

Title 41, Public Contracts, applicable with respect to any solicitation for bids or proposals issued after Mar. 31, 1985. See section 2751(a) of Pub. L. 98-369, set out as an Effective Date of 1984 Amendment note under section 4751 of Title 10, Armed Forces.

CODIFICATION

In subsec. (a), “section 501 of title 44” substituted for “section 11 of the Act of March 1, 1919 (44 U.S.C. 111)” on authority of Pub. L. 90-620, §2(b), Oct. 22, 1968, 82 Stat. 1305, the first section of which enacted Title 44, Public Printing and Documents.

In subsec. (h), “section 3304(a)(2) of title 41” substituted for “section 303(c)(2) of the Federal Property and Administrative Services Act of 1949” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

Section was formerly classified to section 170g 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.

AMENDMENTS

2004—Subsec. (k). Pub. L. 108-447, §413(b)(1), which directed the striking out of “and”, was executed by striking out “and” after semicolon, to reflect the probable intent of Congress.

Subsec. (l). Pub. L. 108-447, §413(b)(3), substituted semicolon for period at end.

Subsec. (m). Pub. L. 108-447, §413(b)(2), (3), transferred subsec. (m) to appear after subsec. (l) and substituted semicolon for period at end.

Subsec. (n). Pub. L. 108-447, §413(b)(4), substituted “; and” for period at end.

Subsec. (o). Pub. L. 108-447, §413(a), added subsec. (o). 2001—Subsec. (n). Pub. L. 107-107 added subsec. (n).

1994—Subsec. (c). Pub. L. 103-236, §§137, 180(b), which identically directed amendment of subsec. (c) by inserting before the period “; 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”, were executed by making the insertion before the semicolon at end to reflect the probable intent of Congress.

Subsecs. (l), (m). Pub. L. 103-236, §162(k)(4), redesignated subsec. (l) relating to paying obligations arising under international agreements, conventions, and binational contracts as (m).

1991—Subsec. (l). Pub. L. 102-138 added subsec. (l) relating to paying obligations arising under international agreements, conventions, and binational contracts.

Pub. L. 102-20 added subsec. (l) relating to purchase of special purpose passenger motor vehicles.

1990—Subsecs. (i) to (k). Pub. L. 101-246 added subsecs. (i) to (k).

1985—Pub. L. 99-93, §114, in provision preceding subsec. (a) substituted “may use funds appropriated or otherwise available to the Secretary to” for “, when funds are appropriated therefor, may”.

Subsec. (c). Pub. L. 99-93, §118(a), inserted “for purposes of any law administered by the Office of Personnel Management (except that the Secretary may determine the applicability to such individuals of subsection (f) and of any other law administered by the Secretary concerning the employment of such individuals abroad)”.

1984—Subsec. (c). Pub. L. 98-533, §303(a)(1), substituted “individuals or organizations” for “aliens” after “employ”, and “, 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”.

Subsecs. (g), (h). Pub. L. 98-533, §303(a)(2), added subsecs. (g) and (h).

1962—Subsec. (b). Pub. L. 87-565 added subsec. (b). A prior subsec. (b) was repealed by section 511(a)(2) of Pub. L. 86-707.

1960—Subsec. (a). Pub. L. 86-624 substituted “the States of the United States and the District of Columbia” for “the continental United States”.

Subsec. (b). Pub. L. 86-707 repealed subsec. (b) which authorized the Secretary to pay the cost of transportation to and from a place of storage and the cost of storing the furniture and household and personal effects of an employee who is assigned to a post at which he is unable to use his furniture and effects, and is now covered by section 1136(4) of this title.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Federal Acquisition Service” substituted for “Federal Supply Service” in subsec. (h) on authority of section 2(c)(1) of Pub. L. 109-313, set out as a note under section 303 of Title 40, Public Buildings, Property, and Works.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by section 162(k)(4) of 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.

EFFECTIVE DATE OF 1985 AMENDMENT

Pub. L. 99-93, title I, §118(b), Aug. 16, 1985, 99 Stat. 412, provided that: “Authority provided by the amendment made by subsection (a) [amending this section] shall only apply with respect to funds appropriated after the date of the enactment of this Act [Aug. 16, 1985].”

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 2669-1. Payment of tort claims arising in connection with overseas operations

During the current fiscal year and hereafter, the Secretary of State shall have discretionary authority to pay tort claims in the manner authorized by section 2672 of title 28 when such claims arise in foreign countries in connection with the overseas operations of the Department of State.

(Pub. L. 105-277, div. A, §101(b) [title IV, §409], Oct. 21, 1998, 112 Stat. 2681-50, 2681-102.)

§ 2669a. Diplomatic Telecommunications Service

(a) Diplomatic Telecommunications Service financial management

In fiscal year 1995 and each succeeding fiscal year—

(1) the Secretary of State shall provide funds for the operation of the Diplomatic Telecommunications Service (DTS) in a sufficient amount to sustain the current level of support services being provided by the DTS, and no portion of such amount may be reprogrammed or transferred for any other purpose;

(2) all funds for the operation and enhancement of the DTS shall be directly available for

use by the Diplomatic Telecommunications Service Program Office (DTS-PO); and

(3) the DTS-PO financial management officer shall be provided direct access to the Department of State financial management system to independently monitor and control the obligation and expenditure of all funds for the operation and enhancement of the DTS.

(b) DTS Policy Board

Within 60 days after August 26, 1994, the Secretary of State and the Director of the DTS-PO shall restructure the DTS Policy Board to provide for representation on the Board, during fiscal year 1995 and each succeeding fiscal year, by—

(1) the Director of the DTS-PO;

(2) the senior information management official from each agency currently serving on the Board;

(3) a senior career information management official from each of the Department of Commerce and the Defense Intelligence Agency; and

(4) a senior career information management official from each of 2 other Federal agencies served by the DTS, each of whom shall be appointed on a rotating basis by the Secretary of State and the Director of the DTS-PO for a 2-year term.

(c) DTS consolidation pilot program

(1) In general

The Secretary of State and the Director of the DTS-PO shall carry out a program under which total DTS consolidation will be completed before October 1, 1995, at not less than five embassies of medium to large size.

(2) Pilot program requirements

Under the program required in paragraph (1)—

(A) each participating embassy shall be provided with a full range of integrated information services, including message, data, and voice, without additional charge;

(B) a combined transmission facility shall be established and jointly operated, with open access to all unclassified transmission equipment;

(C) an unclassified packet switch communication system shall be installed and shall serve all foreign affairs agencies associated with the embassy;

(D) separate classified transmission systems (including MERCURY) shall be terminated; and

(E) all foreign affairs agency systems requiring international communications capability shall obtain such capability solely through the DTS.

(3) Pilot program report

Not later than January 15, 1996, the Secretary of State and the Director of the DTS-PO shall submit to the Committees on Appropriations of the House and Senate a report describing the actions taken under the program required by this subsection. The report shall include a cost-benefit analysis for each embassy participating in the program.

(d) DTS planning report

Not later than January 15, 1995, the Secretary of State and the Director of the DTS-PO shall

submit to the Committees on Appropriations a DTS planning report. The report shall include—

(1) a detailed plan for carrying out the pilot program required by subsection (c), including an estimate of the funds required for such purpose; and

(2) a comprehensive DTS strategy plan that contains detailed plans and schedules for—

(A) an overall DTS network configuration and security strategy;

(B) transition of the existing dedicated circuits and classified transmission systems to the unclassified packet switch communications system;

(C) provision of a basic level of voice service for all DTS customers;

(D) funding of new initiatives and of replacement of current systems;

(E) combining existing DTS network control centers, relay facilities, and overseas operations; and

(F) reducing the extensive reliance of DTS-PO on the full-time services of contractors.

(Pub. L. 103-317, title V, §507, Aug. 26, 1994, 108 Stat. 1766; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1335(m), Oct. 21, 1998, 112 Stat. 2681-789.)

Editorial Notes

AMENDMENTS

1998—Subsec. (b)(3). Pub. L. 105-277 struck out “, the United States Information Agency,” after “Department of Commerce”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of this title.

§ 2669b. Reaffirming United States international telecommunications policy

(a) Procurement policy

It is the policy of the United States to foster and support procurement of goods and services from private, commercial companies.

(b) Implementation

In order to achieve the policy set forth in subsection (a), the Diplomatic Telecommunications Service Program Office (DTS-PO) shall—

(1) utilize full and open competition, to the maximum extent practicable, in the procurement of telecommunications services, including satellite space segment, for the Department of State and each other Federal entity represented at United States diplomatic missions and consular posts overseas;

(2) make every effort to ensure and promote the participation in the competition for such procurement of commercial private sector providers of satellite space segment who have no ownership or other connection with an inter-governmental satellite organization; and

(3) implement the competitive procedures required by paragraphs (1) and (2) at the prime contracting level and, to the maximum extent practicable, the subcontracting level.

(Pub. L. 105-277, div. G, subdiv. B, title XXII, §2218, Oct. 21, 1998, 112 Stat. 2681-816.)