

Secretary and to the head of the Government agency, when it is determined by the Secretary that such services will contribute to the purposes of this chapter. However, nothing in this chapter shall authorize the performance of services relating to the organization, training, operation, development, or combat equipment of the armed forces of a foreign government.

(Jan. 27, 1948, ch. 36, title IV, § 402, 62 Stat. 9.)

§ 1458. Policy governing rendition of services

In authorizing the performance of technical and other services under this subchapter, it is the sense of the Congress (1) that the Secretary shall encourage through any appropriate Government agency the performance of such services to foreign governments by qualified private American individuals and agencies, and shall not enter into the performance of such services to any foreign government where such services may be performed adequately by qualified private American individuals and agencies and such qualified individuals and agencies are available for the performance of such services; (2) that if such services are rendered by a Government agency, they shall demonstrate the technical accomplishments of the United States, such services being of an advisory, investigative, or instructional nature, or a demonstration of a technical process; (3) that such services shall not include the construction of public works or the supervision of the construction of public works, and that, under authority of this chapter, a Government agency shall render engineering services related to public works only when the Secretary shall determine that the national interest demands the rendering of such services by a Government agency, but this policy shall not be interpreted to preclude the assignment of individual specialists as advisers to other governments as provided under subchapter III of this chapter, together with such incidental assistance as may be necessary for the accomplishment of their individual assignments.

(Jan. 27, 1948, ch. 36, title IV, § 403, 62 Stat. 9.)

SUBCHAPTER V—DISSEMINATION ABROAD OF INFORMATION ABOUT THE UNITED STATES

§ 1461. General authorization

(a) Dissemination of information abroad

The Secretary and the Broadcasting Board of Governors are authorized to use funds appropriated or otherwise made available for public diplomacy information programs to provide for the preparation, dissemination, and use of information intended for foreign audiences abroad about the United States, its people, and its policies, through press, publications, radio, motion pictures, the Internet, and other information media, including social media, and through information centers, instructors, and other direct or indirect means of communication.

(b) Dissemination of information within the United States

(1) Except as provided in paragraph (2), the Secretary and the Broadcasting Board of Governors may, upon request and reimbursement of

the reasonable costs incurred in fulfilling such a request, make available, in the United States, motion pictures, films, video, audio, and other materials disseminated abroad pursuant to this chapter, the United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.), the Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.), or the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.). Any reimbursement pursuant to this paragraph shall be credited to the applicable appropriation account of the Department of State or the Broadcasting Board of Governors, as appropriate. The Secretary and the Broadcasting Board of Governors shall issue necessary regulations—

(A) to establish procedures to maintain such material;

(B) for reimbursement of the reasonable costs incurred in fulfilling requests for such material; and

(C) to ensure that the persons seeking release of such material have secured and paid for necessary United States rights and licenses.

(2) With respect to material disseminated abroad before the effective date of section 1078 of the National Defense Authorization Act for Fiscal Year 2013—

(A) the Secretary and the Broadcasting Board of Governors shall make available to the Archivist of the United States, for domestic distribution, motion pictures, films, videotapes, and other material 12 years after the initial dissemination of the material abroad; and

(B) the Archivist shall be the official custodian of the material and shall issue necessary regulations to ensure that persons seeking its release in the United States have secured and paid for necessary United States rights and licenses and that all costs associated with the provision of the material by the Archivist shall be paid by the persons seeking its release, in accordance with paragraph (4).

(3) The Archivist may undertake the functions described in paragraph (1) on behalf of and at the request of the Secretary or the Broadcasting Board of Governors.

(4) The Archivist may charge fees to recover the costs described in paragraphs (1) and (2), in accordance with section 2116(c) of title 44. Such fees shall be paid into, administered, and expended as part of the National Archives Trust Fund.

(c) No requirement to provide material in different format

Nothing in this section may be construed to require the Secretary or the Broadcasting Board of Governors to make material disseminated abroad available in any format other than in the format disseminated abroad.

(Jan. 27, 1948, ch. 36, title V, § 501, 62 Stat. 9; Pub. L. 92-352, title II, § 204, July 13, 1972, 86 Stat. 494; Pub. L. 96-60, title II, § 208, Aug. 15, 1979, 93 Stat. 401; Pub. L. 101-246, title II, § 202, Feb. 16, 1990, 104 Stat. 49; Pub. L. 112-239, div. A, title X, § 1078(a), Jan. 2, 2013, 126 Stat. 1957.)

REFERENCES IN TEXT

The United States International Broadcasting Act of 1994, referred to in subsec. (b)(1), is title III of Pub. L.