

section 601 of Title 15, Commerce and Trade, abolished the Reconstruction Finance Corporation.

§ 2684. Capital fund for Department of State to centralize reproduction, editorial, data processing, audiovisual and other services; maximum amount; operation of fund

(a) Establishment of fund

There is hereby established a working capital fund for the Department of State, which shall be available without fiscal year limitation, for expenses (including those authorized by the Foreign Service Act of 1980 [22 U.S.C. 3901 et seq.] and equipment, necessary for maintenance and operation in the city of Washington and elsewhere of (1) central reproduction, editorial, data processing, audiovisual, library and administrative support services; (2) central services for supplies and equipment (including repairs); (3) such other administrative services as the Secretary, with the approval of the Office of Management and Budget, determines may be performed more advantageously and more economically as central services; and (4) medical and health care services. Such fund shall also be available without fiscal year limitation to carry out the purposes of title II of this Act [22 U.S.C. 4301 et seq.]¹ The capital of the fund shall consist of the amount of the fair and reasonable value of such supply inventories, equipment, and other assets and inventories on order, pertaining to the services to be carried on by the fund, as the Secretary may transfer to the fund, less the related liabilities and unpaid obligations, together with any appropriations made for the purpose of providing capital. The fund shall be reimbursed, or credited with advance payments, from applicable appropriations and funds of the Department of State, other Federal agencies, and other sources authorized by law, for supplies and services at rates which will approximate the expense of operations, including accrual of annual leave and depreciation of plant and equipment of the fund. The fund shall also be credited with other receipts from sale or exchange of property or in payment for loss or damage to property held by the fund. There shall be transferred into the Treasury as miscellaneous receipts, as of the close of each fiscal year, earnings which the Secretary determines to be excess to the needs of the fund.

(b) Charges to fund; credit to appropriations

The current value of supplies returned to the working capital fund by a post, activity, or agency may be charged to the fund. The proceeds thereof shall, if otherwise authorized, be credited to current applicable appropriations and shall remain available for expenditures for the same purposes for which those appropriations are available. Credits may not be made to appropriations under this subsection as the result of capitalization of inventories.

(Aug. 1, 1956, ch. 841, title I, § 13, as added Pub. L. 88-205, pt. IV, § 405, Dec. 16, 1963, 77 Stat. 391; amended 1970 Reorg. Plan No. 2, § 102, eff. July 1, 1970 35 F.R. 7959, 84 Stat. 2085; Pub. L. 92-226, pt. IV, § 407(c), Feb. 7, 1972, 86 Stat. 35; Pub. L.

95-426, title I, § 109(a), Oct. 7, 1978, 92 Stat. 966; Pub. L. 96-465, title II, § 2201(b), Oct. 17, 1980, 94 Stat. 2157; renumbered title I and amended Pub. L. 97-241, title II, §§ 202(a), 203(a), Aug. 24, 1982, 96 Stat. 282, 290; Pub. L. 101-246, title I, § 112, Feb. 16, 1990, 104 Stat. 21.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in subsec. (a), is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, 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.

Title II of this Act, referred to in subsec. (a), is title II of act Aug. 1, 1956, ch. 841, as added Aug. 24, 1982, Pub. L. 97-241, title II, § 202(b), 96 Stat. 283, known as the Foreign Missions Act, which is classified principally to chapter 53 (§ 4301 et seq.) of this title. For complete classification of title II to the Code, see Short Title note set out under section 4301 of this title and Tables.

CODIFICATION

Section was formerly classified to section 170u 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

1990—Subsec. (a). Pub. L. 101-246 inserted “and” before “(4)”, struck out “;” and (5) services and supplies to carry out title II of this Act”, and inserted provision that the fund also be available without fiscal year limitation to carry out the purposes of title II of this Act. 1982—Subsec. (a)(5). Pub. L. 97-241, § 203(a), added cl. (5).

1980—Subsec. (a). Pub. L. 96-465 substituted “Foreign Service Act of 1980” for “Foreign Service Act of 1946, as amended”.

1978—Pub. L. 95-426 designated existing provisions as subsec. (a), substituted “central services” for “central supply services” in cl. (2), struck out “and” at end of cl. (2), inserted “;” and (4) medical and health care services”, struck out “Not to exceed \$750,000 in net assets shall be transferred to the fund for purposes of providing capital” after “for the purpose of providing capital”, and added subsec. (b).

1972—Pub. L. 92-226 struck out last sentence authorizing appropriation of amounts necessary to provide capital for the fund. See section 2680 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-241 effective Oct. 1, 1982, see section 204 of Pub. L. 97-241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 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.

EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95-426, title I, § 109(b), Oct. 7, 1978, 92 Stat. 967, provided that: “The amendments made by this section [amending this section] shall take effect on October 1, 1978.”

Executive Documents

TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of

¹ So in original. Probably should be followed by a period.

the Budget transferred to President by section 101 of Reorg. Plan No. 2, of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085. Section 102 of Reorg. Plan No. 2 of 1970 redesignated Bureau of the Budget as Office of Management and Budget and offices of Director, Deputy Director, and Assistant Directors of Bureau of the Budget as Director, Deputy Director, and Assistant Directors, respectively, of Office of Management and Budget. Section 103 of Reorg. Plan No. 2 of 1970 transferred all records, property, personnel, and funds of Bureau to Office of Management and Budget. See Part I of Reorganization Plan No. 2 of 1970, set out in the Appendix to Title 5, Government Organization and Employees.

§ 2684a. Capital Investment Fund

(a) Establishment

There is established within the Department of State a Capital Investment Fund to provide for the procurement and enhancement of information technology and other related capital investments for the Department of State and to ensure the efficient management, coordination, operation, and utilization of such resources.

(b) Funding

Funds otherwise available for the purposes of subsection (a) may be deposited in such Fund.

(c) Availability

Amounts deposited into the Fund shall remain available until expended.

(d) Expenditures from Fund

Amounts deposited in the Fund shall be available for purposes of subsection (a).

(e) Reprogramming procedures

Funds credited to the Capital Investment Fund shall not be available for obligation or expenditure except in compliance with the procedures applicable to reprogramming notifications under section 2706 of this title.

(Pub. L. 103-236, title I, §135, Apr. 30, 1994, 108 Stat. 396; Pub. L. 105-277, div. G, subdiv. B, title XXII, §2209, Oct. 21, 1998, 112 Stat. 2681-811.)

Editorial Notes

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §2209(1), inserted “and enhancement” after “procurement”.

Subsec. (c). Pub. L. 105-277, §2209(2), substituted “shall” for “are authorized to”.

Subsec. (d). Pub. L. 105-277, §2209(3), substituted “for purposes of subsection (a)” for “for expenditure to procure capital equipment and information technology”.

Subsec. (e). Pub. L. 105-277, §2209(4), reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “Funds credited to the Capital Investment Fund shall be treated as a reprogramming of funds under section 2706 of this title and shall not be available for obligation or expenditure except in compliance with the procedures applicable to such reprogrammings.”

§ 2684b. Strengthening the Chief Information Officer of the Department of State

(a) In general

The Chief Information Officer of the Department shall be consulted on all decisions to approve or disapprove, significant new unclassified information technology expenditures, including software, of the Department, including expenditures related to information technology ac-

quired, managed, and maintained by other bureaus and offices within the Department, in order to—

(1) encourage the use of enterprise software and information technology solutions where such solutions exist or can be developed in a timeframe and manner consistent with maintaining and enhancing the continuity and improvement of Department operations;

(2) increase the bargaining power of the Department in acquiring information technology solutions across the Department;

(3) reduce the number of redundant Authorities to Operate (ATO), which, instead of using one ATO-approved platform across bureaus, requires multiple ATOs for software use cases across different bureaus;

(4) enhance the efficiency, reduce redundancy, and increase interoperability of the use of information technology across the enterprise of the Department;

(5) enhance training and alignment of information technology personnel with the skills required to maintain systems across the Department;

(6) reduce costs related to the maintenance of, or effectuate the retirement of, legacy systems;

(7) ensure the development and maintenance of security protocols regarding the use of information technology solutions and software across the Department; and

(8) improve end-user training on the operation of information technology solutions and to enhance end-user cybersecurity practices.

(b) Strategy and implementation plan required

(1) In general

Not later than 180 days after December 22, 2023, the Chief Information Officer of the Department shall develop, in consultation with relevant bureaus and offices as appropriate, a strategy and a 5-year implementation plan to advance the objectives described in subsection (a).

(2) Consultation

No later than one year after December 22, 2023, the Chief Information Officer shall submit the strategy required by this subsection to the appropriate congressional committees and shall consult with the appropriate congressional committees, not less than on an annual basis for 5 years, regarding the progress related to the implementation plan required by this subsection.

(c) Improvement plan for the Bureau for Information Resources Management ¹

(1) In general

Not later than 180 days after December 22, 2023, the Chief Information Officer shall develop policies and protocols to improve the customer service orientation, quality and timely delivery of information technology solutions, and training and support for bureau and office-level information technology officers.

¹So in original. Probably should be “Bureau of Information Resource Management”.