

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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Broadcasting Board of Governors renamed United States Agency for Global Media pursuant to section 6204(a)(22) of this title. The renaming was effectuated by notice to congressional appropriations committees dated May 24, 2018, and became effective Aug. 22, 2018.

§ 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.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Broadcasting Board of Governors renamed United States Agency for Global Media pursuant to section 6204(a)(22) of this title. The renaming was effectuated by notice to congressional appropriations committees dated May 24, 2018, and became effective Aug. 22, 2018.

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) 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.)

Editorial Notes

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), 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 integration of administrative resources between public diplomacy and other functions of the Department of State or to prevent the occasional performance of functions other than public diplomacy by officials or employees of the Department of State who are primarily assigned to

public diplomacy, provided there is no substantial resulting diminution in the amount of resources devoted to public diplomacy below the amounts described in paragraph (1), or (B) to supersede reprogramming procedures.

(d) Reporting requirements

The report submitted pursuant to section 6601(f) of this title shall include a detailed statement of the manner in which the special mission of public diplomacy carried out by USIA prior to the transfer of functions under this chapter shall be preserved within the Department of State, including the planned duties and responsibilities of any new bureaus that will perform such public diplomacy functions. Such report shall also include the best available estimates of—

(1) the amounts expended by the Department of State for public affairs programs during fiscal year 1998, and on the personnel and support costs for such programs;

(2) the amounts expended by USIA for its public diplomacy programs during fiscal year 1998, and on the personnel and support costs for such programs; and

(3) the amounts, including funds to be transferred from USIA and funds appropriated to the Department, that will be allocated for the programs described in paragraphs (1) and (2), respectively, during the fiscal year in which the transfer of functions from USIA to the Department occurs.

(e) Congressional Presentation Document

The Department of State’s Congressional Presentation Document for fiscal year 2000 and each fiscal year thereafter shall include—

(1) the aggregated amounts that the Department will spend on such public diplomacy programs and on costs of personnel for such programs, and a detailed description of the goals and purposes for which such funds shall be expended; and

(2) the amount of funds allocated to and the positions authorized for such public diplomacy programs, including bureaus to be created upon the transfer of functions from USIA to the Department.

(Pub. L. 105-277, div. G, subdiv. A, title XIII, § 1333, Oct. 21, 1998, 112 Stat. 2681-785; Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title III, § 304], Nov. 29, 1999, 113 Stat. 1536, 1501A-434.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a), (b), and (d), 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.

AMENDMENTS

1999—Subsec. (c). Pub. L. 106-113 designated existing provisions as par. (1), inserted “, identified as public diplomacy funds in any Congressional Presentation Document described in subsection (e), or reprogrammed for public diplomacy purposes,” after “diplomacy programs”, and added par. (2).