

(Pub. L. 98-164, title V, §505, as added Pub. L. 99-93, title II, §210(a), Aug. 16, 1985, 99 Stat. 431.)

§ 4415. Freedom of information

(a) Compliance with Freedom of Information Act

Notwithstanding the fact that the Endowment is not an agency or establishment of the United States Government, the Endowment shall fully comply with all of the provisions of section 552 of title 5.

(b) Publication in Federal Register

For purposes of complying pursuant to subsection (a) with section 552(a)(1) of such title, the Endowment shall make available to the Director of the United States Information Agency such records and other information as the Director determines may be necessary for such purposes. The Director shall cause such records and other information to be published in the Federal Register.

(c) Review by United States Information Agency

(1) In the event that the Endowment determines not to comply with a request for records under section 552, the Endowment shall submit a report to the Director of the United States Information Agency explaining the reasons for not complying with such request.

(2) If the Director approves the determination not to comply with such request, the United States Information Agency shall assume full responsibility, including financial responsibility, for defending the Endowment in any litigation relating to such request.

(3) If the Director disapproves the determination not to comply with such request, the Endowment shall comply with such request.

(Pub. L. 98-164, title V, §506, as added Pub. L. 99-93, title II, §210(a), Aug. 16, 1985, 99 Stat. 432.)

Statutory Notes and Related Subsidiaries

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.

§ 4416. Retention of interest

Notwithstanding any other provision of law, with the approval of the National Endowment for Democracy, grant funds made available by the National Endowment for Democracy may be deposited in interest-bearing accounts pending disbursement, and any interest which accrues may be retained by the grantee without returning such interest to the Treasury of the United States and interest earned may be obligated and expended for the purposes for which the grant was made without further appropriation.

(Pub. L. 105-277, div. G, subdiv. B, title XXIV, §2411, Oct. 21, 1998, 112 Stat. 2681-831.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, and also as part of the Foreign Affairs Reform and Restruc-

turing Act of 1998 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, and not as part of the National Endowment for Democracy Act which comprises this subchapter.

CHAPTER 55—RESEARCH AND TRAINING FOR EASTERN EUROPE AND INDEPENDENT STATES OF FORMER SOVIET UNION

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§ 4501. Findings and declarations

The Congress finds and declares that—

(1) factual knowledge, independently verified, about the countries of Eastern Europe and the independent states of the former Soviet Union is of the utmost importance for the national security of the United States, for the furtherance of our national interests in the conduct of foreign relations, and for the prudent management of our domestic affairs;

(2) the development and maintenance of knowledge about the countries of Eastern Europe and the independent states of the former Soviet Union depends upon the national capability for advanced research by highly trained and experienced specialists, available for service in and out of Government;

(3) certain essential functions are necessary to ensure the existence of that knowledge and the capability to sustain it, including—

- (A) graduate training;
- (B) advanced research;
- (C) public dissemination of research data, methods, and findings;
- (D) contact and collaboration among Government and private specialists; and
- (E) firsthand experience of the countries of Eastern Europe and the independent states of the former Soviet Union by American specialists, including on site conduct of advanced training and research to the extent practicable; and

(4) it is in the national interest for the United States Government to provide a stable source of financial support for the functions described in this section and to supplement the financial support for those functions which is currently being furnished by Federal, State, local, regional, and private agencies, organizations, and individuals, and thereby to stabilize the conduct of these functions on a national scale, consistently, and on a long range unclassified basis.

(Pub. L. 98-164, title VIII, §802, Nov. 22, 1983, 97 Stat. 1047; Pub. L. 103-199, title III, §302(3), Dec. 17, 1993, 107 Stat. 2322.)

(Pub. L. 98-164, title VIII, §802, Nov. 22, 1983, 97 Stat. 1047; Pub. L. 103-199, title III, §302(3), Dec. 17, 1993, 107 Stat. 2322.)

Editorial Notes

AMENDMENTS

1993—Pars. (1), (2), (3)(E). Pub. L. 103-199 substituted “countries of Eastern Europe and the independent

states of the former Soviet Union” for “Soviet Union and Eastern European countries”.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 98-164, title VIII, §801, Nov. 22, 1983, 97 Stat. 1047, as amended by Pub. L. 103-199, title III, §302(2), Dec. 17, 1993, 107 Stat. 2322, provided that: “This title [enacting this chapter] may be cited as the ‘Research and Training for Eastern Europe and the Independent States of the Former Soviet Union Act of 1983’.”

DEFINITIONS

In pars. (1), (2), and (3)(E), independent states of the former Soviet Union has the meaning given in section 5801 of this title, see section 3 of Pub. L. 103-199, set out as a note under section 5801 of this title.

§ 4502. “Institution of higher education” and “Advisory Committee” defined

As used in this chapter—

(1) the term “institution of higher education” has the same meaning given such term in section 1001 of title 20; and

(2) the term “Advisory Committee” means the Advisory Committee for Studies of Eastern Europe and the Independent States of the Former Soviet Union established by section 4503(a) of this title.

(Pub. L. 98-164, title VIII, §803, Nov. 22, 1983, 97 Stat. 1048; Pub. L. 103-199, title III, §302(4), Dec. 17, 1993, 107 Stat. 2322; Pub. L. 105-244, title I, §102(a)(7)(C), Oct. 7, 1998, 112 Stat. 1619.)

Editorial Notes

AMENDMENTS

1998—Par. (1). Pub. L. 105-244, which directed substitution of “section 1001” for “section 1141(a)” in section 803(1) of the Soviet-Eastern European Research and Training Act of 1983, was executed to this section, which is section 803 of the Research and Training for Eastern Europe and the Independent States of the Former Soviet Union Act of 1983, to reflect the probable intent of Congress, and the change in the short title of that Act. See section 801 of Pub. L. 98-164, set out as a Short Title note under section 4501 of this title.

1993—Par. (2). Pub. L. 103-199 substituted “Advisory Committee for Studies of Eastern Europe and the Independent States of the Former Soviet Union” for “Soviet-Eastern European Studies Advisory Committee”.

Statutory Notes and Related Subsidiaries

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 Title 20, Education.

§ 4503. Establishment of Advisory Committee

(a) Establishment; composition; Chairman

There is established within the Department of State the Advisory Committee for Studies of Eastern Europe and the Independent States of the Former Soviet Union which shall be composed of the Secretary of State, the Secretary of Defense, the Secretary of Education, the Librarian of Congress, the President of the American Association for the Advancement of Slavic Studies, and the President of the Association of

American Universities. The Secretary of State shall be the Chairman.

(b) Meetings; quorum

The Advisory Committee shall meet at the call of the Chairman and shall hold at least one meeting each year. Three members of the Advisory Committee shall constitute a quorum.

(c) Technical and clerical assistance

The Secretary of State may detail personnel of the Department of State to provide technical and clerical assistance to the Advisory Committee in carrying out its functions under this chapter.

(d) Functions

The Advisory Committee shall recommend grant policies for the advancement of the objectives of this chapter. In proposing recipients for grants under this chapter, the Advisory Committee shall give the highest priority to national organizations with an interest and expertise in conducting research and training concerning the countries of Eastern Europe and the independent states of the former Soviet Union and in disseminating the results of such research. In making its recommendations, the Advisory Committee shall emphasize the development of a stable, long-term research program.

(Pub. L. 98-164, title VIII, §804, Nov. 22, 1983, 97 Stat. 1048; Pub. L. 103-199, title III, §302(5), Dec. 17, 1993, 107 Stat. 2322.)

Editorial Notes

AMENDMENTS

1993—Pub. L. 103-199, §302(5)(A), substituted “Establishment of Advisory Committee” for “Establishment of the Soviet-Eastern European Studies Advisory Committee” in section catchline.

Subsec. (a). Pub. L. 103-199, §302(5)(B), substituted “Advisory Committee for Studies of Eastern Europe and the Independent States of the Former Soviet Union” for “Soviet-Eastern European Studies Advisory Committee”.

Subsec. (d). Pub. L. 103-199, §302(5)(C), substituted “the countries of Eastern Europe and the independent states of the former Soviet Union” for “Soviet and Eastern European countries”.

Statutory Notes and Related Subsidiaries

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

DEFINITIONS

In subsec. (d), independent states of the former Soviet Union has the meaning given in section 5801 of this title, see section 3 of Pub. L. 103-199, set out as a note under section 5801 of this title.

§ 4504. Authority to make payments; purposes

(a) The Secretary of State, after consultation with the Advisory Committee, shall make pay-

ments, in accordance with the provisions of this section, out of funds made available to carry out this chapter.

(b)(1) One part of the payments made in each fiscal year shall be used to conduct a national research program at the postdoctoral or equivalent level, such program to include—

(A) the dissemination of information about the research program and the solicitation of proposals for research contracts from American institutions of higher education and not-for-profit corporations, such contracts to contain shared-cost provisions; and

(B) the awarding of contracts for such research projects as the respective institution determines will best serve to carry out the purposes of this chapter after reviewing proposals submitted under subparagraph (A).

(2) One part of the payments made in each fiscal year shall be used—

(A) to establish and carry out a program of graduate, postdoctoral, and teaching fellowships for advanced training in studies on the countries of Eastern Europe and the independent states of the former Soviet Union and related studies, such program—

(i) to be coordinated with the research program described in paragraph (1);

(ii) to be conducted, on a shared-cost basis, at American institutions of higher education; and

(iii) to include—

(I) the dissemination of information on the fellowship program and the solicitation of applications for fellowships from qualified institutions of higher education and qualified individuals; and

(II) the awarding of such fellowships as the respective institution determines will best serve to carry out the purposes of this chapter after reviewing applications submitted under subclause (I); and

(B) to disseminate research, data, and findings on studies on the countries of Eastern Europe and the independent states of the former Soviet Union and related fields in such a manner and to such extent as the respective institution determines will best serve to carry out the purposes of this chapter.

(3) One part of the payments made in each fiscal year shall be used—

(A) to provide fellowship and research support for American specialists in the independent states of the former Soviet Union and the countries of Eastern Europe and related fields to conduct advanced research with particular emphasis upon the use of data on those states and countries; and

(B) to conduct seminars, conferences, and other similar workshops designed to facilitate research collaboration between Government and private specialists in the independent states of the former Soviet Union and the countries of Eastern Europe and related fields.

(4) One part of the payments made in each fiscal year shall be used to conduct specialized programs in advanced training and research on a reciprocal basis in the independent states of the former Soviet Union and the countries of East-

ern Europe designed to facilitate access for American specialists to research institutes, personnel, archives, documentation, and other research and training resources located in those states and countries.

(5) One part of the payments made in each fiscal year shall be used to support training in the languages of the independent states of the former Soviet Union and the countries of Eastern Europe. Such payments shall include grants to individuals to pursue such training and to summer language institutes operated by institutions of higher education. Preference shall be given for Russian language studies and, as appropriate, studies of other languages of the independent states of the former Soviet Union.

(6) Payments may be made to carry out other research and training in studies on the countries of Eastern Europe and the independent states of the former Soviet Union not otherwise described in this section.

(Pub. L. 98-164, title VIII, §805, Nov. 22, 1983, 97 Stat. 1048; Pub. L. 103-199, title III, §302(6), Dec. 17, 1993, 107 Stat. 2323.)

Editorial Notes

AMENDMENTS

1993—Subsec. (b)(2)(A), (B). Pub. L. 103-199, §302(6)(A), substituted “studies on the countries of Eastern Europe and the independent states of the former Soviet Union” for “Soviet and Eastern European studies”.

Subsec. (b)(3)(A). Pub. L. 103-199, §302(6)(B), (C), substituted “independent states of the former Soviet Union and the countries of Eastern Europe and related fields” for “fields of Soviet and Eastern European studies and related studies” and “those states and countries” for “the Soviet Union and Eastern European countries”.

Subsec. (b)(3)(B). Pub. L. 103-199, §302(6)(B), which directed the substitution of “independent states of the former Soviet Union and the countries of Eastern Europe and related fields” for “fields of Soviet and Eastern European studies and related studies”, was executed by making the substitution for “fields of Soviet and East European studies and related studies”, to reflect the probable intent of Congress.

Subsec. (b)(4). Pub. L. 103-199, §302(6)(D), substituted “independent states of the former Soviet Union” for “Union of Soviet Socialist Republics” and “those states and countries” for “the Union of Soviet Socialist Republics and Eastern European countries”.

Subsec. (b)(5). Pub. L. 103-199, §302(6)(E), substituted “training in the languages of the independent states of the former Soviet Union and the countries of Eastern Europe” for “language training in Russian and Eastern European languages” and inserted before period at end “and, as appropriate, studies of other languages of the independent states of the former Soviet Union”.

Subsec. (b)(6). Pub. L. 103-199, §302(6)(A), substituted “studies on the countries of Eastern Europe and the independent states of the former Soviet Union” for “Soviet and Eastern European studies”.

Statutory Notes and Related Subsidiaries

DEFINITIONS

In subsec. (b)(2)–(6), independent states of the former Soviet Union has the meaning given in section 5801 of this title, see section 3 of Pub. L. 103-199, set out as a note under section 5801 of this title.

§ 4505. Applications; payments to eligible institutions

(a) Any institution seeking funding under this chapter shall prepare and submit an application

to the Secretary of State once each fiscal year. Each such application shall—

(1) provide a description of the purposes for which the payments will be used in accordance with section 4504 of this title; and

(2) provide such fiscal control and such accounting procedures as may be necessary (A) to ensure a proper accounting of Federal funds paid under this chapter, and (B) to ensure the verification of the costs of the continuing education and research programs conducted under this chapter.

(b) Payments under this chapter may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of overpayments and underpayments.

(Pub. L. 98-164, title VIII, § 806, Nov. 22, 1983, 97 Stat. 1050.)

§ 4506. Repealed. Pub. L. 112-74, div. I, title VII, § 7034(n), Dec. 23, 2011, 125 Stat. 1217

Section, Pub. L. 98-164, title VIII, § 807, Nov. 22, 1983, 97 Stat. 1050, required Secretary of State to submit annual report on activities of institutions receiving assistance under this chapter.

§ 4507. Federal control of education prohibited

Nothing contained in this chapter may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction or research, administration, or personnel of any educational institution.

(Pub. L. 98-164, title VIII, § 808, Nov. 22, 1983, 97 Stat. 1050.)

§ 4508. Allocation of funds

Of the funds authorized to be appropriated by section 102(1) of this Act—

(1) up to \$5,000,000 for the fiscal year 1984 shall be available to carry out this chapter; and

(2) \$5,000,000 for the fiscal year 1985 shall be available only to carry out this chapter.

(Pub. L. 98-164, title VIII, § 809, Nov. 22, 1983, 97 Stat. 1050.)

Editorial Notes

REFERENCES IN TEXT

Section 102(1) of this Act, referred to in text, is section 102(1) of Pub. L. 98-164, title I, Nov. 22, 1983, 97 Stat. 1017, which is not classified to the Code.

§ 4509. Repealed. Pub. L. 102-138, title II, § 209, Oct. 28, 1991, 105 Stat. 694

Section, Pub. L. 98-164, title VIII, § 810, Nov. 22, 1983, 97 Stat. 1051, provided that provisions of this chapter were to cease to be effective at end of ten-year period beginning on Nov. 22, 1983.

CHAPTER 56—UNITED STATES INSTITUTE OF PEACE

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§ 4601. Congressional declaration of findings and purposes

(a) The Congress finds and declares that—

(1) a living institution embodying the heritage, ideals, and concerns of the American people for peace would be a significant response to the deep public need for the Nation to develop fully a range of effective options, in addition to armed capacity, that can leash international violence and manage international conflict;

(2) people throughout the world are fearful of nuclear war, are divided by war and threats of war, are experiencing social and cultural hostilities from rapid international change and real and perceived conflicts over interests, and are diverted from peace by the lack of problem-solving skills for dealing with such conflicts;

(3) many potentially destructive conflicts among nations and peoples have been resolved constructively and with cost efficiency at the international, national, and community levels through proper use of such techniques as negotiation, conciliation, mediation, and arbitration;

(4) there is a national need to examine the disciplines in the social, behavioral, and physical sciences and the arts and humanities with regard to the history, nature, elements, and future of peace processes, and to bring together and develop new and tested techniques to promote peaceful economic, political, social, and cultural relations in the world;

(5) existing institutions providing programs in international affairs, diplomacy, conflict resolution, and peace studies are essential to further development of techniques to promote peaceful resolution of international conflict, and the peacemaking activities of people in such institutions, government, private enterprise, and voluntary associations can be strengthened by a national institution devoted to international peace research, education and training, and information services;

(6) there is a need for Federal leadership to expand and support the existing international peace and conflict resolution efforts of the Nation and to develop new comprehensive peace education and training programs, basic and applied research projects, and programs providing peace information;

(7) the Commission on Proposals for the National Academy of Peace and Conflict Resolution, created by the Education Amendments of 1978, recommended establishing an academy as a highly desirable investment to further the Nation's interest in promoting international peace;

(8) an institute strengthening and symbolizing the fruitful relation between the world of