

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by section 1299P(c)(2), (3) of Pub. L. 116-283 effective and applicable beginning on July 1, 2021, see section 1299P(e) of Pub. L. 116-283, set out as a note under section 6203 of this title.

§ 6209a. Inspector General authorities**(a) In general**

The Inspector General of the Department of State and the Foreign Service shall exercise the same authorities with respect to the United States Agency for Global Media as the Inspector General exercises under the Inspector General Act of 1978 and section 3929 of this title with respect to the Department of State.

(b) Respect for journalistic integrity of broadcasters

The Inspector General of the Department of State and the Foreign Service shall respect the journalistic integrity of all the broadcasters covered by this chapter and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts.

(Pub. L. 103-236, title III, §310A, as added Pub. L. 114-328, div. A, title XII, §1288(7), Dec. 23, 2016, 130 Stat. 2554; amended Pub. L. 116-283, div. A, title XII, §1299Q(e)(6), Jan. 1, 2021, 134 Stat. 4025.)

Editorial Notes

REFERENCES IN TEXT

The Inspector General Act of 1978, referred to in subsec. (a), is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, which was set out in the Appendix to Title 5, Government Organization and Employees, and was substantially repealed and restated in chapter 4 (§401 et seq.) of Title 5 by Pub. L. 117-286, §§3(b), 7, Dec. 27, 2022, 136 Stat. 4206, 4361. For disposition of sections of the Act into chapter 4 of Title 5, see Disposition Table preceding section 101 of Title 5.

This chapter, referred to in subsec. (b), was in the original “this Act”, and was translated as reading “this title”, meaning title III of Pub. L. 103-236, Apr. 30, 1994, 108 Stat. 432, known as the United States International Broadcasting Act of 1994, which is classified principally to this chapter, to reflect the probable intent of Congress. For complete classification of title III to the Code, see Short Title note set out under section 6201 of this title and Tables.

CODIFICATION

Pub. L. 116-283, div. A, title XII, §1299Q(e)(6), Jan. 1, 2021, 134 Stat. 4025, which amended this section, was itself amended by Pub. L. 116-260, div. O, title XIII, §1301, Dec. 27, 2020, 134 Stat. 2158, to make it effective 90 days after Jan. 1, 2021. However, the amendment by Pub. L. 116-260 could not be executed because it was enacted before the provision from Pub. L. 116-283 that it amended.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283 substituted “United States Agency for Global Media” for “Broadcasting Board of Governors”.

§ 6209b. Role of the Secretary of State in foreign policy guidance

To assist the Agency in carrying out its functions, the Chief Executive Officer shall regularly consult with and seek from the Secretary of State guidance on foreign policy issues.

(Pub. L. 103-236, title III, §310B, as added Pub. L. 114-328, div. A, title XII, §1288(7), Dec. 23, 2016, 130 Stat. 2554; amended Pub. L. 116-283, div. A, title XII, §1299Q(e)(7), Jan. 1, 2021, 134 Stat. 4025.)

Editorial Notes

CODIFICATION

Pub. L. 116-283, div. A, title XII, §1299Q(e)(7), Jan. 1, 2021, 134 Stat. 4025, which amended this section, was itself amended by Pub. L. 116-260, div. O, title XIII, §1301, Dec. 27, 2020, 134 Stat. 2158, to make it effective 90 days after Jan. 1, 2021. However, the amendment by Pub. L. 116-260 could not be executed because it was enacted before the provision from Pub. L. 116-283 that it amended.

AMENDMENTS

2021—Pub. L. 116-283 substituted “Agency” for “Board”.

§ 6210. Preservation of American jobs

It is the sense of the Congress that the Director of the United States Information Agency and the Chairman of the Board for International Broadcasting should, in developing the plan for consolidation and reorganization of overseas international broadcasting services, limit, to the maximum extent feasible, consistent with the purposes of the consolidation, elimination of any United States-based positions and should affirmatively seek to transfer as many positions as possible to the United States.

(Pub. L. 103-236, title III, §311, Apr. 30, 1994, 108 Stat. 444.)

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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.

§ 6211. Repealed. Pub. L. 116-283, div. A, title XII, § 1299Q(e)(8), Jan. 1, 2021, 134 Stat. 4025

Section, Pub. L. 103-236, title III, §312, Apr. 30, 1994, 108 Stat. 444; Pub. L. 106-113, §1000(a)(7) [div. A, title V, §503], Nov. 29, 1999, 113 Stat. 1536, 1501A-451, provided the sense of Congress regarding the continuing mission of Radio Free Europe and Radio Liberty broadcasts to Central Europe, Eurasia, and the Persian Gulf.

Editorial Notes

CODIFICATION

Pub. L. 116-283, div. A, title XII, §1299Q(e)(8), Jan. 1, 2021, 134 Stat. 4025, which repealed this section, was amended by Pub. L. 116-260, div. O, title XIII, §1301, Dec. 27, 2020, 134 Stat. 2158, to make it effective 90 days after Jan. 1, 2021. However, the amendment by Pub. L. 116-260 could not be executed because it was enacted before the provision from Pub. L. 116-283 that it amended.

§ 6212. Requirement for authorization of appropriations**(a) Limitation on obligation and expenditure of funds**

Notwithstanding any other provision of law, for the fiscal year 1994 and for each subsequent fiscal year, any funds appropriated for the pur-

poses of broadcasting subject to supervision of the Agency shall not be available for obligation or expenditure—

- (1) unless such funds are appropriated pursuant to an authorization of appropriations; or
- (2) in excess of the authorized level of appropriations.

(b) Subsequent authorization

The limitation under subsection (a) shall not apply to the extent that an authorization of appropriations is enacted after such funds are appropriated.

(c) Application

The provisions of this section—

- (1) may not be superseded, except by a provision of law which specifically repeals, modifies, or supersedes the provisions of this section; and
- (2) shall not apply to, or affect in any manner, permanent appropriations, trust funds, and other similar accounts which are authorized by law and administered under or pursuant to this chapter.

(Pub. L. 103-236, title III, §313, Apr. 30, 1994, 108 Stat. 444; Pub. L. 107-228, div. A, title V, §507(2), Sept. 30, 2002, 116 Stat. 1394; Pub. L. 116-283, div. A, title XII, §1299Q(e)(9), Jan. 1, 2021, 134 Stat. 4025.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (c)(2), was in the original “this title”, meaning title III of Pub. L. 103-236, Apr. 30, 1994, 108 Stat. 432, known as the United States International Broadcasting Act of 1994, which is classified principally to this chapter. For complete classification of title III to the Code, see Short Title note set out under section 6201 of this title and Tables.

CODIFICATION

Pub. L. 116-283, div. A, title XII, §1299Q(e)(9), Jan. 1, 2021, 134 Stat. 4025, which amended this section, was itself amended by Pub. L. 116-260, div. O, title XIII, §1301, Dec. 27, 2020, 134 Stat. 2158, to make it effective 90 days after Jan. 1, 2021. However, the amendment by Pub. L. 116-260 could not be executed because it was enacted before the provision from Pub. L. 116-283 that it amended.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283 substituted “Agency” for “Board” in introductory provisions.

2002—Subsec. (a). Pub. L. 107-228 struck out “the direction and” after “broadcasting subject to” in introductory provisions.

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CONTINUED AVAILABILITY OF FUNDS FOLLOWING REPEAL OF BOARD FOR INTERNATIONAL BROADCASTING ACT OF 1973

Pub. L. 103-317, title V, Aug. 26, 1994, 108 Stat. 1771, provided in part: “That on the date upon which the Board for International Broadcasting Act of 1973 (22 U.S.C. 2871, et seq.) is repealed, as provided for by section 310(e) of the Foreign Relations Authorization Act, fiscal years 1994 and 1995 (Public Law 103-236; 108 Stat. 442) [former 22 U.S.C. 6209(e)], funds made available for expenses of the Board for International Broadcasting shall be made available until expended only for expenses necessary to enable the Broadcasting Board of Governors [now United States Agency for Global

Media] to carry out the authorities provided in section 305(a) of Public Law 103-236 [22 U.S.C. 6204(a)], including the appointment of staff personnel as authorized by section 305(a)(11) of Public Law 103-236: *Provided further*, That such amounts appropriated to the Board for International Broadcasting in fiscal year 1994 as are certified by the Office of Management and Budget to the Congress as gains due to the fluctuation of foreign currency, may be used in fiscal year 1995 and thereafter either to offset foreign currency losses or to offset unfunded RFE/RL costs associated with the implementation of Public Law 103-236 [see Tables for classification]: *Provided further*, That obligated but unexpended balances appropriated in fiscal year 1990 to fund planned transmitter modernization expenses may be expended in fiscal year 1995 for unfunded RFE/RL costs associated with the implementation of Public Law 103-236”.

§ 6213. Definitions

For the purposes of this chapter—

(1) the term “appropriate congressional committees” means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives;

(2) the terms “Agency” and “Chief Executive Officer of the Agency” mean the United States Agency for Global Media and the Chief Executive Officer of the United States Agency for Global Media, respectively, and the position, respectively, authorized in accordance with this chapter;

(3) the term “RFE/RL, Incorporated” means the corporation having the corporate title described in section 6207 of this title¹

(4) the term “salary or other compensation” includes any deferred compensation or pension payments, any payments for expenses for which the recipient is not obligated to itemize, and any payments for personnel services provided to an employee of RFE/RL, Incorporated.

(Pub. L. 103-236, title III, §314, Apr. 30, 1994, 108 Stat. 445; Pub. L. 114-328, div. A, title XII, §1288(8), Dec. 23, 2016, 130 Stat. 2554; Pub. L. 116-283, div. A, title XII, §1299Q(e)(10), Jan. 1, 2021, 134 Stat. 4025.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in introductory provisions, was in the original “this title”, meaning title III of Pub. L. 103-236, Apr. 30, 1994, 108 Stat. 432, known as the United States International Broadcasting Act of 1994, which is classified principally to this chapter. For complete classification of title III to the Code, see Short Title note set out under section 6201 of this title and Tables.

This chapter, referred to in par. (2), was in the original “this Act”, and was translated as reading “this title”, meaning title III of Pub. L. 103-236, to reflect the probable intent of Congress. See above.

CODIFICATION

Pub. L. 116-283, div. A, title XII, §1299Q(e)(10), Jan. 1, 2021, 134 Stat. 4025, which amended this section, was itself amended by Pub. L. 116-260, div. O, title XIII, §1301, Dec. 27, 2020, 134 Stat. 2158, to make it effective

¹ So in original. Probably should be followed by “; and”.