

44 was to restate without substantive change the laws replaced by revised Title 44. Because revised section 710 of Title 44 did not restate those provisions of R.S. §210 and act June 20, 1874, which appear in this section, this section is not considered as having been repealed by section 3 of Pub. L. 90-620.

#### TRANSFER OF FUNCTIONS

Reorg. Plan No. 20 of 1950, set out in the Appendix to Title 5, Government Organization and Employees, transferred various functions of Secretary of State to Administrator of General Services but excepted from transfer the functions of Secretary of State with respect to treaties and other international agreements under R.S. §210, as amended (this section).

“United States Postal Service” substituted in text for “Postmaster General” pursuant to section 4(a) of Pub. L. 91-375, set out as a note under section 201 of Title 39, Postal Service, which abolished office of Postmaster General of Post Office Department and transferred its functions to United States Postal Service.

#### § 2661. Procurement of information for corporations, firms and individuals; expense of cablegrams and telephone service involved; appropriation

On and after May 15, 1936, whenever the Secretary of State, in his discretion, procures information on behalf of corporations, firms, and individuals, the expense of cablegrams and telephone service involved may be charged against the respective appropriations for the service utilized; and reimbursement therefor shall be required from those for whom the information was procured and, when made, be credited to the appropriation under which the expenditure was charged.

The Secretary of State is authorized to accept reimbursement from corporations, firms, and individuals for the expenses of travel, translation, printing, special experts, and other extraordinary expenses (including such expenses as salaries and other personnel expenses) incurred in pursuing a claim on their behalf against a foreign government or other foreign entity. Such reimbursements shall be credited to the appropriation 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.

#### § 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