

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”.

(2) Survey

Not later than one year after December 22, 2023, and annually thereafter for five years, the Chief Information Officer shall undertake a client satisfaction survey of bureau information technology officers to obtain feedback on metrics related to—

(A) customer service orientation of the Bureau of Information Resources Management;¹

(B) quality and timelines of capabilities delivered;

(C) maintenance and upkeep of information technology solutions;

(D) training and support for senior bureau and office-level information technology officers; and

(E) other matters which the Chief Information Officer, in consultation with client bureaus and offices, determines appropriate.

(3) Submission of findings

Not later than 60 days after completing each survey required under paragraph (2), the Chief Information Officer shall submit a summary of the findings to the appropriate congressional committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Accountability of the House of Representatives.

(d) Significant expenditure defined

For purposes of this section, the term “significant expenditure” means any cumulative expenditure in excess of \$250,000 total in a single fiscal year for a new unclassified software or information technology capability.

(e) Rule of construction

Nothing in this section may be construed—

(1) to alter the authorities of the United States Office of Management and Budget, Office of the National Cyber Director, the Department of Homeland Security, or the Cybersecurity and Infrastructure Security Agency with respect to Federal information systems; or

(2) to alter the responsibilities and authorities of the Chief Information Officer of the Department as described in titles 40 or 44 or any other law defining or assigning responsibilities or authorities to Federal Chief Information Officers.

(Pub. L. 118-31, div. F, title LXIII, § 6304, Dec. 22, 2023, 137 Stat. 987.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “Department” and “appropriate congressional committees” as used in this section, see section 6002 of Pub. L. 118-31, set out as a note under section 2651 of this title.

§ 2685. Reimbursement for detailed State Department personnel

(a) An Executive agency to which any officer or employee of the Department of State is detailed, assigned, or otherwise made available, shall reimburse the Department for the salary and allowances of each such officer or employee

for the period the officer or employee is so detailed, assigned, or otherwise made available. However, if the Department of State has an agreement with an Executive agency or agencies providing for the detailing, assigning, or otherwise making available, of substantially the same numbers of officers and employees between the Department and the Executive agency or agencies, and such numbers with respect to a fiscal year are so detailed, assigned, or otherwise made available, or if the period for which the officer or employee is so detailed, assigned, or otherwise made available does not exceed one year, or if the number of officers and employees so detailed, assigned, or otherwise made available at any one time does not exceed fifteen and the period of any such detail, assignment, or availability of an officer or employee does not exceed two years, no reimbursement shall be required to be made under this section. Officers and employees of the Department of State who are detailed, assigned, or otherwise made available to another Executive agency for a period of not to exceed one year shall not be counted toward any personnel ceiling for the Department of State established by the Director of the Office of Management and Budget.

(b) For purposes of this section, “Executive agency” has the same meaning given that term by section 105 of title 5.

(Pub. L. 93-126, § 11, Oct. 18, 1973, 87 Stat. 453; Pub. L. 95-426, title I, § 118, Oct. 7, 1978, 92 Stat. 969; Pub. L. 99-93, title I, § 117, Aug. 16, 1985, 99 Stat. 412.)

Editorial Notes

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-93 inserted “or if the number of officers and employees so detailed, assigned, or otherwise made available at any one time does not exceed fifteen and the period of any such detail, assignment, or availability of an officer or employee does not exceed two years,” after “does not exceed one year.”

1978—Subsec. (a). Pub. L. 95-426 substituted “does not exceed one year” for “does not exceed ninety days”, and inserted provision excepting from any personnel ceiling for the Department of State any officers and employees who are detailed, etc., to another Executive agency for a period of not to exceed one year.

§ 2686. Review of world-wide supply, demand, and price of basic raw and processed materials

It is the sense of the Congress that the Secretary of State should, and he is authorized to, establish within the Department of State a bureau which shall be responsible for continuously reviewing (1) the supply, demand, and price, throughout the world, of basic raw and processed materials (including agricultural commodities), and (2) the effect of United States Government programs and policies (including tax policy) in creating or alleviating, or assisting in creating or alleviating, shortages of such materials. In conducting such review, the bureau should obtain information with respect to—

(A) the supply, demand, and price of each such material in each major importing, exporting, and producing country and region of the world in order to understand long-term and short-term trends in the supply, demand, and price of such materials;