

ing and contracting requirements for reading training on public television.

Section 1963, Pub. L. 93-380, title VII, §723, Aug. 21, 1974, 88 Stat. 595; Pub. L. 94-194, §5, Dec. 31, 1975, 89 Stat. 1104, set forth provisions relating to granting and contracting requirements for reading academies.

Section 1964, Pub. L. 93-380, title VII, §724, as added Pub. L. 94-194, §1(b)(1), Dec. 31, 1975, 89 Stat. 1103, set forth provisions relating to scope, authority, etc., with respect to State leadership and training activity agreements.

Section 1965, Pub. L. 93-380, title VII, §725, as added and amended Pub. L. 94-194, §6(a), (b)(1), Dec. 31, 1975, 89 Stat. 1104, 1105, set forth provisions relating to granting and contracting requirements for national impact reading programs.

Section 1966, Pub. L. 93-380, title VII, §726, as added Pub. L. 94-194, §9(a), Dec. 31, 1975, 89 Stat. 1105, set forth provisions relating to contracting requirements for an inexpensive book distribution program for reading motivation.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95-561, set out as an Effective Date of 1978 Amendment note under section 1221e-3 of this title.

#### SUBCHAPTER IV—GENERAL PROVISIONS

### §§ 1981 to 1983. Repealed. Pub. L. 95-561, title XV, § 1529, Nov. 1, 1978, 92 Stat. 2380

Section 1981, Pub. L. 93-380, title VII, §731, Aug. 21, 1974, 88 Stat. 596; Pub. L. 94-194, §7, Dec. 31, 1975, 89 Stat. 1105; S. Res. 4, Feb. 4, 1977, set forth evaluation requirements for programs.

Section 1982, Pub. L. 93-380, title VII, §732, Aug. 21, 1974, 88 Stat. 596; Pub. L. 94-194, §§1(c), 6(c), 9(b), Dec. 31, 1975, 89 Stat. 1104-1106, set forth provisions authorizing appropriations for covered programs.

Section 1983, Pub. L. 93-380, title VII, §733, as added Pub. L. 94-194, §8, Dec. 31, 1975, 89 Stat. 1105, set forth provisions relating to acceptance of gifts or donations by the Commissioner.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95-561, set out as an Effective Date of 1978 Amendment note under section 1221e-3 of this title.

## CHAPTER 42—HARRY S TRUMAN MEMORIAL SCHOLARSHIPS

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### § 2001. Congressional statement of findings

The Congress finds that—

because a high regard for the public trust and a lively exercise of political talents were outstanding characteristics of the thirty-third President of the United States;

because a special interest of the man from Independence in American history and a broad knowledge and understanding of the American political and economic system gained by study and experience in county and National Government culminated in the leadership of America remembered for the quality of his character, courage, and commonsense;

because of the desirability of encouraging young people to recognize and provide service in the highest and best traditions of the American political system at all levels of government, it is especially appropriate to honor former President Harry S Truman through the creation of a perpetual education scholarship program to develop increased opportunities for young Americans to prepare and pursue careers in public service.

(Pub. L. 93-642, §2, Jan. 4, 1975, 88 Stat. 2276.)

#### SHORT TITLE

Pub. L. 93-642, §1, Jan. 4, 1975, 88 Stat. 2276, provided: "That this Act [enacting this chapter] may be cited as the 'Harry S Truman Memorial Scholarship Act'."

### § 2002. Definitions

As used in this chapter, the term—

(1) "Board" means the Board of Trustees of the Harry S Truman Scholarship Foundation;

(2) "Foundation" means the Harry S Truman Scholarship Foundation;

(3) "fund" means the Harry S Truman Memorial Scholarship Fund;

(4) "institution of higher education" means any such institution as defined by section 1001 of this title;

(5) "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and, considered as a single entity, Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands; and

(6) "Secretary" means the Secretary of the Treasury.

(Pub. L. 93-642, §3, Jan. 4, 1975, 88 Stat. 2276; Pub. L. 105-244, title I, §102(a)(6)(D), Oct. 7, 1998, 112 Stat. 1618.)

#### AMENDMENTS

1998—Par. (4). Pub. L. 105-244 substituted "section 1001" for "section 1141(a)".

#### 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 this title.

#### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

### § 2003. Other Federal memorials prohibited

The Harry S Truman Scholarship Program as authorized by this chapter shall be the sole Federal memorial to President Harry S Truman.

(Pub. L. 93-642, §4, Jan. 4, 1975, 88 Stat. 2277.)

**§ 2004. Harry S Truman Scholarship Foundation****(a) Establishment**

There is established, as an independent establishment of the executive branch of the United States Government, the Harry S Truman Scholarship Foundation.

**(b) Board of Trustees; membership**

(1)<sup>1</sup> The Foundation shall be subject to the supervision and direction of a Board of Trustees. The Board shall be composed of thirteen members, as follows:

(A) two Members of the Senate, one from each political party, to be appointed by the President of the Senate;

(B) two Members of the House of Representatives, one from each political party, to be appointed by the Speaker;

(C) eight members, not more than four of whom shall be of the same political party, to be appointed by the President with the advice and consent of the Senate, of whom one shall be a chief executive officer of a State, one a chief executive officer of a city or county, one a member of a Federal court, one a member of a State court, one a person active in postsecondary education, and three representatives of the general public; and

(D) the Secretary of Education or his designate, who shall serve ex officio as a member of the Board, but shall not be eligible to serve as Chairman.

**(c) Term of office**

The term of office of each member of the Board shall be six years; except that (1) the members first taking office shall serve as designated by the President, four for terms of two years, five for terms of four years, and four for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed, and shall be appointed in the same manner as the original appointment for that vacancy was made.

**(d) Compensation**

Members of the Board shall serve without pay, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties.

(Pub. L. 93–642, § 5, Jan. 4, 1975, 88 Stat. 2277; Pub. L. 96–88, title III, § 301(a)(1), title V, § 507, Oct. 17, 1979, 93 Stat. 677, 692.)

## TRANSFER OF FUNCTIONS

“Secretary of Education” substituted for “Commissioner of Education” in subsec. (b)(1)(D) pursuant to sections 301(a)(1) and 507 of Pub. L. 96–88, which are classified to sections 3441(a)(1) and 3507 of this title and which transferred functions of Commissioner of Education to Secretary of Education.

**§ 2005. Truman scholars****(a) Basis for award**

The Foundation is authorized to award scholarships to persons who demonstrate outstanding potential for and who plan to pursue a career in public service. Award recipients shall be known as Truman scholars.

<sup>1</sup> So in original. No par. (2) has been enacted.

**(b) Maximum period of award**

Scholarships under this chapter shall be awarded for such periods as the Foundation may prescribe but not to exceed four academic years.

**(c) Recipient's choice of institution**

A student awarded a scholarship under this chapter may attend any institution of higher education offering courses of study, training, or other educational activities designed to prepare persons for a career in public service as determined pursuant to criteria established by the Foundation.

**(d) Encouragement of recipient to pursue public service career**

Each student awarded a scholarship under this chapter must have indicated a serious intent to enter the public service upon the completion of his or her educational program. Each institution of higher education at which such a student is in attendance will make reasonable continuing efforts to encourage such a student to enter the public service upon completing his or her educational program.

(Pub. L. 93–642, § 6, Jan. 4, 1975, 88 Stat. 2278.)

**§ 2006. Selection of scholars****(a) Nationwide competition**

The Foundation is authorized, either directly or by contract, to provide for the conduct of a nationwide competition for the purpose of selecting Truman scholars.

**(b) Procedures**

The Foundation shall adopt selection procedures which shall assure that at least one Truman scholar shall be selected each year from each State in which there is at least one resident applicant who meets the minimum criteria established by the Foundation.

(Pub. L. 93–642, § 7, Jan. 4, 1975, 88 Stat. 2278.)

**§ 2007. Stipends**

Each student awarded a scholarship under this chapter shall receive a stipend which shall not exceed the cost to such student for tuition, fees, books, room and board, or \$10,000 (adjusted annually to reflect increases, if any, in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics) whichever is less for each academic year of study.

(Pub. L. 93–642, § 8, Jan. 4, 1975, 88 Stat. 2278; Pub. L. 99–159, title V, § 501, Nov. 22, 1985, 99 Stat. 904.)

## AMENDMENTS

1985—Pub. L. 99–159 increased amount from \$5,000 to \$10,000 with provision for annual adjustments.

**§ 2008. Scholarship conditions****(a) Satisfactory proficiency and devotion of full time to study or research; unapproved employment**

A student awarded a scholarship under the provisions of this chapter shall continue to receive the payments provided in this chapter only during such periods as the Foundation finds that he or she is maintaining satisfactory pro-

ficiency and devoting full time to study or research designed to prepare him or her for a career in public service and is not otherwise engaging in gainful employment other than employment approved by the Foundation pursuant to regulation.

**(b) Reports; certification by official of institution**

The Foundation is authorized to require reports containing such information in such form and to be filed at such times as the Foundation determines to be necessary from any student awarded a scholarship under the provisions of this chapter. Such reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, approved by the Foundation, stating that such student is making satisfactory progress in, and is devoting essentially full time to, study or research, except as otherwise provided in subsection (a) of this section.

(Pub. L. 93–642, §9, Jan. 4, 1975, 88 Stat. 2278.)

**§ 2009. Harry S Truman Memorial Scholarship Trust Fund**

**(a) Establishment**

There is established in the Treasury of the United States a trust fund to be known as the Harry S Truman Memorial Scholarship Trust Fund. The fund shall consist of amounts appropriated to it by section 2013 of this title.

**(b) Investment in interest-bearing obligations**

It shall be the duty of the Secretary to invest in full the amounts appropriated 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 interest 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 place. 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 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum 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 at the market price, and such special obligations may be redeemed at par plus accrued interest.

**(d) Credit to the 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. 93–642, §10, Jan. 4, 1975, 88 Stat. 2279.)

**CODIFICATION**

In subsec. (b), “chapter 31 of title 31” substituted for “the Second Liberty Bond Act, as amended” on authority of Pub. L. 97–258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

**§ 2009a. Investment of amounts appropriated and contributed to Harry S Truman Memorial Scholarship Trust Fund**

Notwithstanding section 2009(b) of this title, on and after December 26, 2007, at the request of the Board of Trustees of the Harry S Truman Scholarship Foundation, it shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated and contributed to the Harry S Truman Memorial Scholarship Trust Fund, as provided in such section. All requests of the Board of Trustees to the Secretary provided for in this section shall be binding on the Secretary.

(Pub. L. 110–161, div. D, title VI, §619, Dec. 26, 2007, 121 Stat. 2016.)

**CODIFICATION**

Section was enacted as part of the Financial Services and General Government Appropriations Act, 2008, and also as part of the Consolidated Appropriations Act, 2008, and not as part of the Harry S Truman Memorial Scholarship Act which comprises this chapter.

**§ 2009b. Payment to Trust Fund; Board requests binding on Secretary**

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 2009 of this title, \$500,000, to remain available until expended: *Provided*, That on or after March 11, 2009, all requests of the Board of Trustees to the Secretary of the Treasury provided for in this section shall be binding on the Secretary, including requests for the issuance at par of special obligations exclusively to the fund as provided for in section 2009(b) of this title, which the Secretary shall implement without regard to the determination related to the public interest required by the last sentence of that section.

(Pub. L. 111–8, div. D, title V, Mar. 11, 2009, 123 Stat. 665.)

**CODIFICATION**

Section was enacted as part of the Financial Services and General Government Appropriations Act, 2009, and also as part of the Omnibus Appropriations Act, 2009, and not as part of the Harry S Truman Memorial Scholarship Act which comprises this chapter.

**§ 2010. Expenditures and audit of Trust Fund**

**(a) Authorization of funding**

The Secretary is authorized to pay to the Foundation from the interest and earnings of the fund such sums as the Board determines are

necessary and appropriate to enable the Foundation to carry out the purposes of this chapter.

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

The activities of the Foundation under this chapter 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 the Foundation, pertaining to such activities and necessary to facilitate the audit.

(Pub. L. 93-642, §11, Jan. 4, 1975, 88 Stat. 2279; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

AMENDMENTS

2004—Subsec. (b). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office” in two places.

**§ 2011. Executive Secretary of Foundation**

**(a) Appointment; functions**

There shall be an Executive Secretary of the Foundation who shall be appointed by the Board. The Executive Secretary shall be the chief executive officer of the Foundation and shall carry out the functions of the Foundation subject to the supervision and direction of the Board. The Executive Secretary shall carry out such other functions consistent with the provisions of this chapter as the Board shall delegate.

**(b) Compensation**

The Executive Secretary of the Foundation shall be compensated at the rate specified for employees placed in grade 18 of the General Schedule set forth in section 5332 of title 5.

(Pub. L. 93-642, §12, Jan. 4, 1975, 88 Stat. 2280.)

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.

**§ 2012. Administrative provisions**

**(a) Powers of Foundation**

In order to carry out the provisions of this chapter, the Foundation is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this chapter, except that in no case shall employees other than the Executive Secretary be compensated at a rate to exceed the rate provided for employees in grade 15 of the General Schedule set forth in section 5332 of title 5;

(2) procure temporary and intermittent services of experts and consultants as are necessary to the extent authorized by section 3109 of title 5, but at rates not to exceed the rate specified at the time of such service for grade GS-18 in section 5332 of such title;

(3) prescribe such regulations as it deems necessary governing the manner in which its functions shall be carried out;

(4) receive money and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

(5) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5;

(6) enter into contracts, grants, or other arrangements, or modifications thereof, to carry out the provisions of this chapter, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the Board, be entered into without performance or other bonds, and without regard to section 6101 of title 41;

(7) make advances, progress, and other payments which the Board deems necessary under this chapter without regard to the provisions of section 3324(a) and (b) of title 31;

(8) rent office space in the District of Columbia; and

(9) make other necessary expenditures.

**(b) Annual report to Congress**

The Foundation shall submit to the President and to the Congress an annual report of its operations under this chapter.

(Pub. L. 93-642, §13, Jan. 4, 1975, 88 Stat. 2280.)

CODIFICATION

In subsec. (a)(6), “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

In subsec. (a)(7), “section 3324(a) and (b) of title 31” substituted for “section 3648 of the Revised Statutes, as amended (31 U.S.C. 529)” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (b) of this section relating to submitting annual report to 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 193 of House Document No. 103-7.

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.

**§ 2013. Authorization of appropriations**

There are authorized to be appropriated \$30,000,000 to the fund.

(Pub. L. 93-642, §14, Jan. 4, 1975, 88 Stat. 2280.)

## CHAPTER 43—AMERICAN FOLKLIFE PRESERVATION

### SUBCHAPTER I—GENERAL PROVISIONS

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2141.	Findings; purpose.
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### SUBCHAPTER I—GENERAL PROVISIONS

#### § 2101. Congressional declaration of findings and purpose

(a) The Congress hereby finds and declares—

- (1) that the diversity inherent in American folklife has contributed greatly to the cultural richness of the Nation and has fostered a sense of individuality and identity among the American people;
- (2) that the history of the United States effectively demonstrates that building a strong nation does not require the sacrifice of cultural differences;
- (3) that American folklife has a fundamental influence on the desires, beliefs, values, and character of the American people;
- (4) that it is appropriate and necessary for the Federal Government to support research and scholarship in American folklife in order to contribute to an understanding of the complex problems of the basic desires, beliefs, and values of the American people in both rural and urban areas;
- (5) that the encouragement and support of American folklife, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government; and
- (6) that it is in the interest of the general welfare of the Nation to preserve, support, revitalize, and disseminate American folklife traditions and arts.

(b) It is therefore the purpose of this subchapter to establish in the Library of Congress an American Folklife Center to preserve and present American folklife.

(Pub. L. 94-201, §2, Jan. 2, 1976, 89 Stat. 1129.)

#### SHORT TITLE

Pub. L. 94-201, §1, Jan. 2, 1976, 89 Stat. 1129, provided: “That this Act [enacting this subchapter] may be cited as the ‘American Folklife Preservation Act’.”

Pub. L. 106-380, §1, Oct. 27, 2000, 114 Stat. 1447, provided that: “This Act [enacting subchapter II of this chapter] may be cited as the ‘Veterans’ Oral History Project Act’.”

#### FINDINGS AND PURPOSE OF 1998 AMENDMENT

Pub. L. 105-275, title III, §312(a), Oct. 21, 1998, 112 Stat. 2457, provided that:

“(1) FINDINGS.—Congress makes the following findings:

“(A) The American Folklife Center in the Library of Congress was created by Congress in 1976, building on the vast expertise and archival material existing at the Library since 1928.

“(B) As an instrumentality of the Congress, it is fitting that the American Folklife Center should have a direct and close relationship with the representatives of the people, who are best able to oversee the ongoing activities of the Center to preserve and promote the cultural traditions of the people, and to ensure that the resources of the Center be readily available to all Americans.

“(C) In over 20 years since its creation, the American Folklife Center in the Library of Congress has—

“(i) increased the size of the Archive of Folk Culture from 500,000 to 1,500,000 multi-format ethnographic items;

“(ii) engaged in 15 cultural surveys and field documentation projects in all regions of the country;

“(iii) provided publications, documentary equipment on loan, and advisory and reference service to persons and institutions in all 50 States;

“(iv) produced exhibitions and other educational programs on American Folklife at the Library and around the country;

“(v) begun sharing its unique collections in digital form via the Internet; and

“(vi) served as a national center for the professions of folklore, ethnomusicology, and cultural studies.

“(D) Congress has consistently provided encouragement and support of American Folklife as an appropriate matter of concern to the Federal Government, passing legislation to reauthorize the Center eight times since its creation in 1976.

“(E) The American Folklife Center is the only unit in the Library of Congress which is not permanently authorized. Since its establishment in 1976, the Center’s collections and activities have been fully and successfully integrated into the Library of Congress. It is useful to statutorily conform the American Folklife Center with the rest of the Library of Congress.

“(2) PURPOSE.—It is the purpose of this section [amending sections 2103, 2106, and 2107 of this title and enacting provisions set out as a note under section 2103 of this title] to authorize permanently the American Folklife Center in the Library of Congress to preserve and present American Folklife.”

#### § 2102. Definitions

As used in this subchapter—

(1) the term “American folklife” means the traditional expressive culture shared within the various groups in the United States: familial, ethnic, occupational, religious, regional; expressive culture includes a wide range of creative and symbolic forms such as custom, belief, technical skill, language, literature, art, architecture, music, play, dance, drama, ritual, pageantry, handicraft; these expressions are mainly learned orally, by imitation, or in performance, and are generally maintained without benefit of formal instruction or institutional direction;

(2) the term “Board” means the Board of Trustees of the Center;

(3) the term “Center” means the American Folklife Center established under this subchapter;

(4) the term “group” includes any State or public agency or institution and any nonprofit society, institution, organization, association, or establishment in the United States;