

Statutory Notes and Related Subsidiaries

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.

§ 2687. Use of appropriated funds for unusual expenses of United States Representative to Organization of American States

The Secretary of State is authorized to use appropriated funds for unusual expenses similar to those authorized by section 5913 of title 5 incident to the operation and maintenance of the living quarters of the United States Representative to the Organization of American States.

(Aug. 1, 1956, ch. 841, title I, §17, as added Pub. L. 94-141, title I, §101(c), Nov. 29, 1975, 89 Stat. 756; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282.)

§ 2688. Ambassadors; criteria regarding selection and confirmation

It is the sense of the Congress that the position of United States ambassador to a foreign country should be accorded to men and women possessing clearly demonstrated competence to perform ambassadorial duties. No individual should be accorded the position of United States ambassador to a foreign country primarily because of financial contributions to political campaigns.

(Aug. 1, 1956, ch. 841, title I, §18, as added Pub. L. 94-141, title I, §104, Nov. 29, 1975, 89 Stat. 757; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282.)

§ 2689. American Sections, International Joint Commission, United States and Canada; funds for representation expenses and official entertainment within the United States

Each fiscal year (beginning with fiscal year 1977), the Secretary of State may use funds appropriated for the American Sections, International Joint Commission, United States and Canada, for representation expenses and official entertainment within the United States for such American Sections.

(Aug. 1, 1956, ch. 841, title I, §19, as added Pub. L. 94-350, title I, §104, July 12, 1976, 90 Stat. 824; amended Pub. L. 95-426, title I, §110(a), Oct. 7, 1978, 92 Stat. 967; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282.)

Editorial Notes

AMENDMENTS

1978—Pub. L. 95-426 struck out “not to exceed \$1,500 of the” after “the Secretary of State may use”.

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EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95-426, title I, §110(b), Oct. 7, 1978, 92 Stat. 967, provided that: “The amendment made by this section

[amending this section] shall take effect on October 1, 1978.”

§ 2690. Foreign gifts; audit; reports to Congress

Any expenditure for any gift for any person of any foreign country which involves any funds made available to meet unforeseen emergencies arising in the Diplomatic and Consular Service shall be audited by the Comptroller General and reports thereon made to the Congress to such extent and at such times as he may determine necessary. The representatives of the Government Accountability Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property pertaining to such expenditure and necessary to facilitate the audit.

(Aug. 1, 1956, ch. 841, title I, §20, as added Pub. L. 94-350, title I, §116(a), July 12, 1976, 90 Stat. 827; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282; amended Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

Editorial Notes

AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

§ 2691. Repealed. Pub. L. 101-649, title VI, § 603(a)(18), Nov. 29, 1990, 104 Stat. 5084

Section, act Aug. 1, 1956, ch. 841, title I, §21, as added Aug. 17, 1977, Pub. L. 95-105, title I, §112, 91 Stat. 848; amended Oct. 7, 1978, Pub. L. 95-426, title I, §119, 92 Stat. 970; Aug. 15, 1979, Pub. L. 96-60, title I, §109, 93 Stat. 397; renumbered title I, Aug. 24, 1982, Pub. L. 97-241, title II, §202(a), 96 Stat. 282, related to compliance with the Helsinki Final Act in the granting of nonimmigrant visas to aliens who are excludible from the United States by reason of membership in or affiliation with a proscribed organization but who are otherwise admissible, and provided that this section not apply to representatives of labor organizations that are instruments of a totalitarian state or aliens connected with the Palestine Liberation Organization.

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EFFECTIVE DATE OF REPEAL

Section repealed applicable to individuals entering United States on or after June 1, 1991, see section 601(e)(1) of Pub. L. 101-649, set out as an Effective Date of 1990 Amendment note under section 1101 of Title 8, Aliens and Nationality.

§ 2692. Compensation for persons participating in State Department proceedings; availability of funds

(a) The Secretary of State may compensate, pursuant to regulations which he shall prescribe, for the cost of participating in any proceeding or on any advisory committee or delegation of the Department of State, any organization or person—

(1) who is representing an interest which would not otherwise be adequately represented and whose participation is necessary for a fair determination of the issues taken as a whole; and

(2) who would otherwise be unable to participate in such proceeding or on such committee or delegation because such organization or

person cannot afford to pay the costs of such participation.

(b) Of the funds appropriated for salaries and expenses for the Department of State, not to exceed \$250,000 shall be available in any fiscal year for compensation under this section to such organizations and persons.

(Aug. 1, 1956, ch. 841, title I, §22, as added Pub. L. 95-105, title I, §113(a), Aug. 17, 1977, 91 Stat. 848; renumbered title I, Pub. L. 97-241, title II, §202(a), Aug. 24, 1982, 96 Stat. 282.)

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EFFECTIVE DATE

Pub. L. 95-105, title I, §113(b), Aug. 17, 1977, 91 Stat. 849, provided that: "Subsection (a) [enacting this section] shall become effective on October 1, 1977."

§ 2693. Repealed. Pub. L. 96-465, title II, § 2205(3), Oct. 17, 1980, 94 Stat. 2160

Section, Pub. L. 95-105, title IV, §413, Aug. 17, 1977, 91 Stat. 856, related to employment of family members abroad in non-career positions. See sections 3951, 3968, and 4026 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of this title.

§ 2694. Limitation on purchase of gifts for foreign individuals; report to Speaker of the House and chairman of the Committee on Foreign Relations of the Senate

(1) After September 30, 1977, no appropriated funds, other than funds from the "Emergencies in the Diplomatic and Consular Service" account of the Department of State, may be used to purchase any tangible gift of more than minimal value (as defined in section 7342(a)(5) of title 5) for any foreign individual unless such gift has been approved by the Congress.

(2) Beginning October 1, 1977, the Secretary of State shall annually transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report containing details on (1) any gifts of more than minimal value purchased with appropriated funds which were given to a foreign individual during the previous fiscal year, and (2) any other gifts of more than minimal value given by the United States Government to a foreign individual which were not obtained using appropriated funds.

(Pub. L. 95-105, title V, §515(b), Aug. 17, 1977, 91 Stat. 866.)

§ 2695. Administrative services

(a) Agreements

Whenever the head of any Federal agency performing any foreign affairs functions (including, but not limited to, the Department of State, the Broadcasting Board of Governors, and the Agency for International Development) determines that administrative services performed in common by the Department of State and one or

more other such agencies may be performed more advantageously and more economically on a consolidated basis, the Secretary of State and the heads of the other agencies concerned may, subject to the approval of the Director of the Office of Management and Budget, conclude an agreement which provides for the transfer to and consolidation within the Department or within one of the other agencies concerned of so much of the functions, personnel, property, records, and funds of the Department and of the other agencies concerned as may be necessary to enable the performance of those administrative services on a consolidated basis for the benefit of all agencies concerned. Agreements for consolidation of administrative services under this section shall provide for reimbursement or advances of funds from the agency receiving the service to the agency performing the service in amounts which will approximate the expense of providing administrative services for the serviced agency.

(b) Payment

(1) A Federal agency which obtains administrative services from the Department of State pursuant to an agreement authorized under subsection (a) shall make full and prompt payment for such services through advance of funds or reimbursement.

(2) The Secretary of State shall bill each Federal agency for amounts due for services provided pursuant to subsection (a). The Secretary shall notify a Federal agency which has not made full payment for services within 90 days after billing that services to the agency will be suspended or terminated if full payment is not made within 180 days after the date of notification. Except as provided under paragraph (3), the Secretary shall suspend or terminate services to a Federal agency which has not made full payment for services under this section 180 days after the date of notification. Any costs associated with a suspension or termination of services shall be the responsibility of, and shall be billed to, the Federal agency.

(3) The Secretary of State may waive the requirement for suspension or termination under paragraph (2) with respect to such services as the Secretary determines are necessary to ensure the protection of life and the safety of United States Government property. A waiver may be issued for a period not to exceed one year and may be renewed.

(Aug. 1, 1956, ch. 841, title I, §23, as added Pub. L. 95-426, title I, §111(a), Oct. 7, 1978, 92 Stat. 967; renumbered title I and amended Pub. L. 97-241, title II, §202(a), title III, §303(b), Aug. 24, 1982, 96 Stat. 282, 291; Pub. L. 102-138, title I, §118, Oct. 28, 1991, 105 Stat. 657; Pub. L. 105-277, div. G, subdiv. A, title XII, §1225(f), title XIII, §1335(l)(1), Oct. 21, 1998, 112 Stat. 2681-775, 2681-789.)

Editorial Notes

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §1335(l)(1), substituted "Broadcasting Board of Governors" for "United States Information Agency".

Pub. L. 105-277, §1225(f), substituted "and the Agency for International Development" for "the Agency for