

State by Memorandum of President of the United States, July 26, 1994, 59 F.R. 40205, set out as a note under section 2370a of this title.]

REFERENCES TO OFFICIALS AND OFFICES OF DEPARTMENT OF STATE WHOSE AUTHORITY IS VESTED IN SECRETARY OF STATE DEEMED REFERENCES TO SECRETARY OF STATE OR DEPARTMENT OF STATE

Section 161(d) of Pub. L. 103-236 provided that: “Except as specifically provided in this Act [see Tables for classification], or the amendments made by this Act, a reference in any other provision of law to an official or office of the Department of State affected by the amendment made by subsection (a) [amending this section] (other than the Inspector General of the Department of State and the Chief Financial Officer of the Department of State) shall be deemed to be a reference to the Secretary of State or the Department of State, as may be appropriate.”

OFFICE OF COORDINATOR FOR COUNTERTERRORISM

Section 161(e) of Pub. L. 103-236, which established for not less than one year after Apr. 30, 1994, an Office of the Coordinator for Counterterrorism in the Department of State having the same responsibilities and functions as such office had as of Jan. 20, 1993, was repealed by Pub. L. 105-277, div. G, subd. B, title XXIII, §2301(b), Oct. 21, 1998, 112 Stat. 2681-824.

DEPUTY ASSISTANT SECRETARY FOR BURDENSARING

Section 161(f) of Pub. L. 103-236, as amended by Pub. L. 103-415, §1(f)(3), Oct. 25, 1994, 108 Stat. 4300, which conditioned availability of 1995 appropriations upon establishment of position within Department of State of Deputy Assistant Secretary for Burdensharing and set forth responsibilities of position, was repealed by Pub. L. 105-277, div. G, subd. B, title XXIII, §2302, Oct. 21, 1998, 112 Stat. 2681-825.

AUTHORIZATION TO REDELEGATE CERTAIN RESPONSIBILITIES VESTED IN THE PRESIDENT AND DELEGATED TO THE SECRETARY OF STATE

Memorandum of President of the United States, Nov. 4, 1997, 62 F.R. 60995, provided:

Memorandum for the Secretary of State

By the authority vested in me by the Constitution and laws of the United States, including section 301 of Title 3 of the United States Code, to the extent that you consider doing so appropriate to facilitate the consolidation of the Arms Control and Disarmament Agency and the Department of State, I hereby authorize you to redelegate to any officer of the executive branch any or all authorities vested in the President that are delegated to the Secretary of State by any act, order, determination, delegation of authority, regulation, or Executive order heretofore or hereinafter enacted or issued and that have been or may be redelegated to the Under Secretary of State for Arms Control and International Security Affairs.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON.

[For abolition, transfer of functions, and treatment of references to United States Arms Control and Disarmament Agency, see section 6511 et seq. of this title.]

DEFINITIONS

For definitions of “Secretary”, “Department”, and “appropriate congressional committees” as used in sections 301, 302, 324, and 325 of Pub. L. 107-228, set out as notes above, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.

§§ 2652, 2652a. Repealed. Pub. L. 103-236, title I, § 162(a), (b), Apr. 30, 1994, 108 Stat. 405

Section 2652, May 26, 1949, ch. 143, §1, 63 Stat. 111; Feb. 7, 1953, ch. 2, 67 Stat. 4; Aug. 5, 1955, ch. 576, §1, 69 Stat.

536; June 30, 1958, Pub. L. 85-477, ch. V, §502(j)(1), 72 Stat. 274; July 18, 1958, Pub. L. 85-524, §1, 72 Stat. 363; July 13, 1972, Pub. L. 92-352, title I, §103(a)(1), 86 Stat. 490; Aug. 17, 1977, Pub. L. 95-105, title I, §109(c), 91 Stat. 847; Oct. 7, 1978, Pub. L. 95-426, title I, §114(a)(1), 92 Stat. 968; Aug. 16, 1985, Pub. L. 99-93, title I, §§115(a), 116(a), 99 Stat. 411; Aug. 27, 1986, Pub. L. 99-399, title I, §104(b), 100 Stat. 856, established positions in Department of State of Deputy Secretary of State, Under Secretary of State for Political Affairs, Under Secretary of State for Economic and Agricultural Affairs, Under Secretary of State for Management, and Assistant Secretaries of State.

Section 2652a, Pub. L. 95-426, title I, §115(a), Oct. 7, 1978, 92 Stat. 969, established position in Department of State of Assistant Secretary of State for International Narcotics Matters.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to officials, offices, and bureaus of Department of State when executive orders, regulations, or departmental directives implementing the amendments by sections 161 and 162 of Pub. L. 103-236 become effective, or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as an Effective Date of 1994 Amendment note under section 2651a of this title.

§2652b. Assistant Secretary of State for South Asian Affairs

(a) Establishment of position

There is established in the Department of State the position of Assistant Secretary of State for South Asian Affairs.

(b) Appointment

The Assistant Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

(c) Repealed. Pub. L. 103-236, title I, § 162(c)(1), Apr. 30, 1994, 108 Stat. 405

(d) Repealed and Omitted

(1) Repealed. Pub. L. 103-236, title I, §162(c)(3), Apr. 30, 1994, 108 Stat. 405.

(2) Omitted.

(e) Implementation

In order to carry out this section, the Secretary of State shall reprogram the position of Deputy Assistant Secretary for South Asian Affairs.

(Pub. L. 102-138, title I, §122, Oct. 28, 1991, 105 Stat. 658; Pub. L. 103-236, title I, §162(c), Apr. 30, 1994, 108 Stat. 405.)

CODIFICATION

Section is comprised of section 122 of Pub. L. 102-138. Subsec. (d)(2) of section 122 of Pub. L. 102-138 enacted provisions set out as a note under section 5315 of Title 5, Government Organization and Employees.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-236, §162(c)(2), struck out “, which is in addition to the positions provided under section 2652 of this title” after “Asian Affairs”.

Subsec. (c). Pub. L. 103-236, §162(c)(1), struck out subsec. (c) which read as follows: “The Assistant Secretary shall have responsibility within the Department of State with respect to India, Pakistan, Bangladesh, Sri Lanka, Nepal, Bhutan, Afghanistan, and the Maldives.”

Subsec. (d)(1). Pub. L. 103-236, §162(c)(3), struck out par. (1) which amended section 5315 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-236 applicable with respect to officials, offices, and bureaus of Department of State when executive orders, regulations, or departmental directives implementing the amendments by sections 161 and 162 of Pub. L. 103-236 become effective, or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as a note under section 2651a of this title.

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.

§ 2652c. Assistant Secretary of State for Verification and Compliance

(a) Designation of position

The Secretary of State shall designate one of the Assistant Secretaries of State authorized by section 2651a(c)(1) of this title as the Assistant Secretary of State for Verification and Compliance. The Assistant Secretary shall report to the Under Secretary of State for Arms Control and International Security.

(b) Directive governing the Assistant Secretary of State

(1) In general

Not later than 30 days after November 29, 1999, the Secretary of State shall issue a directive governing the position of the Assistant Secretary.

(2) Elements of the directive

The directive issued under paragraph (1) shall set forth, consistent with this section—

- (A) the duties of the Assistant Secretary;
- (B) the relationships between the Assistant Secretary and other officials of the Department of State;
- (C) any delegation of authority from the Secretary of State to the Assistant Secretary; and
- (D) such matters as the Secretary considers appropriate.

(c) Duties

(1) In general

The Assistant Secretary shall have as his principal responsibility the overall supervision (including oversight of policy and resources) within the Department of State of all matters relating to verification and compliance with international arms control, nonproliferation, and disarmament agreements or commitments.

(2) Participation of the Assistant Secretary

(A) Primary role

Except as provided in subparagraphs (B) and (C), the Assistant Secretary, or his designee, shall participate in all interagency groups or organizations within the executive branch of Government that assess, analyze, or review United States planned or ongoing policies, programs, or actions that have a di-

rect bearing on verification or compliance matters, including interagency intelligence committees concerned with the development or exploitation of measurement or signals intelligence or other national technical means of verification.

(B) Requirement for designation

Subparagraph (A) shall not apply to groups or organizations on which the Secretary of State or the Undersecretary of State for Arms Control and International Security sits, unless such official designates the Assistant Secretary to attend in his stead.

(C) National security limitation

(i) Waiver by President

The President may waive the provisions of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

(ii) Waiver by others

With respect to an interagency group or organization, or meeting thereof, working with exceptionally sensitive information contained in compartments under the control of the Director of Central Intelligence, the Secretary of Defense, or the Secretary of Energy, such Director or Secretary, as the case may be, may waive the provision of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

(iii) Transmission of waiver to Congress

Any waiver of participation under clause (i) or (ii) shall be transmitted in writing to the appropriate committees of Congress.

(3) Relationship to the intelligence community

The Assistant Secretary shall be the principal policy community representative to the intelligence community on verification and compliance matters.

(4) Reporting responsibilities

The Assistant Secretary shall have responsibility within the Department of State for—

- (A) all reports required pursuant to section 2577 of this title;
- (B) so much of the report required under paragraphs (4) through (6) of section 2593a(a) of this title as relates to verification or compliance matters;
- (C) so much of the reports required under section 8003 of this title as relates to verification or compliance matters; and
- (D) other reports being prepared by the Department of State as of November 29, 1999, relating to arms control, nonproliferation, or disarmament verification or compliance matters.

(Pub. L. 106-113, div. B, §1000(a)(7) [div. B, title XI, §1112], Nov. 29, 1999, 113 Stat. 1536, 1501A-486; Pub. L. 109-401, title I, §108, Dec. 18, 2006, 120 Stat. 2738.)

AMENDMENTS

2006—Subsec. (c)(4)(C), (D). Pub. L. 109-401 added subpar. (C) and redesignated former subpar. (C) as (D).