

Editorial Notes

AMENDMENTS

1982—Pub. L. 97-241 substituted “person in the employ or service of the Government of the United States” for “citizen of the United States”, “section 4085 of this title” for “section 1131(3) of this title”, and “section 5536 of title 5” for “section 1765 of the Revised Statutes”. Prior to the amendment by Pub. L. 97-241, “section 5536 of title 5” had been substituted for “section 1765 of the Revised Statutes” (which was formerly classified to section 70 of title 5) 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, thereby requiring no change in text.

§ 1453. Acceptance of office under foreign governments of assigned personnel; oath of allegiance

Any person in the employ or service of the Government of the United States while assigned for service to or in cooperation with another government under authority of this chapter may, at the discretion of his Government agency, with the concurrence of the Director of the United States Information Agency, and without additional compensation therefor, accept an office under the government to which he is assigned, if the acceptance of such an office in the opinion of such agency is necessary to permit the effective performance of duties for which he is assigned, including the making or approving on behalf of such foreign government the disbursement of funds provided by such government or of receiving from such foreign government funds for deposit and disbursement on behalf of such government, in carrying out programs undertaken pursuant to this chapter: *Provided, however*, That such acceptance of office shall in no case involve the taking of an oath of allegiance to another government.

(Jan. 27, 1948, ch. 36, title III, §303, 62 Stat. 8; Pub. L. 97-241, title III, §304(a)(1)(B), (2)(B), Aug. 24, 1982, 96 Stat. 292.)

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AMENDMENTS

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

Statutory Notes and Related Subsidiaries

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.

SUBCHAPTER IV—PARTICIPATION BY GOVERNMENT AGENCIES**§ 1456. Utilization of facilities and personnel of other Government agencies; reimbursement to agencies; report to Congress**

The Secretary is authorized, in carrying on any activity under the authority of this chapter, to utilize, with the approval of the President, the services, facilities, and personnel of the

other Government agencies. Whenever the Secretary shall use the services, facilities, or personnel of any Government agency for activities under authority of this chapter, the Secretary shall pay for such performance out of funds available to the Secretary under this chapter, either in advance, by reimbursement, or direct transfer. The Secretary shall include in each report submitted to the Congress under section 1439¹ of this title a statement of the services, facilities, and personnel of other Government agencies utilized in carrying on activities under the authority of this chapter, showing the names and salaries of the personnel utilized, or performing services utilized, during the period covered by such report, and the amounts paid to such other agencies under this section as payment for such performance.

(Jan. 27, 1948, ch. 36, title IV, §401, 62 Stat. 8.)

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REFERENCES IN TEXT

Section 1439 of this title, referred to in text, was repealed by Pub. L. 96-470, title I, §117, Oct. 19, 1980, 94 Stat. 2240.

§ 1457. Rendition of technical and other services to foreign governments; limitations

A Government agency, at the request of the Secretary, may perform such technical or other services as such agency may be competent to render for the government of another country desirous of obtaining such services, upon terms and conditions which are satisfactory to the 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 chap-

¹ See References in Text note below.

ter, 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.)

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REFERENCES IN TEXT

The United States International Broadcasting Act of 1994, referred to in subsec. (b)(1), is title III of Pub. L. 103-236, Apr. 30, 1994, 108 Stat. 432, which is classified principally to chapter 71 (§ 6201 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6201 of this title and Tables.

The Radio Broadcasting to Cuba Act, referred to in subsec. (b)(1), is Pub. L. 98-111, Oct. 4, 1983, 97 Stat. 749, which is classified generally to subchapter V-A (§ 1465 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1465 of this title and Tables.

The Television Broadcasting to Cuba Act, referred to in subsec. (b)(1), is part D of title II of Pub. L. 101-246, Feb. 16, 1990, 104 Stat. 58, which is classified principally to subchapter V-B (§ 1465aa et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1465aa of this title and Tables.

For the effective date of section 1078 of the National Defense Authorization Act for Fiscal Year 2013 [Pub. L. 112-239], referred to in subsec. (b)(2), see section 1078(e) of Pub. L. 112-239, set out as an Effective Date of 2013 Amendment note under section 1437 of this title.

AMENDMENTS

2013—Pub. L. 112-239 amended section generally. Prior to amendment, section provided general authorization to disseminate information about the United States abroad and domestically.

1990—Pub. L. 101-246 designated existing provisions as subsec. (a), substituted “Subject to subsection (b) of this section, any such information” for “Any such information” in second sentence, and added subsec. (b).