

penses (including those authorized by the Foreign Service Act of 1980 [22 U.S.C. 3901 et seq.] and equipment, necessary for maintenance and operation in the city of Washington and elsewhere of (1) central reproduction, editorial, data processing, audiovisual, library and administrative support services; (2) central services for supplies and equipment (including repairs); (3) such other administrative services as the Secretary, with the approval of the Office of Management and Budget, determines may be performed more advantageously and more economically as central services; and (4) medical and health care services. Such fund shall also be available without fiscal year limitation to carry out the purposes of title II of this Act [22 U.S.C. 4301 et seq.]¹ The capital of the fund shall consist of the amount of the fair and reasonable value of such supply inventories, equipment, and other assets and inventories on order, pertaining to the services to be carried on by the fund, as the Secretary may transfer to the fund, less the related liabilities and unpaid obligations, together with any appropriations made for the purpose of providing capital. The fund shall be reimbursed, or credited with advance payments, from applicable appropriations and funds of the Department of State, other Federal agencies, and other sources authorized by law, for supplies and services at rates which will approximate the expense of operations, including accrual of annual leave and depreciation of plant and equipment of the fund. The fund shall also be credited with other receipts from sale or exchange of property or in payment for loss or damage to property held by the fund. There shall be transferred into the Treasury as miscellaneous receipts, as of the close of each fiscal year, earnings which the Secretary determines to be excess to the needs of the fund.

(b) Charges to fund; credit to appropriations

The current value of supplies returned to the working capital fund by a post, activity, or agency may be charged to the fund. The proceeds thereof shall, if otherwise authorized, be credited to current applicable appropriations and shall remain available for expenditures for the same purposes for which those appropriations are available. Credits may not be made to appropriations under this subsection as the result of capitalization of inventories.

(Aug. 1, 1956, ch. 841, title I, §13, as added Pub. L. 88-205, pt. IV, §405, Dec. 16, 1963, 77 Stat. 391; amended 1970 Reorg. Plan No. 2, §102, eff. July 1, 1970 35 F.R. 7959, 84 Stat. 2085; Pub. L. 92-226, pt. IV, §407(c), Feb. 7, 1972, 86 Stat. 35; Pub. L. 95-426, title I, §109(a), Oct. 7, 1978, 92 Stat. 966; Pub. L. 96-465, title II, §2201(b), Oct. 17, 1980, 94 Stat. 2157; renumbered title I and amended Pub. L. 97-241, title II, §§202(a), 203(a), Aug. 24, 1982, 96 Stat. 282, 290; Pub. L. 101-246, title I, §112, Feb. 16, 1990, 104 Stat. 21.)

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in subsec. (a), 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.

Title II of this Act, referred to in subsec. (a), is title II of act Aug. 1, 1956, ch. 841, as added Aug. 24, 1982, Pub. L. 97-241, title II, §202(b), 96 Stat. 283, known as the Foreign Missions Act, which is classified principally to chapter 53 (§4301 et seq.) of this title. For complete classification of title II to the Code, see Short Title note set out under section 4301 of this title and Tables.

CODIFICATION

Section was formerly classified to section 170u 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.

AMENDMENTS

1990—Subsec. (a), Pub. L. 101-246 inserted “and” before “(4)”, struck out “; and (5) services and supplies to carry out title II of this Act”, and inserted provision that the fund also be available without fiscal year limitation to carry out the purposes of title II of this Act.

1982—Subsec. (a)(5), Pub. L. 97-241, §203(a), added cl. (5).

1980—Subsec. (a), Pub. L. 96-465 substituted “Foreign Service Act of 1980” for “Foreign Service Act of 1946, as amended”.

1978—Pub. L. 95-426 designated existing provisions as subsec. (a), substituted “central services” for “central supply services” in cl. (2), struck out “and” at end of cl. (2), inserted “; and (4) medical and health care services”, struck out “Not to exceed \$750,000 in net assets shall be transferred to the fund for purposes of providing capital” after “for the purpose of providing capital”, and added subsec. (b).

1972—Pub. L. 92-226 struck out last sentence authorizing appropriation of amounts necessary to provide capital for the fund. See section 2680 of this title.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-241 effective Oct. 1, 1982, see section 204 of Pub. L. 97-241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Section 109(b) of Pub. L. 95-426 provided that: “The amendments made by this section [amending this section] shall take effect on October 1, 1978.”

TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President by section 101 of Reorg. Plan No. 2, of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085. Section 102 of Reorg. Plan No. 2 of 1970 redesignated Bureau of the Budget as Office of Management and Budget and offices of Director, Deputy Director, and Assistant Directors of Bureau of the Budget as Director, Deputy Director, and Assistant Directors, respectively, of Office of Management and Budget. Section 103 of Reorg. Plan No. 2 of 1970 transferred all records, property, personnel, and funds of Bureau of Office of Management and Budget. See Part I of Reorganization Plan No. 2 of 1970, set out in the Appendix to Title 5, Government Organization and Employees.

§ 2684a. Capital Investment Fund

(a) Establishment

There is established within the Department of State a Capital Investment Fund to provide for the procurement and enhancement of informa-

¹ So in original. Probably should be followed by a period.

tion technology and other related capital investments for the Department of State and to ensure the efficient management, coordination, operation, and utilization of such resources.

(b) Funding

Funds otherwise available for the purposes of subsection (a) of this section may be deposited in such Fund.

(c) Availability

Amounts deposited into the Fund shall remain available until expended.

(d) Expenditures from Fund

Amounts deposited in the Fund shall be available for purposes of subsection (a) of this section.

(e) Reprogramming procedures

Funds credited to the Capital Investment Fund shall not be available for obligation or expenditure except in compliance with the procedures applicable to reprogramming notifications under section 2706 of this title.

(Pub. L. 103-236, title I, §135, Apr. 30, 1994, 108 Stat. 396; Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2209, Oct. 21, 1998, 112 Stat. 2681-811.)

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §2209(1), inserted “and enhancement” after “procurement”.

Subsec. (c). Pub. L. 105-277, § 2209(2), substituted “shall” for “are authorized to”.

Subsec. (d). Pub. L. 105-277, § 2209(3), substituted “for purposes of subsection (a) of this section” for “for expenditure to procure capital equipment and information technology”.

Subsec. (e). Pub. L. 105-277, § 2209(4), reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “Funds credited to the Capital Investment Fund shall be treated as a reprogramming of funds under section 2706 of this title and shall not be available for obligation or expenditure except in compliance with the procedures applicable to such reprogrammings.”

§ 2685. Reimbursement for detailed State Department personnel

(a) An Executive agency to which any officer or employee of the Department of State is detailed, assigned, or otherwise made available, shall reimburse the Department for the salary and allowances of each such officer or employee for the period the officer or employee is so detailed, assigned, or otherwise made available. However, if the Department of State has an agreement with an Executive agency or agencies providing for the detailing, assigning, or otherwise making available, of substantially the same numbers of officers and employees between the Department and the Executive agency or agencies, and such numbers with respect to a fiscal year are so detailed, assigned, or otherwise made available, or if the period for which the officer or employee is so detailed, assigned, or otherwise made available does not exceed one year, or if the number of officers and employees so detailed, assigned, or otherwise made available at any one time does not exceed fifteen and the period of any such detail, assignment, or availability of an officer or employee does not exceed two years, no reimbursement shall be re-

quired to be made under this section. Officers and employees of the Department of State who are detailed, assigned, or otherwise made available to another Executive agency for a period of not to exceed one year shall not be counted toward any personnel ceiling for the Department of State established by the Director of the Office of Management and Budget.

(b) For purposes of this section, “Executive agency” has the same meaning given that term by section 105 of title 5.

(Pub. L. 93-126, §11, Oct. 18, 1973, 87 Stat. 453; Pub. L. 95-426, title I, §118, Oct. 7, 1978, 92 Stat. 969; Pub. L. 99-93, title I, §117, Aug. 16, 1985, 99 Stat. 412.)

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-93 inserted “or if the number of officers and employees so detailed, assigned, or otherwise made available at any one time does not exceed fifteen and the period of any such detail, assignment, or availability of an officer or employee does not exceed two years,” after “does not exceed one year,”.

1978—Subsec. (a). Pub. L. 95-426 substituted “does not exceed one year” for “does not exceed ninety days”, and inserted provision excepting from any personnel ceiling for the Department of State any officers and employees who are detailed, etc., to another Executive agency for a period of not to exceed one year.

§ 2686. Review of world-wide supply, demand, and price of basic raw and processed materials

It is the sense of the Congress that the Secretary of State should, and he is authorized to, establish within the Department of State a bureau which shall be responsible for continuously reviewing (1) the supply, demand, and price, throughout the world, of basic raw and processed materials (including agricultural commodities), and (2) the effect of United States Government programs and policies (including tax policy) in creating or alleviating, or assisting in creating or alleviating, shortages of such materials. In conducting such review, the bureau should obtain information with respect to—

(A) the supply, demand, and price of each such material in each major importing, exporting, and producing country and region of the world in order to understand long-term and short-term trends in the supply, demand, and price of such materials;

(B) projected imports and exports of such materials on a country-by-country basis;

(C) unusual patterns or changes in connection with the purchase or sale of such materials;

(D) a list of such materials in short supply and an estimate of the amount of shortage;

(E) international geological, geophysical, and political conditions which may affect the supply of such materials; and

(F) other matters that the Secretary considers appropriate in carrying out this section.

(Pub. L. 93-475, §14, Oct. 26, 1974, 88 Stat. 1443.)

§ 2686a. Appointment of Special Coordinator for water policy negotiations and water resources policy

(a) Designation

The Secretary of State shall designate a Special Coordinator—