

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 A, title XII, §1299Q(e)(8), Jan. 1, 2021, 134 Stat. 4025, which repealed this section, was amended by Pub.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 purposes 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- (1) may not be superseded, except by a provision of law which specifically repeals, modifies, or supersedes the provisions of this section; and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.)

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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.

Statutory Notes and Related Subsidiaries

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) [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.)

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REFERENCES IN TEXT

This chapter, referred to in introductory provisions, was in the original “this title”, meaning title III of