

same time in 1981, was repealed by Pub.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), 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, subdiv. A, title XIII, § 1335(b), Oct. 21, 1998, 112 Stat. 2681-787.)

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, as amended, 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.

¹ So in original. Probably should be "Department".

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."

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, subdiv. 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 Stat. 35; Pub. L. 92-352, title II, § 203, July 13, 1972, 86 Stat. 494; Pub. L. 93-168, § 3, Nov. 29, 1973, 87 Stat. 688; Pub. L. 93-475, § 6, Oct. 26, 1974, 88 Stat. 1440; 1977 Reorg. Plan No. 2, §§ 5, 7(a)(1), 42 F.R. 62461, 91 Stat. 1636, 1637; Pub. L. 97-241, title III, § 303(b), Aug. 24, 1982, 96 Stat. 291; Pub. L. 102-499, § 2, Oct. 24, 1992, 106 Stat. 3264; Pub. L. 103-415, § 1(q), Oct. 25, 1994, 108 Stat. 4301; Pub. L. 105-277, div. G, subdiv. B, title XXIV, § 2419, Oct. 21, 1998, 112 Stat. 2681-835, limited appropriations to carry out chapter to amounts previously authorized and prohibited appropriations in excess of such amounts.

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.

§ 1477. Transfer of funds

The Secretary shall authorize the transfer to other Government agencies for expenditure in the United States and in other countries, in order to carry out the purposes of this chapter, any part of any appropriations available to the Department for carrying out the purposes of this chapter, for direct expenditure or as a working fund, and any such expenditures may be made under the specific authority contained in this chapter or under the authority governing the activities of the Government agency to which a part of any such appropriation is transferred, provided the activities come within the scope of this chapter.