

**(C) National security limitation****(i) Waiver by President**

The President may waive the provisions of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

**(ii) Waiver by others**

With respect to an interagency group or organization, or meeting thereof, working with exceptionally sensitive information contained in compartments under the control of the Director of Central Intelligence, the Secretary of Defense, or the Secretary of Energy, such Director or Secretary, as the case may be, may waive the provision of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

**(iii) Transmission of waiver to Congress**

Any waiver of participation under clause (i) or (ii) shall be transmitted in writing to the appropriate committees of Congress.

**(3) Relationship to the intelligence community**

The Assistant Secretary shall be the principal policy community representative to the intelligence community on verification and compliance matters.

**(4) Reporting responsibilities**

The Assistant Secretary shall have responsibility within the Department of State for—

(A) all reports required pursuant to section 2577 of this title;

(B) so much of the report required under paragraphs (4) through (6) of section 2593a(a) of this title as relates to verification or compliance matters;

(C) so much of the reports required under section 8003 of this title as relates to verification or compliance matters; and

(D) other reports being prepared by the Department of State as of November 29, 1999, relating to arms control, nonproliferation, or disarmament verification or compliance matters.

(Pub. L. 106–113, div. B, §1000(a)(7) [div. B, title XI, §1112], Nov. 29, 1999, 113 Stat. 1536, 1501A–486; Pub. L. 109–401, title I, §108, Dec. 18, 2006, 120 Stat. 2738.)

**Editorial Notes****AMENDMENTS**

2006—Subsec. (c)(4)(C), (D). Pub. L. 109–401 added subpar. (C) and redesignated former subpar. (C) as (D).

**Statutory Notes and Related Subsidiaries****CHANGE OF NAME**

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be a ref-

erence to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108–458, set out as a note under section 3001 of Title 50, War and National Defense.

**DEFINITIONS**

Pub. L. 106–113, div. B, §1000(a)(7) [div. B, title XI, §1102], Nov. 29, 1999, 113 Stat. 1536, 1501A–485, provided that: “In this title [see Short Title of 1999 Amendment note set out under section 2551 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’ means 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.

**Statutory Notes and Related Subsidiaries****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 En-

vironmental 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.)

#### Editorial Notes

##### 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”.

#### Statutory Notes and Related Subsidiaries

##### 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,<sup>1</sup> 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.)

#### Statutory Notes and Related Subsidiaries

##### 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.)

#### Editorial Notes

##### 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.

#### Statutory Notes and Related Subsidiaries

##### 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.”

##### MITIGATION AND PREVENTION OF ATROCITIES IN HIGH-RISK COUNTRIES

Pub. L. 116-283, div. A, title XII, §1210D, Jan. 1, 2021, 134 Stat. 3916, provided that:

“(a) STATEMENT OF POLICY.—It is the policy of the United States that the Department of State, in coordination with the Department of Defense and the United States Agency for International Development, should address global fragility, as required by the Global Fragility Act of 2019 [22 U.S.C. 9801 et seq.] and, to the extent practicable, incorporate efforts to identify, prevent, and respond to the causes of atrocities, as re-

<sup>1</sup> See Change of Name note below.