

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

with the recommendations of the Secretary of State acting in accordance with section 204(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4304(b)). The Secretary of State may reimburse the Commission for any expenses which are incurred by the Commission as a result of making adjustments in the rental rate for space under this subparagraph.

(4) Reference facility and cultural events

The Commission may establish in a portion of the space leased from the Administrator under this section a centralized foreign trade reference facility and conference and meeting facilities and audio-visual facilities for translating foreign languages. The Commission may permit cultural events and other activities to be held in a portion of such space. The Commission shall establish in accordance with subsection (c) of this section fees and charges for—

(A) the use of such facilities and auditorium, and

(B) the holding of such events and activities.

(c) Rents and fees

(1) Establishment of amount

The Commission shall establish the amounts of fees under subsection (b)(4) of this section, and establish a rental rate for space subleased under subsection (b)(3) of this section, taking into account the objectives of this section and the best interests of the United States. In any fiscal year beginning after the last day of the 2-year period beginning on the first day the Commission deposits under this subsection funds into the account established under subsection (d) of this section, the aggregate amount of such fees and rent shall not be less than the cost to the Commission of subleasing space from the Administrator under subsection (a) of this section in such fiscal year plus the expenses (including salaries, travel expenses, expenses for temporary and intermittent services, expenses under contracts or agreements entered into under subsection¹ 1106(f)(7) of this title, supply expenses and any reimbursable expenses) incurred by the Commission in carrying out its duties under this chapter in such fiscal year.

(2) Collection

The Commission shall collect—

(A) rent for space subleased under subsection (b) of this section; and

(B) fees and charges under subsection (b) of this section.

(3) Deposit

The Commission shall deposit all amounts collected under this subsection and all amounts transferred by the Secretary of State to the Commission under subsection (b)(3)(B) of this section into the account established under subsection (d) of this section.

(d) Separate account

(1) Establishment

There is established in the Treasury of the United States a separate account.

(2) Contents

The account shall include all amounts deposited by the Commission under subsection (c) of this section and section 1106(h) of this title.

(3) Availability

Amounts in the account established under this subsection shall be available to the Commission to pay—

(A) all rents owed to the Administrator for lease of space under subsection (a) of this section; and

(B) all expenses (including salaries, travel expenses, expenses for temporary and intermittent services, expenses under contracts or agreements entered into under section 1106(f)(7) of this title, and supply expenses) incurred by the Commission in carrying out its duties under this chapter but not exceeding \$1,000,000 in any fiscal year.

(4) Payments

The Commission shall pay, from amounts in the account established by this subsection—

(A) for lease of space under subsection (a) of this section on an annual basis amounts owed to the Administrator for deposit into the fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)); and

(B) all expenses incurred by it in carrying out its duties under this chapter but not exceeding \$1,000,000 in any fiscal year.

(5) Transfer of excess funds

Periodically, but not less often than once per fiscal year, funds which the Commission determines are in excess of those needed to make the payments described in paragraph (4) shall be transferred by the Commission from the account established under this subsection to the fund established under section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)).

(Pub. L. 100-113, § 8, Aug. 21, 1987, 101 Stat. 744.)

CODIFICATION

Subsec. (h) of this section, which required the International Cultural and Trade Center Commission to prepare and transmit to certain committees of Congress an annual report and budget related to the international cultural and trade center, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 175 of House Document No. 103-7.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1103, 1105, 1106 of this title.

§ 1108. Designation of Departmental Auditorium

(a) The Departmental Auditorium, located on the Federal Triangle between the Custom Service building and Interstate Commerce Commission building on Constitution Avenue, shall on and after August 21, 1987, be known and designated as the “Andrew W. Mellon Auditorium”.

(b) Any reference in any law, regulation, document, record, map or other paper of the United States to the auditorium referred to in sub-

¹ So in original. Probably should be “section”.