

SEC. 11. *Prior directives and actions.* (a) This order supersedes Executive Order No. 10716 of June 17, 1957, and Executive Order No. 10912 of January 18, 1961. Except to the extent that they may be inconsistent with law or with this order, other directives, regulations, and actions relating to the functions delegated by this order and in force immediately prior to the issuance of this order shall remain in effect until amended, modified, or revoked by appropriate authority.

(b) This order shall neither limit nor be limited by Executive Order No. 11014 of April 17, 1962 [formerly set out under this section].

(c) To the extent not heretofore superseded, there are hereby superseded the provisions of the letters of the President to the Director of the United States Information Agency dated August 16, 1955, and August 21, 1956 (22 F.R. 101-103).

SEC. 12. *Effective date.* The provisions of this order shall be effective immediately.

[For abolition of United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau), transfer of functions, and treatment of references thereto, see sections 6531, 6532, and 6551 of this title.]

EX. ORD. NO. 11380. AMENDING PRIOR EXECUTIVE ORDERS RELATING TO MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE AND TO ALLOWANCES AND BENEFITS FOR GOVERNMENT PERSONNEL ON OVERSEAS DUTY

Ex. Ord. No. 11380, Nov. 8, 1967, 32 F.R. 15627, provided: By virtue of the authority vested in me by the Mutual Educational and Cultural Exchange Act of 1961 (75 Stat. 527; 22 U.S.C. 2451 et seq.) and section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

PART I—MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE

SECTION 101. Executive Order No. 11034 of June 25, 1962 [set out as a note above], is hereby amended as follows:

(1) By changing the period at the end of section 1(b) to a comma and by inserting after that comma the following: "excluding, however, the reports for which the Director of the United States Information Agency is responsible under section 2(b) of this order."

(2) By substituting for the paragraph designations (a), (b), (c), and (d) in section 2 new paragraph designations (1), (2), (3), and (4), respectively; by inserting the subsection designation (a) after the catchline of section 2; and by adding a new subsection (b) of section 2, reading as follows:

(b) The Director of the United States Information Agency shall prepare and transmit to the President the reports which the President is required to submit to the Congress by section 108(b) of the Act [section 2458(b) of this title] to the extent that they are with respect to activities carried out by the United States Information Agency pursuant to section 102(a)(2)(iii) and section 102(a)(3) of the Act [section 2452(a)(2)(iii) and (a)(3) of this title].

(3) By adding a new paragraph at the end of section 8(a), reading as follows:

"(15) Any provision of law or limitation of authority to the extent that such provision or limitation would limit or prohibit (i) receipt of admission fees or payments under contracts through advances or otherwise, for concessions, services, space, or other consideration, and the credit of such receipts to the applicable appropriation, and (ii) rental or lease for periods not exceeding ten years of buildings and grounds."

(4) By adding a new paragraph at the end of section 10, reading as follows:

"(c) References in this order to this order shall be deemed to include references thereto as amended from time to time."

SEC. 2. It is hereby determined that the performance by any department or other executive agency of functions authorized by sections 102(a)(2) and 102(a)(3) of the Mutual Educational and Cultural Exchange Act of 1961

(22 U.S.C. 2452(a)(2) and (3)) without regard to the provisions and limitations referred to in section (8)(a)(15) of Executive Order No. 11034 of June 25, 1962 (to the extent set forth in the latter section) is in furtherance of the purposes of that Act.

PART II—APPROVAL OF CERTAIN REGULATIONS RELATING TO LIVING QUARTERS

SEC. 201. Executive Order No. 10903 of January 9, 1961, as amended [set out as a note under section 5921 of Title 5, Government Organization and Employees], is hereby further amended by inserting at the end of section 1 thereof a new paragraph (g), reading as follows:

"(g) The authority vested in the President by section 5912 of title 5 of the United States Code to approve regulations prescribed by heads of agencies (under which employees who are citizens of the United States permanently stationed in foreign countries may be furnished, without cost to them, living quarters, including heat, fuel, and light, in government-owned or rented buildings)."

LYNDON B. JOHNSON.

[For abolition of United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau), transfer of functions, and treatment of references thereto, see sections 6531, 6532, and 6551 of this title.]

EX. ORD. NO. 11770. DELEGATION OF FUNCTIONS RESPECTING INTERNATIONAL SYMPOSIUM ON GEOTHERMAL ENERGY—1975

Ex. Ord. No. 11770, Feb. 21, 1974, 39 F.R. 7127, provided: By virtue of the authority vested in me by section 104 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2454; hereinafter referred to as the act), and section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Secretary of the Interior is authorized, with respect to the International Symposium on Geothermal Energy to be held in San Francisco, California, in May 1975, to perform the functions conferred by section 102(b)(5), (7), and (8) of the act [section 2452(b)(5), (7) and (8) of this title].

SEC. 2. I find that the delegation made by section 1 of this order is in the interest of the purposes expressed in the act and the efficient administration of the International Symposium on Geothermal Energy.

SEC. 3. The delegation made by this order shall become effective upon the expiration of sixty days while the Congress is in session. In computing that sixty days, there shall be excluded days on which either House is not in session because of an adjournment of more than three days.

RICHARD NIXON.

§ 2455. Appropriations

(a) Availability

Amounts appropriated to carry out the purposes of this chapter are authorized to be made available until expended.

(b) Acquisition of foreign currencies

Funds appropriated for programs under this chapter may, without regard to section 3651¹ of the Revised Statutes (31 U.S.C. 543), be used for the acquisition from any source of foreign currencies in such amounts as may be necessary for current expenditures and for grants, including grants to foundations and commissions in accordance with international agreements provid-

¹ See References in Text note below.

ing for the accomplishment of the purposes of this chapter.

(c) Transfer of funds

Moneys appropriated to any department or agency of the Government in furtherance of the purposes of this chapter for research, technical aid, and educational and cultural programs, may be transferred by the President to any other appropriation available for like purposes, but no appropriation authorized by this chapter shall be increased or decreased by more than 10 per centum by reason of transfers pursuant to this subsection.

(d) Reserve and use of certain funds

The President is authorized—

(1) to reserve in such amounts and for such periods as he shall determine to be necessary to provide for the programs authorized by subsections (a)(1), (2)(i) of section 2452 of this title, and

(2) notwithstanding the provisions of any other law, to use in such amounts as may from time to time be specified in appropriation Acts, to the extent that such use is not restricted by agreement with the foreign nations concerned, for any programs authorized by this chapter,

any currencies of foreign nations received or to be received by the United States or any agency thereof—

(i) under agreements disposing of surplus property or settling lend-lease and other war accounts concluded after World War II;

(ii) as the proceeds of sales or loan repayments, including interest, for transactions heretofore or hereafter effected under the Food for Peace Act, as amended [7 U.S.C. 1691 et seq.];

(iii) in repayment of principal or interest on any other credit extended or loan heretofore or hereafter made by the United States or any agency thereof; or

(iv) as deposits to the account of the United States pursuant to section 1513(b)(6)¹ or section 1513(h)¹ of this title, or any similar provision of any other law.

(e) Reservation and use of sums due or paid by the Republic of Finland

The Director of the United States Information Agency is further authorized to reserve and use for educational and cultural exchange programs and other activities authorized in subsections (a) and (b) of section 2452 of this title, in relation to Finland and the people of Finland, all sums due or paid on and after August 24, 1949, by the Republic of Finland to the United States as interest on or in retirement of the principal of the debt incurred under the Act of February 25, 1919, as refunded by the agreement dated May 1, 1923, pursuant to the authority contained in the Act of February 9, 1922, or of any other indebtedness incurred by that Republic and owing to the United States as a result of World War I.

(f) Contribution of funds, property, and services by foreign governments, international organizations, and private individuals, firms, associations, and agencies

Foreign governments, international organizations and private individuals, firms, associa-

tions, agencies, and other groups shall be encouraged to participate to the maximum extent feasible in carrying out this chapter and to make contributions of funds, property, and services which the President is authorized to accept, to be utilized to carry out the purposes of this chapter. Funds made available for the purposes of this chapter may be used to contribute toward meeting the expenses of activities carried out through normal private channels, by private means, and through foreign governments and international organizations.

(g) Currency exchanges

Notwithstanding any other provision of this chapter, there are authorized to be appropriated for the purposes of making currency exchanges under section 2452(b)(10) of this title, not to exceed \$10,000,000 for the fiscal year ending June 30, 1968, and not to exceed \$15,000,000 for the fiscal year ending June 30, 1969.

(Pub. L. 87-256, §105, Sept. 21, 1961, 75 Stat. 531; Pub. L. 89-698, title II, §203(c), Oct. 29, 1966, 80 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 subsections (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 subsection (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 subsection (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 subsection (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 subsection (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 Broad-

casting 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.)