

lished by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)).

(Pub. L. 100-113, §6, Aug. 21, 1987, 101 Stat. 740.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1103, 1104, 1107 of this title.

§ 1106. International Cultural and Trade Center Commission

(a) Establishment

There is established a commission to be known as the International Cultural and Trade Center Commission.

(b) Duties of Commission

The duties of the Commission are as follows:

(1) To participate in accordance with section 1103 of this title in the planning of the building to be constructed under section 1104 of this title.

(2) To enter into an agreement with the Administrator under section 1107 of this title for the lease of space in the building constructed under section 1104 of this title for establishment, operation, and maintenance of an international cultural and trade center.

(3) To operate and manage any space leased under section 1107 of this title in accordance with the objectives of this chapter.

(4) To prepare under section 1107 of this title an annual report on the operation and management of such space.¹

(c) Membership

(1) Number and appointment

The Commission shall be composed of 14 members as follows:

(A) The Secretary of State or his delegate.

(B) The Secretary of Commerce or his delegate.

(C) The Secretary of Agriculture or his delegate.

(D) The United States Trade Representative or his delegate.

(E) The Administrator or his delegate.

(F) The Chairman of the Corporation or his delegate.

(G) The Mayor of the District of Columbia or his delegate.

(H) The Chairman of the National Endowment for the Arts or his delegate.

(I) 6 individuals appointed by the President one of whom shall be a resident and registered voter of the District of Columbia and all of whom shall be specially qualified to serve on the Commission by virtue of their education, training, or experience in international trade, commerce, cultural exchange, finance, business, or management of facilities similar to the international cultural and trade center described in section 1107 of this title.

A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(2) Terms

(A) General rule

Except as provided in subparagraph (B), the terms of office of the private sector Members² first taking office shall begin on August 21, 1987, and shall expire as designated at the time of appointment, two at the end of two years, two at the end of four years, and two at the end of six years.

(B) Filling a vacancy

Any member of the Commission appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until his successor has taken office.

(3) Pay

Members of the Commission shall serve without pay; except that any member of the Commission appointed under paragraph (1)(I) shall while attending meetings of and attending hearings held by the Commission be entitled to travel or transportation expenses in accordance with section 5703 of title 5.

(4) Quorum

8 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(5) Designation of Chairman

The Chairman and Vice Chairman of the Commission shall be designated by the President; except that the Chairman may only be designated from individuals appointed under paragraph (1)(I).

(6) Meetings

The Commission shall meet at the call of the Chairman but no less often than every 4 months.

(d) Staff of Commission

(1) General rule

The Commission shall have a staff, including an executive director. Such staff shall be composed of individuals who may either be appointed under paragraph (2) or detailed under paragraph (3); except that the staff of the Commission may not at any time be composed of more than 15 individuals.

(2) Authority to appoint

The Commission may appoint and fix the pay of not to exceed 10 individuals, including an individual to serve as the executive director of the Commission. Staff appointed under this paragraph shall be appointed subject to the provisions of title 5 governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates; except that—

(A) the individual appointed to serve as the executive director and one other individual appointed to the staff of the Commission

¹ See References in Text note below.

² So in original. Probably should not be capitalized.

may be appointed and compensated without regard to such provisions; and

(B) the pay of any individual (other than the 2 individuals referred to in subparagraph (A)) appointed under this paragraph shall be at a rate not to exceed the maximum rate of basic pay payable for GS-17 of the General Schedule.

(3) Detail

Subject to paragraph (1), upon request of the Commission, the Secretary of State, the Secretary of Commerce, the Secretary of Agriculture, the Special Trade Representative, and the Administrator may detail, on a reimbursable basis, such of the personnel of the department or agency such person heads as may be necessary to assist the Commission in carrying out its duties under this chapter.

(e) Office space and supplies

Upon request of the Commission, the Secretary of State, the Secretary of Commerce, the Secretary of Agriculture, the Special Trade Representative, and the Administrator may provide, on a reimbursable basis, such office space, supplies, equipment, and other support services as may be necessary for the Commission to carry out its duties under this chapter.

(f) Powers of Commission

(1) Hearings and sessions

The Commission may, for the purpose of carrying out its duties under this chapter, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission considers appropriate.

(2) Powers of members and agents

Any member or agent of the Commission may, if so authorized by the Commission, take any action which the Commission is authorized to take by this subsection.

(3) Obtaining official data

The Commission may obtain from any department or agency of the United States information necessary to enable it to carry out its duties under this chapter. Upon request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(4) Gifts

The Commission may accept, use, and dispose of gifts or donations of services or property.

(5) Mails

The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(6) Authority to contract out

Subject to applicable provisions of law, the Commission may enter into such contracts or agreements as the Commission considers appropriate to carry out any of its duties under this chapter.

(7) Experts and consultants

The Commission may procure temporary and intermittent services under section 3109(b) of title 5.

(g) Limitation on expenses

(1) Maximum amount

The maximum amount of expenses (including salaries, travel expenses, expenses for temporary and intermittent services, expenses under contracts or agreements entered into under subsection (f)(7) of this section, and supply expenses) which the Commission may incur in any fiscal year may not exceed \$1,000,000 in any fiscal year.

(2) Adjustment for inflation

Any dollar amount referred to in this subsection, subsection (h)(3) of this section, and section 1107(d) of this title may be adjusted by the Commission annually to reflect a percentage increase or decrease in the Consumer Price Index for All Urban Consumers for the preceding calendar year, as determined by the United States Department of Labor, Bureau of Labor Statistics.

(h) Funding

(1) Requests for transfers

If the Commission incurs any expenses in carrying out its duties under this chapter, the Commission may request the Secretary of State, the Administrator, or any other Federal official referred to in subsection (c)(1) of this section to transfer to the Commission an amount equal to such expenses from funds appropriated to such official.

(2) Authority for transfers

Subject to paragraphs (3) and (5), any official referred to in paragraph (1) may transfer such amounts from funds appropriated to such official as may be necessary to enable the Commission to carry out its duties under this chapter.

(3) Maximum amount of requests and transfers

The aggregate amount of requests for transfers, and the aggregate amount of transfers, under this subsection may not exceed \$1,000,000 in any fiscal year.

(4) Deposit of receipts

The Commission shall deposit all amounts it receives under this subsection into the account established by section 1107(d) of this title.

(5) Limitation on effect

This subsection shall not be effective with respect to any fiscal year beginning after the last day of the 2-year period beginning on the first day the Commission deposits under section 1107(c) of this title funds into the account established by section 1107(d) of this title.

(Pub. L. 100-113, §7, Aug. 21, 1987, 101 Stat. 741; Pub. L. 105-277, div. G, title XIII, §1335(h), Oct. 21, 1998, 112 Stat. 2681-788.)

REFERENCES IN TEXT

The annual reporting requirement under section 1107 of this title, referred to in subsec. (b)(4), was omitted from the Code. See Codification note under section 1107 of this title.

The provisions of title 5 governing appointments in the competitive service, referred to in subsec. (d)(2), are classified generally to section 3301 et seq. of Title 5, Government Organization and Employees.

AMENDMENTS

1998—Subsec. (c)(1). Pub. L. 105-277, §1335(h)(1)(A), substituted “14 members” for “15 members” in introductory provisions.

Subsec. (c)(1)(F) to (J). Pub. L. 105-277, §1335(h)(1)(B), (C), redesignated subpars. (G) to (J) as (F) to (I), respectively, and struck out former subpar. (F) which read as follows: “The Director of the United States Information Agency or his delegate.”

Subsec. (c)(3), (5). Pub. L. 105-277, §1335(h)(2), substituted “paragraph (1)(I)” for “paragraph (1)(J)”.

Subsecs. (d)(3), (e). Pub. L. 105-277, §1335(h)(3), which directed the amendment of subsecs. (d)(3) and (e) by substituting “and the Administrator” for “the Administrator and the Director of the United States Information Agency”, was executed by making the substitution for “the Administrator, and the Director of the United States Information Agency”, to reflect the probable intent of Congress.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of Title 22, Foreign Relations and Intercourse.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1107, 1109 of this title.

§ 1107. Operation and management of international cultural and trade center**(a) Lease of space****(1) Agreement**

The Administrator and the Commission shall enter into an agreement for the Commission to lease from the Administrator not to exceed 500,000 square feet of occupiable space in the building to be constructed under section 1104 of this title to serve as an international cultural and trade center.

(2) Size

The Commission shall determine the amount of space necessary for operation of the international cultural and trade center based upon demand, except that such space may not exceed 500,000 square feet of occupiable space. Upon certification of such demand by the Commission, the Administrator shall lease such amount of space to the Commission.

(3) Terms

The agreement entered into under this subsection shall include at a minimum the following terms:

(A) The Commission will be permitted to sublease its space in such building to foreign missions, commercial establishments sponsored by foreign governments, and international cultural and trade organizations, including domestic organizations and State and local governments.

(B) All space leased by the Commission from the Administrator will be at such rate

as the Administrator and the Commission may agree but not less than the rate established under section 1105(b)(2) of this title plus such amount as the Administrator determines is necessary to pay on an annual basis for the costs of administering such building (including operation, maintenance, and rehabilitation costs) which are attributable to such space.

(C) Such terms relating to default and nonperformance as the Administrator considers appropriate to protect the interests of the United States.

(b) Establishment of center**(1) By Commission**

The Commission shall establish, operate, and maintain an international cultural and trade center in the space leased from the Administrator under subsection (a) of this section.

(2) Contents

The international cultural and trade center may include the following:

(A) Office space for foreign missions and domestic and international organizations involved in international trade or cultural activities.

(B) A world exhibition center providing space for exhibits from foreign nations.

(C) An international bazaar providing space for commercial establishments sponsored by foreign governments.

(D) An international center providing a centralized foreign trade reference facility, conference and meeting facilities, and audio-visual facilities for translating foreign languages.

(E) Such other facilities as are consistent with the objectives of this section.

(3) Subleasing of space**(A) Agreements**

The Commission may enter into agreements with foreign missions and international cultural and trade organizations (including domestic organizations and State and local governments) to sublease any or all of the space it leased from the Administrator under subsection (a) of this section. Space subleased to such missions and organizations may only be used for establishment of trade centers and exhibitions, offices, and commercial establishments described in paragraph (2) and such other facilities as the Commission determines are consistent with an international cultural and trade center.

(B) Terms and conditions

An agreement entered into under this subsection shall be subject to such terms and conditions as the Commission determines are appropriate to carry out the objectives of this chapter. The rental rate per square foot of occupiable space for space subleased under this subsection shall be determined in accordance with subsection (c) of this section; except that the Commission may adjust such rate with respect to any space subleased to a foreign mission in accordance