

tral 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 3001 of Title 50, War and National Defense.]

§ 4803. Designation of high risk, high threat posts

(a) Initial designation

Not later than 30 days after December 16, 2016, the Department of State shall submit to the appropriate congressional committees and the Committees on Appropriations of the Senate and the House of Representatives a report, in classified form, that contains a list of diplomatic and consular posts designated as high risk, high threat posts.

(b) Designations before opening or reopening posts

Before opening or reopening a diplomatic or consular post, the Secretary shall determine if such post should be designated as a high risk, high threat post.

(c) Designating existing posts

The Secretary shall regularly review existing diplomatic and consular posts to determine if any such post should be designated as a high risk, high threat post if conditions at such post or the surrounding security environment require such a designation.

(d) Definitions

In this section:

(1) Appropriate congressional committees

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

(2) High risk, high threat post

The term “high risk, high threat post” means a United States diplomatic or consular post or other United States mission abroad, as determined by the Secretary, that, among other factors—

(A) is located in a country—

(i) with high to critical levels of political violence and terrorism; and

(ii) the government of which lacks the ability or willingness to provide adequate security; and

(B) has mission physical security platforms that fall below the Department of State's established standards.

(Pub. L. 99-399, title I, §104, as added Pub. L. 114-323, title I, §101(a), Dec. 16, 2016, 130 Stat. 1907; amended Pub. L. 115-94, §2(a), Dec. 18, 2017, 131 Stat. 2038.)

Editorial Notes

PRIOR PROVISIONS

A prior section 4803, Pub. L. 99-399, title I, §104(a), Aug. 27, 1986, 100 Stat. 856, established Bureau of Diplomatic Security in Department of State, prior to repeal by Pub. L. 103-236, title I, §162(g)(3), Apr. 30, 1994, 108 Stat. 407.

A prior section 104 of Pub. L. 99-399 enacted this section and amended former section 2652 of this title and section 5315 of Title 5, Government Organization and Employees, prior to repeal by Pub. L. 103-236, title I, §162(g)(3), Apr. 30, 1994, 108 Stat. 407.

AMENDMENTS

2017—Subsec. (a). Pub. L. 115-94 inserted “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”.

§ 4804. Briefings on embassy security

(a) Briefing

The Secretary shall provide monthly briefings to the appropriate congressional committees on—

(1) progress towards opening or reopening a high risk, high threat post, and the risk to national security of the continued closure or any suspension of operations and remaining barriers to doing so, including—

(A) the importance and appropriateness of the objectives of the proposed post to the national security of the United States, the risk to United States national security of the post's continued closure or suspension of operations, and the type and level of security threats such post could encounter;

(B) working plans to expedite the approval and funding for establishing and operating such post, implementing physical security measures, providing necessary security and management personnel, and the provision of necessary equipment;

(C) the type and level of security threats such post could encounter, and security “tripwires” that would determine specific action, including enhanced security measures or evacuation of such post, based on the improvement or deterioration of the local security environment; and

(D) in coordination with the Secretary of Defense, an evaluation of available United States military assets and operational plans to respond to such posts in extremis;

(2) personnel staffing and rotation cycles at high risk, high threat posts;

(3) the current security posture at posts of particular concern as determined by such committees; and

(4) the progress towards implementation of the provisions specified in title I of the Department of State Authorities Act, Fiscal Year 2017.

(b) Congressional notification

(1) In general

Except as provided in paragraph (2), not later than 30 days before opening or reopening a high risk, high threat post, the Secretary shall notify the appropriate congressional committees of the decision to open or reopen such post.

(2) Emergency circumstances

If the Secretary determines that the national security interests of the United States require the opening or reopening of a high risk, high threat post in fewer than 30 days, then as soon as possible, but not later than 48