

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

Proposed Appropriation Language

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, [~~\$9,500,000~~]*\$9,652,000*, to remain available until expended as authorized, of which not to exceed \$1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading "Repatriation Loans Program Account", subject to the same terms and conditions.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

Resource Summary

(\$ in thousands)

Appropriations	FY 2012 Actual	FY 2013 CR ⁽¹⁾	FY 2014 Request	Increase/Decrease From FY2012
Enduring Funds	9,073	9,357	9,652	579

(1) The FY 2013 CR is based on the annualized continuing resolution calculation for FY 2013 (P.L. 112-175).

Program Description

As authorized by Section 4 of the State Department Basic Authorities Act of 1956, as amended (22 U.S.C. 2671), the Emergencies in the Diplomatic and Consular Service (EDCS) appropriation is a no-year appropriation used to meet unforeseen emergency requirements in the conduct of foreign affairs, including evacuations of personnel and their families overseas, and, in certain circumstances, private U.S. citizens and third country nationals, as well as other authorized activities that further the realization of U.S. foreign policy objectives. The EDCS appropriation is also used for the payment of rewards for information related to international terrorism, narcotics related activities, transnational organized crime, and certain war criminals as authorized by Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C 2708) as amended, and by Section 102 of Public Law 105-323, as amended by Public Law 106-277. Funds appropriated for these purposes are authorized to remain available until expended. The FY 2014 Request will provide \$9.7 million for unforeseen emergencies. Additional funding for rewards will, as needed, be drawn from transfers or prior year unobligated balances.

The principal purpose of the EDCS appropriation is to provide the Department with the means to respond immediately to emergencies that arise in the conduct of foreign relations, including the evacuation of personnel and their families overseas. Devastating events worldwide have demonstrated the importance of the EDCS appropriation to protecting American lives overseas. Major events over the last ten years have underscored the need for such extraordinary expenditures including the Arab Spring conflicts and other terrorist incidents in the region, the earthquakes in Japan and Haiti, the evacuation of Lebanon, the tsunami in Southeast Asia, the war in Iraq, the events of September 11, 2001, and the outbreaks of pandemic influenza (SARS, Avian and H1N1 flu).

Additionally, the EDCS appropriation funds certain activities relating to the conduct of foreign affairs by senior Administration officials which generally take place in connection with the U.S. hosting of U.S. government-sponsored conferences, such as the United Nations (UN) and the Organization of American States (OAS) General Assembly, the G-20 Summit, the Nuclear Security Summit, the U.S.-China Strategic and Economic Dialogue, the Asian-Pacific Economic Cooperation (APEC) International Conference, and the NATO and G8 Summits. The EDCS appropriation also funds urgent medical and travel expenses related to natural disasters or terrorist incidents; passport and visa fraud investigations; official visits of foreign dignitaries; travel of Presidential delegations; representational expenses; and other authorized activities that further the realization of foreign policy objectives.

The Rewards category of EDCS covers the Department's Rewards Program which consists of four separate components – Rewards for Justice (RFJ), Narcotics Rewards, Transnational Organized Crime Rewards, and War Crimes Rewards. The program is a valuable asset and has been instrumental in bringing to justice international terrorists, notorious narcotics traffickers, and war criminals sought by the UN International Criminal Tribunals for the Former Yugoslavia and Rwanda.

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Justification of Request

Unforeseen Emergencies and Other Activities: \$9,652,000

The Department's FY 2014 Request of \$9.652 million is a \$579,000 increase from the FY 2012 Actual level.

Demands on this account, although unpredictable, are heavily influenced by evacuations that may occur as a result of natural disasters, epidemics, terrorist acts, and civil unrest. Recent demands include the earthquakes in Japan and Haiti, and the Arab Spring conflicts which resulted in several large-scale evacuations. In FY 2012, evacuations occurred in Damascus, Syria, Bamako, Mali, Tripoli, Libya, Lahore and Karachi, Pakistan, Tunis, Tunisia, and Khartoum, Sudan. In FY 2013, evacuations have occurred in Algiers, Algeria, Bangui, Central African Republic, and Bamako, Mali. \$3.0 million of the Department's request will support potential emergency evacuations.

The EDCS appropriation also funds certain activities relating to the conduct of foreign affairs by senior Administration officials. These activities generally take place in connection with the U.S. hosting of U.S. Government-sponsored conferences, such as the UN and OAS General Assembly, the G-20 Summit, the Nuclear Security Summit, the U.S.-China Strategic and Economic Dialogue, the Asian-Pacific Economic (APEC) Summit, and the NATO Summit. In FY 2012, the Department's EDCS costs for the APEC Summit were approximately \$2 million. The Department funded costs for the G8 and NATO Summits of approximately \$5 million. Travel of Presidential delegations, official visits of and official gifts for foreign dignitaries, Presidential, Vice Presidential, and Congressional travel overseas, and representation requirements of senior Department officials are also funded from EDCS. \$5.7 million of the Department's request will support activities related to the conduct of foreign affairs.

The EDCS account provides funding in support of confidential investigations conducted to counteract passport and visa fraud. A higher volume of investigations and apprehension of groups or individuals involved in the fraudulent issuance of U.S. passports and visas has resulted in increased funding requirements. The Department has an agreement with DOD to fund deployment of a forensics team to investigate disasters, such as plane crashes, at the request of foreign governments. In addition, other highly-sensitive unusual activities such as travel of foreign dissidents, ex gratia payments to foreign nationals, and urgent medical/travel costs in natural disasters or terrorist incidents are funded from the EDCS account. The request includes \$1 million to support activities related to passport and visa fraud investigations and other highly-sensitive matters.

Terrorism, Transnational Organized Crime, Narcotics, and War Crimes Rewards Program: \$0

The FY 2014 Request includes no additional funding for the Rewards Program since the Department anticipates transferring funds from the Diplomatic and Consular Programs (D&CP) prior year expired, unobligated balances to the EDCS account to fund rewards as authorized in the Department of State, Foreign Operations, and Related Appropriations Act, 2008 (Div. J, P.L. 110-161). All rewards under the Rewards Program are funded from the EDCS appropriation in utilizing the D&CP transfer authority. A total of \$64 million has been transferred to EDCS under this authority as of February 2013.

The EDCS account funds the payment of rewards for information on international terrorism, narcotics trafficking, transnational organized crime, and war crimes, as well as provides for the expansion of publicity efforts. Currently, there is over \$750 million in advertised reward offers in the Terrorism,

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Narcotics and War Crimes Rewards programs: \$495 million for cases concerning terrorist acts; \$185 million for cases concerning narcotics traffickers; and \$70 million for cases concerning war crimes.

The Terrorism Rewards Program, or Rewards for Justice (RFJ) Program, is a valuable asset in the fight against international terrorism. Currently, there are reward offers for information that prevents, frustrates, or favorably resolves acts of international terrorism against U.S. persons or property worldwide, leads to the arrest or conviction, in any country, of terrorists responsible for such acts, or leads to the location of a key terrorist leader.

The Narcotics Rewards Program has been successful in helping law enforcement capture some of the world's most notorious narcotics traffickers responsible for bringing hundreds of tons of illicit drugs into the United States each year.

The War Crimes Rewards Program has been instrumental in bringing to justice fugitives sought by the United Nations International Criminal Tribunals for the Former Yugoslavia (ICTY) and Rwanda (ICTR). The War Crimes program is launching a multi-media publicity campaign in central Africa, where it is believed several of the fugitives may be located.

On January 15, 2013, President Obama signed into law the Department of State Rewards Program Update and Technical Corrections Act of 2012, P.L. 112-283. The enhanced statutory authorities under this law expands the authority for the rewards program to include rewards targeting significant transnational organized crime figures not already included under the existing reward authority, and foreign nationals indicted for war crimes, crimes against humanity or genocide by any international, mixed, or hybrid tribunal (focusing on the crimes rather than specific tribunals). The new Transnational Organized Crime Rewards Program (TOCRP) will build on the success of the existing Narcotics Rewards Program by authorizing rewards for information leading to the arrest or conviction of significant members of transnational criminal organizations involved in activities that threaten national security, such as human trafficking, and trafficking in arms or other illicit goods. Funding for the expansion of the Rewards Program is provided from currently available resources and transfer authorities.

Funds by Object Class

(\$ in thousands)

Emergencies in the Diplomatic and Consular Service (EDCS)	FY 2012 Actual	FY 2013 CR	FY 2014 Request	Increase/Decrease From FY2012
2100 Travel & Trans of Persons	2,976	3,040	3,000	24
2500 Other Services	6,097	6,317	6,652	555
Total	9,073	9,357	9,652	579

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