

**(c) Advice to Director concerning selection, termination, or change in activities, and transfer of government programs and projects to Institute; review and recommendations respecting new programs and initiatives**

The Director shall seek the advice of the Council before making any decision with respect to the selection or termination of, or any significant change in, the areas and issues in which the Institute conducts its activities, and with respect to the transfer of specific programs and projects from any other Government agency to the Institute. The Council shall have the authority to review all new programs and initiatives before their implementation and to make recommendations with regard to the approval or disapproval of new programs and initiatives having a cost in excess of \$500,000 or a duration greater than two years.

**(d) Composition; Chairman; appointment, terms, etc., of members**

The Council shall consist of up to twenty-five members appointed by the President, one of whom the President shall designate as Chairman. The members of the Council shall be appointed for terms of four years, except that the members first appointed shall be appointed for terms of one, two, three, or four years, as designated by the President at the time of their appointment, so that the terms of approximately one-fourth of the members of the Council expire in any year. The members of the Council shall be selected from among—

(1) citizens of the United States who are widely recognized for their broad knowledge of, or expertise in, science and technology, or their interest in the scientific and technological problems of developing countries;

(2) citizens of foreign countries who by their knowledge and expertise are capable of providing advice and guidance to the Institute on the application of science and technology to the problems of developing countries, except that not more than one-third of the membership of the Council shall consist of members who are citizens of foreign countries; and

(3) officials of the United States Government, except that not to exceed five members of the Council may be appointed under this paragraph, one of whom shall be the Secretary of State or his designee.

**(e) Compensation, reimbursement, status, etc., of nongovernmental members**

Members of the Council who are not officials of the United States Government shall be entitled to compensation, not to exceed the daily equivalent of the highest rate which may be paid to an employee under the General Schedule established by section 5332 of title 5, while in the performance of their duties under this chapter, and to reimbursement for expenses and per diem in lieu of subsistence while away from their homes or regular places of business in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5. Members of the Council who are not officials of the United States Government shall not be deemed officers, employees, or otherwise in the service or employment

of the United States Government for any purpose, except that members of the Council who are United States citizens shall be deemed Government employees for the purposes of sections 202, 203, 205, 207, 208, and 209 of title 18.

**(f) Executive and additional committees; membership, powers, etc., of Executive Committee**

The Council may appoint from among its members an Executive Committee, and such other committees it deems necessary, to assist it in exercising its powers and functions. The Executive Committee shall consist of seven members, one of whom shall be the Chairman of the Council and not more than three of whom shall be employees of the United States Government. The Executive Committee shall exercise such powers and functions as are delegated to it by the Council.

(Pub. L. 96-53, title IV, §407, Aug. 14, 1979, 93 Stat. 374.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (e), was in the original "this title", meaning title IV of Pub. L. 96-53, Aug. 14, 1979, 93 Stat. 371, which is classified principally to this chapter. For complete classification of title IV to the Code, see Tables.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as an Effective Date of 1979 Amendment note under section 2151 of this title.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

**§ 3508. Fellowships**

**(a) Authorization; number; duration; renewal; criteria; foreign recipients; designation of recipients as Institute Fellows**

The President is authorized to award up to twenty fellowships annually for periods up to two years, such awards to be renewable for an additional period not to exceed two years, to individuals who have demonstrated exceptional competence and ability in the fields of scientific, technological, economic, or social endeavor selected by the Institute for concentration. The awards shall be made so as to encompass a wide diversity of disciplines and backgrounds, and shall be made on the basis of criteria established by the President upon the advice of the Council. Up to ten of the awards in any year may be made to citizens of countries other than the United States. Individuals awarded fellowships shall be designated as Institute Fellows.

**(b) Activities of Institute Fellows**

The President may assign Institute Fellows to undertake such activities, in the United States

or abroad, as will further the purposes of the Institute.

**(c) Amount of awards; transportation, housing, etc., benefits**

The amount of the awards made pursuant to this section shall be established by the President, but shall not in any case exceed the highest rate which may be paid to an employee under the General Schedule established by section 5332 of title 5. In addition, where appropriate, the President may make provisions for transportation, housing (when assigned outside country of residence), subsistence (or per diem in lieu thereof), and health care or health or accident insurance for Institute Fellows and their dependents while engaged in activities authorized by this chapter.

**(d) Status of Institute Fellows**

Except as provided otherwise in this section, Institute Fellows shall not be deemed employees or otherwise in the service or employment of the United States Government. Institute Fellows shall be considered employees for purposes of compensation of injuries under chapter 81 of title 5 and the tort claim provisions of chapter 171 of title 28. In addition, Institute Fellows who are United States citizens shall be considered Government employees for purposes of sections 202, 203, 205, 207, 208, and 209 of title 18.

**(e) Admission into United States of alien participants in program**

Alien participants in any program of the Institute, including Institute Fellows and their dependents, may be admitted to the United States, if otherwise qualified as non-immigrants under section 1101(a)(15) of title 8, for such time and under such conditions as may be prescribed by regulations promulgated by the Secretary of State and the Attorney General.

(Pub. L. 96-53, title IV, § 408, Aug. 14, 1979, 93 Stat. 375.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in subsec. (c), was in the original "this title", meaning title IV of Pub. L. 96-53, Aug. 14, 1979, 93 Stat. 371, which is classified principally to this chapter. For complete classification of title IV to the Code, see Tables.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as an Effective Date of 1979 Amendment note under section 2151 of this title.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable

under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

**§ 3509. Conflict of interest; personnel and activities covered**

Members of the Council and Institute Fellows shall avoid any action, in their activities with respect to the Institute, which might result in, or create the appearance of, a conflict of interest, including but not limited to—

(1) using their office or position for private gain;

(2) giving preferential treatment to any person;

(3) making recommendations or decisions relating to any activity authorized by this chapter in other than an impartial and independent manner;

(4) misusing Government property or official information obtained through their office or position which has not been made available to the general public; or

(5) affecting adversely the confidence of the public in the integrity of the Institute.

(Pub. L. 96-53, title IV, § 409, Aug. 14, 1979, 93 Stat. 376.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in par. (3), was in the original "this title", meaning title IV of Pub. L. 96-53, Aug. 14, 1979, 93 Stat. 371, which is classified principally to this chapter. For complete classification of title IV to the Code, see Tables.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as an Effective Date of 1979 Amendment note under section 2151 of this title.

**§ 3510. Authorization of appropriations**

There are authorized to be appropriated to the President to carry out this chapter, in addition to funds otherwise available for such purpose, \$12,000,000 for the fiscal year 1981. Funds appropriated under this section are authorized to remain available until expended.

(Pub. L. 96-53, title IV, § 410, Aug. 14, 1979, 93 Stat. 376; amended Pub. L. 96-533, title III, § 312, Dec. 16, 1980, 94 Stat. 3148.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title", meaning title IV of Pub. L. 96-53, Aug. 14, 1979, 93 Stat. 371, which is classified principally to this chapter. For complete classification of title IV to the Code, see Tables.

AMENDMENTS

1980—Pub. L. 96-533 substituted appropriations authorization of \$12,000,000 for fiscal year 1981 for such authorization of \$23,750,000 for fiscal year 1980.