

application of this part would be inconsistent with the international obligations of the United States or the laws or regulations of a foreign government.

#### Subparts B–D—[Reserved]

#### Subpart E—Violations of This Part and Consequences

##### § 1882.500 How are violations of this part determined for recipients other than individuals?

A recipient other than an individual is in violation of the requirements of this part if the Assistant Administrator for Procurement determines, in writing, that—

(a) The recipient has violated the requirements of subpart B of this part; or

(b) The number of convictions of the recipient's employees for violating criminal drug statutes in the workplace is large enough to indicate that the recipient has failed to make a good faith effort to provide a drug-free workplace.

##### § 1882.505 How are violations of this part determined for recipients who are individuals?

An individual recipient is in violation of the requirements of this part if the Assistant Administrator for Procurement determines, in writing, that—

(a) The recipient has violated the requirements of subpart C of this part; or

(b) The recipient is convicted of a criminal drug offense resulting from a violation occurring during the conduct of any award activity.

##### § 1882.515 Are there any exceptions to those actions?

The Assistant Administrator for Procurement (AA) may waive with respect to a particular award, in writing, a suspension of payments under an award or a suspension or termination of an award. The Chief Acquisition Officer (CAO) may approve an award to a suspended or debarred entity if the CAO determines that such a waiver would be in the public interest. These exception authorities cannot be delegated to any other official.

#### Subpart F—[Reserved]

#### Title 14—Aeronautics and Space

#### CHAPTER V—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### PART 1267—[REMOVED]

■ 2. Under the authority of 41 U.S.C. 701 *et seq.*, part 1267 is removed.

#### PART 1274—COOPERATIVE AGREEMENTS WITH COMMERCIAL FIRMS

■ 3. The authority citation for 14 CFR Part 1274 is revised to read as follows:

**Authority:** 31 U.S.C. 6301 to 6308; 51 U.S.C. 20102, *et seq.*

■ 4. Revise § 1274.927 to read as follows:

##### § 1274.927 Debarment and Suspension and Drug-Free Workplace.

##### Debarment and Suspension and Drug-Free Workplace (SEP 2014)

NASA cooperative agreements are subject to the provisions of 2 CFR Part 180, Government-wide Debarment and Suspension (Nonprocurement) and 2 CFR Part 182, Government-wide requirements for Drug-Free Workplace, unless excepted by 2 CFR 180.110 or 180.610.

[End of Provision]

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#### DEPARTMENT OF STATE

#### 22 CFR Part 173

**RIN 1400–AD50**

**[Public Notice: 8874]**

#### Availability of Public Diplomacy Program Material Within the United States

**AGENCY:** Department of State.

**ACTION:** Final rule.

**SUMMARY:** The Department of State (“Department”) finalizes an interim final rule that establishes procedures for the Department to respond to domestic requests for program material disseminated by the Department abroad. The Department adopts the rule as final, without amendment.

**DATES:** This rule is effective September 22, 2014.

**FOR FURTHER INFORMATION CONTACT:** Hilary Brandt, Director, Office of Policy, Outreach, and Governance, Bureau of International Information Programs, U.S. Department of State, SA–5, Floor 5, 2200 C Street NW., Washington, DC 20522–0505; phone (202) 632–6460.

**SUPPLEMENTARY INFORMATION:** Section 1078 of the National Defense Authorization Act for Fiscal Year 2013, Public Law 112–239 (“NDAA”), amended section 501 of the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1461; “the Smith-Mundt Act”) (“Section 501”), governing the domestic

distribution of certain information about the United States, its people, and policies (“Program Material”) prepared for dissemination abroad.

The revised Section 501 authorizes the use of public diplomacy funds for the preparation, dissemination and use of Program Material “intended for foreign audiences abroad,” authorizes the Department to make such material available within the United States upon request, and requires that the Department issue regulations to establish procedures to maintain such material, for reimbursement of reasonable costs incurred in fulfilling requests for such material, and to ensure that persons seeking the release of such material have secured and paid for necessary U.S. rights and licenses. For more background, see the interim final rule, published at 79 FR 22016. The Department received no public comments in response to the interim final rule.

#### Regulatory Analyses

For the complete regulatory analysis regarding this rulemaking, please refer to the analysis included in the interim final rule, published at 79 FR 22016, which is adopted herein.

#### List of Subjects in 22 CFR Part 173

Broadcasting, Communications, Education, Foreign relations, Freedom of information, Information, Publications records, Radio.

#### PART 173—AVAILABILITY OF PUBLIC DIPLOMACY PROGRAM MATERIAL IN THE UNITED STATES

Accordingly, the interim final rule, amending 22 CFR chapter I, subchapter R, by adding a new part 173, published in the **Federal Register** on April 21, 2014, at 79 FR 22016, is adopted as final, without amendment.

Dated: September 2, 2014.

**Richard Stengel,**

*Under Secretary for Public Diplomacy and Public Affairs.*

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