

TITLE 22 - FOREIGN RELATIONS AND INTERCOURSE
CHAPTER 53 - AUTHORITIES RELATING TO THE REGULATION OF FOREIGN MISSIONS

§ 4316. Application of travel restrictions to personnel of certain countries and organizations

(a) Requirement for restrictions

The Secretary shall apply the same generally applicable restrictions to the travel while in the United States of the individuals described in subsection (b) of this section as are applied under this chapter to the members of the missions of the Soviet Union in the United States.

(b) Individuals subject to restrictions

The restrictions required by subsection (a) of this section shall be applied with respect to those individuals who (as determined by the Secretary) are—

- (1) the personnel of an international organization, if the individual is a national of any foreign country whose government engages in intelligence activities in the United States that are harmful to the national security of the United States;
- (2) the personnel of a mission to an international organization, if that mission is the mission of a foreign government that engages in intelligence activities in the United States that are harmful to the national security of the United States; or
- (3) the family members or dependents of an individual described in paragraphs (1) and (2);

and who are not nationals or permanent resident aliens of the United States.

(c) Waivers

The Secretary, after consultation with the Director of Central Intelligence and the Director of the Federal Bureau of Investigation, may waive application of the restrictions required by subsection (a) of this section if the Secretary determines that the national security and foreign policy interests of the United States so require.

(d) Repealed. Pub. L. 103–236, title I, § 139(3), Apr. 30, 1994, 108 Stat. 397

(e) Definitions

For purposes of this section—

- (1) the term “generally applicable restrictions” means any limitations on the radius within which unrestricted travel is permitted and obtaining travel services through the auspices of the Office of Foreign Missions for travel elsewhere, and does not include any restrictions which unconditionally prohibit the members of missions of the Soviet Union in the United States from traveling to designated areas of the United States and which are applied as a result of particular factors in relations between the United States and the Soviet Union.¹
- (2) the term “international organization” means an organization described in section 4309 (b)(1) of this title; and
- (3) the term “personnel” includes—
 - (A) officers, employees, and any other staff member, and
 - (B) any individual who is retained under contract or other arrangement to serve functions similar to those of an officer, employee, or other staff member.

Footnotes

¹ So in original. The period probably should be a semicolon.

(Aug. 1, 1956, ch. 841, title II, § 216, as added Pub. L. 100–204, title I, § 162(a), Dec. 22, 1987, 101 Stat. 1357; amended Pub. L. 103–236, title I, § 139(3), Apr. 30, 1994, 108 Stat. 397.)

Amendments

1994—Subsec. (d). Pub. L. 103–236 struck out heading and text of subsec. (d). Text read as follows: “The Secretary shall transmit to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate, and to the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives, not later than six months after December 22, 1987, and not later than every six months thereafter, a report on the actions taken by the Secretary in carrying out this section during the previous six months.”

Change of Name

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108–458, set out as a note under section 401 of Title 50, War and National Defense.

Effective Date

Section 162(b) of Pub. L. 100–204 provided that: “Subsection (a) of the section enacted by this section [this section] shall take effect 90 days after the date of enactment of this Act [Dec. 22, 1987].”

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.