

ances, and (2) so much of the authority vested in the Secretary of State by chapter 9 of Title I of the Foreign Service Act of 1980 [section 4081 et seq. of Title 22, Foreign Relations and Intercourse], as relates to allowances and benefits under the said chapter 9 of Title I: *Provided*, (1) that the Secretary of State, upon request of the Secretary of Agriculture, may prescribe, within existing authority of law and when deemed necessary, special rules and regulations for such personnel; and (2) that the Secretary of Agriculture may, within the limitation of such rules and regulations, prescribe necessary implementing directions. The Secretary of Agriculture may designate employees of the Department of Agriculture to make specific determinations and take specific actions in the application of such rules and regulations to the activities of the Department of Agriculture.

SEC. 3. Such provisions in annual appropriation acts of the Department of State, including such acts hereafter enacted, facilitating the work of the Foreign Service of the United States as the Director of the Office of Management and Budget shall from time to time determine appropriate shall be applicable to activities authorized under Title VI of the said act of August 28, 1954 [this chapter].

This order shall be effective as of September 1, 1954.

### § 1763. Transferred

#### CODIFICATION

Section, act Aug. 28, 1954, ch. 1041, title VI, § 603, 68 Stat. 909, which related to allowances and benefits, was renumbered section 606D of act Aug. 28, 1954, by Pub. L. 95-501, title IV, § 401(3), Oct. 21, 1978, 92 Stat. 1691, and transferred to section 1766c of this title.

### § 1764. Reports and dispatches

#### (a) Availability to Department of State and interested Government agencies

The reports and dispatches prepared by the officers appointed or assigned under this subchapter shall be made available to the Department of State, and may be made available to other interested agencies of the Government, and the agricultural reports and dispatches and related information produced by officers of the Foreign Service shall be available to the Secretary of Agriculture.

#### (b) Office space, equipment, and administrative and clerical services

The Secretary of State is authorized upon request of the Secretary of Agriculture to provide office space, equipment, facilities, and such other administrative and clerical services as may be required for the personnel affected by this subchapter. The Secretary of Agriculture is authorized to reimburse or advance funds to the Secretary of State for such services.

#### (c) Agency services, personnel, and facilities

Upon the request of the Secretary of Agriculture, each Federal agency may make its services, personnel, and facilities available to officers and employees appointed and assigned to a post abroad under this subchapter in the performance of the functions of such officers and employees. The Secretary of Agriculture may reimburse or advance funds to any such agency for services, personnel, and facilities so made available.

(Aug. 28, 1954, ch. 1041, title VI, § 604, 68 Stat. 909; Pub. L. 95-501, title III, § 301(4), (6), Oct. 21, 1978, 92 Stat. 1688.)

#### AMENDMENTS

1978—Subsecs. (a), (b). Pub. L. 95-501, § 301(4), substituted “this subchapter” for “this chapter”.

Subsec. (c). Pub. L. 95-501, § 301(6), added subsec. (c).

### § 1765. Foreign service appropriations; applicability

Provisions in annual appropriation Acts of the Department of State facilitating the work of the Foreign Service of the United States shall be applicable under rules and regulations prescribed by the President or his designee to activities pursuant to this subchapter.

(Aug. 28, 1954, ch. 1041, title VI, § 605, 68 Stat. 909; Pub. L. 95-501, title III, § 301(4), Oct. 21, 1978, 92 Stat. 1688.)

#### AMENDMENTS

1978—Pub. L. 95-501 substituted “this subchapter” for “this chapter”.

## SUBCHAPTER II—UNITED STATES AGRICULTURAL TRADE OFFICES

### § 1765a. Agricultural Trade Offices

#### (a) Establishment

For the purpose of developing, maintaining, and expanding international markets for United States agricultural commodities, the Secretary of Agriculture, after consultation with the Secretary of State, shall establish not less than six nor more than twenty-five United States Agricultural Trade Offices in other nations.

#### (b) Administration

each<sup>1</sup> United States Agricultural Trade Office shall be directed and administered by an Agricultural Trade Officer who by reason of training, experience, and attainments is qualified to carry out the purposes of this subchapter. Such Officer shall be appointed by the Secretary of Agriculture.

#### (c) Appointment and compensation of officers

Each Agricultural Trade Officer may be appointed without regard to the provisions of title 5 governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification and General Schedule pay rates, except that no Agricultural Trade Officer (1) may be paid basic pay at a rate in excess of the maximum annual rate of basic pay payable for GS-17 of the General Schedule under section 5332 of such title, or (2) may be paid at a rate in excess of the highest rate paid to an Agricultural Counselor or Attaché, as the case may be, who is appointed under subchapter I of this chapter to the nation in which such Officer is to serve.

#### (d) Transmittal of information

Each Agricultural Trade Officer shall, through the Agricultural Counselor or Attaché or other senior representative of the Secretary of Agriculture in each nation in which the United States Agricultural Trade Office administered by such Officer exercises its functions, keep the Chief of the United States diplomatic mission

<sup>1</sup> So in original. Probably should be capitalized.

fully and currently informed with respect to all activities and operations of such Office.

**(e) Office functions and activities**

Each Agricultural Trade Officer shall be responsible for the exercise of the functions of the United States Agricultural Trade Office, and shall have the authority to direct and supervise all personnel and activities thereof.

**(f) Personnel; employment of local nationals**

To carry out the functions of United States Agricultural Trade Offices, the Secretary of Agriculture may appoint such other personnel as the Secretary determines to be necessary and may, with the concurrence of the Secretary of State, assign such personnel abroad and employ local nationals for necessary professional and clerical help.

**(g) Conflicts of interest**

No employee of any United States Agricultural Trade Office may engage in any business, vocation, or other employment, or have other interests, that are inconsistent with official responsibilities.

**(h) Diplomatic privileges and immunities**

Upon the request of the Secretary of Agriculture, the Secretary of State shall request for Agricultural Trade Officers and personnel of United States Agricultural Trade Offices diplomatic privileges and immunities equivalent to those enjoyed by members of the Foreign Service of comparable rank and salary.

(Aug. 28, 1954, ch. 1041, title VI, § 605A, as added Pub. L. 95-501, title IV, § 401(1), Oct. 21, 1978, 92 Stat. 1688; amended Pub. L. 96-465, title II, § 2206(b)(1), Oct. 17, 1980, 94 Stat. 2162.)

AMENDMENTS

1980—Subsec. (h). Pub. L. 96-465 substituted “members of the Foreign Service” for “Foreign Service Personnel”.

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 Title 22, Foreign Relations and Intercourse.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

**§ 1765b. Functions**

The functions of each United States Agricultural Trade Office shall be to—

- (1) increase the effectiveness of agricultural export promotion efforts through consolidation of activities, providing services and facilities for foreign buyers and United States trade representatives, and coordination of market development activities sponsored by the Department of Agriculture;
- (2) establish goals by nation or region and agricultural commodity for developing, ex-

panding, and maintaining markets for United States agricultural commodities;

(3) initiate programs to achieve the export marketing goals approved by the Department of Agriculture;

(4) maintain facilities for use by nonresident cooperators, private trade groups, and other individuals engaged in the import and export of United States agricultural commodities where the use of such facilities would aid in the conduct of market development activities, and cooperate, to the maximum extent practicable, with such cooperators, groups, and individuals to expand the level of United States agricultural exports;

(5) develop and maintain a current listing of trade, government, and other appropriate organizations for each agricultural commodity area and make such listing available to persons with a bona fide interest in exporting or importing United States agricultural commodities;

(6) originate and provide assistance for exhibits, sales teams, and other functions for the promotion of United States agricultural commodities;

(7) provide practical assistance for the use of the programs under the Food for Peace Act [7 U.S.C. 1691 et seq.], the export credit sales program, the export incentives program, and related programs of the United States Government where use of such programs will serve as a market development tool for United States agriculture;

(8) supervise project agreements with United States cooperators, coordinate the activities of the United States Agricultural Trade Office with those of the cooperators, and submit annual recommendations to the Secretary of Agriculture on the efficacy of cooperator programs;

(9) publicize the services offered by the United States Agricultural Trade Office through advertisements in trade journals or by other appropriate means; and

(10) perform such other functions as the Secretary of Agriculture, in consultation with the Secretary of State, determines to be necessary and proper for achieving the purposes of this subchapter.

(Aug. 28, 1954, ch. 1041, title VI, § 605B, as added Pub. L. 95-501, title IV, § 401(1), Oct. 21, 1978, 92 Stat. 1689; amended Pub. L. 110-246, title III, § 3001(b)(1)(A), (2)(H), June 18, 2008, 122 Stat. 1820.)

REFERENCES IN TEXT

The Food for Peace Act, referred to in par. (7), is act July 10, 1954, ch. 469, 68 Stat. 454, which is classified principally to chapter 41 (§ 1691 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of this title and Tables.

AMENDMENTS

2008—Par. (7). Pub. L. 110-246 substituted “Food for Peace Act” for “Agricultural Trade Development and Assistance Act of 1954”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.