

**TITLE 22 - FOREIGN RELATIONS AND INTERCOURSE**  
**CHAPTER 52 - FOREIGN SERVICE**  
**SUBCHAPTER VI - PROMOTION AND RETENTION**

**§ 4004. Records**

(a) The records described in section 4003 (a) of this title shall be maintained in accordance with regulations prescribed by the Secretary. Except to the extent that they pertain to the receipt, disbursement, and accounting for public funds, such records shall be confidential and subject to inspection only by the President, the Secretary, such employees of the Government as may be authorized by law or assigned by the Secretary to work on such records, the legislative and appropriations committees of the Congress charged with considering legislation and appropriations for the Service, and representatives duly authorized by such committees. Access to such records relating to a member of the Service shall be granted to such member, upon written request.

(b) Notwithstanding subsection (a) of this section, any record of disciplinary action that includes a suspension of more than five days taken against a member of the Service, including any correction of that record under section 4137 (b)(1) of this title, shall remain a part of the personnel records until the member is tenured as a career member of the Service or next promoted.

(Pub. L. 96–465, title I, § 604, Oct. 17, 1980, 94 Stat. 2096; Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, title III, § 327(a)], Nov. 29, 1999, 113 Stat. 1536, 1501A–438.)

**Amendments**

1999—Pub. L. 106–113, in section catchline, substituted “Records” for “Confidentiality of records”, designated existing provisions as subsec. (a), and added subsec. (b).

**Effective Date of 1999 Amendment**

Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, title III, § 327(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A–438, provided that: “The amendments made by this section [amending this section] apply to all disciplinary actions initiated on or after the date of enactment of this Act [Nov. 29, 1999].”