

programming of funds under section 2706 of this title.

(2) Transfer authority

Funds in any account appropriated to the Department of State may be transferred to another such account for the purposes of reorganization, subject to notification of the appropriate congressional committees in accordance with the procedures applicable to a reprogramming of funds under section 2706 of this title. The authority in this paragraph is in addition to any other transfer authority available to the Secretary of State and shall expire September 30, 2000.

(Pub. L. 105-277, div. G, subdiv. A, title XVI, §1612, Oct. 21, 1998, 112 Stat. 2681-798.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original “this subdivision”, meaning subdiv. A of div. G of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-765, known as the Foreign Affairs Agencies Consolidation Act of 1998. For complete classification of this subdivision to the Code, see Short Title note set out under section 6501 of this title and Tables.

§ 6613. Transfer, appointment, and assignment of personnel

(a) Transfer of personnel from ACDA and USIA

Except as otherwise provided in subchapter III—

(1) not later than the date of abolition of ACDA, all personnel and positions of ACDA, and

(2) not later than the date of abolition of USIA, all personnel and positions of USIA,

shall be transferred to the Department of State at the same grade or class and the same rate of basic pay or basic salary rate and with the same tenure held immediately preceding transfer.

(b) Transfer of personnel from AID

Except as otherwise provided in subchapter III, not later than the date of transfer of any function of AID to the Department of State under this chapter, all AID personnel performing such functions and all positions associated with such functions shall be transferred to the Department of State at the same grade or class and the same rate of basic pay or basic salary rate and with the same tenure held immediately preceding transfer.

(c) Assignment authority

The Secretary, for a period of not more than 6 months commencing on the effective date of the transfer to the Department of State of personnel under subsections (a) and (b), is authorized to assign such personnel to any position or set of duties in the Department of State regardless of the position held or duties performed by such personnel prior to transfer, except that, by virtue of such assignment, such personnel shall not have their grade or class or their rate of basic pay or basic salary rate reduced, nor their tenure changed. In carrying out the reorganization under this Act, the Secretary shall ensure that the advances made in increasing the number and status of women and minorities within the foreign affairs agencies of the Federal Government,

in terms of representation within the agencies as well as relative rank, are not undermined by discrimination within the newly reorganized Department of State. The Secretary shall consult with the relevant exclusive representatives (as defined in section 4102 of this title and in section 7103 of title 5) with regard to the exercise of this authority. This subsection does not authorize the Secretary to assign any individual to any position that by law requires appointment by the President, by and with the advice and consent of the Senate.

(d) Superseding other provisions of law

Subsections (a) through (c) shall be exercised notwithstanding any other provision of law.

(Pub. L. 105-277, div. G, subdiv. A, title XVI, §1613, Oct. 21, 1998, 112 Stat. 2681-799; Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title III, §341], Nov. 29, 1999, 113 Stat. 1536, 1501A-444.)

REFERENCES IN TEXT

Subchapter III, referred to in subsecs. (a) and (b), was in the original “title XIII”, meaning title XIII of subdiv. A of div. G of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-776. For complete classification of title XIII of div. G of this Act to the Code, see Tables.

This chapter, referred to in subsec. (b), was in the original “this subdivision”, meaning subdiv. A of div. G of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-765, known as the Foreign Affairs Agencies Consolidation Act of 1998. For complete classification of this subdivision to the Code, see Short Title note set out under section 6501 of this title and Tables.

This Act, referred to in subsec. (c), probably means division G of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-761, as amended, known as the Foreign Affairs Reform and Restructuring Act of 1998. For complete classification of division G to the Code, see Short Title note set out under section 6501 of this title and Tables.

Section 4102 of this title, referred to in subsec. (c), was in the original “section 1002 of the Foreign Service Act”, and was translated as meaning section 1002 of the Foreign Service Act of 1980 to reflect the probable intent of Congress.

AMENDMENTS

1999—Subsec. (c). Pub. L. 106-113 inserted after first sentence “In carrying out the reorganization under this Act, the Secretary shall ensure that the advances made in increasing the number and status of women and minorities within the foreign affairs agencies of the Federal Government, in terms of representation within the agencies as well as relative rank, are not undermined by discrimination within the newly reorganized Department of State.”.

§ 6614. Incidental transfers

The Director of the Office of Management and Budget, when requested by the Secretary, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of any subchapter of this chapter. The Director of the Office of Management and Budget, in consultation with the Secretary, shall provide for the termination of the affairs of all entities terminated by this chapter and for such further measures and dispositions as may be necessary to effectuate the purposes of any subchapter of this chapter.