

not to exceed \$100,000 of payments from motion picture and television programs, produced or conducted by or on behalf of the Agency under the authority of this chapter or the Mutual Educational and Cultural Exchange Act of 1961 is authorized to be credited each fiscal year to the appropriate appropriation of the United States Information Agency to such extent as may be provided in advance in an appropriation Act.”

1990—Pub. L. 101-246 amended section catchline and text generally. Prior to amendment, section read as follows: “Notwithstanding the provisions of section 3302(b) of title 31 or any other law or limitation of authority, all payments received by or for the use of the United States Information Agency from or in connection with English-teaching and library services conducted by or on behalf of the Agency under the authority of this chapter or the Mutual Educational and Cultural Exchange Act of 1961 may be credited to the Agency’s applicable appropriation to such extent as may be provided in advance in an appropriation Act.”

1987—Pub. L. 100-204 amended section generally, changing structure of section from one consisting of subsecs. (a) and (b) to one consisting of one paragraph.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau) abolished and functions transferred to Secretary of State, see sections 6531 and 6532 of this title.

§ 1475f. Repealed. Pub. L. 105-277, div. G, subdiv. A, title XIII, § 1336(1), Oct. 21, 1998, 112 Stat. 2681-790

Section, act Jan. 27, 1948, ch. 36, title VIII, §811, as added Pub. L. 101-246, title II, §209, Feb. 16, 1990, 104 Stat. 53, related to recovery of indebtedness owed by person to United States arising out of activities of United States Information Agency.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal 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.

§ 1475g. Overseas public diplomacy posts and personnel overseas

(a) Limitation

Except as provided under this section no funds authorized to be appropriated to the Department of State may be used to pay any expense associated with the closing of any overseas public diplomacy post abroad.

(b) Notification

Not less than 45 days before the closing of any overseas public diplomacy post abroad the Secretary of State shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) Exceptions

This section shall not apply to any overseas public diplomacy post closed—

- (1) because of a break or downgrading of diplomatic relations between the United States and the country in which the post is located; or
- (2) where there is a real and present threat to United States diplomats in the city where

the post is located and where a travel advisory warning against travel by United States citizens to the city has been issued by the Department of State.

(Jan. 27, 1948, ch. 36, title VIII, §812, as added Pub. L. 102-138, title II, §206(a), Oct. 28, 1991, 105 Stat. 693; amended Pub. L. 105-277, div. G, subdiv. A, title XIII, §1335(a)(5), Oct. 21, 1998, 112 Stat. 2681-787.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to this section were contained in Pub. L. 100-204, title II, §204, Dec. 22, 1987, 101 Stat. 1373, which was set out as a note under section 1461 of this title prior to repeal by Pub. L. 102-138, title II, §206(c), Oct. 28, 1991, 105 Stat. 693.

AMENDMENTS

1998—Pub. L. 105-277, §1335(a)(5)(D), substituted “Overseas public diplomacy” for “USIA” in section catchline.

Subsec. (a). Pub. L. 105-277, §1335(a)(5)(A), (B), substituted “Department of State” for “United States Information Agency” and “overseas public diplomacy post” for “United States Information Agency post”.

Subsec. (b). Pub. L. 105-277, §1335(a)(5)(A), (C), substituted “overseas public diplomacy post” for “United States Information Agency post” and “Secretary of State” for “Director of the United States Information Agency”.

Subsec. (c). Pub. L. 105-277, §1335(a)(5)(A), substituted “overseas public diplomacy post” for “United States Information Agency post” in introductory provisions.

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.

GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMACY FACILITIES

Pub. L. 117-81, div. E, title LVI, §5606, Dec. 27, 2021, 135 Stat. 2379, as amended by Pub. L. 117-263, div. I, title XCIII, §9301(e)(1), Dec. 23, 2022, 136 Stat. 3881, provided that:

“(a) IN GENERAL.—In order to preserve public diplomacy facilities that are accessible to the publics of foreign countries, not later than 180 days after the date of the enactment of the Secure Embassy Construction and Counterterrorism Act of 2022 [Dec. 23, 2022], the Secretary of State shall adopt guidelines to collect and utilize information from each diplomatic post at which the construction of a new embassy compound or new consulate compound could result in the closure or collocation of an American Space that is owned and operated by the United States Government, generally known as an American Center, or any other public diplomacy facility under the Secure Embassy Construction and Counterterrorism Act of 1999 [Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title VI]] (22 U.S.C. 4865 et seq.) [sic, see Short Title of 1999 Amendment note set out under section 4801 of this title].

“(b) REQUIREMENTS.—The guidelines required by subsection (a) shall include the following:

“(1) Standardized notification to each chief of mission at a diplomatic post describing the requirements of the Secure Embassy Construction and Counterterrorism Act of 1999 and the impact on the mission footprint of such requirements.

“(2) An assessment and recommendations from each chief of mission of potential impacts to public diplomacy programming at such diplomatic post if any public diplomacy facility referred to in subsection (a)

is closed or staff is co-located in accordance with such Act.

“(3) A process by which assessments and recommendations under paragraph (2) are considered by the Secretary and the appropriate Under Secretaries and Assistant Secretaries of the Department.

“(4) Notification to the appropriate congressional committees, prior to the initiation of a new embassy compound or new consulate compound design, of the intent to close any such public diplomacy facility or co-locate public diplomacy staff in accordance with such Act.

“(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report containing the guidelines required under subsection (a) and any recommendations for any modifications to such guidelines.”

[For definitions of “Department” and “appropriate congressional committees” as used in section 5606 of Pub. L. 117–81, set out above, see section 5002 of Pub. L. 117–81, set out as a note under section 263c of this title.]

REDUCTIONS IN AMERICAN EMPLOYEES

Pub. L. 102–138, title II, § 206(b), Oct. 28, 1991, 105 Stat. 693, which provided that reductions could not be made in number of American employees of United States Information Agency stationed abroad until number of such employees was same percentage of total number of American employees of Agency as number of American employees of Agency stationed abroad in 1981 was to total number of American employees at Agency at same time in 1981, was repealed by Pub. L. 105–277, div. G, subd. A, title XIII, § 1336(4), Oct. 21, 1998, 112 Stat. 2681–790.

§ 1475h. Overseas public diplomacy grants

(a) Competitive grant procedures

Except as provided in subsection (b), the Department of State shall work to achieve full and open competition in the award of grants for carrying out its overseas public diplomacy functions.

(b) Exceptions

The Department of State may award an overseas public diplomacy grant under procedures other than competitive procedures when—

(1) such a grant is made under the Mutual Educational and Cultural Exchange Act of 1961 (commonly known as the Fulbright-Hays Act) [22 U.S.C. 2451 et seq.] or any statute which expressly authorizes or requires that a grant be made with a specified entity;

(2) the terms of an international agreement or treaty between the United States Government and a foreign government or international organization have the effect of requiring the use of procedures other than competitive procedures;

(3) a recipient organization has developed particular expertise in the planning and administration of longstanding exchange programs important to United States foreign policy; or

(4) introducing competition would increase costs.

(c) Compliance with grant guidelines

(1) After October 1, 1991, overseas public diplomacy grants awarded by the Department of State shall substantially comply with Department of State grant guidelines and applicable circulars of the Office of Management and Budget.

(2) If the Agency¹ determines that a grantee has not satisfied the requirement of paragraph (1), the Department of State shall notify the grantee of the suspension of payments under a grant unless compliance is achieved within 90 days of such notice.

(3) The Agency¹ shall suspend payments under any such grant which remains in noncompliance 90 days after notification under paragraph (2).

(Pub. L. 102–138, title II, § 212, Oct. 28, 1991, 105 Stat. 695; Pub. L. 105–277, div. G, subd. A, title XIII, § 1335(b), Oct. 21, 1998, 112 Stat. 2681–787.)

Editorial Notes

REFERENCES IN TEXT

The Mutual Educational and Cultural Exchange Act of 1961, referred to in subsec. (b)(1), is Pub. L. 87–256, Sept. 21, 1961, 75 Stat. 527, which is classified principally to chapter 33 (§2451 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

CODIFICATION

Section was enacted as part of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993, and not as part of the United States Information and Educational Exchange Act of 1948 which comprises this chapter.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105–277, § 1335(b)(1), (2), substituted “Department of State” for “United States Information Agency” and inserted “for carrying out its overseas public diplomacy functions” after “grants”.

Subsec. (b). Pub. L. 105–277, § 1335(b)(1), (3)(A), in introductory provisions, substituted “Department of State” for “United States Information Agency” and “an overseas public diplomacy grant” for “a grant”.

Subsec. (b)(1). Pub. L. 105–277, § 1335(b)(3)(B), inserted “such” after “(1)”.

Subsec. (c)(1). Pub. L. 105–277, § 1335(b)(1), (4), inserted “overseas public diplomacy” before “grants” and substituted “Department of State” for “United States Information Agency” in two places.

Subsec. (c)(2). Pub. L. 105–277, § 1335(b)(1), substituted “Department of State” for “United States Information Agency”.

Subsec. (c)(3). Pub. L. 105–277, § 1335(b)(5), inserted “such” before “grant”.

Subsec. (d). Pub. L. 105–277, § 1335(b)(6), struck out heading and text of subsec. (d). Text read as follows: “Not later than 90 days after October 28, 1991, the Director of the United States Information Agency shall submit a detailed report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on United States Information Agency action to comply with subsection (a) of this section.”

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.

SUBCHAPTER VIII—APPROPRIATIONS AND OTHER FUNDS

§ 1476. Repealed. Pub. L. 105–277, div. G, subd. A, title XIII, § 1336(1), Oct. 21, 1998, 112 Stat. 2681–790

Section, acts Jan. 27, 1948, ch. 36, title VII, § 701, 62 Stat. 11; Pub. L. 92–226, pt. IV, § 407(d), Feb. 7, 1972, 86

¹ So in original. Probably should be “Department”.