

ship of the National Education Centers and shall consider individuals recommended by the Board. The Director may appoint a Commissioner to carry out the functions of a National Education Center without regard to the provisions of title 5 governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(2) Pay and qualifications

Except as provided in subsection (b), each Commissioner shall—

- (A) receive the rate of basic pay for level IV of the Executive Schedule; and
- (B) be highly qualified in the field of education research or evaluation.

(3) Service

Except as provided in subsection (b), each Commissioner shall report to the Director. A Commissioner shall serve for a period of not more than 6 years, except that a Commissioner—

- (A) may be reappointed by the Director; and
- (B) may serve after the expiration of that Commissioner's term, until a successor has been appointed, for a period not to exceed 1 additional year.

(b) Appointment of Commissioner for Education Statistics

The National Center for Education Statistics shall be headed by a Commissioner for Education Statistics who shall be appointed by the President and who shall—

- (1) have substantial knowledge of programs assisted by the National Center for Education Statistics;
- (2) receive the rate of basic pay for level IV of the Executive Schedule; and
- (3) serve for a term of 6 years, with the term to expire every sixth June 21, beginning in 2003.

(c) Coordination

Each Commissioner of a National Education Center shall coordinate with each of the other Commissioners of the National Education Centers in carrying out such Commissioner's duties under this subchapter.

(d) Supervision and approval

Each Commissioner, except the Commissioner for Education Statistics, shall carry out such Commissioner's duties under this subchapter under the supervision and subject to the approval of the Director.

(Pub. L. 107-279, title I, §117, Nov. 5, 2002, 116 Stat. 1952; Pub. L. 112-166, §2(d)(2), Aug. 10, 2012, 126 Stat. 1284.)

REFERENCES IN TEXT

Level IV of the Executive Schedule, referred to in subsecs. (a)(2)(A) and (b)(2), is set out in section 5315 of Title 5, Government Organization and Employees.

AMENDMENTS

2012—Subsec. (b). Pub. L. 112-166 struck out “, by and with the advice and consent of the Senate,” after “President” in introductory provisions.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112-166, set out as a note under section 113 of Title 6, Domestic Security.

§ 9518. Agreements

The Institute may carry out research projects of common interest with entities such as the National Science Foundation and the Eunice Kennedy Shriver National Institute of Child Health and Human Development through agreements with such entities that are in accordance with section 1231 of this title.

(Pub. L. 107-279, title I, §118, Nov. 5, 2002, 116 Stat. 1953; Pub. L. 110-154, §1(d), Dec. 21, 2007, 121 Stat. 1828.)

CHANGE OF NAME

“Eunice Kennedy Shriver National Institute of Child Health and Human Development” substituted for “National Institute of Child Health and Human Development” in text, on authority of section 1(d) of Pub. L. 110-154, set out as a note under section 285g of Title 42, The Public Health and Welfare.

§ 9519. Biennial report

The Director shall, on a biennial basis, transmit to the President, the Board, and the appropriate congressional committees, and make widely available to the public (including by means of the Internet), a report containing the following:

- (1) A description of the activities carried out by and through the National Education Centers during the prior fiscal years.
- (2) A summary of each grant, contract, and cooperative agreement in excess of \$100,000 funded through the National Education Centers during the prior fiscal years, including, at a minimum, the amount, duration, recipient, purpose of the award, and the relationship, if any, to the priorities and mission of the Institute, which shall be available in a user-friendly electronic database.
- (3) A description of how the activities of the National Education Centers are consistent with the principles of scientifically valid research and the priorities and mission of the Institute.
- (4) Such additional comments, recommendations, and materials as the Director considers appropriate.

(Pub. L. 107-279, title I, §119, Nov. 5, 2002, 116 Stat. 1953.)

§ 9520. Competitive awards

Activities carried out under this Act through grants, contracts, or cooperative agreements, at a minimum, shall be awarded on a competitive basis and, when practicable, through a process of peer review.

(Pub. L. 107-279, title I, §120, Nov. 5, 2002, 116 Stat. 1953.)

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 107-279, Nov. 5, 2002, 116 Stat. 1940, which enacted this chapter