

107TH CONGRESS
1ST SESSION

S. 579

To amend the Mutual Educational and Cultural Exchange Act of 1961 to authorize the Secretary of State to provide for the establishment of nonprofit entities for the Department of State's international educational, cultural, and arts programs.

IN THE SENATE OF THE UNITED STATES

MARCH 20, 2001

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the Mutual Educational and Cultural Exchange Act of 1961 to authorize the Secretary of State to provide for the establishment of nonprofit entities for the Department of State's international educational, cultural, and arts programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress makes the following findings:

5 (1) It is in the national interest of the United
6 States to promote mutual understanding between
7 the people of the United States and other nations.

1 (2) Among the means to be used in achieving
2 this objective are a wide range of international edu-
3 cational and cultural exchange programs, including
4 the J. William Fulbright Educational Exchange Pro-
5 gram and the International Visitors Program.

6 (3) Cultural diplomacy, especially the presen-
7 tation abroad of the finest of the creative, visual,
8 and performing arts of the United States, is an es-
9 pecially effective means of advancing the United
10 States national interest.

11 (4) The financial support available for inter-
12 national cultural and scholarly exchanges has de-
13 clined by approximately 10 percent in recent years.

14 (5) There has been a dramatic decline in the
15 amount of funds available for the purpose of ensur-
16 ing that the excellence, diversity, and vitality of the
17 arts in the United States are presented to foreign
18 audiences by and in cooperation with United States
19 diplomatic and consular representatives.

20 (6) One of the ways to deepen and expand cul-
21 tural and educational exchange programs is through
22 the establishment of nonprofit entities to encourage
23 the participation and financial support of multi-
24 national companies and other private sector contrib-
25 utors.

1 (7) The United States private sector should be
2 encouraged to cooperate closely with the Secretary of
3 State and the Secretary’s representatives to expand
4 and spread appreciation of United States cultural
5 and artistic accomplishments.

6 **SEC. 2. AUTHORITY TO ESTABLISH NONPROFIT ENTITIES.**

7 Section 105(f) of the Mutual Educational and Cul-
8 tural Exchange Act of 1961 (22 U.S.C. 2455(f)) is further
9 amended—

10 (1) by inserting “(1)” after “(f)”; and

11 (2) by adding at the end the following new
12 paragraphs:

13 “(2) The Secretary of State is authorized to provide
14 for the establishment of private, nonprofit entities to assist
15 in carrying out the purposes of the Act. Any such entity
16 shall not be considered an agency or instrumentality of
17 the United States Government, nor shall its employees be
18 considered employees of the United States Government for
19 any purposes.

20 “(3) The entities may, among other functions—

21 “(A) encourage United States multinational
22 companies and other elements of the private sector
23 to participate in, and support, cultural, arts, and
24 educational exchange programs, including those pro-
25 grams that will enhance international appreciation of

1 the cultural and artistic accomplishments of the
2 United States;

3 “(B) solicit and receive contributions from the
4 private sector to support these cultural arts and edu-
5 cational exchange programs; and

6 “(C) provide grants and other assistance for
7 these programs.

8 “(4) The Secretary of State is authorized to make
9 such arrangements as are necessary to carry out the pur-
10 poses of these entities, including—

11 “(A) the solicitation and receipt of funds for
12 the entity;

13 “(B) designation of a program in recognition of
14 such contributions; and

15 “(C) designation of members, including employ-
16 ees of the United States Government, on any board
17 or other body established to administer the entity.

18 “(5) Any funds available to the Department of State
19 may be made available to such entities to cover adminis-
20 trative and other costs for their establishment. Any such
21 entity is authorized to invest any amount provided to it
22 by the Department of State, and such amount, as well as
23 any interest or earnings on such amount, may be used
24 by the entity to carry out its purposes.”.

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