§ 2708. Department of State rewards program

(a) Establishment

(1) In general

There is established a program for the payment of rewards to carry out the purposes of this section.

(2) Purpose

The rewards program shall be designed to assist in the prevention of acts of international terrorism, international narcotics trafficking, and other related criminal acts.

(3) Implementation

The rewards program shall be administered by the Secretary of State, in consultation, as appropriate, with the Attorney General.

(b) Rewards authorized

In the sole discretion of the Secretary (except as provided in subsection (c)(2) of this section) and in consultation, as appropriate, with the Attorney General, the Secretary may pay a reward to any individual who furnishes information leading to—

(1) the arrest or conviction in any country of any individual for the commission of an act of international terrorism against a United States person or United States property;

(2) the arrest or conviction in any country of any individual conspiring or attempting to commit an act of international terrorism against a United States person or United States property;

(3) the arrest or conviction in any country of any individual for committing, primarily outside the territorial jurisdiction of the United States, any narcotics-related offense if that offense involves or is a significant part of conduct that involves—

(A) a violation of United States narcotics laws such that the individual would be a major violator of such laws;

(B) the killing or kidnapping of—

(i) any officer, employee, or contract employee of the United States Government while such individual is engaged in official duties, or on account of that individual’s official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

(ii) a member of the immediate family of any such individual on account of that individual’s official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

(C) an attempt or conspiracy to commit any act described in subparagraph (A) or (B);

(4) the arrest or conviction in any country of any individual aiding or abetting in the commission of an act described in paragraph (1), (2), or (3);

(5) the prevention, frustration, or favorable resolution of an act described in paragraph (1), (2), or (3), including by dismantling an organization in whole or significant part;

(6) the identification or location of an individual who holds a key leadership position in a terrorist organization;

(7) the disruption of financial mechanisms of a foreign terrorist organization, including the use by the organization of illicit narcotics production or international narcotics trafficking—

(A) to finance acts of international terrorism; or

(B) to sustain or support any terrorist organization.

(c) Coordination
(1) Procedures

To ensure that the payment of rewards pursuant to this section does not duplicate or interfere with the payment of informants or the obtaining of evidence or information, as authorized to the Department of Justice, the offering, administration, and payment of rewards under this section, including procedures for—

(A) identifying individuals, organizations, and offenses with respect to which rewards will be offered;
(B) the publication of rewards;
(C) the offering of joint rewards with foreign governments;
(D) the receipt and analysis of data; and
(E) the payment and approval of payment,

shall be governed by procedures developed by the Secretary of State, in consultation with the Attorney General.

(2) Prior approval of Attorney General required

Before making a reward under this section in a matter over which there is Federal criminal jurisdiction, the Secretary of State shall obtain the concurrence of the Attorney General.

(d) Funding

(1) Authorization of appropriations

Notwithstanding section 102 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93; 99 Stat. 408), but subject to paragraph (2), there are authorized to be appropriated to the Department of State from time to time such amounts as may be necessary to carry out this section.

(2) Period of availability

Amounts appropriated under paragraph (1) shall remain available until expended.

(e) Limitations and certification

(1) Maximum amount

No reward paid under this section may exceed $25,000,000, except as personally authorized by the Secretary of State if he determines that offer or payment of an award of a larger amount is necessary to combat terrorism or defend the Nation against terrorist acts. Without first making such determination, the Secretary may authorize a reward of up to twice the amount specified in this paragraph for the capture or information leading to the capture of a leader of a foreign terrorist organization. The Secretary shall authorize a reward of $50,000,000 for the capture or death of Osama bin Laden.

(2) Approval

A reward under this section of more than $100,000 may not be made without the approval of the Secretary.

(3) Certification for payment

Any reward granted under this section shall be approved and certified for payment by the Secretary.

(4) Nondelegation of authority

The authority to approve rewards of more than $100,000 set forth in paragraph (2) may not be delegated.

(5) Protection measures

If the Secretary determines that the identity of the recipient of a reward or of the members of the recipient’s immediate family must be protected, the Secretary may take such measures in connection with the payment of the reward as he considers necessary to effect such protection.
(6) Forms of reward payment

The Secretary may make a reward under this section in the form of money, a nonmonetary item (including such items as automotive vehicles), or a combination thereof.

(f) Ineligibility

An officer or employee of any entity of Federal, State, or local government or of a foreign government who, while in the performance of his or her official duties, furnishes information described in subsection (b) of this section shall not be eligible for a reward under this section.

(g) Reports

(1) Reports on payment of rewards

Not later than 30 days after the payment of any reward under this section, the Secretary shall submit a report to the appropriate congressional committees with respect to such reward. The report, which may be submitted in classified form if necessary, shall specify the amount of the reward paid, to whom the reward was paid, and the acts with respect to which the reward was paid. The report shall also discuss the significance of the information for which the reward was paid in dealing with those acts.

(2) Annual reports

Not later than 60 days after the end of each fiscal year, the Secretary shall submit a report to the appropriate congressional committees with respect to the operation of the rewards program. The report shall provide information on the total amounts expended during the fiscal year ending in that year to carry out this section, including amounts expended to publicize the availability of rewards.

(h) Publication regarding rewards offered by foreign governments

Notwithstanding any other provision of this section, in the sole discretion of the Secretary, the resources of the rewards program shall be available for the publication of rewards offered by foreign governments regarding acts of international terrorism which do not involve United States persons or property or a violation of the narcotics laws of the United States.

(i) Media surveys and advertisements

(1) Surveys conducted

For the purpose of more effectively disseminating information about the rewards program, the Secretary may use the resources of the rewards program to conduct media surveys, including analyses of media markets, means of communication, and levels of literacy, in countries determined by the Secretary to be associated with acts of international terrorism.

(2) Creation and purchase of advertisements

The Secretary may use the resources of the rewards program to create advertisements to disseminate information about the rewards program. The Secretary may base the content of such advertisements on the findings of the surveys conducted under paragraph (1). The Secretary may purchase radio or television time, newspaper space, or make use of any other means of advertisement, as appropriate.

(j) Determinations of Secretary

A determination made by the Secretary under this section shall be final and conclusive and shall not be subject to judicial review.

(k) Definitions

As used in this section:

(1) Act of international terrorism

The term “act of international terrorism” includes—
(A) any act substantially contributing to the acquisition of unsafeguarded special nuclear material (as defined in paragraph (8) of section 6305 of this title) or any nuclear explosive device (as defined in paragraph (4) of that section) by an individual, group, or non-nuclear-weapon state (as defined in paragraph (5) of that section); and

(B) any act, as determined by the Secretary, which materially supports the conduct of international terrorism, including the counterfeiting of United States currency or the illegal use of other monetary instruments by an individual, group, or country supporting international terrorism as determined for purposes of section 2405 (j)(1)(A) of title 50, Appendix.

(2) Appropriate congressional committees

The term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(3) Member of the immediate family

The term “member of the immediate family”, with respect to an individual, includes—

(A) a spouse, parent, brother, sister, or child of the individual;

(B) a person with respect to whom the individual stands in loco parentis; and

(C) any person not covered by subparagraph (A) or (B) who is living in the individual’s household and is related to the individual by blood or marriage.

(4) Rewards program

The term “rewards program” means the program established in subsection (a)(1) of this section.

(5) United States narcotics laws

The term “United States narcotics laws” means the laws of the United States for the prevention and control of illicit trafficking in controlled substances (as such term is defined in section 802 (6) of title 21).

(6) United States person

The term “United States person” means—

(A) a citizen or national of the United States; and

(B) an alien lawfully present in the United States.


References in Text


Prior Provisions

Amendments

2008—Subsec. (e)(1). Pub. L. 110–181 inserted at end “The Secretary shall authorize a reward of $50,000,000 for the capture or death or information leading to the capture or death of Osama bin Laden.”


Subsec. (e)(1). Pub. L. 108–447, § 405(b), substituted “$25,000,000” for “$5,000,000”, struck out period after “terrorist acts.”, and inserted at end “Without first making such determination, the Secretary may authorize a reward of up to twice the amount specified in this paragraph for the capture or information leading to the capture of a leader of a foreign terrorist organization.”


Subsecs. (i) to (k). Pub. L. 108–447, § 405(d), added subsec. (i) and redesignated former subsecs. (i) and (j) as (j) and (k), respectively.


Subsec. (b)(5). Pub. L. 107–56, § 502(1)(B), substituted “, including by dismantling an organization in whole or significant part; or” for period at end.


Subsec. (d)(2) to (4). Pub. L. 107–56, § 502(2), redesignated par. (4) as (2) and struck out former pars. (2) and (3) which read as follows:

“(2) Limitation.—No amount of funds may be appropriated under paragraph (1) which, when added to the unobligated balance of amounts previously appropriated to carry out this section, would cause such amounts to exceed $15,000,000.

“(3) Allocation of funds.—To the maximum extent practicable, funds made available to carry out this section should be distributed equally for the purpose of preventing acts of international terrorism and for the purpose of preventing international narcotics trafficking.”

Subsec. (e)(1). Pub. L. 107–56, § 502(3), inserted “, except as personally authorized by the Secretary of State if he determines that offer or payment of an award of a larger amount is necessary to combat terrorism or defend the Nation against terrorist acts.” after “$5,000,000”.

1998—Pub. L. 105–323 generally amended section substantially similar to general amendment by Pub. L. 105–277, except that the maximum reward in subsec. (e)(1) was increased from $2,000,000 to $5,000,000.

Pub. L. 105–277 generally amended section revising and restating provisions relating to Department of State program authorizing rewards for information relating to arrests or convictions with respect to international terrorism or drug trafficking.

1996—Subsec. (a)(1). Pub. L. 104–134 which directed substitution of “shall establish and publicize a program under which rewards may be paid” for “may pay a reward” in section 36(a)(1) of the State Department Authorities Act of 1956 was executed to subsec. (a)(1) of this section, section 36(a)(1) of the State Department Basic Authorities Act of 1956, to reflect the probable intent of Congress.

1994—Subsec. (a). Pub. L. 103–236, § 827, designated existing provisions as par. (1), redesignated former pars. (1) to (3) as subpars. (A) to (C), respectively, and added par. (2).

Pub. L. 103–236, § 133(a)(1), struck out “and is primarily outside the territorial jurisdiction of the United States” after “United States property” in concluding provisions.

1990—Subsec. (c). Pub. L. 101–246, which directed amendment of subsec. (c) by substituting “$2,000,000” for “$500,000”, could not be executed because “$500,000” did not appear after execution of the amendment by Pub. L. 101–231. See 1989 Amendment note below.

1989—Subsec. (c). Pub. L. 101–231 substituted “$2,000,000” for “$500,000”.

1988—Subsec. (g). Pub. L. 100–690 amended second sentence generally. Prior to amendment, second sentence read as follows: “In addition to the amount authorized by the preceding sentence, there are authorized to be appropriated $10,000,000 for fiscal year 1987 for ‘Administration of Foreign Affairs’ for use in paying rewards under this section, up to $5,000,000 of which may be used for rewards for information described in subsection (b)(1) of this section.”

1986—Subsecs. (b), (c). Pub. L. 99–399, § 502(a), added subsec. (b) and redesignated former subsec. (b) as (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 99–399, § 502(a)(1), (c)(1), redesignated former subsec. (c) as (d), and substituted “subsection (a) of this section” for “this section”. Former subsec. (d) redesignated (e).

Subsec. (f). Pub. L. 99–399, § 502(a)(1), (c)(2), redesignated former subsec. (e) as (f), and inserted “or (b)”. Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 99–399, § 502(a)(1), (b), redesignated former subsec. (f) as (g), and inserted provision authorizing up to $2,000,000 for rewards for information described in subsec. (b)(1) of this section and appropriating $10,000,000 for fiscal year 1987, of which up to $5,000,000 may be used for rewards for information described in subsec. (b)(1) of this section.

Subsecs. (h), (i). Pub. L. 99–399, § 502(d), added subsecs. (h) and (i).

Change of Name

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Effective Date of 1994 Amendment

Amendment by section 827 of Pub. L. 103–236 effective 60 days after Apr. 30, 1994, see section 831 of Pub. L. 103–236, set out as an Effective Date note under section 6301 of this title.

Rewards for Information Concerning Individuals Sought for Serious Violations of International Humanitarian Law Relating to Former Yugoslavia or Rwanda


“(a) Authority.—In the sole discretion of the Secretary of State (except as provided in subsection (b)(2)) and in consultation, as appropriate, with the Attorney General, the Secretary may pay a reward to any individual who furnishes information leading to—

“(1) the arrest or conviction in any country; or

“(2) the transfer to, or conviction by, the Special Court of Sierra Leone[,] the International Criminal Tribunal for the Former Yugoslavia or the International Criminal Tribunal for Rwanda,

of any individual who is the subject of an indictment confirmed by a judge of such tribunal for serious violations of international humanitarian law as defined under the statute of such tribunal.

“(b) Procedures.—

“(1) To ensure that the payment of rewards pursuant to this section does not duplicate or interfere with the payment of informants or the obtaining of evidence or information, as authorized to the Department of Justice, subject to paragraph (3), the offering, administration, and payment of rewards under this section, including procedures for—

“(A) identifying individuals, organizations, and offenses with respect to which rewards will be offered;

“(B) the publication of rewards;

“(C) the offering of joint rewards with foreign governments;

“(D) the receipt and analysis of data; and

“(E) the payment and approval of payment,

shall be governed by procedures developed by the Secretary of State, in consultation with the Attorney General.

“(2) Before making a reward under this section in a matter over which there is Federal criminal jurisdiction, the Secretary of State shall obtain the concurrence of the Attorney General.

“(3) Rewards under this section shall be subject to any requirements or limitations that apply to rewards under section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) with respect to the ineligibility of government employees for rewards, maximum reward amount, and procedures for the approval and certification of rewards for payment.


“(2) For the purposes of subsection (a), the statute of the International Criminal Tribunal for Rwanda means the statute contained in the annex to Security Council Resolution 955 of November 8, 1994.
“(3) For the purposes of subsection (a), the Statute of the Special Court for Sierra Leone means the Statute contained in the Annex to the Agreement Between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone.

“(d) Determination of the Secretary.—A determination made by the Secretary of State under this section shall be final and conclusive and shall not be subject to judicial review.

“(e) Priority.—Rewards under this section may be paid from funds authorized to carry out section 36 of the State Department Basic Authorities Act of 1956 [22 U.S.C. 2708]. In the Administration and payment of rewards under the rewards program of section 36 of the State Department Basic Authorities Act of 1956, the Secretary of State shall ensure that priority is given for payments to individuals described in section 36 of that Act and that funds paid under this section are paid only after any and all due and payable demands are met under section 36 of that Act.

“(f) Reports.—The Secretary shall inform the appropriate committees of rewards paid under this section in the same manner as required by section 36(g) of the State Department Basic Authorities Act of 1956.”

**Avoiding Duplicative Amendments**

Section 13(b) of Pub. L. 101–231 provided that: “If the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 [Pub. L. 101–246, Feb. 16, 1990, 104 Stat. 87], is enacted before this Act [Dec. 13, 1989], and that Act makes the same amendment as is described in subsection (a) [amending this section], then subsection (a) shall not take effect. If, however, this Act is enacted before the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, and that Act would make the same amendment as is made by subsection (a), then that amendment as proposed to be made by that Act shall not take effect.”

**Rewards for International Terrorists**

Section 501 of Pub. L. 99–399 provided that: “It is the sense of the Congress that the Secretary of State should more vigorously utilize the moneys available under section 36(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708 (a); relating to rewards for information on international terrorism) to more effectively apprehend and prosecute international terrorists. It is further the sense of the Congress that the Secretary of State should consider widely publicizing the sizable rewards available under present law so that major international terrorist figures may be brought to justice.”