

priation account against which the expense was initially charged.

(May 15, 1936, ch. 405, 49 Stat. 1321; Pub. L. 100-204, title I, §142(b), Dec. 22, 1987, 101 Stat. 1350; Pub. L. 105-277, div. G, subdiv. B, title XXII, §2212(a), Oct. 21, 1998, 112 Stat. 2681-812.)

CODIFICATION

Section was formerly classified to section 169 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

Section is from the Department of State Appropriation Act, 1937, act May 15, 1936.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Mar. 22, 1935, ch. 39, 49 Stat. 76.
Apr. 7, 1934, ch. 104, title I, 48 Stat. 536.
Mar. 1, 1933, ch. 144, title I, 47 Stat. 1379.
July 1, 1932, ch. 361, title I, 47 Stat. 487.
Feb. 23, 1931, ch. 280, title I, 46 Stat. 1321.
Apr. 18, 1930, ch. 184, title I, 46 Stat. 174.

AMENDMENTS

1998—Pub. L. 105-277, in second par., inserted “(including such expenses as salaries and other personnel expenses)” after “extraordinary expenses”.

1987—Pub. L. 100-204 inserted second par.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2710 of this title.

§ 2661a. Foreign contracts or arrangements; discrimination

Information should not be disseminated about opportunities for, and there should be no participation or other assistance by any officer or employee of the Department of State (including the Agency for International Development) in, the negotiation of any contract or arrangement with a foreign country, individual, or entity, if—

(1) any United States person (as defined in section 7701(a)(30) of title 26) is prohibited from entering into such contract or arrangement, or

(2) such contract or arrangement requires that any such person be excluded from participating in the implementation of such contract or arrangement,

on account of the race, religion, national origin, or sex of such person in the case of an individual or, in the case of a partnership, corporation, association, or other entity, any officer, employee, agent, director, or owner thereof.

(Pub. L. 94-350, title I, §121, July 12, 1976, 90 Stat. 829; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095.)

AMENDMENTS

1986—Par. (1). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

§ 2661b. Services provided to the press

In fiscal year 2001 and thereafter reimbursements for services provided to the press in connection with the travel of senior-level officials may be collected and credited to this appropriation and shall remain available until expended.

(Pub. L. 106-553, §1(a)(2) [title IV], Dec. 21, 2000, 114 Stat. 2762, 2762A-90.)

REFERENCES IN TEXT

This appropriation, referred to in text, probably means appropriations under the headings “DEPARTMENT OF STATE”, “ADMINISTRATION OF FOREIGN AFFAIRS”, and “DIPLOMATIC AND CONSULAR PROGRAMS” of the annual Department of State and Related Agency Appropriations Act.

§ 2662. Transferred

CODIFICATION

Section 2662, act Aug. 1, 1956, ch. 841, title I, §1 [part], 70 Stat. 890; as renumbered title I and amended Aug. 24, 1982, Pub. L. 97-241, title II, §202(a), 96 Stat. 282, which related to establishment, maintenance, and operation of passport and despatch agencies, was amended generally by Pub. L. 103-236 and transferred to section 2651a of this title.

Section was formerly classified to section 170f of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

Similar provisions were contained in the following prior Department of State Appropriation Acts:

June 20, 1956, ch. 414, title I, 70 Stat. 299.
July 7, 1955, ch. 279, title I, 69 Stat. 264.
July 2, 1954, ch. 456, title I, 68 Stat. 413.
Aug. 5, 1953, ch. 328, title I, 67 Stat. 367.
July 10, 1952, ch. 651, title I, 66 Stat. 549.
Oct. 22, 1951, ch. 533, title I, 65 Stat. 576.
Sept. 6, 1950, ch. 896, title I, 64 Stat. 609.
July 20, 1949, ch. 354, title I, 63 Stat. 448.
June 3, 1948, ch. 400, title I, 62 Stat. 306.
July 9, 1947, ch. 211, title I, 61 Stat. 279.

See, also, the Codification note set out under section 2663 of this title.

§ 2663. Omitted

CODIFICATION

Section, act July 5, 1946, ch. 541, title I, 60 Stat. 450, 451, the Department of State Appropriation Act, 1947, related to compensation of personnel and rent and expenses of despatch agencies established by Secretary of State. See section 2662 of this title.

Section was formerly classified to section 153a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

Similar provisions were contained in the following prior Department of State Appropriation Acts:

May 21, 1945, ch. 129, title I, 59 Stat. 173.
June 28, 1944, ch. 294, title I, 58 Stat. 399.
July 1, 1943, ch. 182, title I, 57 Stat. 275.
July 2, 1942, ch. 472, title I, 56 Stat. 473.
June 28, 1941, ch. 258, title I, 55 Stat. 268.
May 14, 1940, ch. 189, title I, 54 Stat. 185.

§ 2664. Distribution of duties of officers, clerks, and employees

The Secretary of State may prescribe duties for the Assistant Secretaries and the clerks of bureaus, as well as for all the other employees in the department, and may make changes and transfers therein when, in his judgment, it becomes necessary.

(June 20, 1874, ch. 328, 18 Stat. 90; May 24, 1924, ch. 182, §30, as added Feb. 23, 1931, ch. 276, §7, 46 Stat. 1214.)

CODIFICATION

Section was formerly classified to section 154 of Title 5 prior to the general revision and enactment of Title

5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

Provisions of this section which related to the Solicitor of the Department were omitted in view of act May 24, 1924, which abolished the office.

§ 2664a. Protection of Civil Service employees

(a) Findings

The Congress finds that—

(1) the effectiveness and efficiency of the Department of State is dependent not only on the contribution of Foreign Service employees but equally on the contribution of the 42 percent of the Department's employees who are employed under the Civil Service personnel system;

(2) the contribution of these Civil Service employees has been overlooked in the management of the Department and greater equality of promotion, training, and career enhancement opportunities should be accorded to the Civil Service employees of the Department; and

(3) a goal of the Foreign Service Act of 1980 [22 U.S.C. 3901 et seq.] was to strengthen the contribution made by Civil Service employees of the Department of State by creating a cadre of experienced specialists and managers in the Department to provide essential continuity.

(b) Equitable reduction of budget

The Secretary of State shall take all appropriate steps to assure that the burden of cuts in the budget for the Department is not imposed disproportionately or inequitably upon its Civil Service employees.

(c) Establishment of Office of the Ombudsman for Civil Service Employees

There is established in the Office of the Secretary of State the position of Ombudsman for Civil Service Employees. The position of Ombudsman for Civil Service Employees shall be a career reserved position within the Senior Executive Service. The Ombudsman for Civil Service Employees shall report directly to the Secretary of State and shall have the right to participate in all Management Council meetings to assure that the ability of the Civil Service employees to contribute to the achievement of the Department's mandated responsibilities and the career interests of those employees are adequately represented. The position of Ombudsman for Civil Service Employees shall be designated from one of the Senior Executive Service positions (as defined in section 3132(a)(2) of title 5) in existence on December 22, 1987.

(d) "Civil Service employees" defined

For purposes of this section, the term "Civil Service employees" means employees of the Federal Government except for members of the Foreign Service (as defined in section 103 of the Foreign Service Act of 1980 [22 U.S.C. 3903]).

(Pub. L. 100-204, title I, §172, Dec. 22, 1987, 101 Stat. 1359.)

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in subsec. (a)(3), is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, as amended, which is classified principally to chapter 52 (§3901 et seq.) of this title. For complete classification

of this Act to the Code, see Short Title note set out under section 3901 of this title and Tables.

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.

§ 2665. Personal services other than those provided for

There shall not be employed in the Department of State or in connection with said Department in the District of Columbia any personal services other than those which shall be specifically authorized or appropriated for.

(June 22, 1906, ch. 3514, 34 Stat. 402.)

CODIFICATION

Section was formerly classified to section 155 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

§ 2665a. Foreign Service fellowships

The Secretary of State is authorized to establish a Foreign Service fellowship program at the Department of State. The Foreign Service fellowship program shall provide a fellowship, for not less than 4 months, for academics in the area of international affairs who are members of the faculty of institutions of higher education. Such program shall give priority consideration in the award of fellowships to individuals teaching in programs in international affairs which serve significant numbers of students who are from cultural and ethnic groups which are underrepresented in the Foreign Service.

(Pub. L. 101-246, title I, §153(h), Feb. 16, 1990, 104 Stat. 44.)

§§ 2666, 2667. Repealed. Pub. L. 99-93, title I, § 125(c), Aug. 16, 1985, 99 Stat. 417

Section 2666, acts June 28, 1955, ch. 199, §1, 69 Stat. 188; Nov. 29, 1975, Pub. L. 94-141, title IV, §406, 89 Stat. 770, authorized security officers of Department of State and Foreign Service to carry firearms. See section 2709 of this title.

Section 2667, act June 28, 1955, ch. 199, §2, as added Aug. 27, 1964, Pub. L. 88-493, §4, 78 Stat. 610, empowered security officers of Department of State and Foreign Service to make arrests without warrant. See section 2709(a)(5) of this title.

§ 2668. Requisitions for advances to pay lawful obligations

(a) Authorization; accounting

Notwithstanding the provisions of any other law the Secretary of State is authorized in his discretion to issue under the limitations and restrictions hereinafter established requisitions for advances of funds to disbursing officers of the Fiscal Service of the Treasury Department, under a "State account of advances" not to exceed the total amount of appropriations for the Department of State, the amounts so advanced to be used exclusively to pay upon proper vouch-