

business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value in them, and such term does not include library or museum material made or acquired and preserved solely for reference or exhibition purposes, any extra copy of a document preserved only for convenience of reference, or any stocks of publications or of processed documents.

(Aug. 1, 1956, ch. 841, title IV, § 407, as added Pub. L. 102-138, title I, § 198(a), Oct. 28, 1991, 105 Stat. 690.)

AUTHORITY OF SECRETARY OF STATE

Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of this title and section 161(d) of Pub. L. 103-236, set out as a note under section 2651a of this title.

CHAPTER 54—PRIVATE ORGANIZATION ASSISTANCE

SUBCHAPTER I—THE ASIA FOUNDATION

- | | |
|-------|---|
| Sec. | |
| 4401. | Findings. |
| 4402. | Grants; authorization; purposes; terms and conditions; deposit of interest. |
| 4403. | Funding. |

SUBCHAPTER II—NATIONAL ENDOWMENT FOR DEMOCRACY

- | | |
|-------|--|
| 4411. | Findings; statement of purposes. |
| 4412. | Grants to the Endowment. <ul style="list-style-type: none"> (a) Authorization; funding; grant agreement. (b) Implementation of purposes. (c) Status of Endowment. (d) Oversight procedures applicable. (e) Amounts to Free Trade Union Institute and National Chamber Foundation. (f) Independent labor unions. |
| 4413. | Eligibility of the Endowment for grants. <ul style="list-style-type: none"> (a) Compliance with statutory requirements. (b) Funding for private sector groups and covered programs only. (c) Compensation, etc., for officers and employees of the Endowment. (d) Prohibitions respecting financial matters. (e) Audit of accounts; reporting requirements. (f) Audit of financial transactions; reporting requirements. (g) Audits by United States Information Agency. (h) Recordkeeping requirements; audit and examination of books, etc. (i) Annual report; contents; testimony respecting report. (j) Grantee; conflict of interest. |
| 4414. | Requirements relating to the Endowment and its grantees. <ul style="list-style-type: none"> (a) Partisan politics. (b) Consultation with Department of State. |
| 4415. | Freedom of information. <ul style="list-style-type: none"> (a) Compliance with Freedom of Information Act. |

Sec.

- (b) Publication in Federal Register.
- (c) Review by United States Information Agency.

4416. Retention of interest.

SUBCHAPTER I—THE ASIA FOUNDATION

§ 4401. Findings

The Congress finds that—

(1) The Asia Foundation, a private nonprofit corporation incorporated in 1954 in the State of California, has long been active in promoting Asian-American friendship and cooperation and in lending encouragement and assistance to Asians in their own efforts to develop more open, more just, and more democratic societies;

(2) The Asia Foundation's commitment to strengthening indigenous Asian institutions which further stable national development, constructive social change, equitable economic growth, and cooperative international relationships is fully consistent with and supportive of long-term United States interests in Asia;

(3) The Asia Foundation, as a private organization, is able to conduct programs in response to Asian initiatives that would be difficult or impossible for an official United States instrumentality, and it is in a position in Asia to respond quickly and flexibly to meet new opportunities;

(4) in recognition of the valuable contributions of The Asia Foundation to long-range United States foreign policy interests, the United States Government has, through a variety of agencies, provided financial support for The Asia Foundation; and

(5) it is in the interest of the United States, and the further strengthening of Asian-American friendship and cooperation, to establish a more permanent mechanism for United States Government financial support for the ongoing activities of The Asia Foundation, while preserving the independent character of the Foundation.

(Pub. L. 98-164, title IV, § 402, Nov. 22, 1983, 97 Stat. 1038.)

SHORT TITLE

Section 401 of title IV of Pub. L. 98-164 provided that: "This title [enacting this subchapter] may be cited as 'The Asia Foundation Act'."

For short title of title V of Pub. L. 98-164, which enacted subchapter II of this chapter, as the "National Endowment for Democracy Act", see section 501 of Pub. L. 98-164, set out as a Short Title note under section 4411 of this title.

§ 4402. Grants; authorization; purposes; terms and conditions; deposit of interest

(a) The Secretary of State shall make an annual grant to The Asia Foundation with the funds made available under section 4403 of this title. Such grants shall be in general support of the Foundation's programs and operations. The terms and conditions of grants pursuant to this section shall be set forth in a grant agreement between the Secretary of State and The Asia Foundation.

(b) If funds made available to The Asia Foundation pursuant to this subchapter or pursuant