

the concurrence of the Broadcasting Board of Governors and the Director of USIA, to support the functions transferred by this part shall be transferred to the Broadcasting Board of Governors, including the International Broadcasting Bureau, at the same grade or class and the same rate of basic pay or basic salary rate and with the same tenure held immediately preceding transfer.

**(c) Transfer and allocation of property, appropriations, and personnel associated with Worldnet**

USIA personnel responsible for carrying out interactive dialogs with foreign media and other similar overseas public diplomacy programs using the Worldnet television broadcasting system, and funds associated with such personnel, shall be transferred to the Department of State in accordance with the provisions of subchapter VI of this chapter.

**(d) Incidental transfers**

The Director of the Office of Management and Budget, when requested by the Broadcasting Board of Governors, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with functions and offices transferred from USIA, as may be necessary to carry out the provisions of this section.

(Pub. L. 105-277, div. G, subdiv. A, title XIII, § 1326, Oct. 21, 1998, 112 Stat. 2681-782.)

REFERENCES IN TEXT

This part, referred to in subssecs. (a) and (b), was in the original "this chapter", meaning chapter 3 (§§ 1321-1328) of title XIII of subdiv. A of div. G of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-777. For complete classification of chapter 3 to the Code, see Tables.

**§ 6543. Savings provisions**

**(a) Continuing legal force and effect**

All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions exercised by the Broadcasting Board of Governors of the United States Information Agency on the day before the effective date of this subchapter, and

(2) that are in effect at the time this subchapter takes effect, or were final before the effective date of this subchapter and are to become effective on or after the effective date of this subchapter,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Broadcasting Board of Governors, or other authorized official, a court of competent jurisdiction, or by operation of law.

**(b) Pending proceedings**

**(1) In general**

The provisions of this part, or amendments made by this part, shall not affect any proceedings, including notices of proposed rule-making, or any application for any license, permit, certificate, or financial assistance pending before the Broadcasting Board of Governors of the United States Information Agency at the time this subchapter takes effect, with respect to functions exercised by the Board as of the effective date of this subchapter but such proceedings and applications shall be continued.

**(2) Orders, appeals, and payments**

Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this part had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law.

**(3) Statutory construction**

Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this part had not been enacted.

**(c) Nonabatement of proceedings**

No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of the Broadcasting Board of Governors, or any commission or component thereof, shall abate by reason of the enactment of this part. No cause of action by or against the Broadcasting Board of Governors, or any commission or component thereof, or by or against any officer thereof in the official capacity of such officer, shall abate by reason of the enactment of this part.

**(d) Continuation of proceedings with substitution of parties**

**(1) Substitution of parties**

If, before the effective date of this subchapter, USIA or the Broadcasting Board of Governors, or any officer thereof in the official capacity of such officer, is a party to a suit which is related to the functions transferred by this part, then effective on such date such suit shall be continued with the Broadcasting Board of Governors or other appropriate official of the Board substituted or added as a party.

**(2) Liability of the Board**

The Board shall participate in suits continued under paragraph (1) where the Broadcasting Board of Governors or other appropriate official of the Board is added as a party and shall be liable for any judgments or remedies in those suits or proceedings arising from the exercise of the functions transferred by this part to the same extent that USIA would have been liable if such judgment or remedy had been rendered on the day before the abolition of USIA.

**(e) Administrative actions relating to promulgation of regulations**

Any administrative action relating to the preparation or promulgation of a regulation by the Broadcasting Board of Governors relating to a function exercised by the Board before the effective date of this subchapter may be continued by the Board with the same effect as if this part had not been enacted.

**(f) References**

Reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to the Broadcasting Board of Governors of the United States Information Agency with regard to functions exercised before the effective date of this subchapter, shall be deemed to refer to the Board.

(Pub. L. 105-277, div. G, subdiv. A, title XIII, §1327, Oct. 21, 1998, 112 Stat. 2681-783.)

## REFERENCES IN TEXT

For the effective date of this subchapter, referred to in subsecs. (a), (b)(1), (d)(1), (e), and (f), meaning the effective date of title XIII of subdiv. A of div. G of Pub. L. 105-277, see section 1301 of Pub. L. 105-277, set out as a note under section 6531 of this title.

This part, referred to in subsecs. (b) to (e), was in the original "this chapter", meaning chapter 3 (§§1321-1328) of title XIII of subdiv. A of div. G of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-777. For complete classification of chapter 3 to the Code, see Tables.

**§ 6544. Report on privatization of RFE/RL, Incorporated**

Not later than March 1 of each year, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report on the progress of the Board and of RFE/RL, Incorporated, on any steps taken to further the policy declared in section 6211(a) of this title. The report under this subsection shall include the following:

- (1) Efforts by RFE/RL, Incorporated, to terminate individual language services.
- (2) A detailed description of steps taken with regard to section 6211(a) of this title.
- (3) An analysis of prospects for privatization over the coming year.
- (4) An assessment of the extent to which United States Government funding may be appropriate in the year 2000 and subsequent years for surrogate broadcasting to the countries to which RFE/RL, Incorporated, broadcast during the year. This assessment shall include an analysis of the environment for independent media in those countries, noting the extent of government control of the media, the ability of independent journalists and news organizations to operate, relevant domestic legislation, level of government harassment and efforts to censor, and other indications of whether the people of such countries enjoy freedom of expression.

(Pub. L. 105-277, div. G, subdiv. A, title XIII, §1328, Oct. 21, 1998, 112 Stat. 2681-784.)

## PART C—CONFORMING AMENDMENTS

**§ 6551. References****(a) In general**

Except as otherwise provided in this chapter, any reference in any statute, reorganization

plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director of the United States Information Agency or the Director of the International Communication Agency shall be deemed to refer to the Secretary of State; and

(2) the United States Information Agency, USIA, or the International Communication Agency shall be deemed to refer to the Department of State.

**(b) Continuing references to USIA or Director**

Subsection (a) of this section shall not apply to section 4069a(f), 4069b(g), or 4069c(f) of this title.

(Pub. L. 105-277, div. G, subdiv. A, title XIII, §1331, Oct. 21, 1998, 112 Stat. 2681-785.)

## REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original "this subdivision", meaning subdiv. A of div. G of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-765, known as the Foreign Affairs Agencies Consolidation Act of 1998. For complete classification of this subdivision to the Code, see Short Title note set out under section 6501 of this title and Tables.

Section 4069a(f), 4069b(g), or 4069c(f) of this title, referred to in subsec. (b), was in the original "section 146(a), (b), or (c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991" meaning section 146(a), (b), (c) of Pub. L. 101-246, title I, Feb. 16, 1990, 104 Stat. 37, which amended sections 830, 831, and 832, respectively, of the Foreign Service Act of 1980, by adding subsecs. (f), (g), and (h), respectively, to those sections which are classified to sections 4069a(f), 4069b(g), and 4069c(f) of this title.

**§ 6552. Application of certain laws****(a) Application to functions of Department of State**

Section 1461 of this title, section 1461-1 of this title, and section 1461-1a of this title shall not apply to public affairs and other information dissemination functions of the Secretary of State as carried out prior to any transfer of functions pursuant to this chapter.

**(b) Application to functions transferred to Department of State**

Section 1461 of this title, section 1461-1 of this title, and section 1461-1a of this title shall apply only to public diplomacy programs of the Director of the United States Information Agency as carried out prior to any transfer of functions pursuant to this chapter to the same extent that such programs were covered by these provisions prior to such transfer.

**(c) Limitation on use of funds**

(1) Except as provided in section 1461 of this title and section 1461-1a of this title, funds specifically authorized to be appropriated for such public diplomacy programs, identified as public diplomacy funds in any Congressional Presentation Document described in subsection (e) of this section, or reprogrammed for public diplomacy purposes, shall not be used to influence public opinion in the United States, and no program material prepared using such funds shall be distributed or disseminated in the United States.

(2) CONSTRUCTION.—Nothing in paragraph (1) may be construed (A) to interfere with the inte-