

statements, as are necessary to present fairly the Institute's assets and liabilities, surplus or deficit, with reasonable detail, including a statement of the Institute's income and expenses during the year, including a schedule of all contracts and grants requiring payments in excess of \$5,000 and any payments of compensation, salaries, or fees at a rate in excess of \$5,000 per year. The report shall be produced in sufficient copies for the public.

(i) Freedom of information provisions applicable

The Institute and its directors, officers, employees, and agents shall be subject to the provisions of section 552 of title 5 (relating to freedom of information).

(Pub. L. 98-525, title XVII, §1708, Oct. 19, 1984, 98 Stat. 2657; Pub. L. 108-7, div. G, title V, §515, Feb. 20, 2003, 117 Stat. 345.)

AMENDMENTS

2003—Subsec. (g). Pub. L. 108-7 struck out “on or before December 31, 1970” after “political subdivision of the United States”.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (h) of this section relating to providing a report of the audit to each House of 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 207 of House Document No. 103-7.

§ 4608. Independence and limitations

(a) Nothing in this chapter may be construed as limiting the authority of the Office of Management and Budget to review and submit comments on the Institute's budget request at the time it is transmitted to the Congress.

(b) No political test or political qualification may be used in selecting, appointing, promoting, or taking any other personnel action with respect to any officer, employee, agent, or recipient of Institute funds or services or in selecting or monitoring any grantee, contractor, person, or entity receiving financial assistance under this chapter.

(Pub. L. 98-525, title XVII, §1709, Oct. 19, 1984, 98 Stat. 2659.)

§ 4609. Funding

(a) Authorization of appropriations

(1) In general

For the purpose of carrying out this chapter, there are authorized to be appropriated such sums as may be necessary for fiscal years 2009 through 2014.

(2) Availability

Funds appropriated pursuant to the authority of paragraph (1) shall remain available until expended.

(b) Transfer of unobligated funds; reports of use of funds to Congress and President

The Board of Directors may transfer to the legal entity authorized to be established under section 4603(c) of this title any funds not obligated or expended from appropriations to the Institute for a fiscal year, and such funds shall remain available for obligation or expenditure for

the purposes of such legal entity without regard to fiscal year limitations. Any use by such legal entity of appropriated funds shall be reported to each House of the Congress and to the President of the United States.

(c) Contractual authority

Any authority provided by this chapter to enter into contracts shall be effective for a fiscal year only to such extent or in such amounts as are provided in appropriation Acts.

(d) Extension

Any authorization of appropriations made for the purposes of carrying out this chapter shall be extended in the same manner as applicable programs are extended under section 1226a of title 20.

(Pub. L. 98-525, title XVII, §1710, Oct. 19, 1984, 98 Stat. 2659; Pub. L. 99-498, title XVI, §1601(a)(1), (b), Oct. 17, 1986, 100 Stat. 1612; Pub. L. 100-569, title III, §301[(a)], Oct. 31, 1988, 102 Stat. 2863; Pub. L. 102-325, title XV, §1554(a), July 23, 1992, 106 Stat. 839; Pub. L. 103-208, §2(k)(14), Dec. 20, 1993, 107 Stat. 2486; Pub. L. 105-244, title IX, §931(2), Oct. 7, 1998, 112 Stat. 1834; Pub. L. 110-315, title IX, §921(c), Aug. 14, 2008, 122 Stat. 3456.)

AMENDMENTS

2008—Subsec. (a)(1). Pub. L. 110-315, §921(c)(1), substituted “to be appropriated such sums as may be necessary for fiscal years 2009 through 2014” for “to be appropriated \$15,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years”.

Subsec. (d). Pub. L. 110-315, §921(c)(2), added subsec. (d).

1998—Subsec. (a)(1). Pub. L. 105-244 substituted “1999” for “1993” and “4” for “6”.

1993—Subsec. (a)(1). Pub. L. 103-208 substituted “6” for “4” before “succeeding fiscal years”.

1992—Subsec. (a). Pub. L. 102-325 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows:

“(1) For the purpose of carrying out this chapter (except for paragraph (9) of section 4604(b) of this title), there are authorized to be appropriated \$10,000,000 for fiscal year 1989; \$10,000,000 for fiscal year 1990; \$10,000,000 for fiscal year 1991; \$15,000,000 for fiscal year 1992; and \$15,000,000 for fiscal year 1993.

“(2) Funds appropriated pursuant to paragraph (1) are authorized to remain available until expended.”

1988—Subsec. (a). Pub. L. 100-569 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “For the purpose of carrying out this chapter (except for paragraph (9) of section 4604(b) of this title), there are authorized to be appropriated \$6,000,000 for the fiscal year 1987 and \$10,000,000 for the fiscal year 1988. Amounts appropriated under this section are authorized to remain available to the Institute until expended.”

1986—Subsec. (a). Pub. L. 99-498 substituted “fiscal year 1987” for “fiscal year 1985”, “fiscal year 1988” for “fiscal year 1986”, and “Amounts appropriated under this section are authorized to remain available to the Institute until expended” for “Moneys appropriated for the fiscal year 1985 shall remain available to the Institute through the fiscal year 1986”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-208 effective as if included in the Higher Education Amendments of 1992, Pub. L.