

ment or agency to the extent that the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required under paragraph (1), notwithstanding any authorization and appropriation of relevant funds by Congress.

“(3) EXCLUSION.—For purposes of this subsection ‘agency’ does not include the Marine Security Guard.”

OBLIGATIONS AND EXPENDITURES

Pub. L. 106–113, div. B, §1000(a)(7) [div. A, title VI, §605], Nov. 29, 1999, 113 Stat. 1536, 1501A–453, as amended by Pub. L. 112–74, div. I, title VII, §7034(n), Dec. 23, 2011, 125 Stat. 1217, provided that:

“(a) REPORT AND PRIORITY OF OBLIGATIONS.—

“(1) REPORT.—Not later than February 1 of the year 2000 and each of the four subsequent years, the Secretary of State shall submit a classified report to the appropriate congressional committees identifying each diplomatic facility or each diplomatic or consular post composed of such facilities that is a priority for replacement or for any major security enhancement because of its vulnerability to terrorist attack (by reason of the terrorist threat and the current condition of the facility). The report shall list such facilities in groups of 20. The groups shall be ranked in order from most vulnerable to least vulnerable to such an attack.

“(2) PRIORITY ON USE OF FUNDS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), funds authorized to be appropriated by section 604 [set out as a note above] for a particular project may be used only for those facilities which are listed in the first four groups described in paragraph (1).

“(B) EXCEPTION.—Funds authorized to be made available by section 604 may only be used for facilities which are not in the first 4 groups described in paragraph (1), if the Congress authorizes or appropriates funds for such a diplomatic facility or the Secretary of State notifies the appropriate congressional committees that such funds will be used for a facility in accordance with the procedures applicable to a reprogramming of funds under section 34(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706(a)).

“(b) PROHIBITION ON TRANSFER OF FUNDS.—None of the funds authorized to be appropriated by section 604 may be transferred to any other account.”

DEFINITIONS

For definitions of the terms “Secretary” and “appropriate congressional committees” used in this section and in section 1000(a)(7) [div. A, title VI, §605] of Pub. L. 106–113, set out as a note above, see section 1000(a)(7) [§3] of Pub. L. 106–113, set out as a note under section 2651 of this title.

Pub. L. 106–113, div. B, §1000(a)(7) [div. A, title VI, §603], Nov. 29, 1999, 113 Stat. 1536, 1501A–452, as amended by Pub. L. 117–263, div. I, title XCIII, §9301(d), Dec. 23, 2022, 136 Stat. 3880, provided that: “In this title [enacting this section, amending section 4831 of this title, and enacting provisions set out as notes above], the terms ‘United States diplomatic facility’ and ‘diplomatic facility’ mean any chancery, consulate, or other office that—

“(1) is considered by the Secretary of State to be diplomatic or consular premises, consistent with the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961, and the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and was notified to the host government as such; or

“(2) is otherwise subject to a publicly available bilateral agreement with the host government (contained in the records of the United States Department of State) that recognizes the official status of the United States Government personnel present at the facility.”

Executive Documents

DELEGATION OF AUTHORITY

Memorandum of President of the United States, July 17, 2000, 65 F.R. 45511, provided:

Memorandum for the Secretary of Defense

By the authority vested in me by the Constitution and laws of the United States of America, I hereby delegate to the Secretary of Defense the responsibility of the President, under section 606 of the Foreign Relations Authorization Act for Fiscal Years 2000 and 2001 (Public Law 106–113) [22 U.S.C. 4865], to submit the required report to the Congress.

You are hereby authorized and directed to publish this delegation in the Federal Register.

WILLIAM J. CLINTON.

§ 4866. Security training for personnel assigned to a high risk, high threat post

(a) In general

Individuals assigned permanently to or who are in long-term temporary duty status as designated by the Secretary of State at a high risk, high threat post shall receive security training described in subsection (b) on a mandatory basis in order to prepare such individuals for living and working at such posts.

(b) Security training described

Security training referred to in subsection (a)—

(1) is training to improve basic knowledge and skills; and

(2) may include—

(A) an ability to recognize, avoid, and respond to potential terrorist situations, including a complex attack;

(B) conducting surveillance detection;

(C) providing emergency medical care;

(D) ability to detect the presence of improvised explosive devices;

(E) minimal firearms familiarization; and

(F) defensive driving maneuvers.

(c) Effective date

The requirements of this section shall take effect upon December 16, 2016.

(d) Definitions

In this section and section 4867 of this title:

(1) Complex attack

The term “complex attack” has the meaning given such term by the North Atlantic Treaty Organization, as follows: “An attack conducted by multiple hostile elements which employ at least two distinct classes of weapon systems (i.e., indirect fire and direct fire, improvised explosive devices, and surface to air fire).”

(2) High risk, high threat post

The term “high risk, high threat post” has the meaning given such term in section 4803 of this title.

(Pub. L. 99–399, title IV, §416, as added Pub. L. 114–323, title I, §121(a), Dec. 16, 2016, 130 Stat. 1913.)

§ 4867. Security management training for officials assigned to a high risk, high threat post

(a) In general

Officials described in subsection (c) who are assigned to a high risk, high threat post shall

receive security training described in subsection (b) on a mandatory basis in order to improve the ability of such officials to make security-related management decisions.

(b) Security training described

Security training referred to in subsection (a) may include—

- (1) development of skills to better evaluate threats;
- (2) effective use of security resources to mitigate such threats; and
- (3) improved familiarity of available security resources.

(c) Officials described

Officials referred to in subsection (a) are the following:

- (1) Members of the Senior Foreign Service appointed under section 3942(a)(1) or 3943 of this title or members of the Senior Executive Service (as such term is described in section 3132(a)(2) of title 5).
- (2) Foreign Service officers appointed under section 3942(a)(1) of this title holding a position in classes FS-1 or FS-2.
- (3) Foreign Service Specialists appointed by the Secretary under section 3943 of this title holding a position in classes FS-1 or FS-2.
- (4) Individuals holding a position in grades GS-14 or GS-15.
- (5) Personal services contractors and other contractors serving in positions or capacities similar to the officials described in paragraphs (1) through (4).

(d) Effective date

The requirements of this section shall take effect beginning on the date that is 1 year after December 16, 2016.

(Pub. L. 99-399, title IV, §417, as added Pub. L. 114-323, title I, §121(a), Dec. 16, 2016, 130 Stat. 1913.)

Editorial Notes

REFERENCES IN TEXT

GS-14 and GS-15, referred to in subsec. (c)(4), are contained in the General Schedule, which is set out under section 5332 of Title 5, Government Organization and Employees.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “high risk, high threat post” as used in this section, see section 4866(d)(2) of this title.

§ 4868. Assignment of personnel at high risk, high threat posts

The Secretary to the extent practicable shall station key personnel for sustained periods of time at high risk, high threat posts (as such term is defined in section 4803 of this title) in order to—

- (1) establish institutional knowledge and situational awareness that would allow for a fuller familiarization of the local political and security environment in which such posts are located; and
- (2) ensure that necessary security procedures are implemented.

(Pub. L. 114-323, title I, §117, Dec. 16, 2016, 130 Stat. 1912.)

Editorial Notes

REFERENCES IN TEXT

Section 4803 of this title, referred to in text, was in the original “section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as added by section 401 of this Act” and was translated as reading “section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as added by section 101(a) of this Act”, meaning section 104 of Pub. L. 99-399, as added by section 101(a) of Pub. L. 114-323, which is classified to section 4803 of this title.

CODIFICATION

Section was enacted as part of the Department of State Authorities Act, Fiscal Year 2017, and not as part of the Diplomatic Security Act which comprises this chapter.

Statutory Notes and Related Subsidiaries

DEFINITIONS

The term “Secretary” as used in this section means the Secretary of State, see section 2 of Pub. L. 114-323, set out as a note under section 2651 of this title.

CHAPTER 59—FASCELL FELLOWSHIP PROGRAM

Sec.	
4901.	Fellowship program for temporary service at United States missions abroad.
4902.	Fellowship Board.
4903.	Fellowships.
4904.	Secretary of State.

§ 4901. Fellowship program for temporary service at United States missions abroad

(a) Establishment

There is hereby established a fellowship program pursuant to which the Secretary of State will provide fellowships to United States citizens while they serve, for a period of between one and two years, in positions which would otherwise be held by foreign national employees at United States diplomatic or consular missions abroad.

(b) Designation of fellowships

Fellowships under this chapter shall be known as “Fascell Fellowships”.

(c) Purpose of fellowships

Fellowships under this chapter shall be provided in order to allow the recipient (hereafter in this chapter referred to as a “Fellow”) to serve on a short-term basis at a United States diplomatic or consular mission abroad in order to obtain first hand exposure to that country, including (as appropriate) independent study in that country’s area studies or languages.

(d) Individuals who may receive a fellowship

To receive a fellowship under this chapter, an individual must be a United States citizen who is an undergraduate or graduate student, a teacher, scholar, or other academic, or an other individual, who has expertise in international affairs, foreign languages, or career and professional experience or interest in international affairs, and who has a working knowledge of the