Collection: Roberts, John G.: Files
Folder Title: JGR/Radio Marti
Box: 46

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name	ROBERTS, JOHN: FILES	***Withdrawer***	MJD 8/6/2005
File Folder	JGR/ RADIO MARTI	***FOIA***	F05-139/01
Box Number	46		COOK 19MJD

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	NOTE	RE RADIO MARTI CASE Released in Whole 4/21/06	3	ND	B6	809

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]
B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

E.O. 13233

C. Closed in accordance with restrictions contained in donor's deed of gift.

Radio station
[illegible], but not [illegible]
forward. Move a
rejected (can't be)
[illegible] → [illegible]

→ directors
'81–'92: Solar Bank →
litigation

CG

[illegible]: bill
Defendants: [illegible]
Prez [illegible], a CG →
with [illegible] resolution 45-days

↓
suit

VS/A [illegible] facilities

Sober Rule, outrate my
good faith effort,
ahead to prove,
still not quickly enough

VSR: hard alliteration + diacritic

—

- no injunction
- Regulatory Contl. Act:
  CG suit
- Enter Bank - directors
- USIA directors
  (negotiations)

Dalmey v. Reagan

STATE [illegible],
CT [illegible]
TAX PROCEEDING,
SUIT [illegible]
NOT

Cite this Pocket Part by Title Number and Section Thus: ___ U.S.C.A. § ___

TITLE 22

FOREIGN RELATIONS AND INTERCOURSE

CHAPTER 15—THE REPUBLIC OF THE PHILIPPINES

§ 1392. Acquisition of military and naval bases by United States

Notes of Decisions

1. Construction with other laws

The "treaty" exception to section 106 of Pub.L. 92–129, 85 Stat. 355 set out as a note under section 7201 of Title 5, providing that, unless prohibited by treaty, no one shall be discriminated against by Department of Defense at an overseas facility because he is a United States citizen or dependent thereof extents to executive agreement as well as to Article II, § 2, cl. 2 treaties and included base labor agreement executed by the President and providing for preferential employment of Filipino citizens at United States military facilities in the Philippines. Weinberger v. Rossi, Dist.Col.1982, 102 S.Ct. 1510, 456 U.S. 25, 71 L.Ed.2d 715.

CHAPTER 18—UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE PROGRAMS

SUBCHAPTER VII—ADMINISTRATIVE PROCEDURE

SUBCHAPTER VIII—APPROPRIATIONS AND OTHER FUNDS

SUBCHAPTER I—GENERAL PROVISIONS

§ 1433. Definitions

Change of Name. The International Communication Agency was redesignated the United States Information Agency and the Director or any other official of the International Communication Agency redesignated as Director or other official, as appropriate, of the United States Information Agency, see Pub.L. 97-241, Title III, § 303, Aug. 24, 1982, 96 Stat. 291, set out as a note under section 1461 of this title.

§ 1434. Repealed. Pub.L. 96-60, Title II, § 203(a)(1), Aug. 15, 1979, 93 Stat. 398

Section, Acts Jan. 27, 1948, c. 36, Title X, § 1001, 62 Stat. 13; Apr. 5, 1952, c. 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, 43 F.R. 36037, 92 Stat. provided for loyalty check of personnel.

Effective Date of Repeal. Section repealed effective Oct. 1, 1979, see section 209 of Pub.L. 96-60, set out as a note under section 1469 of this title.

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

Section, Acts Jan. 27, 1948, c. 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. See section 2458(b) of this title.

§ 1442. Informational media guaranties

[See main volume for text of (a) to (g)]

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

[See main volume for text of (1) to (3)]

(4) Section 1476(a) of this title 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.

(As amended Aug. 24, 1982, Pub.L. 97-241, Title III, § 304(f), 96 Stat. 293.)

1982 Amendment. Subsec. (h)(4). Pub.L. 97-241 added par. (4).

Change of Name. The International Communication Agency was redesignated the United States Information Agency and the Director or any other official of the International Communication Agency redesignated as Director or other official, as appropriate, of the United States Information Agency, see Pub.L. 97-241, Title III, § 303, Aug. 24, 1982, 96 Stat. 291, set out as a note under section 1461 of this title.

Legislative History. For legislative history and purpose of Pub.L. 97-241, see 1982 U.S. Code Cong. and Adm. News, p. 651.

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

§ 1447. Books and materials

Code of Federal Regulations

Audio-visual material, see 22 CFR 502.1.

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.

(As amended Aug. 24, 1982, Pub.L. 97-241, Title III, § 304(a)(1)(A), (2)(A), 96 Stat. 292.)

1982 Amendment. 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", which for purposes of codification had been changed to "Director", and "Director finds" for "Secretary finds", which for purposes of codification had been previously changed to "Director finds", thereby requiring no change in text. See Transfer of Functions note set out under this section.

Legislative History. For legislative history and purpose of Pub.L. 97-241, see 1982 U.S. Code Cong. and Adm. News, p. 651.

§ 1452. Status and allowances of assigned personnel

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 the authority of this chapter, shall be considered, for the purpose of preserving his rights, allowances, and privileges as such, an officer or employee of the Government of the United States and of the Government agency from which assigned and he shall continue to receive compensation from that agency. He may also receive, under such regulations as the President may prescribe, representation allowances similar to those allowed under section 4085 of this title. The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 5536 of Title 5.

(As amended Aug. 24, 1982, Pub.L. 97-241, Title III, § 304(a)(1)(B), (3), 96 Stat. 292.)

1982 Amendment. 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 codification, had been previously made, thereby requiring no change in text. See Codification note set out under this section.

Legislative History. For legislative history and purpose of Pub.L. 97-241, see 1982 U.S. Code

§ 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.

(As amended Aug. 24, 1982, Pub.L. 97-241, Title III, § 304(a)(1)(B), (2)(B), 96 Stat. 292.)

1982 Amendment. 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", which for purposes of codification had been changed to "Director". See Transfer of Functions note set out under this section.

Legislative History. For legislative history and purpose of Pub.L. 97-241, see 1982 U.S. Code Cong. and Adm. News, p. 651.

SUBCHAPTER V—DISSEMINATION ABROAD OF INFORMATION ABOUT UNITED STATES

§ 1461. General authorization

The Director is authorized, when he finds it appropriate, to provide for the preparation, and dissemination abroad, of information about the United States, its people, and its policies, through press, publications, radio, motion pictures, and other information media, and through information centers and instructors abroad. Any such information (other than "Problems of Communism" and the "English Teaching Forum" which may be sold by the Government Printing Office) shall not be disseminated within the United States, its territories, or possessions, but, on request, shall be available in the English language at the Agency, at all reasonable times following its release as information abroad, for examination only by representatives of United States press associations, newspapers, magazines, radio systems, and stations, and by research students and scholars, and, on request, shall be made available for examination only to Members of Congress.

(As amended Aug. 15, 1979, Pub.L. 96-60, Title II, § 208, 93 Stat. 401.)

1979 Amendment. Pub.L. 96-60 substituted in parenthetical clause " 'Problems of Communism' and the 'English Teaching Forum' which may be sold" for " 'Problems of Communism' which may continue to be sold".

Redesignation of International Communication Agency as United States Information Agency. Pub.L. 97-241, Title III, § 303, Aug. 24, 1982, 96 Stat. 291, provided that:

"(a) The International Communication Agency, established by Reorganization Plan Numbered 2 of 1977 [set out as a note under this section], is hereby redesignated the United States Information Agency. The Director of the International Communication Agency or any other official of the International Communication Agency is hereby redesignated the Director or other official, as appropriate, of the United States Information Agency.

"(b) Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to the International Communication Agency or the Director or other official of the International Communication Agency shall be deemed to refer respectively to the United States Information Agency or the Director or other official of the United States Information Agency, as so redesignated by subsection (a)."

Legislative History. For legislative history and purpose of Pub.L. 96-60, see 1979 U.S. Code Cong. and Adm. News, p. 982.

REORGANIZATION PLAN NO. 2 OF 1977

42 F.R. 62461, 91 Stat. 1636, as amended Pub.L. 96-60, Title II, § 203(f), Aug. 15, 1979, 93 Stat. 399

[See main volume for text of (1) to (7)]

Sec. 8. Establishment of the United States Advisory Commission on Public Diplomacy. (a) There is hereby established an advisory commission, to be known as the United States Advisory Commission on Public Diplomacy (the "Commission"). The Commission shall consist of seven members who shall be appointed by the President, by and with the advice and consent of the Senate. The members of the Commission shall represent the public interest and shall be selected from a cross section of educational, communications, cultural, scientific, technical, public service, labor and business and professional backgrounds. Not more than four members shall be from any one political party. The term of each member shall be three years except that of the original seven appointments, two shall be for a term of one year and two shall be for a term of two years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed shall be appointed for the remainder of such term. Upon the expiration of a member's term of office, such member may continue to serve until a successor is appointed and has qualified. The President shall designate a member to chair the Commission.

[See main volume for text of (b) and (c), (9) to (11)]

[The International Communication Agency was redesignated the United States Information Agency and the Director or any other official of the International Communication Agency redesignated as Director or other official, as appropriate, of the United States Information Agency, see section 303 of Pub.L. 97-241, Title III, Aug. 24, 1982, 96 Stat. 291, set out as a note above.]

EXECUTIVE ORDER NO. 12048

Mar. 27, 1978, 43 F.R. 13361, as amended by Ex.Ord. No. 12388, Oct. 14, 1982, 47 F.R. 46245

INTERNATIONAL COMMUNICATION AGENCY

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including Section 11 of Reorganization Plan No. 2 of 1977 (42 F.R. 62461 (December 13, 1977)), [set out above], Section 202 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 581c), [section 581c of Title 31, Money and Finance], and Section 301 of Title 3 of the United States Code, [section 301 of Title 3, The President], and as President of the United States of America, in order to provide for the establishment of the International Communication Agency, it is hereby ordered as follows:

[See main volume for text of (1) to (9)]

Sec. 10. In accord with the name change provisions of Section 303 of Public Law 97-241 [Pub.L. 97-241, Title III, § 303, Aug. 24, 1982, 96 Stat. 273, set out as a note above] and effective on August 24, 1982, references in this Order to the International Communication Agency shall be deemed to be references to the United States Information Agency.

§ 1461-1. Mission of United States Information Agency

Change of Name. The International Communication Agency was redesignated the United States Information Agency and the Director or any other official of the International Communication Agency redesignated as Director or other official, as appropriate, of the United States Information Agency, see Pub.L. 97-241, Title III, § 303, Aug. 24, 1982, 96 Stat. 291, set out as a note under section 1461 of this title.

§ 1461b. Indemnification of owners of short-wave radio facilities against loss or damage

Codification. "Sections 1341, 1342, and 1349 to 1351 and subchapter II of chapter 15 of Title 31" was substituted in text for "section 3679 of the Revised Statutes, as amended (31 U.S.C. 665)" on authority of Pub.L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section was enacted as part of appropriation act, cited as the credit to this section, and not as part of the United States Information and Educational Exchange Act of 1948 which comprises this chapter.

Change of Name. The International Communication Agency was redesignated the United States Information Agency and the Director or any other official of the International Communication Agency redesignated as Director or other official, as appropriate, of the United States Information Agency, see Pub.L. 97-241, Title III, § 303, Aug. 24, 1982, 96 Stat. 291, set out as a note under section 1461 of this title.

§ 1463. Voice of America broadcasts; principles governing communications

Change of Name. The International Communication Agency was redesignated the United States Information Agency and the Director or any other official of the International Communication Agency redesignated as Director or other official, as appropriate, of the United States Information Agency, see Pub.L. 97-241, Title III, § 303, Aug. 24, 1982, 96 Stat. 291, set out as a note under section 1461 of this title.

SUBCHAPTER V-A—RADIO BROADCASTING TO CUBA [NEW]

§ 1465. Congressional findings and declarations of purposes

The Congress finds and declares—

(1) that it is the policy of the United States to support the right of the people of Cuba to seek, receive, and impart information and ideas through any media and regardless of frontiers, in accordance with article 19 of Universal Declaration of Human Rights;

(2) that, consonant with this policy, radio broadcasting to Cuba may be effective in furthering the open communication of accurate information and ideas to the people of Cuba, in particular information about Cuba;

(3) that such broadcasting to Cuba, operated in a manner not inconsistent with the broad foreign policy of the United States and in accordance with high professional standards, would be in the national interest; and

(4) that the Voice of America already broadcasts to Cuba information that represents America, not any single segment of American society, and includes a balanced and comprehensive projection of significant American thought and institutions but that there is a need for broadcasts to Cuba which provide news, commentary and other information about events in Cuba and elsewhere to promote the cause of freedom in Cuba.

(Pub.L. 98-111, § 2, Oct. 4, 1983, 97 Stat. 749.)

Short Title. Section 1 of Pub.L. 98-111 provided: "That this Act [enacting this subchapter] may be cited as the 'Radio Broadcasting to Cuba Act'."

Legislative History. For legislative history and purpose of Pub.L. 98-111, see 1983 U.S. Code Cong. and Adm. News, p. 1211.

§ 1465a. Additional functions of United States Information Agency

(a) Radio broadcasting to Cuba

In order to carry out the objectives set forth in section 1465 of this title, the United States Information Agency (hereafter in this subchapter referred to as the "Agency") shall provide for the open communication of information and ideas through the use of radio broadcasting to Cuba. Radio broadcasting to Cuba shall serve as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

(b) Broadcasting as part of Voice of America

Radio broadcasting in accordance with subsection (a) of this section shall be part of the Voice of America radio broadcasting to Cuba and shall be in accordance with all Voice of America standards to ensure the broadcast of programs which are objective, accurate, balanced, and which present a variety of views.

(c) Location of broadcast facilities; frequency; leased time from nongovernmental shortwave stations

Radio broadcasting to Cuba authorized by this subchapter shall utilize the broadcasting facilities located at Marathon, Florida, and the 1180 AM frequency that were used by the Voice of America prior to October 4, 1983. Other frequencies, not on the commercial Amplitude Modulation (AM) Band (535 kHz to 1605 kHz), may also be simultaneously utilized: *Provided*, That no frequency shall be used for radio broadcasts to Cuba in accordance with this subchapter which is not also used for all other Voice of America broadcasts to Cuba. Time leased from nongovernmental shortwave radio stations may be used to carry all or part of the Service programs and to rebroadcast Service programs

with particular emphasis on news and programs meeting the requirements of section 1463(2) of this title.

(d) Changes in frequencies to other AM bands; jamming and interference

Notwithstanding subsection (c) of this section, in the event that broadcasts to Cuba on the 1180 AM frequency are subject to jamming or interference greater by 25 per centum or more than the average daily jamming or interference in the twelve months preceding September 1, 1983, the Director of the United States Information Agency may lease time on commercial or noncommercial educational AM band radio broadcasting stations. The Federal Communications Commission shall determine levels of jamming and interference by conducting regular monitoring of the 1180 AM frequency. In the event that more than two hours a day of time is leased, not less than 30 per centum of the programing broadcast shall be regular Voice of America broadcasts with particular emphasis on news and programs meeting the requirements of section 1463(2) of this title.

(e) Voice of America: Cuba Service; Voice of America: Radio Marti Program

Any program of United States Government radio broadcasts to Cuba authorized by this section shall be designated "Voice of America: Cuba Service" or "Voice of America: Radio Marti program".

(f) Use of other facilities

In the event broadcasting facilities located at Marathon, Florida, are rendered inoperable by natural disaster or by unlawful destruction, the Director of the United States Information Agency may, for the period in which the facilities are inoperable but not to exceed one hundred and fifty days, use other United States Government-owned transmission facilities for Voice of America broadcasts to Cuba authorized by this subchapter.

(Pub.L. 98-111, § 3, Oct. 4, 1983, 97 Stat. 749.)

Legislative History. For legislative history and purpose of Pub.L. 98-111, see 1983 U.S. Code Cong. and Adm. News, p. 1211.

§ 1465b. Cuba Service of Voice of America

The Director of the United States Information Agency shall establish within the Voice of America a Cuba Service (hereafter in this section referred to as the "Service"). The Service shall be responsible for all radio broadcasts to Cuba authorized by section 1465a of this title. The Director of the United States Information Agency shall appoint a head of the Service and shall employ such staff as the head of the Service may need to carry out his duties. The Cuba Service shall be administered separately from other Voice of America functions and the head of the Cuba Service shall report directly to the Director and the Associate Director for Broadcasting of the United States Information Agency.

(Pub.L. 98-111, § 4, Oct. 4, 1983, 97 Stat. 750.)

Legislative History. For legislative history and purpose of Pub.L. 98-111, see 1983 U.S. Code Cong. and Adm. News, p. 1211.

§ 1465c. Advisory Board for Radio Broadcasting to Cuba

(a) Establishment; membership; Chairman

There is established within the Office of the President the Advisory Board for Radio Broadcasting to Cuba (hereafter in this subchapter referred to as the "Board"). The Board shall consist of nine members, appointed by the President by and with the advice and consent of the Senate, of whom not more than five shall be members of the same political party. The President shall designate one member of the Board to serve as Chairman.

(b) Review; recommendations

the Associate Director for Broadcasting of the United States Information Agency as it may deem necessary.

(c) Terms; vacancies

In appointing the initial voting members of the Board, the President shall designate three members to serve for a term of three years, three members to serve for a term of two years; and three members to serve for a term of one year. Thereafter, the term of each member of the Board shall be three years. The President shall appoint, by and with the advice and consent of the Senate, members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until his successor has been appointed and qualified.

(d) Head of Cuba Service as ex officio member

The head of the Service shall serve, ex officio, as a member of the Board.

(e) Compensation; travel expenses

Members of the Board appointed by the President shall, while attending meetings of the Board or while engaged in duties relating to such meetings or in other activities of the Board pursuant to this section, including traveltime, be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level V of the Executive Schedule under section 5316 of Title 5. While away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. The ex officio member of the Board shall not be entitled to any compensation under this section, but may be allowed travel expenses as provided in the preceding sentence.

(f) Procurement powers of Board

The Board may, to the extent it deems necessary to carry out its functions under this section, procure supplies, services, and other personal property, including specialized electronic equipment.

(g) Indefinite life span of Board

Notwithstanding any other provision of law, the Board shall remain in effect indefinitely.

(h) Authorization of appropriations

There are authorized to be appropriated $130,000 to carry out the provisions of this section.

(Pub.L. 98-111, § 5, Oct. 4, 1983, 97 Stat. 750.)

References in Text. The provisions authorizing per diem in lieu of subsistence (5 U.S.C. 5703), referred to in subsec. (e), are set out in section 5703 of Title 5, Government Organization and Employees.

Legislative History. For legislative history and purpose of Pub.L. 98-111, see 1983 U.S. Code Cong. and Adm. News, p. 1211.

§ 1465d. Assistance from other government agencies

(a) In order to assist the United States Information Agency in carrying out the purposes set forth in section 1465 of this title any agency or instrumentality of the United States may sell, loan, lease, or grant property (including interests therein) and may perform administrative and technical support and services at the request of the Agency. Support and services shall be provided on a reimbursable basis. Any reimbursement shall be credited to the appropriation from which the property, support, or services was derived.

(b) The Agency may carry out the purposes of section 1465a of this title by means of grants, leases, or contracts (subject to the availability of appropriations), or such other means as the Agency determines will be most effective.

(Pub.L. 98-111, § 6, Oct. 4, 1983, 97 Stat. 751.)

Legislative History. For legislative history and purpose of Pub.L. 98-111, see 1983 U.S. Code Cong. and Adm. News, p. 1211.

§ 1465e. Compensation for Cuban interference with broadcasting in United States

(a) Interim assistance to United States broadcasters

It is the intent of the Congress that the Secretary of State should seek prompt and full settlement of United States claims against the Government of Cuba arising from Cuban interference with broadcasting in the United States. Pending the settlement of these claims, it is appropriate to provide some interim assistance to the United States broadcasters who are adversely affected by Cuban radio interference and who seek to assert their right to measures to counteract the effects of such interference.

(b) Money payments pursuant to authority from Federal Communications Commission

Accordingly, the Agency may make payments to the United States radio broadcasting station licensees upon their application for expenses which they have incurred before, on, or after October 4, 1983, in mitigating, pursuant to special temporary authority from the Federal Communications Commission, the effects of activities by the Government of Cuba which directly interfere with the transmission or reception of broadcasts by these licensees. Such expenses shall be limited to the costs of equipment replaced (less depreciation) and associated technical and engineering costs.

(c) Regulations and procedures

The Federal Communications Commission shall issue such regulations and establish such procedures for carrying out this section as the Federal Communications Commission finds appropriate. Such regulations shall be issued no later than on hundred and eighty days after October 4, 1983.

(d) Authorization of appropriations

There are authorized to be appropriated to the Agency, $5,000,000 for use in compensating United States radio broadcasting licensees pursuant to this section. Amounts appropriated under this section are authorized to be available until expended.

(e) Four year availability for appropriated funds

Funds appropriated for implementation of this section shall be available for a period of no more than four years following the initial broadcast occurring as a result of programs described in this subchapter.

(f) Presidential task force

It is the sense of the Congress that the President should establish a task force to analyze the level of interference from the operation of Cuban radio stations experienced by broadcasters in the United States and to seek a practical political and technical solution to this problem.

(Pub.L. 98-111, § 7(a)-(f), Oct. 4, 1983, 97 Stat. 752, amended Pub.L. 98-411, Title V, § 512, Aug. 30, 1984, 98 Stat. 1574.)

Codification. Section consists of subsecs. (a) to (f) of section 7 of Pub.L. 98-111. Subsec. (g) is set out as a note under this section.

1984 Amendment. Subsec. (b). Pub.L. 98-411 substituted "replaced (less" for "(replaced less".

Effective Date. Section 7(g) of Pub.L. 98-111 provided that: "This section [which enacted this section] shall enter into effect on October 1, 1984."

Legislative History. For legislative history and purpose of Pub.L. 98-111, see 1983 U.S. Code Cong. and Adm. News, p. 1211.

§ 1465f. Authorization of appropriations

(a) There are authorized to be appropriated for the United States Information Agency $14,000,000 for fiscal year 1984 and $11,000,000 for fiscal year 1985 to carry

States Information Agency in ensuing fiscal years shall be sufficient to maintain broadcasts to Cuba under this subchapter at rates no less than the fiscal year 1985 level.

(b) In addition to amounts otherwise authorized to be appropriated to the Agency for the fiscal years 1984 and 1985, there are authorized to be appropriated to the Agency $54,800,000 for the fiscal year 1984 and $54,800,000 for the fiscal year 1985, which amounts shall be available only for expenses incurred by essential modernization of the facilities and operations of the Voice of America.

(c) Amounts appropriated under this section are authorized to be made available until expended.

(Pub.L. 98-111, § 8, Oct. 4, 1983, 97 Stat. 752.)

Legislative History. For legislative history and purpose of Pub.L. 98-111, see 1983 U.S. Code Cong. and Adm. News, p. 1211.

§ 1465g. Independent evaluation of Cuba Service

The United States Information Agency shall arrange, by contract if necessary, an independent evaluation of Cuba Service programing, the results of which are to be set forth in a report to be prepared and transmitted to the Agency eighteen months after October 4, 1983, and at intervals of one year thereafter for the following three years. The Agency shall, not later than thirty days after the date of receipt of such report, transmit to the Congress such report, together with any recommendations for legislative action.

(Pub.L. 98-111, § 9, Oct. 4, 1983, 97 Stat. 753.)

Legislative History. For legislative history and purpose of Pub.L. 98-111, see 1983 U.S. Code Cong. and Adm. News, p. 1211.

SUBCHAPTER VI—ADVISORY COMMISSIONS TO FORMULATE POLICIES

§§ 1466 to 1468. Omitted

Codification. Sections 1466 to 1468 of this title, which contained provisions relating to the United States Advisory Commission on Information, and the United States Advisory Commission on Educational Exchange, have been omitted from the Code as obsolete. Public Law 87-256, §§ 106, 111(a)(2), Sept. 21, 1961, 75 Stat. 532, 538, replaced the Advisory Commission on Educational Exchange with the Advisory Commission on International Educational and Cultural Affairs and repealed these sections insofar as they related to the Advisory Commission on Educational Exchange. The Advisory Commission on International Educational and Cultural Affairs and the Advisory Commission on Information were both abolished by Reorg. Plan No. 2 of 1977, § 9(a)(3), (4), 42 F.R. 62461, 91 Stat. 1639, set out under section 1461 of this title, effective on or before July 1, 1978, at such time as specified by the President.

Section 1466, Act Jan. 27, 1948, c. 36, § 601, 62 Stat. 10, Sept. 21, 1961, Pub.L. 87-256, § 111(a)(2), 75 Stat. 538, created the United States Advisory Commission on Information, and the United States Advisory Commission on Educational Exchange and provided for the duties of the Commissions.

Section 1467, Act Jan. 27, 1978, c. 36, Title VI, § 602, 62 Stat. 10, Sept. 21, 1961, Pub.L. 87-256, § 111(a)(2), 75 Stat. 538, provided for the composition, membership, terms of office, compensation, designation of chairmen, rules and regulations, and representation of the public interest, for the Commission on Information and the Commission on Educational Exchange.

Section 1468, Act Jan. 27, 1948, c. 36, Title VI, § 603, 62 Stat. 11, Sept. 21, 1961, Pub.L. 87-256, § 111(a)(2), 75 Stat. 538, provided that the Commissions report to Congress on programs and activities carried out under this chapter, including recommendations for effectuating the purposes and objectives of this chapter.

§ 1469. United States Advisory Commission on Public Diplomacy

(a) Change in name of United States Advisory Commission on International Communication, Cultural and Educational Affairs

The United States Advisory Commission on International Communication, Cultural and Educational Affairs, established by section 8 of Reorganization Plan Numbered

2 of 1977, is hereby redesignated as the United States Advisory Commission on Public Diplomacy (hereafter in this section referred to as the "Commission").

(b) Staff Director and staff personnel; appointment; temporary and intermittent personnel: compensation

The Commission shall have a Staff Director who shall be appointed by the Chairman of the Commission. Subject to such rules and regulations as may be adopted by the Commission, the Chairman of the Commission may—

(1) appoint such additional personnel for the staff of the Commission as the Chairman deems necessary; and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of Title 5, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay payable for grade GS-18 of the General Schedule under section 5332 of Title 5.

(Jan. 27, 1948, c. 36, Title VI, § 604, as added Aug. 15, 1979, Pub.L. 96-60, Title II, § 203(f), 93 Stat. 399.)

Effective Date. Section 209 of Pub.L. 96-60 provided that: "The amendments made by sections 203 and 204 [which enacted sections 1469 and 1477b of this title, amended section 1304(a)(1) of Title 5, Government Organization and Employees, sections 1471(1), (3), (5), 1474(1), (15)-(19), 1475a, 2458(a), and 2458a(a)(2) of this title, and 474(21) of Title 40, Public Buildings, Property, and Works, and repealed sections 1434 and 2454(f) of this title] shall take effect on October 1, 1979, and to the extent that they provide new authorities involving the expenditure of appropriated funds, shall apply only with respect to funds appropriated after the date of enactment of this Act [Aug. 15, 1979]."

Legislative History. For legislative history and purpose of Pub.L. 96-60, see 1979 U.S. Code Cong. and Adm. News, p. 982.

Library References

United States ⇐41.
C.J.S. United States § 41.

Notes of Decisions

1. Temporary services

Limitation in this section applicable when temporary services are procured from individual employees could not restrict compensation paid to private law firm which had entered into valid contract with Advisory Commission on an independent contractor basis. 1981, 61 Comp.Gen. 69.

SUBCHAPTER VII—ADMINISTRATIVE PROCEDURE

§ 1471. Authority of Director of United States Information Agency

In carrying out the purposes of this chapter, the Director is authorized, in addition to and not in limitation of the authority otherwise vested in him—

(1) In carrying out subchapter II of this chapter, to make grants of money, services, or materials to State and local governmental institutions in the United States, to governmental institutions in other countries, and to individuals and public or private nonprofit organizations both in the United States and in other countries;

(2) to furnish, sell, or rent, by contract or otherwise, educational and information materials and equipment for dissemination to, or use by, peoples of foreign countries;

(3) whenever necessary in carrying out subchapter V of this chapter, to purchase, rent, construct, improve, maintain, and operate facilities for radio transmission and reception, including the leasing of associated real property (either within or outside the United States) for periods not to exceed twenty-five years, or for longer periods if provided for by an appropriation Act, and the alteration, improvement, and repair of such property, without regard to section 278a of Title 40, and any such real property or interests therein which are outside the United States may be acquired without regard to section 255 of Title 40 if the sufficiency of the title to such real property or interests therein is approved by the Director of the United States Information Agency;

(4) to provide for printing and binding outside the continental limits of the United States, without regard to section 501 of Title 44;

(5) to employ persons on a temporary basis without regard to the civil service and classification laws, when such employment is provided for by the pertinent appropriation Act; and