

tions 1101, 1182 and 1258 of Title 8, Aliens and Nationality, sections 117, 871, 872, 1441, 3121, 3306, 3401 and 3402 of Title 26, Internal Revenue Code, and section 410 of Title 42, The Public Health and Welfare, 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 former section 1641(b)(2) of the former Appendix to Title 50, War and National Defense, and enacting provisions set out as notes under this section and under sections 117, 1441, 3121 and 3401 of Title 26] may be cited as the ‘Mutual Educational and Cultural Exchange Act of 1961.’”

Pub. L. 87-256 is also popularly known as the “Fulbright-Hays Act”.

TRANSFER OF FUNCTIONS

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 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, except (A) for such functions as are vested by sections 2452(b)(6), (10), 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 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 extent that any such function therein is vested in President or Secretary of State, International Communication Agency, and Director thereof, redesignated United States Information Agency, and Director thereof, by section 303 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. References to United States Information Agency or International Communication Agency deemed to refer to Department of State, see section 6551 of this title.

EXPANSION OF UNITED STATES SCHOLARSHIP AND EXCHANGE PROGRAMS IN THE ISLAMIC WORLD

Pub. L. 108-458, title VII, §7112, Dec. 17, 2004, 118 Stat. 3796, provided that:

“(a) FINDINGS.—Consistent with the report of the National Commission on Terrorist Attacks Upon the United States, Congress makes the following findings:

“(1) Exchange, scholarship, and library programs are effective ways for the United States Government to promote internationally the values and ideals of the United States.

“(2) Exchange, scholarship, and library programs can expose young people from other countries to United States values and offer them knowledge and hope.

“(b) DECLARATION OF POLICY.—Consistent with the report of the National Commission on Terrorist Attacks Upon the United States, Congress declares that—

“(1) the United States should commit to a long-term and sustainable investment in promoting engagement with people of all levels of society in countries with predominantly Muslim populations, particularly with youth and those who influence youth;

“(2) such an investment should make use of the talents and resources in the private sector and should include programs to increase the number of people who can be exposed to the United States and its fundamental ideas and values in order to dispel misconceptions; and

“(3) such programs should include youth exchange programs, young ambassadors programs, international visitor programs, academic and cultural ex-

change programs, American Corner programs, library programs, journalist exchange programs, sister city programs, and other programs related to people-to-people diplomacy.

“(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States should significantly increase its investment in the people-to-people programs described in subsection (b).

“(d) AUTHORITY TO EXPAND EDUCATIONAL AND CULTURAL EXCHANGES.—The President is authorized to substantially expand the exchange, scholarship, and library programs of the United States, especially such programs that benefit people in the Muslim world.

“(e) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated in each of the fiscal years 2005 and 2006 for educational and cultural exchange programs, there shall be available to the Secretary of State such sums as may be necessary to carry out programs under this section, unless otherwise authorized by Congress.”

ADVISORY COMMITTEE ON CULTURAL DIPLOMACY

Pub. L. 107-228, div. A, title II, §224, Sept. 30, 2002, 116 Stat. 1368, provided for the establishment of an advisory committee on cultural diplomacy to advise the Secretary of State on programs and policies to advance the use of cultural diplomacy in United States foreign policy and for the termination of the committee on Sept. 30, 2005.

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

Pub. L. 87-256, §111(b), Sept. 21, 1961, 75 Stat. 538, 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 former section 1641(b)(2) of the former Appendix to Title 50, 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

Pub. L. 87-256, §111(c), Sept. 21, 1961, 75 Stat. 538, 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 former section 1641(b)(2) of the former Appendix to Title 50, War and National Defense] shall hereafter be considered to be references to the appropriate provisions of this Act [this chapter].”

§ 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;

(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.)

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

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

Pub. L. 87-565, pt. IV, § 403, Aug. 1, 1962, 76 Stat. 263, 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 Information 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.

PILOT PROGRAM TO PROVIDE GRANTS TO AMERICAN-SPONSORED SCHOOLS IN PREDOMINANTLY MUSLIM COUNTRIES TO PROVIDE SCHOLARSHIPS

Pub. L. 108-458, title VII, § 7113, Dec. 17, 2004, 118 Stat. 3797, as amended, formerly set out as a note under this section, was transferred and is classified to section 2452c of this title.

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. 110-83, Sept. 20, 2007, 121 Stat. 781, authorized establishment of a United States-Poland parliamentary youth exchange program.

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; Pub. L. 113-235, div. J, title VII, § 7085, Dec. 16, 2014, 128 Stat. 2685, known as the Vietnam Education Foundation Act of 2000, established the Vietnam Education Foundation to provide fellowships to Vietnamese nationals to study the sciences, mathematics, medicine, and technology in the United States and to United States citizens to teach those subjects in Vietnam.

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 Timorese 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, subd. 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, subd. 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 PERSONS 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.

§ 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, subd. 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.