

to the fund. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interests<sup>1</sup> by the United States. For such purpose, such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under chapter 31 of title 31, are hereby extended to authorize the issuance at par of special obligations exclusively to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States or original issue or at the market price, is not in the public interest.

**(c) Sale and redemption of obligations**

Any obligation acquired by the fund (except special obligations issued exclusively to the fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

**(d) Credit to fund of interest and proceeds of sale or redemption**

The interest on, and the proceeds from the sale or redemption of, any obligations held in the fund shall be credited to and form a part of the fund.

(Pub. L. 101-454, § 3, Oct. 24, 1990, 104 Stat. 1063.)

**§ 5203. Expenditure and audit of trust fund**

**(a) Authorization of funding**

For each fiscal year, there is authorized to be appropriated from the fund to Eisenhower Exchange Fellowships, Incorporated, the interest and earnings of the fund.

**(b) Access to books, records, etc., by Government Accountability Office**

The activities of Eisenhower Exchange Fellowships, Incorporated, may be audited by the Government Accountability Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the Government Accountability Office shall have access to all books, accounts, records, reports, and files and all other papers, things, or property belonging to or in use by Eisenhower Exchange Fellowships, Incorporated, pertaining to such activities and necessary to facilitate the audit.

(Pub. L. 101-454, § 4, Oct. 24, 1990, 104 Stat. 1064; Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

<sup>1</sup> So in original. Probably should be "interest".

AMENDMENTS

2004—Subsec. (b). Pub. L. 108-271 substituted "Government Accountability Office" for "General Accounting Office" in heading and in two places in text.

USE OF EARNED UNUSED TRUST INCOME FOR FELLOWSHIP PURPOSES

Pub. L. 104-134, title I, § 101[(a)] [title IV, § 407], Apr. 26, 1996, 110 Stat. 1321, 1321-45; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327, provided in part that: "notwithstanding any other provision of law, Eisenhower Exchange Fellowships, Incorporated, may use one-third of any earned but unused trust income from the period 1992 through 1995 for Fellowship purposes in each of fiscal years 1996 through 1998."

**§ 5204. Authorization of appropriations**

To provide a permanent endowment for the Eisenhower Exchange Fellowship Program, there are authorized to be appropriated to the Eisenhower Exchange Fellowships Program Trust Fund—

- (1) \$5,000,000; and
- (2) the lesser of—
  - (A) \$2,500,000, or
  - (B) an amount equal to contributions to Eisenhower Exchange Fellowships, Incorporated, from private sector sources during the 4-year period beginning on October 24, 1990.

(Pub. L. 101-454, § 5, Oct. 24, 1990, 104 Stat. 1064.)

**§ 5205. Use of income on endowment**

**(a), (b) Repealed. Pub. L. 104-134, title I, § 101[(a)] [title IV, § 407], Apr. 26, 1996, 110 Stat. 1321, 1321-45; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327**

**(c) Agricultural exchange program**

For any fiscal year, as may be determined by Eisenhower Exchange Fellowships, Incorporated, a portion of the amounts made available to Eisenhower Exchange Fellowships, Incorporated, pursuant to section 5203(a) of this title shall be used to provide fellowships for agricultural exchange programs for farmers from the United States and foreign countries.

**(d) Participation by United States minority populations**

In order to ensure that the United States fellows participating in programs of the Eisenhower Exchange Fellowships, Incorporated, are representative of the cultural, ethnic, and racial diversity of the American people, of the amounts made available to Eisenhower Exchange Fellowships, Incorporated, pursuant to section 5203(a) of this title which are obligated and expended for United States fellowship programs, not less than 10 percent shall be available only for participation by individuals who are representative of United States minority populations.

(Pub. L. 101-454, § 6, Oct. 24, 1990, 104 Stat. 1065; Pub. L. 104-134, title I, § 101[(a)] [title IV, § 407], Apr. 26, 1996, 110 Stat. 1321, 1321-45; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327.)

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-134 struck out heading and text of subsec. (a). Text read as follows: "For any

fiscal year, not less than 50 percent of the amounts made available to Eisenhower Exchange Fellowships, Incorporated, pursuant to section 5203(a) of this title shall be available only to assist United States fellows in traveling to and studying in emerging European democracies.”

Subsec. (b). Pub. L. 104-134 struck out heading and text of subsec. (b). Text read as follows: “For any fiscal year, not more than 50 percent of the amounts made available to Eisenhower Exchange Fellowships, Incorporated, pursuant to section 5203(a) of this title shall be available to assist foreign fellows in traveling to and studying in the United States.”

#### § 5206. Report to Congress

For any fiscal year for which Eisenhower Exchange Fellowships, Incorporated, receive funds pursuant to section 5203(a) of this title, Eisenhower Exchange Fellowships, Incorporated, shall prepare and transmit to the President and the Congress a report of its activities for such fiscal year.

(Pub. L. 101-454, § 7, Oct. 24, 1990, 104 Stat. 1065.)

#### § 5207. Status as executive agency

Notwithstanding any other provision of law, on and after August 2, 2002, for purposes of section 501 of title 40 (relating to Federal sources of supply, including lodging providers, airlines and other transportation providers), the Eisenhower Exchange Fellowship Program shall be deemed an executive agency for the purposes of carrying out the provisions of section 5201 of this title, and the employees of and participants in the Eisenhower Exchange Fellowship Program shall be eligible to have access to such sources of supply on the same basis as employees of an executive agency have such access.

(Pub. L. 107-206, title I, § 1203, Aug. 2, 2002, 116 Stat. 888.)

#### CODIFICATION

“Section 501 of title 40” substituted for “section 201(a) of the Federal Property and Administrative Services Act of 1949” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

Section was enacted as part of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States, and not as part of the Eisenhower Exchange Fellowship Act of 1990 which comprises this chapter.

### CHAPTER 64—EXCELLENCE IN MATHEMATICS, SCIENCE, AND ENGINEERING EDUCATION

#### SUBCHAPTER I—FINDINGS AND OBJECTIVES

#### § 5301. Repealed. Pub. L. 103-382, title III, § 391(I), Oct. 20, 1994, 108 Stat. 4023

Section, Pub. L. 101-589, title I, § 101, Nov. 16, 1990, 104 Stat. 2882, stated findings of Congress and national objectives relating to mathematics, science, and engineering education.

#### SHORT TITLE

Pub. L. 101-589, § 1, Nov. 16, 1990, 104 Stat. 2881, provided that Pub. L. 101-589 (enacting this chapter and sections 2994 to 2994g of this title, redesignating section 2993 of this title as section 2996 of this title, amending

sections 237, 240, 1201a, 1221e-1, 2983 to 2992, and 4512 of this title and sections 1869 and 1873 of Title 42, the Public Health and Welfare, and enacting provisions set out as notes under this section and sections 240 and 2982 of this title) could be cited as the “Excellence in Mathematics, Science and Engineering Education Act of 1990”, prior to repeal by Pub. L. 103-382, title III, § 391(I), Oct. 20, 1994, 108 Stat. 4023.

### SUBCHAPTER II—MATHEMATICS, SCIENCE AND TECHNOLOGY IMPROVEMENTS

#### PART A—INNOVATIVE TECHNOLOGIES

#### § 5311. Repealed. Pub. L. 103-382, title III, § 391(I), Oct. 20, 1994, 108 Stat. 4023

Section, Pub. L. 101-589, title II, § 221, Nov. 16, 1990, 104 Stat. 2891, related to expanding uses of innovative technologies for mathematics and science instruction.

#### PART B—SCIENCE-TECHNOLOGY CENTERS

#### § 5321. Repealed. Pub. L. 103-382, title III, § 391(I), Oct. 20, 1994, 108 Stat. 4023

Section, Pub. L. 101-589, title II, § 231, Nov. 16, 1990, 104 Stat. 2892, related to awards to science-technology centers.

#### PART C—GRANTS TO EDUCATIONAL AGENCIES FOR SYSTEMIC REFORM OF MATHEMATICS AND SCIENCE EDUCATION

#### § 5331. Repealed. Pub. L. 103-382, title III, § 391(I), Oct. 20, 1994, 108 Stat. 4023

Section, Pub. L. 101-589, title II, § 241, Nov. 16, 1990, 104 Stat. 2894, related to systemic reform of mathematics and science education.

### SUBCHAPTER III—HIGHER EDUCATION

#### PART A—GRADUATE FELLOWSHIPS AND TRAINEESHIPS

#### §§ 5341 to 5343. Repealed. Pub. L. 103-382, title III, § 391(I), Oct. 20, 1994, 108 Stat. 4023

Section 5341, Pub. L. 101-589, title III, § 301, Nov. 16, 1990, 104 Stat. 2895, stated purpose of this part to avert shortage of American scientists and engineers.

Section 5342, Pub. L. 101-589, title III, § 302, Nov. 16, 1990, 104 Stat. 2895, related to graduate fellowships.

Section 5343, Pub. L. 101-589, title III, § 303, Nov. 16, 1990, 104 Stat. 2896, related to graduate traineeships.

#### PART B—CENTERS OF EXCELLENCE

#### § 5351. Repealed. Pub. L. 103-382, title III, § 391(I), Oct. 20, 1994, 108 Stat. 4023

Section, Pub. L. 101-589, title III, § 311, Nov. 16, 1990, 104 Stat. 2896, related to Centers of Excellence for Undergraduate Teaching.

#### SUBCHAPTER IV—WOMEN AND MINORITIES IN MATHEMATICS, SCIENCE AND ENGINEERING

#### §§ 5361 to 5364. Repealed. Pub. L. 103-382, title III, § 391(I), Oct. 20, 1994, 108 Stat. 4023

Section 5361, Pub. L. 101-589, title IV, § 401, Nov. 16, 1990, 104 Stat. 2897, stated purpose of this subchapter to increase participation of women and minorities in mathematics, science, and engineering.

Section 5362, Pub. L. 101-589, title IV, § 402, Nov. 16, 1990, 104 Stat. 2897, related to Distinguished Visiting Professors.