

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 information 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) 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).

(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)” 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 required 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—

(1) to coordinate the United States Government response to international water resource disputes and needs;

(2) to represent the United States Government, whenever appropriate, in multilateral fora in discussions concerning access to fresh water; and

(3) to formulate United States policy to assist in the resolution of international problems posed by the lack of fresh water supplies.

(b) Other responsibilities

The individual designated under subsection (a) may carry out the functions of subsection (a) in addition to other assigned responsibilities.

(Pub. L. 102-138, title I, §180, Oct. 28, 1991, 105 Stat. 682.)

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.

§ 2687. Use of appropriated funds for unusual expenses of United States Representative to Organization of American States

The Secretary of State is authorized to use appropriated funds for unusual expenses similar to those authorized by section 5913 of title 5 incident to the operation and maintenance of the living quarters of the United States Representative to the Organization of American States.

(Aug. 1, 1956, ch. 841, title I, §17, as added Pub. L. 94-141, title I, §101(c), Nov. 29, 1975, 89 Stat. 756; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282.)

§ 2688. Ambassadors; criteria regarding selection and confirmation

It is the sense of the Congress that the position of United States ambassador to a foreign country should be accorded to men and women possessing clearly demonstrated competence to perform ambassadorial duties. No individual should be accorded the position of United States ambassador to a foreign country primarily because of financial contributions to political campaigns.

(Aug. 1, 1956, ch. 841, title I, §18, as added Pub. L. 94-141, title I, §104, Nov. 29, 1975, 89 Stat. 757;

renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282.)

§ 2689. American Sections, International Joint Commission, United States and Canada; funds for representation expenses and official entertainment within the United States

Each fiscal year (beginning with fiscal year 1977), the Secretary of State may use funds appropriated for the American Sections, International Joint Commission, United States and Canada, for representation expenses and official entertainment within the United States for such American Sections.

(Aug. 1, 1956, ch. 841, title I, §19, as added Pub. L. 94-350, title I, §104, July 12, 1976, 90 Stat. 824; amended Pub. L. 95-426, title I, §110(a), Oct. 7, 1978, 92 Stat. 967; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282.)

AMENDMENTS

1978—Pub. L. 95-426 struck out “not to exceed \$1,500 of the” after “the Secretary of State may use”.

EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95-426, title I, §110(b), Oct. 7, 1978, 92 Stat. 967, provided that: “The amendment made by this section [amending this section] shall take effect on October 1, 1978.”

§ 2690. Foreign gifts; audit; reports to Congress

Any expenditure for any gift for any person of any foreign country which involves any funds made available to meet unforeseen emergencies arising in the Diplomatic and Consular Service shall be audited by the Comptroller General and reports thereon made to the Congress to such extent and at such times as he may determine necessary. The representatives of the Government Accountability Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property pertaining to such expenditure and necessary to facilitate the audit.

(Aug. 1, 1956, ch. 841, title I, §20, as added Pub. L. 94-350, title I, §116(a), July 12, 1976, 90 Stat. 827; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282; amended Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

§ 2691. Repealed. Pub. L. 101-649, title VI, § 603(a)(18), Nov. 29, 1990, 104 Stat. 5084

Section, act Aug. 1, 1956, ch. 841, title I, §21, as added Aug. 17, 1977, Pub. L. 95-105, title I, §112, 91 Stat. 848; amended Oct. 7, 1978, Pub. L. 95-426, title I, §119, 92 Stat. 970; Aug. 15, 1979, Pub. L. 96-60, title I, §109, 93 Stat. 397; renumbered title I, Aug. 24, 1982, Pub. L. 97-241, title II, §202(a), 96 Stat. 282, related to compliance with the Helsinki Final Act in the granting of nonimmigrant visas to aliens who are excludible from the United States by reason of membership in or affiliation with a proscribed organization but who are otherwise admissible, and provided that this section not apply to representatives of labor organizations that are instruments of a totalitarian state or aliens connected with the Palestine Liberation Organization.

EFFECTIVE DATE OF REPEAL

Section repealed applicable to individuals entering United States on or after June 1, 1991, see section