

within the Bureau of Diplomatic Security, the Diplomatic Security Service. The Diplomatic Security Service shall perform such functions as may be assigned to it by the Secretary of State.”

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.

§ 4822. Director of Diplomatic Security Service

Any such Diplomatic Security Service should be headed by a Director designated by the Secretary of State. The Director should be a career member of the Senior Foreign Service or the Senior Executive Service and should be qualified for the position by virtue of demonstrated ability in the areas of security, law enforcement, management, and public administration. Experience in management or operations abroad should be considered an affirmative factor in the selection of the Director.

(Pub. L. 99-399, title II, §202, Aug. 27, 1986, 100 Stat. 858; Pub. L. 103-236, title I, §162(g)(8), Apr. 30, 1994, 108 Stat. 407.)

Editorial Notes

AMENDMENTS

1994—Pub. L. 103-236 substituted “Any such” for “The” in first sentence, struck out last sentence which read as follows: “The Director shall act under the supervision and direction of the Assistant Secretary for Diplomatic Security.”, and directed the substitution of “should” for “shall” in first, third, and fourth sentences, which was executed to first, second, and third sentences to reflect the probable intent of Congress and the striking out of last sentence which also was the fourth sentence. See H.Rept. 103-126, pp. 168, 169.

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.

§ 4823. Special agents

Special agent positions shall be filled in accordance with the provisions of the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) and title 5. In filling such positions, the Secretary of State shall actively recruit women and members of minority groups. The Secretary of State shall prescribe the qualifications required for assignment or appointment to such positions. The qualifications may include minimum and maximum entry age restrictions and other physical standards and shall incorporate such standards as may be required by law in order to perform security functions, to bear arms, and to exercise

investigatory, warrant, arrest, and such other authorities as are available by law to special agents of the Department of State and the Foreign Service.

(Pub. L. 99-399, title II, §203, Aug. 27, 1986, 100 Stat. 858; Pub. L. 103-236, title I, §162(g)(9), Apr. 30, 1994, 108 Stat. 407.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in text, is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, as amended, which is classified principally to chapter 52 (§3901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3901 of this title and Tables.

AMENDMENTS

1994—Pub. L. 103-236 amended section catchline to read “Special agents” and in text substituted “Special agent positions” for “Positions in the Diplomatic Security Service” and “The qualifications” for “In the case of positions designated for special agents, the qualifications”.

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.

§ 4824. Contracting authority

The Secretary of State is authorized to employ individuals or organizations by contract to carry out the purposes of this Act, and individuals employed by contract to perform such services shall not by virtue of such employment be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management (except that the Secretary may determine the applicability to such individuals of any law administered by the Secretary concerning the employment of such individuals); and such contracts are authorized to be negotiated, the terms of the contracts to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making and performance of contracts and performance of work in the United States.

(Pub. L. 99-399, title II, §206, as added Pub. L. 105-277, div. C, title I, §104, Oct. 21, 1998, 112 Stat. 2681-586.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 99-399, Aug. 27, 1986, 100 Stat. 853, known as the Omnibus Diplomatic Security and Antiterrorism Act of 1986. For complete classification of this Act to the Code, see Short Title note set out under section 4801 of this title and Tables.