any diplomatic construction or design project; and

(2) permit a contractor or subcontractor to have access to any design or blueprint relating to such a project only in accordance with those procedures.

(Pub. L. 99-399, title IV, § 403, Aug. 27, 1986, 100 Stat. 865.)

#### § 4854. Qualifications of persons hired for diplomatic construction program

In carrying out the diplomatic construction program referred to in section 4851(a) of this title, the Secretary of State shall employ as professional staff (by appointment, contract, or otherwise) only those persons with a demonstrated specialized background in the fields of construction, construction law, or contract management. In filling such positions, the Secretary shall actively recruit women and members of minority groups.

(Pub. L. 99-399, title IV, § 404, Aug. 27, 1986, 100 Stat. 865.)

#### § 4855. Cost overruns

Any amount required to complete any capital project described in the Department of State's Supplemental Diplomatic Security Program, as justified to the Congress for the respective fiscal year, which is in excess of the amount made available for that project pursuant to section 4851(a)(1) or (3)<sup>1</sup> shall be treated as a reprogramming of funds under section 2706 of this title and shall not be available for obligation or expenditure except in compliance with the procedures applicable to such reprogrammings.

(Pub. L. 99-399, title IV, § 405, Aug. 27, 1986, 100 Stat. 865.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 4851(a)(3) of this title, referred to in text, was repealed by Pub. L. 103-236, title I, §101(c), Apr. 30, 1994, 108 Stat. 388.

#### § 4856. Efficiency in contracting

##### (a) Bonuses and penalties

The Director of the Office of Foreign Buildings shall provide for a contract system of bonuses

<sup>1</sup> See References in Text note below.

and penalties for the diplomatic construction program funded pursuant to the authorizations of appropriations provided in this subchapter. Not later than 3 months after August 27, 1986, the Director shall submit a report to the Congress on the implementation of this section.

##### (b) Surety bonds and guarantees

The Director of the Office of Foreign Buildings shall require each person awarded a contract for work under the diplomatic construction program to post a surety bond or guarantee, in such amount as the Director may determine, to assure performance under such contract.

(Pub. L. 99-399, title IV, § 406, Aug. 27, 1986, 100 Stat. 866; Pub. L. 109-472, § 8, Jan. 11, 2007, 120 Stat. 3556.)

#### Editorial Notes

##### REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original "this title", meaning title IV of Pub. L. 99-399, which enacted this subchapter and amended sections 300, 2349aa-4, 3929, and 3929a of this title, former section 208 of Title 3, The President, section 5315 of Title 5, Government Organization and Employees, and sections 2 and 11 of the Inspector General Act of 1978, Pub. L. 95-452, formerly set out in the Appendix to Title 5 (see 5 U.S.C. 402, 424). For complete classification of title IV of Pub. L. 99-399 to the Code, see Tables.

##### AMENDMENTS

2007—Subsec. (c). Pub. L. 109-472 struck out subsec. (c). Text read as follows: "No person doing business with Libya may be eligible for any contract awarded pursuant to this Act."

#### Statutory Notes and Related Subsidiaries

##### AUTHORITY OF SECRETARY OF STATE

Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of this title and section 161(d) of Pub. L. 103-236, set out as a note under section 2651a of this title.

#### § 4857. Advisory Panel on Overseas Security

Not later than 90 days after August 27, 1986, the Secretary of State shall submit a report to the Congress on the implementation of the 91 recommendations contained in the final report of the Advisory Panel on Overseas Security. If any such recommendation has been rejected, the Secretary shall provide the reasons why that recommendation was rejected.

(Pub. L. 99-399, title IV, § 407, Aug. 27, 1986, 100 Stat. 866.)

#### § 4858. Training to improve perimeter security at United States diplomatic missions abroad

##### (a) Training

It is the sense of Congress that the President should use the authority under chapter 8 of title II of the Foreign Assistance Act of 1961 [22 U.S.C. 2349aa et seq.] (relating to antiterrorism assistance) to improve perimeter security of United States diplomatic missions abroad.

**(b) Repealed. Pub. L. 103–236, title I, § 139(20), Apr. 30, 1994, 108 Stat. 398; Pub. L. 103–415, § 1(c), Oct. 25, 1994, 108 Stat. 4299**

(Pub. L. 99–399, title IV, § 408, Aug. 27, 1986, 100 Stat. 866; Pub. L. 103–236, title I, § 139(20), Apr. 30, 1994, 108 Stat. 398; Pub. L. 103–415, § 1(c), Oct. 25, 1994, 108 Stat. 4299.)

**Editorial Notes**

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424. Chapter 8 of title II of that Act probably means chapter 8 of part II of that Act, which is classified generally to part VIII (§2349aa et seq.) of subchapter II of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

AMENDMENTS

1994—Subsec. (b). Pub. L. 103–236, as amended by Pub. L. 103–415, struck out heading and text of subsec. (b). Text read as follows: “Not later than October 1 of each year, the President shall submit a report to the Congress on the progress and problems of improving perimeter security of United States diplomatic missions abroad.”

**§ 4859. Protection of public entrances of United States diplomatic missions abroad**

The Secretary of State shall install and maintain a walk-through metal detector or other advanced screening system at public entrances of each United States diplomatic mission abroad.

(Pub. L. 99–399, title IV, § 409, Aug. 27, 1986, 100 Stat. 866.)

**§ 4860. Reimbursement of Department of the Treasury**

The Secretary of State shall reimburse the appropriate appropriations account of the Department of the Treasury out of funds appropriated pursuant to section 4851(a)(1) of this title for the actual costs incurred by the United States Secret Service, as agreed to by the Secretary of the Treasury, for providing protection for the spouses of foreign heads of state during fiscal years 1986 and 1987.

(Pub. L. 99–399, title IV, § 411, Aug. 27, 1986, 100 Stat. 867.)

**Statutory Notes and Related Subsidiaries**

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

**§ 4861. Inspector General for Department of State**

**(a) Direction to establish**

The Congress directs the Secretary of State to proceed immediately to establish an Office of Inspector General of the Department of State not later than October 1, 1986. Not later than Janu-

ary 31, 1987, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the progress in establishing that office. Such report shall include an accounting of the obligation of funds for fiscal year 1987 for that office.

**(b) Duties and responsibilities**

The Inspector General of the Department of State (as established by the amendment made by section 150(a) of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987) is authorized to perform all duties and responsibilities, and to exercise the authorities, stated in section 3929 of this title and in chapter 4 of title 5.

**(c) Earmark**

Of the amounts made available for fiscal year 1987 for salaries and expenses under the heading “Administration of Foreign Affairs”, not less than \$6,500,000 shall be used for the sole purpose of establishing and maintaining the Office of Inspector General of the Department of State.

**(d) Limitation on appointment**

No career member of the Foreign Service, as defined by section 3903 of this title, may be appointed Inspector General of the Department of State.

(Pub. L. 99–399, title IV, § 413, Aug. 27, 1986, 100 Stat. 867; Pub. L. 100–204, title I, § 134, Dec. 22, 1987, 101 Stat. 1344; Pub. L. 117–286, § 4(b)(44), Dec. 27, 2022, 136 Stat. 4348.)

**Editorial Notes**

REFERENCES IN TEXT

Section 150(a) of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987, referred to in subsec. (b), is section 150(a) of Pub. L. 99–93, title I, Aug. 16, 1985, 99 Stat. 427, which amended sections 2 and 11 of the Inspector General Act of 1978, Pub. L. 95–452, by adding references to the Department and Secretary of State. Subsequent to this amendment, sections 2 and 11 of the Act, which were set out in the Appendix to Title 5, Government Organization and Employees, were significantly amended, and section 11 was renumbered as section 12, prior to their repeal and restatement as sections 402 and 401, respectively, of Title 5 by Pub. L. 117–286, §§3(b), 7, Dec. 27, 2022, 136 Stat. 4207, 4208, 4361.

CODIFICATION

Section is comprised of section 413 of Pub. L. 99–399, as amended. Subsec. (e), formerly subsec. (a)(5), of section 413 amended section 5315 of Title 5, Government Organization and Employees. A former subsec. (a)(6) of section 413, which amended section 3929 of this title, was repealed by Pub. L. 99–529, title IV, § 405, Oct. 24, 1986, 100 Stat. 3020. Another subsec. (c) of section 413 amended section 3929a of this title.

AMENDMENTS

2022—Subsec. (b). Pub. L. 117–286 substituted “chapter 4 of title 5.” for “the Inspector General Act of 1978.”

1987—Pub. L. 100–204 struck out former subsec. (a) designation and heading “Inspector General of Department of State”, redesignated former pars. (1) to (5) as subsecs. (a) to (e), respectively, and struck out former subsec. (b) which related to establishment of the Office of Policy and Program Review. See Codification note above.