

(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 Repealed.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 L. 87–256, § 111(a)(2), Sept. 21, 1961, 75 Stat. 538, previously repealed this section insofar as it related to persons employed or assigned to duties under the Mutual Educational and Cultural Exchange Act of 1961.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.

CHANGE OF NAME

Broadcasting Board of Governors renamed United States Agency for Global Media pursuant to section 6204(a)(22) of this title. The renaming was effectuated by notice to congressional appropriations committees dated May 24, 2018, and became effective Aug. 22, 2018.

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.

§ 1439. Repealed. Pub. L. 96–470, title I, § 117, Oct. 19, 1980, 94 Stat. 2240

Section, acts Jan. 27, 1948, ch. 36, title X, § 1008, 62 Stat. 14; Sept. 21, 1961, Pub. L. 87–256, § 111(a)(2), 75 Stat. 538; Oct. 26, 1974, Pub. L. 93–475, § 7, 88 Stat. 1440; 1977 Reorg. Plan No. 2, § 7(a)(1), 42 F.R. 62461, 91 Stat. 1637, required the Director to submit annual reports to Congress on expenditures made and activities carried on under this chapter, including appraisals and measurements, where feasible, as to the effectiveness of the several programs in each country where conducted. Pub. L. 87–256, § 111(9)(2), Sept. 21, 1961, 75 Stat. 538, previously repealed this section insofar as it related to educational exchange activities. See section 2458(b) of this title.

§ 1440. Repealed. Pub. L. 105–277, div. G, subdiv. A, title XIII, § 1336(1), Oct. 21, 1998, 112 Stat. 2681–790

Section, acts Jan. 27, 1948, ch. 36, title X, § 1009, 62 Stat. 14; Pub. L. 87–256, § 111(a)(2), Sept. 21, 1961, 75 Stat. 538, related to applicability of chapter provisions to similar international activities of State Department.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1999, see section 1301 of Pub. L. 105–277, set out as an Effective Date note under section 6531 of this title.

§ 1441. Omitted

CODIFICATION

Section, based on third proviso under subheading “International Information and Education Activities”

under heading “State Department” of Title I of the Supplemental Appropriation Act, 1950 (approved Oct. 14, 1949, ch. 694, 63 Stat. 878), authorized the acquisition of land outside the continental United States, and was not repeated in the Department of State Appropriation Act, 1951 (approved Sept. 6, 1950, ch. 896, ch. III, title I, 64 Stat. 609), or other appropriation acts.

§ 1442. Informational media guaranties

(a) Authorization to make

The Director of the United States Information Agency may make guaranties, in accordance with the provisions of subsection (b) of section 1933¹ of this title, of investments in enterprises producing or distributing informational media consistent with the national interests of the United States: *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 sections 1933(b)(4)(A)¹ and 1933(b)(4)(G)¹ of this title.

(b) Assumption of notes issued pursuant to section 1509(c)(2) of this title; advances

The Director is authorized to assume the obligation of not to exceed \$28,000,000 of the notes authorized to be issued pursuant to section 1509(c)(2)¹ of this title, together with the interest accrued and unpaid thereon, and to obtain advances from time to time from the Secretary of the Treasury up to such amount, less amounts previously advanced on such notes, as provided for in said notes. Such advances shall be deposited in a special account in the Treasury available for payments under informational media guaranties.

(c) Limitations of time; total of guaranties outstanding

The Director is authorized to make informational media guaranties without regard to the limitations of time contained in section 1933(b)(4)¹ of this title, but the total of such guaranties outstanding at any one time shall not exceed the sum of the face amount of the notes assumed by the Director less the amounts previously advanced on such notes by the Secretary of the Treasury plus the amount of the funds in the special account referred to in subsection (b).

(d) Sale of foreign currencies; special account; availability

Foreign currencies available after June 30, 1955, from conversions made pursuant to the obligation of informational media guaranties may be sold, in accordance with Treasury Department regulations, for dollars which shall be deposited in the special account and shall be available for payments under new guaranties. Such currencies shall be available, as may be provided for by the Congress in appropriation Acts, for use for educational, scientific, and cultural purposes which are in the national interest of the United States, and for such other purposes of mutual interest as may be agreed to by the governments of the United States and the country from which the currencies derive.

(e) Deposit of fees; availability

Notwithstanding the provisions of section 1933(b)(4)(E)¹ of this title, (1) fees collected for the issuance of informational media guaranties shall be deposited in the special account and shall be available for payments under informational media guaranties; and (2) the Director may require the payment of a minimum charge of up to fifty dollars for issuance of guaranty contracts, or amendments thereto.

(f) Advance payments

The Director is further authorized, under such terms as he may prescribe, to make advance payments under informational media guaranties: *Provided*, That currencies receivable from holders of such guaranties on account of such advance payments shall be paid to the United States within nine months from the date of the advance payment and that appropriate security to assure such payments is required before any advance payment is made.

(g) Separate accounts; transfers

As soon as feasible after July 18, 1956, all assets, liabilities, income, expenses, and charges of whatever kind pertaining to informational media guaranties, including any charges against the authority to issue notes provided in section 1509(c)(2)¹ of this title, cumulative from April 3, 1948, shall be accounted for separately from other guaranties issued pursuant to section 1933(b)¹ of this title: *Provided*, That there shall be transferred from the special account established pursuant to subsection (b), into the account available for payments under guaranties other than the informational media guaranties, an amount equal to the total of the fees received for the issuance of guaranties other than informational media guaranties, and used to make 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

¹ See References in Text note below.