

that: “In this title [see Short Title of 1999 Amendment note set out under section 2651 of this title]:

“(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means the Committee on International Relations [now Committee on Foreign Affairs] and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

“(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the position of Assistant Secretary of State for Verification and Compliance designated under section 1112 [22 U.S.C. 2652c].

“(3) EXECUTIVE AGENCY.—The term ‘Executive agency’ has the meaning given the term in section 105 of title 5, United States Code.

“(4) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) [now 50 U.S.C. 3003(4)].

“(5) START TREATY OR TREATY.—The term ‘START Treaty’ or ‘Treaty With the Treaty With the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms, including all agreed statements, annexes, protocols, and memoranda, signed at Moscow on July 31, 1991.

“(6) START II TREATY.—The term ‘START II Treaty’ means the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, and related protocols and memorandum of understanding, signed at Moscow on January 3, 1993.”

§§ 2653 to 2655. Repealed. Pub. L. 103-236, title I, § 162(a), (p), Apr. 30, 1994, 108 Stat. 405, 410

Section 2653, acts May 26, 1949, ch. 143, § 2, 63 Stat. 111; Aug. 5, 1955, ch. 576, § 2, 69 Stat. 536; June 30, 1958, Pub. L. 85-477, ch. V, § 502(j)(2), 72 Stat. 274; July 30, 1959, Pub. L. 86-117, 73 Stat. 265; Aug. 14, 1964, Pub. L. 88-426, title III, § 305(14), 78 Stat. 424; July 13, 1972, Pub. L. 92-352, title I, § 103(a)(2), 86 Stat. 490; Nov. 22, 1983, Pub. L. 98-164, title I, § 125(a), 97 Stat. 1026, related to appointment and rank of Secretary of State and other officers of Department of State.

Section 2654, act May 24, 1924, ch. 182, § 30, as added Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1214; amended Oct. 15, 1949, ch. 695, § 6(d), 63 Stat. 881, related to office and appointment of legal adviser in Department of State.

Section 2655, act May 18, 1937, ch. 220, 50 Stat. 169, related to position and appointment of Counselor of Department of State.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to officials, offices, and bureaus of Department of State when executive orders, regulations, or departmental directives implementing the amendments by sections 161 and 162 of Pub. L. 103-236 become effective, or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as an Effective Date of 1994 Amendment note under section 2651a of this title.

§ 2655a. Bureau of Oceans and International Environmental and Scientific Affairs within Department of State; Assistant Secretary of State as head of Bureau

There is established within the Department of State a Bureau of Oceans and International Environmental and Scientific Affairs. There shall be an Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, appointed by the President, by and with the advice and consent of the Senate, who shall be the head of the Bureau and who shall have responsibility for matters relating to oceans, environmental, scientific, fisheries, wildlife, and

conservation affairs and for such other related duties as the Secretary may from time to time designate.

(Pub. L. 93-126, § 9(a), formerly § 9, Oct. 18, 1973, 87 Stat. 453, renumbered Pub. L. 93-312, § 9, June 8, 1974, 88 Stat. 238; Pub. L. 103-236, title I, § 162(q)(1), Apr. 30, 1994, 108 Stat. 410; Pub. L. 103-415, § 1(f)(4)(B), Oct. 25, 1994, 108 Stat. 4300.)

AMENDMENTS

1994—Pub. L. 103-236, as amended by Pub. L. 103-415, substituted “There shall” for “In addition to the positions provided under section 2652 of this title, there shall” and inserted before period at end “and for such other related duties as the Secretary may from time to time designate”.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-236 applicable with respect to officials, offices, and bureaus of Department of State when executive orders, regulations, or departmental directives implementing the amendments by sections 161 and 162 of Pub. L. 103-236 become effective, or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as a note under section 2651a of this title.

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.

§ 2655b. Diplomatic presence overseas

(a) Purpose

The purpose of this section is to—

- (1) elevate the stature given United States diplomatic initiatives relating to nonproliferation and political-military issues; and
- (2) develop a group of highly specialized, technical experts with country expertise capable of administering the nonproliferation and political-military affairs functions of the Department.

(b) Authority

To carry out the purposes of subsection (a), the Secretary is authorized to establish the position of Counselor for Nonproliferation and Political Military Affairs in United States diplomatic missions overseas, to be filled by individuals who are career Civil Service officers or Foreign Service officers committed to follow-on assignments in the Nonproliferation Bureau or the Political Military Affairs Bureau of the Department.

(c) Training

After being selected to serve as Counselor, any person so selected shall spend not less than 10 months in language training courses at the Foreign Service Institute,¹ or in technical courses administered by the Department of Defense, the Department of Energy, or other appropriate departments and agencies of the United States, except that such requirement for training may be waived by the Secretary.

(Pub. L. 107-228, div. B, title XVI, § 1604, Sept. 30, 2002, 116 Stat. 1460.)

¹ See Change of Name note below.

CHANGE OF NAME

References to Foreign Service Institute considered to refer to George P. Shultz National Foreign Affairs Training Center, see section 1(b) of Pub. L. 107-132, set out as a note under section 4021 of this title.

DEFINITIONS

For definitions of “Department” and “Secretary” as used in this section, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.

§ 2656. Management of foreign affairs

The Secretary of State shall perform such duties as shall from time to time be enjoined on or intrusted to him by the President relative to correspondences, commissions, or instructions to or with public ministers or consuls from the United States, or to negotiations with public ministers from foreign states or princes, or to memorials or other applications from foreign public ministers or other foreigners, or to such other matters respecting foreign affairs as the President of the United States shall assign to the Department, and he shall conduct the business of the Department in such manner as the President shall direct.

(R.S. § 202.)

CODIFICATION

R.S. § 202 derived from acts July 27, 1789, ch. 4, § 1, 1 Stat. 28; Sept. 15, 1789, ch. 14, § 1, 1 Stat. 68.

Section was formerly classified to section 156 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.

CONSTRUCTION

Pub. L. 115-409, § 412, Dec. 31, 2018, 132 Stat. 5411, provided that: “Nothing in this Act [see Short Title of 2018 Amendment note set out under section 2651 of this title] may be construed as authorizing the use of military force.”

DELEGATION OF FUNCTIONS

Functions of President respecting certain facilities constructed and maintained on United States borders delegated to Secretary of State, see Ex. Ord. No. 11423, Aug. 16, 1968, 33 F.R. 11741, set out as a note under section 301 of Title 3, The President.

PRESIDENTIAL DIRECTIVE

National Intelligence Authority and Central Intelligence Group, established by Presidential Directive, Feb. 1, 1946, 11 F.R. 1337, to coordinate Federal foreign intelligence activities, ceased to exist upon creation of Central Intelligence Agency; personnel, property and records of the group were transferred to the Agency; and unexpended funds of the group were made available to the Agency, by act July 26, 1947, ch. 343, title I, § 102, 61 Stat. 497, formerly set out as section 403 of Title 50, War and National Defense. See Prior Provisions note under section 3023 of Title 50.

GENOCIDE AND ATROCITIES PREVENTION

Pub. L. 115-441, §§ 3, 6, 7, Jan. 14, 2019, 132 Stat. 5586, 5588, 5589, provided that:

“SEC. 3. STATEMENT OF POLICY.

“It shall be the policy of the United States to—

“(1) regard the prevention of atrocities as in its national interest;

“(2) work with partners and allies, including to build their capacity, and enhance the capacity of the United States, to identify, prevent, and respond to the causes of atrocities, including insecurity, mass

displacement, violent conflict, and other conditions that may lead to such atrocities; and

“(3) pursue a United States Government-wide strategy to identify, prevent, and respond to the risk of atrocities by—

“(A) strengthening the diplomatic, risk analysis and monitoring, strategic planning, early warning, and response capacities of the Government;

“(B) improving the use of foreign assistance to respond early, effectively, and urgently in order to address the causes of atrocities;

“(C) strengthening diplomatic response and the effective use of foreign assistance to support appropriate transitional justice measures, including criminal accountability, for past atrocities;

“(D) supporting and strengthening local civil society, including human rights defenders and others working to help prevent and respond to atrocities;

“(E) promoting financial transparency and enhancing anti-corruption initiatives as part of addressing causes of conditions that may lead to atrocities; and

“(F) employing a variety of unilateral, bilateral, and multilateral means to prevent and respond to atrocities by—

“(i) placing a high priority on timely, preventive diplomatic efforts; and

“(ii) exercising leadership in promoting international efforts to prevent atrocities.

“SEC. 6. DEFINITIONS.

“In this Act [see Short Title of 2019 Amendment note set out under section 2651 of this title]—

“(1) the term ‘genocide’ means an offense under subsection (a) of section 1091 of title 18, United States Code;

“(2) the term ‘atrocities’ means war crimes, crimes against humanity, and genocide;

“(3) the term ‘transitional justice’ means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes to redress legacies of atrocities and to promote long-term, sustainable peace; and

“(4) the term ‘war crime’ has the meaning given the term in section 2441(c) of title 18, United States Code.

“SEC. 7. RULE OF CONSTRUCTION.

“Nothing in this Act shall be construed as authorizing the use of military force.”

UNITED STATES POLICY AND DIPLOMATIC STRATEGY IN THE INDO-PACIFIC REGION

Pub. L. 115-409, title I, Dec. 31, 2018, 132 Stat. 5389, provided that:

“SEC. 101. POLICY.

“It is the policy of the United States to develop and commit to a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region that—

“(1) secures the vital national security interests of the United States and our allies and partners;

“(2) promotes American prosperity and economic interests by advancing economic growth and development of a rules-based Indo-Pacific economic community;

“(3) advances American influence by reflecting the values of the American people and universal human rights;

“(4) supports functional problem-solving regional architecture; and

“(5) accords with and supports the rule of law and international norms.

“SEC. 102. DIPLOMATIC STRATEGY.

“It is the diplomatic strategy of the United States—

“(1) to work with United States allies—

“(A) to confront common challenges;

“(B) to improve information sharing;

“(C) to increase defense investment and trade;