

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.

EX. ORD. NO. 10477. AUTHORITY OF UNITED STATES INFORMATION AGENCY

Ex. Ord. No. 10477, Aug. 1, 1953, 18 F.R. 4540, as amended by Ex. Ord. No. 10822, May 20, 1959, 24 F.R. 4159; Ex. Ord. No. 12292, Feb. 23, 1981, 46 F.R. 13967; provided:

SECTION 1. *Determination.* It is hereby determined that it is necessary, in order to carry out the functions transferred to the Director of the United States Information Agency (hereinafter referred to as the Director) by the provisions of subsections (a), (b), and (c) of section 2 of the said Reorganization Plan No. 8 of 1953, to authorize the Director to exercise, in relation to respective functions so transferred, the authority specified in sections 2 and 3 hereof.

SEC. 2. [Revoked by Ex. Ord. No. 12292, Feb. 23, 1981, 46 F.R. 13967.]

SEC. 3. *Authority under various other statutes.* The Director is authorized to exercise the authority available to the Secretary of State or the Director of the Foreign Operations Administration, as the case may be, under the following-described provisions of law:

(a) The Foreign Service Buildings Act of 1926, as amended [22 U.S.C. 292 et seq.], regarding the acquisition, construction, alteration, repair, furnishing, exchange, and disposal of buildings and grounds in foreign countries.

(b) The act of July 9, 1949 [see 22 U.S.C. 2681 to 2683], regarding the transfer, acquisition, use, and disposal of international broadcasting facilities.

(c) The act of August 3, 1950, regarding the importation of sound recordings.

(d) The provisions under the first heading "Salaries and Expenses" of the Department of State Appropriation Act, 1954, regarding (1) employment of aliens, by contract, for services abroad, (2) purchase of uniforms, (3) cost of transporting to and from a place of storage and the cost of storing the furniture and household effects of an employee of the Foreign Service who is assigned to a post at which he is unable to use his furniture and effects, under such regulations as the Secretary of State may prescribe, (4) dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others, (5) examination of estimates of appropriations in the field, (6) purchase of ice and drinking water abroad, (7) payment of excise taxes on negotiable instruments abroad, and (8) procurement, by contract or otherwise, of services, supplies and facilities, as follows: (i) maintenance, improvement, and repair of properties used for international information activities in foreign countries, (ii) fuel and utilities for Government-owned or leased property abroad, and (iii) rental or lease for periods not exceeding ten years of offices, buildings, grounds, and living quarters, and the furnishing of living quarters to officers and employees engaged in international information activities abroad [22 U.S.C. 291].

(e) The provisions of the Department of State Appropriation Act, 1954, regarding (1) exchange of funds for payment of expenses in connection with the operation of information establishments abroad without regard to the provisions of section 3651 of the Revised Statutes [section 543 of former Title 31], (section 103 of the General Provisions of the Department of State Appropriation Act, 1954), (2) payment of travel expenses outside the continental limits of the United States from funds available in the fiscal year that such travel is authorized and actually begins (section 104 of the General Provisions of the Department of State Appropriation Act, 1954), (3) granting authority to the chief of each information Field Staff to approve, with the concurrence of the Chief of Mission, use of Government-owned vehicles

for travel under conditions described in section 105 of the General Provisions of the Department of State Appropriation Act, 1954, and (4) purchase with foreign currencies for use abroad of passenger motor vehicles (exclusive of buses, ambulances, and station wagons) at a cost not to exceed the equivalent of \$2,200 for each vehicle (section 106 of the General Provisions of the Department of State Appropriation Act, 1954).

(f) Section 202 of the Revised Statutes of the United States [see 22 U.S.C. 2656], so far as it authorizes the Secretary of State to keep the American public informed about the international information aspects of the United States foreign affairs.

(g) Section 504(d) of the Mutual Security Act of 1951, as amended (relating to reduction in personnel) [section 1655d of this title], with respect to personnel transferred from the Mutual Security Agency or the Foreign Operations Administration to the United States Information Agency.

(h) Section 161 of the Revised Statutes of the United States [see 5 U.S.C. 301], and section 4 of the act of May 26, 1949 [see 22 U.S.C. 2658], regarding the promulgation of rules and regulations and the delegation of authority.

SEC. 4. *Effective Date.* This order shall become effective on August 1, 1953.

[For abolition of United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau), transfer of functions, and treatment of references thereto, see sections 6531, 6532, and 6551 of this title.]

§ 1473. Use of existing Government property and facilities

In carrying on activities under this chapter which require the utilization of Government property and facilities, maximum use shall be made of existing Government property and facilities.

(Jan. 27, 1948, ch. 36, title VIII, § 803, 62 Stat. 12.)

§ 1474. Additional authority of Secretary of State or other Government agency authorized to administer provisions

In carrying out the provisions of this chapter, the Secretary, or any Government agency authorized to administer such provisions, may—

(1) employ, without regard to the civil service and classification laws, aliens within the United States and abroad for service in the United States relating to the translation or narration of colloquial speech in foreign languages or the preparation and production of foreign language programs when suitably qualified United States citizens are not available when job vacancies occur, and aliens so employed abroad may be admitted to the United States, if otherwise qualified, as non-immigrants under section 1101(a)(15) of title 8 for such time and under such conditions and procedures as may be established by the Director of the United States Information Agency and the Attorney General;

(2) pay travel expenses of aliens employed abroad for service in the United States and their dependents to and from the United States;

(3) incur expenses for entertainment within the United States within such amounts as may be provided in appropriations Acts;

(4) obtain insurance on official motor vehicles operated by the Secretary or such agency in foreign countries, and pay the expenses incident thereto;

(5) notwithstanding the provisions of section 2680(k) of title 28, pay tort claims in the manner authorized in the first paragraph of section 2672 of such title, when such claims arise in foreign countries in connection with operations conducted abroad under this chapter;

(6) employ aliens by contract for services abroad;

(7) provide ice and drinking water abroad;

(8) pay excise taxes on negotiable instruments abroad;

(9) pay to or for individuals, not United States Government employees, participating in activities conducted under this chapter, the costs of emergency medical expenses, preparation and transport to their former homes of the remains of such participants or their dependents who die while away from their homes during such participation, and health and accident insurance premiums for participants or health and accident benefits for participants by means of a program of self-insurance;

(10) rent or lease, for periods not exceeding ten years, offices, buildings, grounds, and living quarters abroad for employees carrying out this chapter, and make payments therefor in advance;

(11) maintain, improve, and repair properties used for information activities in foreign countries;

(12) furnish fuel and utilities for Government-owned or leased property abroad;

(13) pay travel expenses of employees attending official international conferences, without regard to sections 5701–5708 of title 5, and regulations issued thereunder, but at rates not in excess of comparable allowances approved for such conferences by the Secretary;

(14) purchase uniforms;

(15) hire passenger motor vehicles;

(16) purchase passenger motor vehicles for use abroad, and right-hand drive and security vehicles may be so purchased without regard to any maximum price limitation established by law;

(17) procure services of experts and consultants in accordance with section 3109 of title 5;

(18) make advances of funds;

(19) notwithstanding section 5946 of title 5, pay dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others;

(20) subject to the availability of appropriated funds, purchase motion picture, radio and television producers' liability insurance to cover errors and omissions or similar insurance coverage for the protection of interests in intellectual property;

(21) incur expenses authorized by the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);

(22) furnish living quarters as authorized by section 5912 of title 5; and

(23) provide allowances as authorized by sections 5921 through 5928 of title 5.

(Jan. 27, 1948, ch. 36, title VIII, § 804, as added Pub. L. 92-352, title II, § 202, July 13, 1972, 86 Stat. 493; amended Pub. L. 94-350, title II, § 203, July 12, 1976, 90 Stat. 830; Pub. L. 96-60, title II, § 203(b)(2), 204(b), Aug. 15, 1979, 93 Stat. 398, 400; Pub. L. 97-241, title III, §§ 303(b), 304(c), (d), Aug.

24, 1982, 96 Stat. 291, 293; Pub. L. 101-246, title II, § 207, Feb. 16, 1990, 104 Stat. 53; Pub. L. 102-138, title II, §§ 204, 205, Oct. 28, 1991, 105 Stat. 692.)

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in par. (21), is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, as amended, which is classified principally to chapter 52 (§ 3901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3901 of this title and Tables.

AMENDMENTS

1991—Par. (9). Pub. L. 102-138, § 205, amended par. (9) generally. Prior to amendment, par. (9) read as follows: "pay the actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from their homes while participating in activities conducted under this chapter;".

Pars. (21) to (23). Pub. L. 102-138, § 204, added pars. (21) to (23).

1990—Par. (1). Pub. L. 101-246 inserted "when job vacancies occur" after "available".

1982—Par. (16). Pub. L. 97-241, § 304(c), inserted "and security" after "right-hand drive".

Par. (20). Pub. L. 97-241, § 304(d), added par. (20).

1979—Par. (1). Pub. L. 96-60, § 203(b)(2), authorized employment of aliens within the United States, previously covered in section 1471(5) of this title, extended services to include preparation and production of foreign language programs, and eliminated investigation-of-alien-employees requirement.

Par. (10). Pub. L. 96-60, § 204(b)(1), substituted "ten" for "five" years.

Par. (14). Pub. L. 96-60, § 204(b)(3), substituted a semicolon for " , when funds are appropriated therefor."

Pars. (15) to (19). Pub. L. 96-60, § 204(b)(4), added pars. (15) to (19).

1976—Par. (14). Pub. L. 94-350 added par. (14).

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-60 effective Oct. 1, 1979, and applicable only with respect to funds appropriated after Aug. 15, 1979, where new authorities provide for expenditure of appropriated funds, see section 209 of Pub. L. 96-60, set out as a note under section 1471 of this title.

TRANSFER OF FUNCTIONS

"Director of the United States Information Agency" substituted for "Director of the International Communication Agency" in par. (1) pursuant to section 303(b) of Pub. L. 97-241, set out as a note under section 1461 of this title, which redesignated International Communication Agency, and Director thereof, as United States Information Agency, and Director thereof. 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.

AUTHORITY TO ADMINISTER SUMMER TRAVEL AND WORK PROGRAMS

Pub. L. 105-277, div. G, subdiv. B, title XXIV, § 2418, Oct. 21, 1998, 112 Stat. 2681-835, provided that: "The Director of the United States Information Agency is authorized to administer summer travel and work programs without regard to preplacement requirements."

Similar provisions were contained in Pub. L. 105-244, title VIII, § 846, Oct. 7, 1998, 112 Stat. 1822.

[For abolition of United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau), transfer of functions, and treatment of references thereto, see sections 6531, 6532, and 6551 of this title.]

EMPLOYMENT AUTHORITY FOR FISCAL YEARS 1994 AND 1995

Pub. L. 103-236, title II, § 223, Apr. 30, 1994, 108 Stat. 422, provided that, for fiscal years 1994 and 1995, Direc-

tor of United States Information Agency could, in carrying out provisions of this chapter, employ individuals or organizations by contract for services to be performed in United States or abroad, who could not, by virtue of such employment, be considered to be employees of United States Government for purposes of any law administered by Office of Personnel Management.

§ 1475. Travel expenses

Appropriated funds made available for any fiscal year to the Secretary or any Government agency, to carry out the provisions of this chapter, for expenses in connection with travel of personnel outside the continental United States, including travel of dependents and transportation of personal effects, household goods, or automobiles of such personnel, shall be available for all such expenses in connection with travel or transportation which begins in that fiscal year pursuant to travel orders issued in that year, notwithstanding the fact that such travel or transportation may not be completed until the following fiscal year.

(Jan. 27, 1948, ch. 36, title VIII, §805, as added Pub. L. 92-352, title II, §202, July 13, 1972, 86 Stat. 494.)

§ 1475a. Replacement of passenger motor vehicles

The exchange allowances or proceeds derived from the exchange or sale of passenger motor vehicles used abroad for purposes of this chapter or the Mutual Educational and Cultural Exchange Act of 1961 [22 U.S.C. 2451 et seq.] shall be available without fiscal year limitation for replacement of an equal number of such vehicles in accordance with section 503 of title 40.

(Jan. 27, 1948, ch. 36, title VIII, §806, as added Pub. L. 94-350, title II, §204, July 12, 1976, 90 Stat. 830; amended Pub. L. 96-60, title II, §204(c), Aug. 15, 1979, 93 Stat. 400.)

REFERENCES IN TEXT

The Mutual Educational and Cultural Exchange Act of 1961, referred to in text, is Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, as amended, which is classified principally to chapter 33 (§2451 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

CODIFICATION

“Section 503 of title 40” substituted in text for “section 201(c) of the Federal Property and Administrative Services Act of 1949” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

AMENDMENTS

1979—Pub. L. 96-60 substituted “shall be available” for “are authorized to be made available”.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-60 effective Oct. 1, 1979, and applicable only with respect to funds appropriated after Aug. 15, 1979, where new authorities provide for expenditures of appropriated funds, see section 209 of Pub. L. 96-60, set out as a note under section 1471 of this title.

§§ 1475b, 1475c. Repealed. Pub. L. 105-277, div. G, subd. A, title XIII, §1336(1), Oct. 21, 1998, 112 Stat. 2681-790

Section 1475b, act Jan. 27, 1948, ch. 36, title VIII, §807, as added Pub. L. 95-426, title II, §204(c), Oct. 7, 1978, 92 Stat. 974; amended Pub. L. 97-241, title III, §303(b), Aug. 24, 1982, 96 Stat. 291, related to seal of the United States Information Agency.

Section 1475c, act Jan. 27, 1948, ch. 36, title VIII, §808, as added Pub. L. 97-241, title III, §304(e), Aug. 24, 1982, 96 Stat. 293, provided for Acting Associate Director in the event of death, resignation, illness, or absence of Associate Director.

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.

§ 1475d. Compensation for disability or death

A cultural exchange, international fair or exposition, or other exhibit or demonstration of United States economic accomplishments and cultural attainments, provided for under this chapter or the Mutual Educational and Cultural Exchange Act of 1961 [22 U.S.C. 2451 et seq.] shall not be considered a “public work” as that term is defined in section 1651 of title 42.

(Jan. 27, 1948, ch. 36, title VIII, §809, as added Pub. L. 97-241, title III, §304(e), Aug. 24, 1982, 96 Stat. 293.)

REFERENCES IN TEXT

The Mutual Educational and Cultural Exchange Act of 1961, referred to in text, is Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, as amended, which is classified principally to chapter 33 (§2451 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

§ 1475e. Use of English-teaching program fees

(a) In general

Notwithstanding section 3302 of title 31 or any other law or limitation of authority, fees and receipts described in subsection (b) are authorized to be credited each fiscal year for authorized purposes to the appropriate appropriations of the United States Information Agency to such extent as may be provided in advance in appropriations acts.

(b) Fees and receipts described

The fees and receipts described in this subsection are fees and payments received by or for the use of the United States Information Agency from or in connection with—

- (1) English-teaching and library services,
- (2) educational advising and counseling,
- (3) Exchange Visitor Program Services,
- (4) advertising and business ventures of the Voice of America and the International Broadcasting Bureau,
- (5) cooperating international organizations, and¹
- (6) Agency-produced publications,¹
- (7) an amount not to exceed \$100,000 of the payments from motion picture and television programs produced or conducted by or on be-

¹ So in original. The word “and” probably should appear at end of par. (6).