

payments under informational media guaranties.

**(h) Appropriations for restoration of realized impairment to capital; liquidation of notes**

(1) There is authorized to be appropriated annually an amount to restore in whole or in part any realized impairment to the capital used in carrying on the authority to make informational media guaranties, as provided in subsection (c), through the end of the last completed fiscal year.

(2) Such impairment shall consist of the amount by which the losses incurred and interest accrued on notes exceed the revenue earned and any previous appropriations made for the restoration of impairment. Losses shall include the dollar losses on foreign currencies sold, and the dollar cost of foreign currencies which (a) the Secretary of the Treasury, after consultation with the Director, has determined to be unavailable for, or in excess of, requirements of the United States, or (b) have been transferred to other accounts without reimbursement to the special account.

(3) Dollars appropriated pursuant to this section shall be applied to the payment of interest and in satisfaction of notes issued or assumed hereunder, and to the extent of such application to the principal of the notes, the Director is authorized to issue notes to the Secretary of the Treasury which will bear interest at a rate to be determined by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the guaranties. The currencies determined to be unavailable for, or in excess of, requirements of the United States as provided above shall be transferred to the Secretary of the Treasury to be held until disposed of, and any dollar proceeds realized from such disposition shall be deposited in miscellaneous receipts.

(4) Section 1476(a) of this title<sup>1</sup> shall not apply with respect to any amounts appropriated under this section for the purpose of liquidating the notes (and any accrued interest thereon) which were assumed in the operation of the informational media guaranty program under this section and which were outstanding on August 24, 1982.

(Jan. 27, 1948, ch. 36, title X, § 1011, as added Aug. 26, 1954, ch. 937, title V, § 544(a), 68 Stat. 862; amended Aug. 26, 1954, ch. 937, title V, § 544(g), as added July 18, 1956, ch. 627, § 11(a), 70 Stat. 563, and amended Pub. L. 85-141, § 11(b)(1), Aug. 14, 1957, 71 Stat. 365; Pub. L. 85-477, ch. V, § 502(i), June 30, 1958, 72 Stat. 274; Pub. L. 86-108, ch. VII, § 701(c), July 24, 1959, 73 Stat. 257; Pub. L. 97-241, title III, § 304(f), Aug. 24, 1982, 96 Stat. 293.)

REFERENCES IN TEXT

Section 1933 of this title, referred to in subsecs. (a), (c), (e), and (g), was repealed by Pub. L. 87-195, pt. III, § 642(a)(2), Sept. 4, 1961, 75 Stat. 460. See section 2351 of this title.

Section 1509 of this title, referred to in subsecs. (b) and (g), was repealed by act Aug. 26, 1954, ch. 937, title V, § 542(a)(4), (6), (9), (10), (11), 68 Stat. 861. See section 1754 et seq. of this title.

Section 1476(a) of this title, referred to in subsec. (h)(4), was repealed by Pub. L. 105-277, div. G, subdiv. A, title XIII, § 1336(1), Oct. 21, 1998, 112 Stat. 2681-790.

AMENDMENTS

1982—Subsec. (h)(4). Pub. L. 97-241, § 304(f), added par. (4).

1959—Subsec. (a). Pub. L. 86-108 provided that the purpose of making informational media guaranties shall be the achievement of the foreign policy objectives of the United States, including the objective mentioned in former sections 1933(b)(4)(A) and 1933(b)(4)(G) of this title, now covered by section 2351 of this title.

1958—Subsec. (h). Pub. L. 85-477 added subsec. (h).

1956—Subsec. (a). Act Aug. 26, 1954, § 544(g), as added by act July 18, 1956, designated as subsec. (a) the entire former section and amended it to eliminate provisions which permitted the Director to make guaranties against funds made available by notes issued pursuant to section 1509(c)(2) of this title and which limited the amount of such guaranties in any fiscal year to not more than \$10,000,000. Such provisions were covered by subsecs. (b) to (g) of this section.

Subsecs. (b) to (g). Act Aug. 26, 1954, § 544(g), as added by act July 18, 1956, added subsecs (b) to (g).

REPEALS

Section 544(a), (g) of act Aug. 26, 1954, cited as a credit to this section, was repealed by section 11(b)(1) of Pub. L. 85-141, except in so far as section 544(a), (g) affected this section.

TRANSFER OF FUNCTIONS

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.

**§ 1442a. National security measures**

**(a) Restriction**

In coordination with other appropriate executive branch officials, the Secretary of State shall take all appropriate steps to—

(1) prevent any agent of a foreign power from participating in educational and cultural exchange programs under this chapter;

(2) ensure that no person who is involved in the research, development, design, testing, evaluation, or production of missiles or weapons of mass destruction is a participant in any program of educational or cultural exchange under this chapter if such person is employed by, or attached to, an entity within a country that has been identified by any element of the United States intelligence community (as defined by section 3003(4) of title 50) within the previous 5 years as having been involved in the proliferation of missiles or weapons of mass destruction; and

(3) ensure that no person who is involved in the research, development, design, testing, evaluation, or production of chemical or biological weapons for offensive purposes is a participant in any program of educational or cultural exchange under this chapter.

**(b) Definitions**

(1) The term “appropriate executive branch officials” means officials from the elements of the United States Government listed pursuant to section 101 of the Intelligence Authorization Act for Fiscal Year 1999 (Public Law 105-272).

(2) The term “agent of a foreign power” has the same meaning as set forth in section 1801(b)(1)(B) and (b)(2) of title 50, and does not include any person who acts in the capacity defined under section 1801(b)(1)(A) of title 50.

(Jan. 27, 1948, ch. 36, title X, § 1012, as added Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title IV, § 403], Nov. 29, 1999, 113 Stat. 1536, 1501A-446.)

#### REFERENCES IN TEXT

Section 101 of the Intelligence Authorization Act for Fiscal Year 1999, referred to in subsec. (b)(1), is section 101 of Pub. L. 105-272, title I, Oct. 20, 1998, 112 Stat. 2397, which is not classified to the Code.

### SUBCHAPTER II—INTERCHANGE OF PERSONS, KNOWLEDGE, AND SKILLS BETWEEN UNITED STATES AND FOREIGN COUNTRIES

#### § 1446. Repealed. Pub. L. 87-256, § 111(a)(2), Sept. 21, 1961, 75 Stat. 538

Section, acts Jan. 27, 1948, ch. 36, title II, § 201, 62 Stat. 7; June 27, 1952, ch. 477, title IV, § 402(f), 66 Stat. 276; June 4, 1956, ch. 356, 70 Stat. 241, authorized the interchange of persons on a reciprocal basis between the United States and other countries, provided for orientation courses, admission as nonimmigrant visitors, deportation, and eligibility requirements for reentry under changed status. See section 2451 et seq. of this title.

#### 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.

#### § 1447. Books and materials

The Secretary is authorized to provide for interchanges between the United States and other countries of books and periodicals, including government publications, for the translation of such writings, and for the preparation, distribution, and interchange of other educational materials.

(Jan. 27, 1948, ch. 36, title II, § 202, 62 Stat. 7.)

#### § 1448. Assistance to certain institutions abroad founded or sponsored by United States citizens

The Secretary is authorized to provide for assistance to schools,<sup>1</sup> libraries, and community centers abroad, founded or sponsored by citizens of the United States, and serving as demonstration centers for methods and practices employed in the United States. In assisting any such schools, however, the Secretary shall exercise no control over their educational policies and shall in no case furnish assistance of any character which is not in keeping with the free democratic principles and the established foreign policy of the United States.

(Jan. 27, 1948, ch. 36, title II, § 203, 62 Stat. 7.)

#### PARTIAL REPEAL

Pub. L. 87-256, § 111(a)(2), Sept. 21, 1961, 75 Stat. 538, repealed this section insofar as it relates to schools.

<sup>1</sup> See Partial Repeal note below.

See section 2451 et seq. of this title. Continuation in full force and effect, and applicability to the appropriate provisions of the Mutual Educational and Cultural Exchange Act of 1961, 22 U.S.C. 2451 et seq., 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 Continuation of Certain Executive Orders, Agreements, Determinations, Regulations, Contracts, Appointments, and Other Actions note under section 2451 of this title.

### SUBCHAPTER III—ASSIGNMENT OF SPECIALISTS

#### § 1451. Assignment of Government employees to requesting countries; governing regulations

The Director of the United States Information Agency is authorized, when the government of another country is desirous of obtaining the services of a person having special scientific or other technical or professional qualifications, from time to time to assign or authorize the assignment for service, to or in cooperation with such government, any person in the employ or service of the Government of the United States who has such qualifications, with the approval of the Government agency in which such person is employed or serving. No person shall be assigned for service to or in cooperation with the government of any country unless (1) the Director finds that such assignment is necessary in the national interest of the United States, or (2) such government agrees to reimburse the United States in an amount equal to the compensation, travel expenses, and allowances payable to such person during the period of such assignment in accordance with the provisions of section 1452 of this title, or (3) such government shall have made an advance of funds, property, or services as provided in section 1479 of this title. Nothing in this chapter, however, shall authorize the assignment of such personnel for service relating to the organization, training, operation, development, or combat equipment of the armed forces of a foreign government.

(Jan. 27, 1948, ch. 36, title III, § 301, 62 Stat. 7; Pub. L. 97-241, title III, § 304(a)(1)(A), (2)(A), Aug. 24, 1982, 96 Stat. 292.)

#### AMENDMENTS

1982—Pub. L. 97-241 substituted “person in the employ” for “citizen of the United States in the employ”, “Director of the United States Information Agency” for “Secretary”, and “Director finds” for “Secretary finds”.

#### TRANSFER OF FUNCTIONS

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.

#### REFERENCES TO ACT MAY 25, 1938

Act Jan. 27, 1948, ch. 36, title X, § 1004(c), 62 Stat. 14, provided that: “Any reference in the Foreign Service Act of 1946 (60 Stat. 999) [section 801 et seq. of this title], or in any other law, to provisions of such Act of May 25, 1938, as amended [section 118e of former Title 5, Executive Departments and Government Officers and Employees], shall be construed to be applicable to the