

Stat. 1072; 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. 103-236, title II, §227, Apr. 30, 1994, 108 Stat. 423; Pub. L. 110-246, title III, §3001(b)(1)(A), (2)(S), June 18, 2008, 122 Stat. 1820, 1821.)

## REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) to (d), (f), and (g), 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.

Section 3651 of the Revised Statutes (31 U.S.C. 543), referred to in subsec. (b), was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, the first section of which enacted Title 31, Money and Finance.

The Food for Peace Act, as amended, referred to in subsec. (d)(2)(ii), is act July 10, 1954, ch. 469, 68 Stat. 454, which is classified principally to chapter 41 (§1691 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of Title 7 and Tables.

Sections 1513(b)(6) and 1513(h) of this title, referred to in subsec. (d)(2)(iv), were repealed by act Aug. 26, 1954, ch. 937, title V, §542(a), 68 Stat. 861.

The acts of February 25, 1919, and February 9, 1922, referred to in subsec. (e), are not classified to the Code.

## AMENDMENTS

2008—Subsec. (d)(2)(ii). Pub. L. 110-246 substituted “Food for Peace Act” for “Agricultural Trade Development and Assistance Act of 1954”.

1994—Subsec. (a). Pub. L. 103-236 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “Appropriations to carry out the purposes of this chapter, to remain available until expended, are authorized, and this authorization includes the authority to grant, in any appropriation Act, the authority to enter into contracts, within the amounts so authorized, creating obligations in advance of appropriations.”

1966—Subsec. (g). Pub. L. 89-698 added subsec. (g).

## EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

## 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. (e), 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. (e), 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 subsecs. (a), (b), and (c) of this section, sections 2452(b)(6), (10), 2454(a), (e)(1), (2), (f), (g), 2456(a) and 2458 of this title, (B) for such functions as are vested by subsecs. (d)(2) and (f) of this section, sections 2454(b) 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 Information Agency, Secretary of Commerce, and Secretary of Education, see Ex. Ord. No. 11034, June 25, 1962, 27 F.R. 6071, set out as a note under section 2454 of this title.

INCREASE IN GRANTS FOR EXCHANGE-OF-PERSONS ACTIVITIES; FUNDS FOR SPECIFIC PROGRAMS, REDUCTIONS, OTHER USE OF FUNDS, REPORT TO CONGRESSIONAL COMMITTEES

Pub. L. 97-241, title III, §305(c), (d), Aug. 24, 1982, 96 Stat. 294, provided that the amount obligated by United States Information Agency each fiscal year for grants for exchange-of-persons activities should be increased, through regular annual increases, so that by fiscal year 1986 the amount obligated for such grants would at least double (in terms of constant dollars) the amount obligated for such grants for fiscal year 1982 and in furtherance of this purpose provided for appropriations for the United States Information Agency for fiscal year 1983.

### § 2456. J. William Fulbright Foreign Scholarship Board

#### (a) Appointment; members; considerations for selection

(1) For the purpose of selecting students, scholars, teachers, trainees, and other persons to participate in the programs authorized under section 2452(a)(1) of this title, and of supervising such programs and the programs authorized under section 2452(b)(4) and (6) of this title, there is continued the authority of the President to appoint a board of foreign scholarships which shall be known as the “J. William Fulbright Foreign Scholarship Board” (hereinafter referred to as the “Board”) consisting of twelve members. In connection with appointments to such Board, due consideration shall be given to the selection of distinguished representatives of cultural, educational, student advisory, and war veterans groups, and representatives of the United States Department of Education, the United States Department of Veterans Affairs, public and private nonprofit educational institutions.

(2) In the selection of American citizens for participation in programs under this chapter, preference shall be given to those who have served in the Armed Forces of the United States, and due consideration shall be given to applicants from all geographical areas of the United States.

#### (b) Omitted

(c) **Repealed. Pub. L. 105-277, div. G, subdiv. A, title XIII, §1336(2), Oct. 21, 1998, 112 Stat. 2681-790**

#### (d) Creation of interagency and other advisory committees; conferences of persons

The President is authorized to create such interagency and other advisory committees as in his judgment may be of assistance in carrying out the purposes of this chapter, and from time

to time to convene conferences of persons interested in educational and cultural affairs to consider matters relating to the purposes of this chapter.

**(e) Availability of appropriations for expenses; transportation expenses and per diem; compensation of members of Board and Committees**

The provisions of section 1346(b) of title 31 shall be applicable to any interagency committee created pursuant to the provisions of this chapter. Members of the committees provided for in this section shall be entitled (i) to transportation expenses and per diem in lieu of subsistence at the rate prescribed by or established pursuant to section 5703 of title 5 while away from home in connection with attendance at meetings or in consultation with officials of the Government or otherwise carrying out duties as authorized, and (ii) if not otherwise in the employ of the United States Government, to compensation at rates not in excess of \$50 per diem while performing services for such committees. Members of the Board shall be entitled to such expenses and per diem in lieu of subsistence as provided for under clause (i) of the preceding sentence and, while performing services for the Board, to compensation at a rate, prescribed by the Director of the United States Information Agency, not in excess of the daily rate for the first step of GS-15 of the General Schedule under section 5332 of title 5.

**(f) Secretarial and staff assistance**

The President is authorized to provide for necessary secretarial and staff assistance for the Board and such committees as may be created under this section.

(Pub. L. 87-256, §106, Sept. 21, 1961, 75 Stat. 532; 1977 Reorg. Plan No. 2, §§8(b), 9(a)(3), (6), 42 F.R. 62461, 91 Stat. 1638, 1639; Pub. L. 96-60, title II, §205(a), Aug. 15, 1979, 93 Stat. 401; Pub. L. 96-88, title III, §301(b)(2), title V, §507, Oct. 17, 1979, 93 Stat. 678, 692; Pub. L. 97-241, title III, §303(b), Aug. 24, 1982, 96 Stat. 291; Pub. L. 101-246, title II, §204(a)(1), Feb. 16, 1990, 104 Stat. 49; Pub. L. 102-54, §13(h)(1), June 13, 1991, 105 Stat. 275; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1336(2), Oct. 21, 1998, 112 Stat. 2681-790.)

REFERENCES IN TEXT

This chapter, referred to in subsections (a), (d), and (e), 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.

CODIFICATION

Subsec. (b), which established the United States Advisory Commission on International Educational and Cultural Affairs to replace the United States Advisory Commission on Educational Exchange, and provided for its functions and the appointment and terms of its members, and the provisions of subsections (e) and (f) referring to the "Commission", were omitted pursuant to Reorg. Plan No. 2 of 1977, §9(a)(3), 42 F.R. 62461, 91 Stat. 1639, set out under section 1461 of this title, which abolished that Commission effective on or before July 1, 1978, at such time as specified by the President.

In subsec. (e), "section 1346(b) of title 31" substituted for "section 214 of the Act of May 3, 1945 (59 Stat. 134;

31 U.S.C. 691)" 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.

In subsec. (e), "section 5703 of title 5" substituted for "section 5 of the Administrative Expense Act of 1946, as amended (5 U.S.C. 73b-2)" on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1998—Subsec. (c). Pub. L. 105-277 repealed subsec. (c), which related to the continuation of the Advisory Committee on the Arts and the appointment, qualifications, and terms of office of its members.

1991—Subsec. (a)(1). Pub. L. 102-54 substituted "Department of Veterans Affairs" for "Veterans' Administration".

1990—Subsec. (a)(1). Pub. L. 101-246 substituted "board of foreign scholarships which shall be known as the 'J. William Fulbright Foreign Scholarship Board'" for "Board of Foreign Scholarships".

1979—Subsec. (e). Pub. L. 96-60 struck from second sentence "the Board," before "the Commission" and from cl. (ii) thereof "such Board," before "Commission" and provided for entitlement of members of the Board to expenses and per diem in lieu of subsistence and to compensation for services not exceeding a daily rate for first step, GS-15 of General Schedule.

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.

EFFECTIVE DATE OF 1979 AMENDMENT

Pub. L. 96-60, title II, §205(b), Aug. 15, 1979, 93 Stat. 401, provided that: "The amendments made by subsection (a) [to subsec. (e) of this section] shall take effect on October 1, 1979."

TRANSFER OF FUNCTIONS

"Department of Education" substituted for "Office of Education" in subsec. (a), pursuant to sections 301(b)(2) and 507 of Pub. L. 96-88, which are classified to sections 3441(b)(2) and 3507 of Title 20, Education, and which transferred the Office of Education to the Department of Education.

"Director of the United States Information Agency" substituted for "Director of the International Communication Agency" in subsec. (e), 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. 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.

Functions vested in President, Secretary of State, Department of State, United States Information Agency or Director thereof under this chapter transferred to Director of International Communication Agency by section 7(a)(2) of Reorg. Plan No. 2 of 1977, set out under section 1461 of this title, effective on or before July 1, 1978, at such time as specified by President, except (A) for such functions as are vested by subsec. (a) of this section, sections 2452(b)(6), (10), 2454(a), (e)(1), (2), (f), (g), 2455(a), (b), (c) and 2458 of this title, (B) for such functions as are vested by subsections (d) and (f) of this section, sections 2454(b) and 2455(d)(2), (f) of this title, to 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 subsections (b) and (c) of this section to extent that any 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, set out as a note under section 2454 of this title.

#### TERMINATION OF ADVISORY COMMISSIONS AND COMMITTEES

Advisory commissions or committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a commission or committee established by the President or an officer of the Federal Government, such commission or committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a commission or committee established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### CONTINUED SERVICE OF BOARD MEMBERS

Pub. L. 101-246, title II, §204(b), Feb. 16, 1990, 104 Stat. 50, provided that: "Each member appointed to the Board of Foreign Scholarships before the date of the enactment of this Act [Feb. 16, 1990] shall continue to serve for the remainder of the term to which each such member was appointed."

#### REFERENCES TO BOARD OF FOREIGN SCHOLARSHIPS

Pub. L. 101-246, title II, §204(c), Feb. 16, 1990, 104 Stat. 50, provided that: "Any reference in any provision of law to the Board of Foreign Scholarships shall, on and after the date of enactment of this Act [Feb. 16, 1990], be deemed to be a reference to the J. William Fulbright Foreign Scholarship Board."

### § 2457. Reports by Board

The Board shall submit annual reports to the Congress and such other reports to the Congress as it deems appropriate, and shall make reports to the public in the United States and abroad to develop a better understanding of and support for the programs authorized by this chapter.

(Pub. L. 87-256, §107, Sept. 21, 1961, 75 Stat. 534; 1977 Reorg. Plan No. 2, §9(a)(3), (6), 42 F.R. 62461, 91 Stat. 1639.)

#### REFERENCES IN TEXT

This chapter, referred to in text, 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.

#### CODIFICATION

Provisions relating to the submission of reports to Congress by the United States Advisory Commission on International Educational and Cultural Affairs [which replaced the United States Advisory Commission on Educational Exchange], and the Advisory Committee on the Arts, were omitted pursuant to Reorg. Plan No. 2 of 1977, §9(a)(3), (6), 42 F.R. 62461, 91 Stat. 1639, set out under section 1461 of this title, which abolished the Commission and the Committee effective on or before July 1, 1978, at such time as specified by the President.

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in this section relating to submitting annual reports to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 155 of House Document No. 103-7.

#### TERMINATION OF ADVISORY COMMISSIONS AND COMMITTEES

Advisory commissions or committees in existence on Jan. 5, 1973, to terminate not later than the expiration

of the 2-year period following Jan. 5, 1973, unless, in the case of a commission or committee established by the President or an officer of the Federal Government, such commission or committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a commission or committee established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

### § 2458. Authority of President

#### (a) Performance of certain functions without regard to other laws; appropriation credits upon reimbursement for services in connection with exchange activities

(1) Whenever the President determines it to be in furtherance of this chapter, the functions authorized in section 2452(a)(2) and (3) of this title may be performed without regard to such provisions of law or limitations of authority regulating or relating to the making, performance, amendment, or modification of contracts, the acquisition and disposition of property, and the expenditure of Government funds, as he may specify.

(2) Notwithstanding any other provision of law, the Director of the United States Information Agency may provide, on a reimbursable basis, services within the United States in connection with exchange activities otherwise authorized by this chapter when such services are requested by a department or executive agency. Reimbursements under this paragraph shall be credited to the applicable appropriation of the Agency.

#### (b) Periodic reports of activities and expenditures

The President shall submit periodic reports to the Congress of activities carried on and expenditures made in furtherance of the purposes of this chapter and of the United States Information and Educational Exchange Act of 1948, as amended [22 U.S.C. 1431 et seq.].

#### (c) Expenditures in selection, purchase, rental, construction, or other acquisition of exhibits and materials and equipment therefor

In connection with activities authorized by section 2452(a)(2) and (3) of this title, the President is authorized to provide for all necessary expenditures involved in the selection, purchase, rental, construction, or other acquisition of exhibits and materials and equipment therefor, and the actual display thereof, including but not limited to costs of transportation, insurance, installation, safekeeping and storage, maintenance and operation, rental of space, and dismantling.

#### (d) Utilization of provisions of other laws

The President is authorized to utilize the provisions of title VIII of the United States Information and Educational Exchange Act of 1948, as amended [22 U.S.C. 1471 et seq.], to the extent he deems necessary in carrying out the provisions and purposes of this chapter.

(Pub. L. 87-256, §108, Sept. 21, 1961, 75 Stat. 534; Pub. L. 96-60, title II, §203(d), Aug. 15, 1979, 93 Stat. 399; Pub. L. 96-470, title II, §212(a), Oct. 19, 1980, 94 Stat. 2246; Pub. L. 97-241, title III, §303(b), Aug. 24, 1982, 96 Stat. 291.)