

cy or Director thereof under this chapter transferred to Director of International Communication Agency by section 7(a)(2) of Reorg. Plan No. 2 of 1977, set out under section 1461 of this title, effective on or before July 1, 1978, at such time as specified by President, except (A) for such functions as are vested by subsec. (a) of this section, sections 2452(b)(6), (10), 2454(a), (e)(1), (2), (f), (g), 2455(a), (b), (c) and 2458 of this title, (B) for such functions as are vested by subsecs. (d) and (f) of this section, sections 2454(b) and 2455(d)(2), (f) of this title, to 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 subsecs. (b) and (c) of this section to extent that any 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.

### § 2457. Reports by Board

The Board shall submit annual reports to the Congress and such other reports to the Congress as it deems appropriate, and shall make reports to the public in the United States and abroad to develop a better understanding of and support for the programs authorized by this chapter.

(Pub. L. 87-256, §107, Sept. 21, 1961, 75 Stat. 534; 1977 Reorg. Plan No. 2, §9(a)(3), (6), 42 F.R. 62461, 91 Stat. 1639.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, 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.

##### CODIFICATION

Provisions relating to the submission of reports to Congress by the United States Advisory Commission on International Educational and Cultural Affairs [which replaced the United States Advisory Commission on Educational Exchange], and the Advisory Committee on the Arts, were omitted pursuant to Reorg. Plan No. 2 of 1977, §9(a)(3), (6), 42 F.R. 62461, 91 Stat. 1639, set out under section 1461 of this title, which abolished the Commission and the Committee effective on or before July 1, 1978, at such time as specified by the President.

#### Statutory Notes and Related Subsidiaries

##### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in this section relating to submitting annual reports 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 155 of House Document No. 103-7.

##### TERMINATION OF ADVISORY COMMISSIONS AND COMMITTEES

Advisory commissions or committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a commission or committee established by the President or an officer of the Federal Government, such commission or committee is renewed by appropriate

action prior to the expiration of such 2-year period, or in the case of a commission or committee established by the Congress, its duration is otherwise provided for by law. See sections 1001(2) and 1013 of Title 5, Government Organization and Employees.

### § 2458. Authority of President

#### (a) Performance of certain functions without regard to other laws; appropriation credits upon reimbursement for services in connection with exchange activities

(1) Whenever the President determines it to be in furtherance of this chapter, the functions authorized in section 2452(a)(2) and (3) of this title may be performed without regard to such provisions of law or limitations of authority regulating or relating to the making, performance, amendment, or modification of contracts, the acquisition and disposition of property, and the expenditure of Government funds, as he may specify.

(2) Notwithstanding any other provision of law, the Director of the United States Information Agency may provide, on a reimbursable basis, services within the United States in connection with exchange activities otherwise authorized by this chapter when such services are requested by a department or executive agency. Reimbursements under this paragraph shall be credited to the applicable appropriation of the Agency.

#### (b) Periodic reports of activities and expenditures

The President shall submit periodic reports to the Congress of activities carried on and expenditures made in furtherance of the purposes of this chapter and of the United States Information and Educational Exchange Act of 1948, as amended [22 U.S.C. 1431 et seq.].

#### (c) Expenditures in selection, purchase, rental, construction, or other acquisition of exhibits and materials and equipment therefor

In connection with activities authorized by section 2452(a)(2) and (3) of this title, the President is authorized to provide for all necessary expenditures involved in the selection, purchase, rental, construction, or other acquisition of exhibits and materials and equipment therefor, and the actual display thereof, including but not limited to costs of transportation, insurance, installation, safekeeping and storage, maintenance and operation, rental of space, and dismantling.

#### (d) Utilization of provisions of other laws

The President is authorized to utilize the provisions of title VIII of the United States Information and Educational Exchange Act of 1948, as amended [22 U.S.C. 1471 et seq.], to the extent he deems necessary in carrying out the provisions and purposes of this chapter.

(Pub. L. 87-256, §108, Sept. 21, 1961, 75 Stat. 534; Pub. L. 96-60, title II, §203(d), Aug. 15, 1979, 93 Stat. 399; Pub. L. 96-470, title II, §212(a), Oct. 19, 1980, 94 Stat. 2246; Pub. L. 97-241, title III, §303(b), Aug. 24, 1982, 96 Stat. 291.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in subsecs. (a), (b), and (d), was in the original “this Act”, meaning Pub. L. 87-256,

Sept. 21, 1961, 75 Stat. 527, 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.

The United States Information and Educational Exchange Act of 1948, as amended, referred to in subsecs. (b) and (d), is act Jan. 27, 1948, ch. 36, 62 Stat. 6, which is classified generally to chapter 18 (§1431 et seq.) of this title. Title VIII of the Act, referred to in subsec. (d), is classified generally to subchapter VII (§1471 et seq.) of chapter 18 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1431 of this title and Tables.

#### AMENDMENTS

1980—Subsec. (b). Pub. L. 96-470 substituted provision requiring periodic reports on activities and expenditures made under this chapter and the United States Information and Educational Exchange Act of 1948 for provision requiring an annual report be made on activities and expenditures under this chapter.

1979—Subsec. (a). Pub. L. 96-60 designated existing provisions as par. (1) and added par. (2).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-60 effective Oct. 1, 1979, see section 209 of Pub. L. 96-60, set out as a note under section 1471 of this title.

##### 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.

“Director of the United States Information Agency” substituted for “Director of the International Communication Agency” in subsec. (a)(2), 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.

SOVIET NATIONALS PARTICIPATING IN EXCHANGE PROGRAMS; TOPICS AND LOCATION OF STUDY; NATIONAL SECURITY INTERESTS; REPORT TO CONGRESS

Pub. L. 97-241, title I, §126(c), Aug. 24, 1982, 96 Stat. 282, directed Secretary of State to submit annually to Congress a list of Soviet nationals participating during the upcoming academic year in the United States-Union of Soviet Socialist Republics graduate student/young faculty exchange or in the United States-Union of Soviet Socialist Republics senior scholar exchange, their topics of study, and where they were to study, such report to also include a determination by Secretary of State, in consultation with heads of other agencies involved in these exchange programs, that these exchange programs would not jeopardize United States national security interests, prior to repeal by Pub. L. 103-199, title III, §306, Dec. 17, 1993, 107 Stat. 2324.

#### Executive Documents

##### TRANSFER OF FUNCTIONS

Functions vested in President, Secretary of State, Department of State, United States Information Agency or Director thereof under this chapter transferred to Director of International Communication Agency by 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, except (A) for such functions as are vested by this section, and sections 2452(b)(6), (10), 2454(a), (e)(1), (2), (f), (g), 2455(a), (b), (c), 2456(a) of this title, (B) for such functions as are vested by sections 2454(b), 2455(d)(2), (f), 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, and Secretary of Commerce, see Ex. Ord. No. 11034, June 25, 1962, 27 F.R. 6071, set out as a note under section 2454 of this title.

#### § 2458a. Federal employee participation in cultural exchange programs

##### (a) Grants and other foreign government assistance; family or household expense assistance prohibited; “Federal employee” defined

(1) Congress consents to the acceptance by a Federal employee of grants and other forms of assistance provided by a foreign government to facilitate the participation of such Federal employee in a cultural exchange—

(A) which is of the type described in section 2452(a)(2)(i) of this title,

(B) which is conducted for a purpose comparable to the purpose stated in section 2451 of this title, and

(C) which is specifically approved by the Secretary of State for purposes of this section;

but the Congress does not consent to the acceptance by any Federal employee of any portion of any such grant or other form of assistance which provides assistance with respect to any expenses incurred by or for any member of the family or household of such Federal employee.

(2) For purposes of this section, the term “Federal employee” means any employee as defined in subparagraphs (A) through (F) of section 7342(a)(1) of title 5, but does not include a person described in subparagraph (G) of such section.

##### (b) Foreign grants and other assistance not gifts for purposes of section 7342 of title 5

The grants and other forms of assistance with respect to which the consent of Congress is given in subsection (a) of this section shall not constitute gifts for purposes of section 7342 of title 5.

##### (c) Regulations

The Secretary of State is authorized to promulgate regulations for purposes of this section. (Pub. L. 87-256, §108A, as added Pub. L. 94-350, title I, §111, July 12, 1976, 90 Stat. 825; amended Pub. L. 96-60, title II, §204(d), Aug. 15, 1979, 93 Stat. 400.)

#### Editorial Notes

##### AMENDMENTS

1979—Subsec. (a)(2). Pub. L. 96-60 substituted “(F)” for “(E)” and “(G)” for “(F)”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-60 effective Oct. 1, 1979, see section 209 of Pub. L. 96-60, set out as a note under section 1471 of this title.