

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.

#### 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 Repealed.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.

#### 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.)

#### 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.

#### 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.

#### REDUCTIONS IN AMERICAN EMPLOYEES

Section 206(b) of Pub. L. 102-138, 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, subdiv. 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) of this section, 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 Agency<sup>1</sup> determines that a grantee has not satisfied the requirement of paragraph (1), the Department of State shall notify the

<sup>1</sup> So in original. Probably should be "Department".