

January 1, 1990, which shall include classified and unclassified materials such as instructions and guidance, position papers, reporting cables and memoranda of conversation, working papers, draft texts of the agreement, diplomatic notes, notes verbal, and other internal and external correspondence.

**(b) Negotiating and implementation records**

In particular, the Secretary of State shall establish and maintain a negotiating and implementation record for each such agreement, which shall be comprehensive and detailed, and shall document all communications between the parties with respect to such agreement. Such records shall be maintained both in hard copy and magnetic media.

(Pub. L. 87-297, title III, §307, formerly §38, as added Pub. L. 103-236, title VII, §713(a), Apr. 30, 1994, 108 Stat. 496; renumbered §307 and amended Pub. L. 105-277, div. G, subdiv. A, title XII, §1223(12), (21), Oct. 21, 1998, 112 Stat. 2681-770, 2681-772.)

PRIOR PROVISIONS

A prior section 2578, Pub. L. 87-297, title III, §38, as added Pub. L. 100-213, §3(b), Dec. 24, 1987, 101 Stat. 1445; amended Pub. L. 103-199, title IV, §401(a), Dec. 17, 1993, 107 Stat. 2324, related to reports on activities of Standing Consultative Commission, prior to repeal by Pub. L. 103-236, title VII, §704(2), Apr. 30, 1994, 108 Stat. 492.

AMENDMENTS

1998—Subsecs. (a), (b). Pub. L. 105-277, §1223(12)(A), substituted “Secretary of State” for “Director”.

Subsec. (c). Pub. L. 105-277, §1223(12)(B), struck out heading and text of subsec. (c). Text read as follows: “In order to implement effectively this section, the Director shall ensure that Agency personnel participate throughout the negotiation and implementation phases of all arms control, nonproliferation, and disarmament agreements.”

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of this title.

**§ 2579. Omitted**

CODIFICATION

Section, Pub. L. 87-297, title III, §308, formerly §39, as added Pub. L. 100-213, §4, Dec. 24, 1987, 101 Stat. 1445; amended Pub. L. 103-236, title VII, §719(f), Apr. 30, 1994, 108 Stat. 502; renumbered §308 and amended Pub. L. 105-277, div. G, subdiv. A, title XII, §1223(21), Oct. 21, 1998, 112 Stat. 2681-772, which required the Director of the United States Arms Control and Disarmament Agency (whose functions were transferred to the Secretary of State under section 6512 of this title) to provide an annual report to Congress on studies relating to arms control, nonproliferation, and disarmament issues, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 155 of House Document No. 103-7.

SUBCHAPTER IV—ADDITIONAL GENERAL PROVISIONS

**§ 2581. General authority of Secretary of State**

In addition to any authorities otherwise available, the Secretary of State in the performance of functions under this chapter is authorized to—

**(a) Utilization of other Federal agencies; transfers of supplies, equipment, and surplus property**

utilize or employ the services, personnel, equipment, or facilities of any other Government agency, with the consent of the agency concerned, to perform such functions on behalf of the Department of State as may appear desirable. Any Government agency is authorized, notwithstanding any other provision of law, to transfer to or to receive from the Secretary of State, without reimbursement, supplies and equipment other than administrative supplies or equipment. Transfer or receipt of excess property shall be in accordance with the provisions of chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41;

**(b) Employment of personnel**

appoint and fix the compensation of employees possessing specialized technical expertise without regard to the provisions of title 5 governing appointments in the competitive service and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, if the Secretary of State ensures that—

(1) any employee who is appointed under this subsection is not paid at a rate—

(A) in excess of the rate payable for positions of equivalent difficulty or responsibility, or

(B) exceeding the maximum rate payable for grade 15 of the General Schedule; and

(2) the number of employees appointed under this subsection shall not exceed 10 percent of the Department of State’s full-time-equivalent positions allocated to carry out the purpose of this chapter.<sup>1</sup>

**(c) Detail of other agency personnel without prejudice to status or advancement**

enter into agreements with other Government agencies, including the military departments through the Secretary of Defense, under which officers or employees of such agencies may be detailed to the Department of State for the performance of service pursuant to this chapter without prejudice to the status or advancement of such officers or employees within their own agencies;

**(d) Experts and consultants; stenographic reporting services; compensation and travel expenses; limitation on period of employment; renewal of employment contracts**

procure services of experts and consultants or organizations thereof, including stenographic reporting services, as authorized by section 3109 of title 5 and to pay in connection therewith travel expenses of individuals, including transportation and per diem in lieu of subsistence while away from their homes or regular places of business, as authorized by section 5703 of such title: *Provided*, That no such individual shall be employed for more than 130 days in any fiscal year unless the President certifies that employment of such individual in excess of such num-

<sup>1</sup> So in original. The period probably should be a semicolon.