

§ 3922. Utilization of Foreign Service personnel system by other agencies

(a)(1) The Broadcasting Board of Governors and the Administrator of the Agency for International Development may utilize the Foreign Service personnel system with respect to their respective agencies in accordance with this chapter.

(2) The Secretary of Agriculture may utilize the Foreign Service personnel system in accordance with this chapter—

(A) with respect to personnel of the Foreign Agricultural Service, and

(B) with respect to other personnel of the Department of Agriculture to the extent the President determines to be necessary in order to enable the Department of Agriculture to carry out functions which require service abroad.

(3) The Secretary of Commerce may utilize the Foreign Service personnel system in accordance with this chapter—

(A) with respect to the personnel performing functions transferred to the Department of Commerce from the Department of State by Reorganization Plan Numbered 3 of 1979, and

(B) with respect to other personnel of the Department of Commerce to the extent the President determines to be necessary in order to enable the Department of Commerce to carry out functions which require service abroad.

(4)(A) Whenever (and to the extent) the Secretary of State considers it in the best interests of the United States Government, the Secretary of State may authorize the head of any agency or other Government establishment (including any establishment in the legislative or judicial branch) to appoint under section 3943 of this title individuals described in subparagraph (B) as members of the Service and to utilize the Foreign Service personnel system with respect to such individuals under such regulations as the Secretary of State may prescribe.

(B) The individuals referred to in subparagraph (A) are individuals eligible for employment abroad under section 3951(a) of this title.

(b) Subject to section 3921(b) of this title—

(1) the agency heads referred to in subsection (a), and

(2) the head of any other agency (to the extent authority to utilize the Foreign Service personnel system is granted to such agency head under any other chapter),

shall in the case of their respective agencies exercise the functions vested in the Secretary by this chapter.

(Pub. L. 96-465, title I, § 202, Oct. 17, 1980, 94 Stat. 2078; Pub. L. 97-241, title III, § 303(b), Aug. 24, 1982, 96 Stat. 291; Pub. L. 105-277, div. G, subdiv. A, title XIII, § 1335(k)(1), title XIV, § 1422(b)(4)(A), Oct. 21, 1998, 112 Stat. 2681-789, 2681-793; Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title III, § 332], Nov. 29, 1999, 113 Stat. 1536, 1501A-439.)

REFERENCES IN TEXT

Reorganization Plan Numbered 3 of 1979, referred to in subsec. (a)(3)(A), is Reorg. Plan No. 3 of 1979, 44 F.R. 69273, 93 Stat. 1381, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

1999—Subsec. (a)(4). Pub. L. 106-113 added par. (4).

1998—Subsec. (a)(1). Pub. L. 105-277, § 1422(b)(4)(A), substituted “Administrator of the Agency for International Development” for “Director of the United States International Development Cooperation Agency”.

Pub. L. 105-277, § 1335(k)(1), substituted “Broadcasting Board of Governors” for “Director of the United States Information Agency”.

CHANGE OF NAME

“Director of the United States Information Agency” substituted for “Director of the International Communication Agency” in subsec. (a)(1), pursuant to section 303(b) of Pub. L. 97-241, set out as a note under section 1461 of this title.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 1335(k)(1) of Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of this title.

Amendment by section 1422(b)(4) of Pub. L. 105-277 effective Apr. 1, 1999, see section 1401 of Pub. L. 105-277, set out as an Effective Date note under section 6561 of this title.

EXERCISE OF CERTAIN FUNCTIONS BY BOARD OF THE FOREIGN SERVICE AND BOARD OF EXAMINERS FOR THE FOREIGN SERVICE

The Board of the Foreign Service and the Board of Examiners for the Foreign Service were authorized to exercise with respect to Foreign Service personnel of the Department of Commerce, functions delegated to them by Ex. Ord. No. 11264, set out as a note under section 3930 of this title, respecting Foreign Service personnel of the Department of State, see section 1-104(c) of Ex. Ord. No. 12188, Jan. 2, 1980, 45 F.R. 991, set out as a note under section 2171 of Title 19, Customs Duties.

EX. ORD. NO. 10522. AUTHORITY OF THE DIRECTOR OF THE UNITED STATES INFORMATION AGENCY

Ex. Ord. No. 10522, Mar. 26, 1954, 19 F.R. 1689, provided:

SECTION 1. The Director of the United States Information Agency is hereby authorized to carry out the functions of the Board of the Foreign Service, provided for by the Foreign Service Act of 1946 (60 Stat. 999) [this chapter], with respect to personnel appointed or assigned for service in the United States Information Agency under the provisions of such Act, as amended [this chapter]: *Provided*, That nothing herein contained shall be construed as transferring to the said Director any function of the said Board relating to any Foreign Service Officer.

SEC. 2. The Director of the United States Information Agency is hereby authorized to prescribe such regulations and issue such orders and instructions, not inconsistent with law, as may be necessary or desirable for carrying out his functions under section 1 of this order.

DWIGHT D. EISENHOWER.

[For abolition of United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau), transfer of functions, and treatment of references thereto, see sections 6531, 6532, and 6551 of this title.]

§ 3922a. Representation of minorities and women in Foreign Service

(a) Development of program

The head of each agency utilizing the Foreign Service personnel system shall develop, consistent with section 7201 of title 5, a plan designed to increase significantly the number of members of minority groups and women in the Foreign Service in that agency.