

demonstrated record of achievement in the creative, visual, and performing arts, or international affairs. No officer or employee of the United States shall be appointed to the Advisory Committee.

“(d) VACANCIES.—A vacancy in the membership of the Advisory Committee shall be filled in the same manner as provided under this subsection to make the original appointment.

“(e) MEETINGS.—A majority of the members of the Advisory Committee shall constitute a quorum. The Advisory Committee shall meet at least twice each year or as frequently as may be necessary to carry out its duties.

“(f) ADMINISTRATIVE SUPPORT.—The Secretary is authorized to provide the Advisory Committee with necessary administrative support from among the staff of the Bureau of Educational and Cultural Affairs of the Department.

“(g) COMPENSATION.—Members of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services of the Advisory Committee.

“(h) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act [5 App. U.S.C.] shall not apply to the Advisory Committee to the extent that the provisions of this section are inconsistent with that Act.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department such sums as may be necessary to carry out this section.

“(j) TERMINATION.—The Advisory Committee shall terminate September 30, 2005.”

[For definitions of “Secretary” and “Department” as used in section 224 of Pub. L. 107–228, set out above, see section 3 of Pub. L. 107–228, set out as a note under section 2651 of this title.]

CONTINUATION OF CERTAIN EXECUTIVE ORDERS, AGREEMENTS, DETERMINATIONS, REGULATIONS, CONTRACTS, APPOINTMENTS, AND OTHER ACTIONS

Section 111(b) of Pub. L. 87–256 provided that: “All Executive orders, agreements, determinations, regulations, contracts, appointments, and other actions issued, concluded, or taken under authority of any provisions of law repealed by subsection (a) of this section [repealing sections 1431(2), 1434, 1439, 1440, 1446, 1448, 1466 to 1468, and 1991 to 2001 of this title, sections 222 to 224 of Title 20, Education, and section 1641(b)(2) of Title 50, Appendix, War and National Defense] shall continue in full force and effect, and shall be applicable to the appropriate provisions of this Act [this chapter] until modified or superseded by appropriate authority.”

REFERENCES IN OTHER LAWS TO REPEALED PROVISIONS

Section 111(c) of Pub. L. 87–256 provided that: “Any reference in any other Act to the provisions of law listed in subsection (a) [repealing sections 1431(2), 1434, 1439, 1440, 1446, 1448, 1466 to 1468, and 1991 to 2001 of this title, sections 222 to 224 of Title 20, Education, and section 1641(b)(2) of Title 50, Appendix, War and National Defense] shall hereafter be considered to be references to the appropriate provisions of this Act [this chapter].”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2458a of this title.

§ 2451a. Repealed. Pub. L. 91–269, § 7, May 27, 1970, 84 Stat. 272

Section, Pub. L. 89–685, § 8, Oct. 15, 1966, 80 Stat. 974, required registration of international fair, exposition, celebration or other international exhibition with an international organization for participation by the United States. See section 2801 et seq. of this title.

§ 2452. Authorization of activities

(a) Grants or contracts for educational or cultural exchanges; participation in international fairs and expositions abroad

The Director of the United States Information Agency is authorized, when he considers that it would strengthen international cooperative relations, to provide, by grant, contract, or otherwise, for—

(1) educational exchanges, (i) by financing studies, research, instruction, and other educational activities—

(A) of or for American citizens and nationals in foreign countries, and

(B) of or for citizens and nationals of foreign countries in American schools and institutions of learning located in or outside the United States;

and (ii) by financing visits and interchanges between the United States and other countries of students, trainees, teachers, instructors, and professors;

(2) cultural exchanges, by financing—

(i) visits and interchanges between the United States and other countries of leaders, experts in fields of specialized knowledge or skill, and other influential or distinguished persons;

(ii) tours in countries abroad by creative and performing artists and athletes from the United States, individually and in groups, representing any field of the arts, sports, or any other form of cultural attainment;

(iii) United States representation in international artistic, dramatic, musical, sports, and other cultural festivals, competitions, meetings, and like exhibitions and assemblies;

(iv) participation by groups and individuals from other countries in nonprofit activities in the United States similar to those described in subparagraphs (ii) and (iii) of this paragraph, when the Director of the United States Information Agency determines that such participation is in the national interest.¹

(3) United States participation in international fairs and expositions abroad, including trade and industrial fairs and other public or private demonstrations of United States economic accomplishments and cultural attainments.

(b) Other exchanges

In furtherance of the purposes of this chapter, the President is further authorized to provide for—

(1) interchanges between the United States and other countries of handicrafts, scientific, technical, and scholarly books, books of literature, periodicals, and Government publications, and the reproduction and translation of such writings, and the preparation, distribution, and interchange of other educational and research materials, including laboratory and technical equipment for education and research;

¹ So in original. The period probably should be a semicolon.

(2) establishing and operating in the United States and abroad centers for cultural and technical interchanges to promote better relations and understanding between the United States and other nations through cooperative study, training, and research;

(3) assistance in the establishment, expansion, maintenance, and operation of schools and institutions of learning abroad, founded, operated, or sponsored by citizens or nonprofit institutions of the United States, including such schools and institutions serving as demonstration centers for methods and practices employed in the United States;

(4) fostering and supporting American studies in foreign countries through professorships, lectureships, institutes, seminars, and courses in such subjects as American history, government, economics, language and literature, and other subjects related to American civilization and culture, including financing the attendance at such studies by persons from other countries;

(5) promoting and supporting medical, scientific, cultural, and educational research and development;

(6) promoting modern foreign language training and area studies in United States schools, colleges, and universities by supporting visits and study in foreign countries by teachers and prospective teachers in such schools, colleges, and universities for the purpose of improving their skill in languages and their knowledge of the culture of the people of those countries, and by financing visits by teachers from those countries to the United States for the purpose of participating in foreign language training and area studies in United States schools, colleges, and universities;

(7) United States representation at international nongovernmental educational, scientific, and technical meetings;

(8) participation by groups and individuals from other countries in educational, scientific, and technical meetings held under American auspices in or outside the United States;

(9) encouraging independent research into the problems of educational and cultural exchange;

(10) promoting studies, research, instruction, and other educational activities of citizens and nationals of foreign countries in American schools, colleges, and universities located in the United States by making available to citizens and nationals of less developed friendly foreign countries for exchange for currencies of their respective countries (other than excess foreign currencies), at United States embassies, United States dollars in such amounts as may be necessary to enable such foreign citizens or nationals who are coming temporarily to the United States as students, trainees, teachers, instructors, or professors to meet expenses of the kind described in section 2454(e)(1) of this title;

(11) interchanges and visits between the United States and other countries of scientists, scholars, leaders, and other experts in the fields of environmental science and environmental management; and

(12) promoting respect for and guarantees of religious freedom abroad by interchanges and visits between the United States and other nations of religious leaders, scholars, and religious and legal experts in the field of religious freedom.

(Pub. L. 87-256, § 102, Sept. 21, 1961, 75 Stat. 527; Pub. L. 87-565, pt. IV, § 403, Aug. 1, 1962, 76 Stat. 263; Pub. L. 89-698, title II, § 203(a), Oct. 29, 1966, 80 Stat. 1071; 1977 Reorg. Plan No. 2, § 7(a)(2), 42 F.R. 62461, 91 Stat. 1637; Pub. L. 97-241, title III, § 303(b), Aug. 24, 1982, 96 Stat. 291; Pub. L. 98-164, title VII, § 703(a), Nov. 22, 1983, 97 Stat. 1045; Pub. L. 105-292, title V, § 503, Oct. 27, 1998, 112 Stat. 2811.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original "this Act", meaning Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, as amended, known as the Mutual Educational and Cultural Exchange Act of 1961. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

AMENDMENTS

1998—Subsec. (b)(12). Pub. L. 105-292 added par. (12).
 1983—Subsec. (b)(11). Pub. L. 98-164 added par. (11).
 1966—Subsec. (b)(10). Pub. L. 89-698 added par. (10).
 1962—Subsec. (a)(3). Pub. L. 87-565 inserted "abroad" after "expositions".

EFFECTIVE DATE OF 1962 AMENDMENT

Section 403 of Pub. L. 87-565 provided in part that: "The amendment made by this section [amending this section] shall not be applicable with respect to any fair or exposition within the United States for which an appropriation has been provided."

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. "Director of the United States Information Agency" substituted for "Director of the International Communication Agency" in subsec. (a), opening par. and par. (2)(iv), pursuant to section 303(b) of Pub. L. 97-241, title III, Aug. 24, 1982, 96 Stat. 291, set out as a note under section 1461 of this title. Previously, "Director of the International Communication Agency" substituted for "President" in subsec. (a), opening par. and par. (2)(iv), pursuant to Reorg. Plan No. 2 of 1977, § 7(a)(2), 42 F.R. 62461, 91 Stat. 1637, set out under section 1461 of this title, effective on or before July 1, 1978, at such time as specified by President, which transferred functions vested in President, Secretary of State, Department of State, United States Information Agency, or Director thereof, under this chapter, to Director of International Communication Agency, except (A) for such functions as are vested by subsec. (b)(6), (10) of this section, and sections 2454(a), (e)(1), (2), (f), (g), 2455(a), (b), (c), 2456(a) and 2458 of this title, (B) for such functions as are vested by sections 2454(b), 2455(d)(2), (f), and 2456(d), (f) of this title, to the extent that such functions were assigned to Secretary of Health, Education, and Welfare [now Secretary of Education] immediately prior to effective date of Reorg. Plan No. 2 of 1977, and (C) for such functions as are vested by section 2456(b), (c) of this title to the extent that any such function therein is vested in President or Secretary of State.

DELEGATION OF FUNCTIONS

Functions of President under this section delegated to Secretary of State, Director of United States Infor-

mation Agency, Secretary of Commerce, and Secretary of Education, see Ex. Ord. No. 11034, June 25, 1962, 27 F.R. 6071, as amended, set out as a note under section 2454 of this title.

PERFORMANCE OF FUNCTIONS

Authorization of performance of functions under subsec. (a)(2) and (3) of this section by departments or other executive agencies, see Ex. Ord. No. 11380, §2, Nov. 8, 1967, 32 F.R. 15627, set out as a note under section 2454 of this title.

VIETNAM EDUCATION FOUNDATION

Pub. L. 106-554, §1(a)(4) [div. B, title II], Dec. 21, 2000, 114 Stat. 2763, 2763A-254, as amended by Pub. L. 107-228, div. A, title II, §227, Sept. 30, 2002, 116 Stat. 1369, provided that:

“SEC. 201. SHORT TITLE.

“This title may be cited as the ‘Vietnam Education Foundation Act of 2000’.

“SEC. 202. PURPOSES.

“The purposes of this title are the following:

“(1) To establish an international fellowship program under which—

“(A) Vietnamese nationals can undertake graduate and post-graduate level studies in the sciences (natural, physical, and environmental), mathematics, medicine, and technology (including information technology) in the United States; and

“(B) United States citizens can teach in the fields specified in subparagraph (A) in academic institutions in Vietnam.

“(2) To further the process of reconciliation between the United States and Vietnam and the building of a bilateral relationship serving the interests of both countries.

“SEC. 203. DEFINITIONS.

“In this title:

“(1) BOARD.—The term ‘Board’ means the Board of Directors of the Foundation.

“(2) FOUNDATION.—The term ‘Foundation’ means the Vietnam Education Foundation established in section 204.

“(3) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

“(4) UNITED STATES-VIETNAM DEBT AGREEMENT.—The term ‘United States-Vietnam debt agreement’ means the Agreement Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Regarding the Consolidation and Rescheduling of Certain Debts Owed to, Guaranteed by, or Insured by the United States Government and the Agency for International Development, dated April 7, 1997.

“SEC. 204. ESTABLISHMENT.

“There is established the Vietnam Education Foundation as an independent establishment of the executive branch under section 104 of title 5, United States Code.

“SEC. 205. BOARD OF DIRECTORS.

“(a) IN GENERAL.—The Foundation shall be subject to the supervision and direction of the Board of Directors, which shall consist of 13 members, as follows:

“(1) Two members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom shall be appointed upon the recommendation of the Majority Leader and one of whom shall be appointed upon the recommendation of the Minority Leader, and who shall serve as ex officio, nonvoting members.

“(2) Two members of the Senate, appointed by the President pro tempore, one of whom shall be appointed upon the recommendation of the Majority Leader and one of whom shall be appointed upon the

recommendation of the Minority Leader, and who shall serve as ex officio, nonvoting members.

“(3) Secretary of State.

“(4) Secretary of Education.

“(5) Secretary of Treasury.

“(6) Six members to be appointed by the President from among individuals in the nongovernmental sector who have academic excellence or experience in the fields of concentration specified in section 202(1)(A) or a general knowledge of Vietnam, not less than three of whom shall be drawn from academic life.

“(b) ROTATION OF MEMBERSHIP.—(1) The term of office of each member appointed under subsection (a)(6) shall be 3 years, except that of the members initially appointed under that subsection, two shall serve for terms of 1 year, two shall serve for terms of 2 years, and two shall serve for terms of 3 years.

“(2) A member of Congress appointed under subsection (a)(1) or (2) shall not serve as a member of the Board for more than a total of 6 years.

“(3)(A) Any member appointed to fill a vacancy prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term.

“(B) Upon the expiration of his or her term of office, any member may continue to serve until a successor is appointed.

“(c) CHAIR.—The voting members of the Board shall elect one of the members appointed under subsection (a)(6) to serve as Chair.

“(d) MEETINGS.—The Board shall meet upon the call of the Chair but not less frequently than twice each year. A majority of the voting members of the Board shall constitute a quorum.

“(e) DUTIES.—The Board shall—

“(1) provide overall supervision and direction of the Foundation;

“(2) establish criteria for the eligibility of applicants, including criteria established by section 206(b), and for the selection of fellowship recipients; and

“(3) select the fellowship recipients.

“(f) COMPENSATION.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), each member of the Board shall serve without compensation.

“(2) TRAVEL EXPENSES.—The members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board.

“(3) COMPENSATION OF PRESIDENTIAL APPOINTEES.—The members of the Board appointed under subsection (a)(6) shall be paid at the daily equivalent of the rate of basic pay payable for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties as a Board member.

“(g) TREATMENT OF PRESIDENTIAL APPOINTEES AS SPECIAL GOVERNMENT EMPLOYEES.—The members of the Board appointed under subsection (a)(6) shall be special Government employees, as defined in section 202(a) of title 18, United States Code.

“(h) TRAVEL REGULATIONS.—Members of the Board shall be subject to the same travel regulations as apply to officers and employees of the Department of State.

“SEC. 206. FELLOWSHIP PROGRAM.

“(a) Award of Fellowships.—

“(1) IN GENERAL.—To carry out the purposes of this title, the Foundation shall award fellowships to—

“(A) Vietnamese nationals to study at institutions of higher education in the United States at graduate and post-graduate levels in the following fields: physical sciences, natural sciences, mathematics, environmental sciences, medicine, technology, and computer sciences; and

“(B) United States citizens to teach in Vietnam in appropriate Vietnamese institutions in the fields of study described in subparagraph (A).

“(2) SCIENTIFIC AND TECHNICAL VOCABULARY IN ENGLISH.—Fellowships awarded to Vietnamese nationals under paragraph (1) may include funding to improve English proficiency in a fellowship recipient’s field of study.

“(b) CRITERIA FOR SELECTION.—Fellowships under this title shall be awarded to persons who meet the minimum criteria established by the Foundation, including the following:

“(1) VIETNAMESE NATIONALS.—Fellowship candidates from Vietnam shall have basic English proficiency and must have the ability to meet the criteria for admission into graduate or post-graduate programs in United States institutions of higher learning.

“(2) UNITED STATES CITIZEN TEACHERS.—American candidates for teaching fellowships shall be highly competent in their fields and be experienced and proficient teachers.

“(c) IMPLEMENTATION.—The Foundation may provide, directly or by contract, for the conduct of nationwide competition for the purpose of selecting recipients of fellowships awarded under this section.

“(d) AUTHORITY TO AWARD FELLOWSHIPS ON A COST-SHARING BASIS.—The Foundation may require, as a condition of the availability of funds for the award of a fellowship under this title, that an institution of higher education make available funds for such fellowship on a cost-sharing basis.

“(e) FELLOWSHIP CONDITIONS.—A person awarded a fellowship under this title may receive payments authorized under this title only during such periods as the Foundation finds that the person is maintaining satisfactory progress and devoting full time to study or teaching, as appropriate, and is not engaging in gainful employment other than employment approved by the Foundation pursuant to regulations of the Board and applicable law.

“(f) FUNDING.—

“(1) FISCAL YEAR 2001.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Foundation \$5,000,000 for fiscal year 2001 to carry out the activities of the Foundation.

“(B) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subparagraph (A) are authorized to remain available until expended.

“(2) FISCAL YEAR 2002 AND SUBSEQUENT FISCAL YEARS.—Effective October 1, 2001, the Foundation shall utilize funds transferred to the Foundation under section 207.

“SEC. 207. VIETNAM DEBT REPAYMENT FUND.

“(a) ESTABLISHMENT.—Notwithstanding any other provision of law, there is established in the Treasury a separate account which shall be known as the Vietnam Debt Repayment Fund (in this subsection referred to as the ‘Fund’).

“(b) DEPOSITS.—There shall be deposited as offsetting receipts into the Fund all payments (including interest payments) made by the Socialist Republic of Vietnam under the United States-Vietnam debt agreement.

“(c) AVAILABILITY OF THE FUNDS.—

“(1) FISCAL YEAR LIMITATION.—Beginning with fiscal year 2002, and each subsequent fiscal year through fiscal year 2018, \$5,000,000 of the amounts deposited into the Fund (or accrued interest) each fiscal year shall be available to the Foundation, without fiscal year limitation, under paragraph (2).

“(2) DISBURSEMENT OF FUNDS.—The Secretary of the Treasury, at least on a quarterly basis, shall transfer to the Foundation amounts allotted to the Foundation under paragraph (1) for the purpose of carrying out its activities.

“(3) TRANSFER OF EXCESS FUNDS TO MISCELLANEOUS RECEIPTS.—Beginning with fiscal year 2002, and each subsequent fiscal year through fiscal year 2018, the

Secretary of the Treasury shall withdraw from the Fund and deposit in the Treasury of the United States as miscellaneous receipts all moneys in the Fund in excess of amounts made available to the Foundation under paragraph (1).

“(d) ANNUAL REPORT.—The Secretary of the Treasury shall prepare and submit annually to Congress statements of financial condition of the Fund, including the beginning balance, receipts, refunds to appropriations, transfers to the general fund, and the ending balance.

“SEC. 208. FOUNDATION PERSONNEL MATTERS.

“(a) APPOINTMENT BY BOARD.—There shall be an Executive Director of the Foundation who shall be appointed by the Board without regard to the provisions of title 5, United States Code, or any regulation thereunder, governing appointment in the competitive service. The Executive Director shall be the Chief Executive Officer of the Foundation and shall carry out the functions of the Foundation subject to the supervision and direction of the Board. The Executive Director shall carry out such other functions consistent with the provisions of this title as the Board shall prescribe. The decision to employ or terminate an Executive Director shall be made by an affirmative vote of at least six of the nine voting members of the Board.

“(b) PROFESSIONAL STAFF.—The Executive Director shall hire Foundation staff on the basis of professional and nonpartisan qualifications.

“(c) EXPERTS AND CONSULTANTS.—The Executive Director may procure temporary and intermittent services of experts and consultants as are necessary to the extent authorized by section 3109 of title 5, United States Code[,] to carry out the purposes of the Foundation.

“(d) COMPENSATION.—The Board may fix the compensation of the Executive Director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the Executive Director and other personnel may not exceed the rate payable for level IV of the Executive Schedule under section 5315 of such title.

“SEC. 209. ADMINISTRATIVE PROVISIONS.

“(a) IN GENERAL.—In order to carry out this title, the Foundation may—

“(1) prescribe such regulations as it considers necessary governing the manner in which its functions shall be carried out;

“(2) receive money and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of the Foundation, and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

“(3) accept and use the services of voluntary and noncompensated personnel;

“(4) enter into contracts or other arrangements, or make grants, to carry out the provisions of this title, and enter into such contracts or other arrangements, or make such grants, with the concurrence of a majority of the members of the Board, without performance or other bonds and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5);

“(5) rent office space in the metropolitan Washington, D.C., area; and

“(6) make other necessary expenditures.

“(b) ANNUAL REPORT.—The Board shall submit to the President and to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives an annual report of the operations of the Foundation under this title, including the financial condition of the Foundation.

“SEC. 210. TERMINATION.

“(a) IN GENERAL.—The Foundation may not award any new fellowship, or extend any existing fellowship, after September 30, 2016.

“(b) ABOLISHMENT.—Effective 120 days after the expiration of the last fellowship in effect under this title, the Foundation is abolished.”

CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL
EXCHANGE PROGRAMS

Pub. L. 104-319, title I, §102, Oct. 19, 1996, 110 Stat. 3865, as amended by Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title IV, §402], Nov. 29, 1999, 113 Stat. 1536, 1501A-445, provided that:

“(a) IN GENERAL.—In carrying out programs of educational and cultural exchange in countries whose people do not fully enjoy freedom and democracy, the Secretary of State, with the assistance of the Under Secretary of State for Public Diplomacy, shall provide, where appropriate, opportunities for significant participation in such programs to nationals of such countries who are—

“(1) human rights or democracy leaders of such countries; or

“(2) committed to advancing human rights and democratic values in such countries.

“(b) GRANTEE ORGANIZATIONS.—To the extent practicable, grantee organizations selected to operate programs described in subsection (a) shall be selected through an open competitive process. Among the factors that should be considered in the selection of such a grantee are the willingness and ability of the organization to—

“(1) recruit a broad range of participants, including those described in paragraphs (1) and (2) of subsection (a); and

“(2) ensure that the governments of the countries described in subsection (a) do not have inappropriate influence in the selection process.”

LIMITATION ON PARTICIPATION IN INTERNATIONAL
EXPOSITIONS OR FAIRS

Pub. L. 103-236, title II, §230, Apr. 30, 1994, 108 Stat. 424, which provided that United States Information Agency could not obligate or expend funds for a United States Government funded pavilion or major exhibit at any international exposition or world's fair in excess of amounts expressly authorized and appropriated for such purpose, was repealed by Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title II, §204(e)], Nov. 29, 1999, 113 Stat. 1536, 1501A-421. See section 2452b of this title.

INTERNATIONAL EXCHANGE, SCHOLARSHIP, AND TRAINING
PROGRAMS

Pub. L. 104-319, title I, §103, Oct. 19, 1996, 110 Stat. 3865, as amended by Pub. L. 105-277, div. G, subdiv. B, title XXIV, §2415, Oct. 21, 1998, 112 Stat. 2681-834; Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title IV, §401], Nov. 29, 1999, 113 Stat. 1536, 1501A-445; Pub. L. 107-228, div. A, title II, §222, Sept. 30, 2002, 116 Stat. 1367, authorized establishment of educational and cultural exchange programs between United States and people of Tibet and authorized scholarships for Tibetans and Burmese.

Pub. L. 103-236, title II, §235, Apr. 30, 1994, 108 Stat. 425, authorized establishment and maintenance of American studies collections at appropriate foreign university libraries to further the study of the United States.

Pub. L. 103-236, title II, §236, Apr. 30, 1994, 108 Stat. 425, authorized establishment of educational and cultural exchange programs between United States and Tibet.

Pub. L. 103-236, title II, §237, Apr. 30, 1994, 108 Stat. 426, established a scholarship program for East Timor-ese students qualified to study in United States.

Pub. L. 103-236, title II, §238, Apr. 30, 1994, 108 Stat. 426, related to establishment and expansion of Cambodian scholarship and exchange programs.

Pub. L. 103-236, title II, §239, Apr. 30, 1994, 108 Stat. 426, related to expansion of exchange program allocations to Africa.

Pub. L. 103-236, title II, §240, Apr. 30, 1994, 108 Stat. 426, as amended by Pub. L. 105-244, title I, §102(a)(7)(A), Oct. 7, 1998, 112 Stat. 1619, established a program to promote academic exchanges in disciplines relevant to environment and sustainable development.

Pub. L. 103-236, title II, §241, Apr. 30, 1994, 108 Stat. 427, authorized scholarships to qualified students from South Pacific nations.

Pub. L. 103-236, title II, §242, Apr. 30, 1994, 108 Stat. 427, provided for international exchange programs involving disability related matters.

Pub. L. 102-511, title VIII, §807, Oct. 24, 1992, 106 Stat. 3353, authorized exchange and training programs between United States and independent states of former Soviet Union.

Pub. L. 102-138, title II, §210, Oct. 28, 1991, 105 Stat. 694, authorized grants to Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation to enable foreign visiting students to observe workings and operations of democratic form of government of United States.

Pub. L. 102-138, title II, §214, Oct. 28, 1991, 105 Stat. 696, established Israeli Arab Scholarship Fund within United States Information Agency to finance attendance of Israeli Arabs at United States institutions of higher education.

Pub. L. 102-138, title II, §225, Oct. 28, 1991, 105 Stat. 699, authorized establishment of an endowment fund to support an exchange program among secondary school students from United States and former Warsaw Pact countries, prior to repeal, eff. 6 months after Oct. 24, 1992, by Pub. L. 102-511, title VIII, §807(c), Oct. 24, 1992, 106 Stat. 3354.

Pub. L. 102-138, title II, §226, Oct. 28, 1991, 105 Stat. 699, authorized scholarships for foreign and United States students and scholars awarded by Bureau of Educational and Cultural Affairs of United States Information Agency to facilitate study, research, and teaching within United States.

Pub. L. 102-138, title II, §227, Oct. 28, 1991, 105 Stat. 700, as amended by Pub. L. 102-511, title VIII, §801, Oct. 24, 1992, 106 Stat. 3352; Pub. L. 105-277, div. G, subdiv. B, title XXIV, §2413, Oct. 21, 1998, 112 Stat. 2681-832, established Muskie Fellowship Program to award scholarships to graduate students from independent states of the former Soviet Union, Lithuania, Latvia, and Estonia for study within United States.

Pub. L. 102-138, title II, §228, Oct. 28, 1991, 105 Stat. 702, as amended by Pub. L. 103-236, title II, §233, Apr. 30, 1994, 108 Stat. 424; Pub. L. 105-277, div. G, subdiv. B, title XXII, §2219(a)(7), Oct. 21, 1998, 112 Stat. 2681-817, authorized assistance to United States graduate and postdoctoral students researching Near and Middle East.

Pub. L. 102-138, title II, §229, Oct. 28, 1991, 105 Stat. 702, authorized scholarships for Vietnamese residents qualified to study in United States.

STUDY AND REPORT ON WAYS TO REDUCE THE DRAIN
FROM DEVELOPING COUNTRIES OF PROFESSIONAL PER-
SONS AND SKILLED SPECIALISTS

Pub. L. 89-698, title III, §301, Oct. 29, 1966, 80 Stat. 1072, authorized Secretary of Health, Education, and Welfare to conduct an investigation to determine number of individuals from developing countries who enter United States annually to further their education and fail to return to their homeland and to report to President and to Congress findings and conclusions together with recommendations for any legislation deemed necessary to encourage these individuals to return and use their education and training in service of their homeland.

EXECUTIVE ORDER NO. 10716

Ex. Ord. No. 10716, June 18, 1957, 22 F.R. 4345, as amended by Ex. Ord. No. 10912, Jan. 19, 1961, 26 F.R. 509, which related to administration of programs under this chapter, was superseded by Ex. Ord. No. 11034, June 25, 1962, 27 F.R. 6071, set out as a note under section 2454 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2452b, 2453, 2454, 2455, 2456, 2458, 2458a, 2460, 4712 of this title.

§ 2452a. Exchange program with countries in transition from totalitarianism to democracy

(a) Authorization of activities; grants or contracts for exchanges with foreign countries

Pursuant to the Mutual Educational and Cultural Exchange Act of 1961 [22 U.S.C. 2451 et seq.] and using the authorities contained therein, the President is authorized, when the President considers that it would strengthen international cooperative relations, to provide, by grant, contract, or otherwise, for exchanges with countries that are in transition from totalitarianism to democracy, which include, but are not limited to Poland, Hungary, Czechoslovakia, Bulgaria, and Romania—

(1) by financing studies, research, instruction, and related activities—

(A) of or for American citizens and nationals in foreign countries; and

(B) of or for citizens and nationals of foreign countries in American private businesses, trade associations, unions, chambers of commerce, and local, State, and Federal Government agencies, located in or outside the United States; and

(2) by financing visits and interchanges between the United States and countries in transition from totalitarianism to democracy.

The program under this section shall be coordinated by the Department of State.

(b) Transfer of funds

The President is authorized to transfer to the appropriate appropriations account of the Department of State such sums as the President shall determine to be necessary out of the travel accounts of the departments and agencies of the United States, except for the Department of State, as the President shall designate. Such transfers shall be subject to the approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate. In addition, the President is authorized to accept such gifts or cost-sharing arrangements as may be proffered to sustain the program under this section.

(Pub. L. 101-610, title VI, §602, Nov. 16, 1990, 104 Stat. 3186; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1335(c), Oct. 21, 1998, 112 Stat. 2681-787.)

REFERENCES IN TEXT

The Mutual Educational and Cultural Exchange Act of 1961, referred to in subsec. (a), is Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, as amended, which is classified principally to this chapter. 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 was enacted as part of the National and Community Service Act of 1990, and not as part of the Mutual Educational and Cultural Exchange Act of 1961 which comprises this chapter.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §1335(c)(1), substituted “Department of State” for “United States Information Agency” before period at end.

Subsec. (b). Pub. L. 105-277, §1335(c)(2), in first sentence, substituted “appropriate appropriations account of the Department of State” for “appropriations ac-

count of the United States Information Agency” and struck out “and the United States Information Agency” before “, as the President”.

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 this title.

§ 2452b. International expositions

(a) Limitation

Except as provided in subsection (b) of this section and notwithstanding any other provision of law, the Department of State may not obligate or expend any funds appropriated to the Department of State for a United States pavilion or other major exhibit at any international exposition or world’s fair registered by the Bureau of International Expositions in excess of amounts expressly authorized and appropriated for such purpose.

(b) Exceptions

(1) In general

The Department of State is authorized to utilize its personnel and resources to carry out the responsibilities of the Department for the following:

(A) Administrative services, including legal and other advice and contract administration, under section 2452(a)(3) of this title related to United States participation in international fairs and expositions abroad. Such administrative services may not include capital expenses, operating expenses, or travel or related expenses (other than such expenses as are associated with the provision of administrative services by employees of the Department of State).

(B) Activities under section 2455(f) of this title with respect to encouraging foreign governments, international organizations, and private individuals, firms, associations, agencies and other groups to participate in international fairs and expositions and to make contributions to be utilized for United States participation in international fairs and expositions.

(C) Encouraging private support of United States pavilions and exhibits at international fairs and expositions.

(2) Statutory construction

Nothing in this subsection authorizes the use of funds appropriated to the Department of State to make payments for—

(A) contracts, grants, or other agreements with any other party to carry out the activities described in this subsection; or

(B) the satisfaction of any legal claim or judgment or the costs of litigation brought against the Department of State arising from activities described in this subsection.

(c) Notification

No funds made available to the Department of State by any Federal agency to be used for a United States pavilion or other major exhibit at any international exposition or world’s fair registered by the Bureau of International Expositions may be obligated or expended unless the appropriate congressional committees are noti-