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SUBCHAPTER I—GENERAL PROVISIONS

§ 1431. Congressional declaration of objectives

The Congress declares that the objectives of this chapter are to enable the Government of the United States to promote a better understanding of the United States in other countries, and to increase mutual understanding between the people of the United States and the people of other countries. Among the means to be used in achieving these objectives are—

(1) an information service to disseminate abroad information about the United States, its people, and policies promulgated by the Congress, the President, the Secretary of State and other responsible officials of Government having to do with matters affecting foreign affairs;

(2) Repealed. Pub. L. 87-256, § 111(a)(2), Sept. 21, 1961, 75 Stat. 538.

(Jan. 27, 1948, ch. 36, title I, § 2, 62 Stat. 6; Pub. L. 87-256, § 111(a)(2), Sept. 21, 1961, 75 Stat. 538.)

AMENDMENTS

1961—Pub. L. 87-256 repealed par. (2) which authorized an educational exchange service to cooperate with other nations in the interchange of persons, knowledge, and skills, in the rendering of technical and other services, and in the interchange of developments in the field of education, the arts, and sciences. See section 2451 et seq. of this title.

TERMINATION OF CHAPTER

Act Jan. 27, 1948, ch. 36, title X, § 1006, 62 Stat. 14, provided that: "The authority granted under this Act [this chapter] shall terminate whenever such termination is directed by concurrent resolution of the two Houses of the Congress."

SHORT TITLE OF 1983 AMENDMENT

For short title of Pub. L. 98-111, which enacted subchapter V-A of this chapter, as the "Radio Broadcasting to Cuba Act", see section 1 of Pub. L. 98-111, set out as a Short Title note under section 1465 of this title.

SHORT TITLE OF 1973 AMENDMENT

Pub. L. 93-168, § 1, Nov. 29, 1973, 87 Stat. 688, provided: "That this Act [amending former section 1476 of this title] may be cited as the 'United States Information Agency Appropriations Authorization Act of 1973'."

SHORT TITLE

Act Jan. 27, 1948, ch. 36, title I, § 1, 62 Stat. 6, provided that: "This Act [enacting this chapter] may be cited as

the ‘United States Information and Educational Exchange Act of 1948.’”

SEPARABILITY

Act Jan. 27, 1948, ch. 36, title X, §1010, 62 Stat. 14, provided that: “If any provision of this Act [enacting this chapter] or the application of any such provision to any person or circumstance shall be held invalid, the validity of the remainder of the Act [this chapter] and the applicability of such provision to other persons or circumstances shall not be affected thereby.”

TRANSFER OF FUNCTIONS

All functions vested in the President, the Secretary of State, the Department of State, the United States Information Agency, or the Director thereof, under this chapter, were transferred to the Director of the International Communication Agency by Reorg. Plan No. 2 of 1977, §7(a)(1), 42 F.R. 62461, 91 Stat. 1637, set out under section 1461 of this title, effective on or before July 1, 1978, at such time as specified by the President, except to the extent that such functions were vested in the President under sections 1452, 1456, and 1467 of this title. The International Communication Agency, and the Director thereof, were redesignated the United States Information Agency, and the Director thereof, by section 303 of Pub. L. 97-241, title III, Aug. 24, 1982, 96 Stat. 291, set out as a note under section 1461 of this title. United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau) abolished and functions transferred to Secretary of State, see sections 6531 and 6532 of this title.

PROMOTION OF FREE MEDIA AND OTHER AMERICAN VALUES

Pub. L. 108-458, title VII, §7108, Dec. 17, 2004, 118 Stat. 3790, provided that:

“(a) PROMOTION OF UNITED STATES VALUES THROUGH BROADCAST MEDIA.—

“(1) FINDINGS.—Consistent with the report of the National Commission on Terrorist Attacks Upon the United States, Congress makes the following findings:

“(A) Although the United States has demonstrated and promoted its values in defending Muslims against tyrants and criminals in Somalia, Bosnia, Kosovo, Afghanistan, and Iraq, this message is neither convincingly presented nor widely understood.

“(B) If the United States does not act to vigorously define its message in countries with predominantly Muslim populations, the image of the United States will be defined by Islamic extremists who seek to demonize the United States.

“(C) Recognizing that many Muslim audiences rely on satellite television and radio, the United States Government has launched promising initiatives in television and radio broadcasting to the Islamic world, including Iran and Afghanistan.

“(2) SENSE OF CONGRESS.—It is the sense of Congress that—

“(A) the United States must do more to defend and promote its values and ideals to the broadest possible audience in countries with predominantly Muslim populations;

“(B) United States efforts to defend and promote these values and ideals are beginning to ensure that accurate expressions of these values reach large Muslim audiences and should be robustly supported;

“(C) the United States Government could and should do more to engage Muslim audiences in the struggle of ideas; and

“(D) the United States Government should more intensively employ existing broadcast media in the Islamic world as part of this engagement.

“(b) ENHANCING FREE AND INDEPENDENT MEDIA.—

“(1) FINDINGS.—Congress makes the following findings:

“(A) Freedom of speech and freedom of the press are fundamental human rights.

“(B) The United States has a national interest in promoting these freedoms by supporting free media abroad, which is essential to the development of free and democratic societies consistent with our own.

“(C) Free media is undermined, endangered, or nonexistent in many repressive and transitional societies around the world, including in Eurasia, Africa, and the Middle East.

“(D) Individuals lacking access to a plurality of free media are vulnerable to misinformation and propaganda and are potentially more likely to adopt anti-United States views.

“(E) Foreign governments have a responsibility to actively and publicly discourage and rebut unprofessional and unethical media while respecting journalistic integrity and editorial independence.

“(2) STATEMENT OF POLICY.—It shall be the policy of the United States, acting through the Secretary of State, to—

“(A) ensure that the promotion of freedom of the press and freedom of media worldwide is a priority of United States foreign policy and an integral component of United States public diplomacy;

“(B) respect the journalistic integrity and editorial independence of free media worldwide; and

“(C) ensure that widely accepted standards for professional and ethical journalistic and editorial practices are employed when assessing international media.

“(c) ESTABLISHMENT OF MEDIA NETWORK.—

“(1) GRANTS FOR ESTABLISHMENT OF NETWORK.—The Secretary of State shall, utilizing amounts authorized to be appropriated by subsection (e)(2) [(d)(2)], make grants to the National Endowment for Democracy (NED) under the National Endowment for Democracy Act (22 U.S.C. 4411 et seq.) for utilization by the Endowment to provide funding to a private sector group to establish and manage a free and independent media network as specified in paragraph (2).

“(2) MEDIA NETWORK.—The media network established using funds under paragraph (1) shall provide an effective forum to convene a broad range of individuals, organizations, and governmental participants involved in journalistic activities and the development of free and independent media in order to—

“(A) fund a clearinghouse to collect and share information concerning international media development and training;

“(B) improve research in the field of media assistance and program evaluation to better inform decisions regarding funding and program design for government and private donors;

“(C) explore the most appropriate use of existing means to more effectively encourage the involvement of the private sector in the field of media assistance; and

“(D) identify effective methods for the development of a free and independent media in societies in transition.

“(d) AUTHORIZATIONS OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated for each of fiscal years 2005 and 2006, unless otherwise authorized by Congress, such sums as may be necessary to carry out United States Government broadcasting activities consistent with this section under the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.), the United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.), and the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6501 et seq.), and to carry out other activities under this section consistent with the purposes of such Acts, unless otherwise authorized by Congress.

“(2) GRANTS FOR MEDIA NETWORK.—In addition to the amounts authorized to be appropriated under paragraph (1), there are authorized to be appropriated

for each of fiscal years 2005 and 2006, unless otherwise authorized by Congress, such sums as may be necessary for grants under subsection (c)(1) for the establishment of the media network described in subsection (c)(2).”

CONTINUATION OF CERTAIN EXECUTIVE ORDERS, AGREEMENTS, DETERMINATIONS, REGULATIONS, CONTRACTS, APPOINTMENTS, AND OTHER ACTIONS

Continuation in full force and effect, and applicability to the appropriate provisions of the Mutual Educational and Cultural Exchange Act of 1961, set out as section 2451 et seq. of this title, until modified or superseded by appropriate authority, of all Executive orders, agreements, determinations, regulations, contracts, appointments, and other actions issued, concluded, or taken under authority of this section, see section 111(b) of Pub. L. 87-256, set out as a note under section 2451 of this title.

§ 1432. Information on United States participation in United Nations

In carrying out the objectives of this chapter, information concerning the participation of the United States in the United Nations, its organizations and functions, shall be emphasized.

(Jan. 27, 1948, ch. 36, title I, § 3, 62 Stat. 6.)

§ 1433. Definitions

When used in this chapter, the term—

(1) “Secretary” means the Secretary of State.

(2) “Department” means the Department of State.

(3) “Government agency” means any executive department, board, bureau, commission, or other agency of the Federal Government, or independent establishment, or any corporation wholly owned (either directly or through one or more corporations) by the United States.

(Jan. 27, 1948, ch. 36, title I, § 4, 62 Stat. 6.)

§ 1434. Repealed. Pub. L. 96-60, title II, § 203(a)(1), Aug. 15, 1979, 93 Stat. 398

Section, acts Jan. 27, 1948, ch. 36, title X, § 1001, 62 Stat. 13; Apr. 5, 1952, ch. 159, § 1, 66 Stat. 43; 1977 Reorg. Plan No. 2, § 7(a)(1), 42 F.R. 62461, 91 Stat. 1637; 1978 Reorg. Plan No. 2, § 102, eff. Jan. 1, 1979, 43 F.R. 36037, 92 Stat. 3783, provided for loyalty check of personnel. Pub. L. 87-256, § 111(a)(2), Sept. 21, 1961, 75 Stat. 538, previously repealed this section insofar as it related to persons employed or assigned to duties under the Mutual Educational and Cultural Exchange Act of 1961.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1979, see section 209 of Pub. L. 96-60, set out as an Effective Date of 1979 Amendment note under section 1471 of this title.

§ 1435. Delegation of authority by Secretary

The Secretary may delegate, to such officers of the Government as the Secretary determines to be appropriate, any of the powers conferred upon him by this chapter to the extent that he finds such delegation to be in the interest of the purposes expressed in this chapter and the efficient administration of the programs undertaken pursuant to this chapter.

(Jan. 27, 1948, ch. 36, title X, § 1002, 62 Stat. 13.)

§ 1436. Restriction on disclosure of information

Nothing in this chapter shall authorize the disclosure of any information or knowledge in

any case in which such disclosure (1) is prohibited by any other law of the United States, or (2) is inconsistent with the security of the United States.

(Jan. 27, 1948, ch. 36, title X, § 1003, 62 Stat. 13.)

§ 1437. Utilization of private agencies

In carrying out the provisions of this chapter it shall be the duty of the Secretary and the Broadcasting Board of Governors to utilize, to the maximum extent practicable, the services and facilities of private agencies, including existing American press, publishing, radio, motion picture, and other agencies, through contractual arrangements or otherwise. It is the intent of Congress that the Secretary and the Broadcasting Board of Governors shall encourage participation in carrying out the purposes of this chapter by the maximum number of different private agencies in each field consistent with the present or potential market for their services in each country.

(Jan. 27, 1948, ch. 36, title X, § 1005, 62 Stat. 14; Pub. L. 112-239, div. A, title X, § 1078(d)(2), Jan. 2, 2013, 126 Stat. 1959.)

AMENDMENTS

2013—Pub. L. 112-239 inserted “and the Broadcasting Board of Governors” after “Secretary” in two places.

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 112-239, div. A, title X, § 1078(e), Jan. 2, 2013, 126 Stat. 1959, provided that: “This section [amending this section and sections 1461, 1461-1a, and 1462 of this title and enacting provisions set out as a note under section 1461 of this title] shall take effect and apply on the date that is 180 days after the date of the enactment of this section [Jan. 2, 2013].”

§ 1438. Veterans’ preference

No provision of this chapter shall be construed to modify or to repeal the provisions of sections 1302(b), (c), 2108, 3305(b), 3306(a)(2), 3308 to 3318, 3319(b), 3320, 3351, 3363, 3364, 3501 to 3504, 7511, 7512, and 7701 of title 5.

(Jan. 27, 1948, ch. 36, title X, § 1007, 62 Stat. 14.)

REFERENCES IN TEXT

Section 3306 of title 5, referred to in text, was repealed by Pub. L. 95-228, § 1, Feb. 10, 1978, 92 Stat. 25.

Section 3319 of title 5, referred to in text, was repealed by Pub. L. 95-454, title III, § 307(h)(1), Oct. 13, 1978, 92 Stat. 1149.

Section 3364 of title 5, referred to in text, was repealed by Pub. L. 94-183, § 2(6), Dec. 31, 1975, 89 Stat. 1057.

Sections 7511 and 7512 of title 5, referred to in text, which related to adverse actions against preference eligible employees and comprised subchapter II of chapter 75 of Title 5, Government Organization and Employees, were repealed by Pub. L. 95-454 and replaced by a new subchapter II (§§ 7511-7514) of chapter 75 relating to removal, suspension for more than 14 days, reduction in grade or pay, or furlough for 30 days or less.

CODIFICATION

“Sections 1302(b), (c), 2108, 3305(b), 3306(a)(2), 3308 to 3318, 3319(b), 3320, 3351, 3363, 3364, 3501 to 3504, 7511, 7512, and 7701 of title 5” substituted in text for “the Veterans’ Preference Act of 1944” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.