

(1) the post-World War II evolution of the relationship between Japan and the United States to peacetime friendship and partnership is one of the most significant developments of the postwar period;

(2) the Agreement Between Japan and the United States of America Concerning the Ryukyu Islands and the Daito Islands, signed at Washington and Tokyo on June 17, 1971, is a major achievement and symbol of the new relationship between the United States and Japan; and

(3) the continuation of close United States-Japan friendship and cooperation will make a vital contribution to the prospects for peace, prosperity, and security in Asia and the world.

(b) It is therefore the purpose of this chapter to provide for the use of an amount equal to a part of the total sum payable by Japan to the United States in connection with the reversion of Okinawa to Japanese administration and the remaining funds of the amount set aside in 1962 for educational and cultural exchange with Japan (known as the G.A.R.I.O.A. Account) to aid education and culture at the highest level in order to enhance reciprocal people-to-people understanding and to support the close friendship and mutuality of interests between the United States and Japan.

(Pub. L. 94-118, § 2, Oct. 20, 1975, 89 Stat. 603.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 94-118, § 1, Oct. 20, 1975, 89 Stat. 603, provided: "That this Act [enacting this chapter] may be cited as the 'Japan-United States Friendship Act'."

§ 2902. Japan-United States Friendship Trust Fund

(a) Establishment

There is established in the Treasury of the United States a trust fund to be known as the Japan-United States Friendship Trust Fund (hereafter referred to as the "Fund").

(b) Use of amounts in Fund for promotion of scholarly, cultural, and artistic activities between Japan and United States

Amounts in the Fund shall be used for the promotion of scholarly, cultural, and artistic activities between Japan and the United States, including—

(1) support for studies, including language studies, in institutions of higher education or scholarly research in Japan and the United States, designed to foster mutual understanding between Japan and the United States;

(2) support for major collections of Japanese books and publications in appropriate libraries located throughout the United States and similar support for collections of American books and publications in appropriate libraries located throughout Japan;

(3) support for programs in the arts in association with appropriate institutions in Japan and the United States;

(4) support for fellowships and scholarships at the graduate and faculty levels in Japan

and the United States in accord with the purposes of this chapter;

(5) support for visiting professors and lecturers at colleges and universities in Japan and the United States; and

(6) support for other Japan-United States cultural and educational activities consistent with the purposes of this chapter.

(c) Use of amounts in Fund for administrative expenses of Japan-United States Friendship Commission

Amounts in the Fund may also be used to pay administrative expenses of the Japan-United States Friendship Commission, established by section 2903 of this title, as directed by that Commission.

(d) Authorization of appropriations; source of amounts

There is authorized to be appropriated to the Fund, for fiscal year 1976, an amount equal to 7.5 per centum of the total funds payable to the United States pursuant to the Agreement Between Japan and the United States of America Concerning the Ryukyu Islands and the Daito Islands, signed at Washington and Tokyo, June 17, 1971, including interest and proceeds accruing to the Fund from such funds in accordance with sections 2905(4) and 2906 of this title.

(e) Additional authorization of appropriations; source of amounts; subsequent use of unappropriated portion of amounts authorized to be appropriated

(1) There is authorized to be appropriated to the Fund, for fiscal year 1976, in addition to the amount authorized to be appropriated by subsection (d) of this section, those funds available in United States accounts in Japan and transferred by the Government of Japan to the United States pursuant to the United States request made under article V of the agreement between the United States of America and Japan regarding the settlement of Postwar Economic Assistance to Japan, signed in Tokyo, January 9, 1962, and the exchange of notes of the same date (13 U.S.T. 1957; T.I.A.S. 5154) (the G.A.R.I.O.A. Account), including interest accruing to the G.A.R.I.O.A. Account and interest and proceeds accruing to the Fund from such funds in accordance with sections 2905(4) and 2906 of this title.

(2) The amount authorized to be appropriated by paragraph (1) of this subsection shall not include any amount required by law to be applied to United States participation in the International Ocean Exposition to be held in Okinawa, Japan.

(3) Any unappropriated portion of the amount authorized to be appropriated by subsection (d) of this section and paragraph (1) of this subsection for fiscal year 1976 may be appropriated in any subsequent fiscal year.

(Pub. L. 94-118, § 3, Oct. 20, 1975, 89 Stat. 603; Pub. L. 94-350, title IV, § 401(2), (3)(A), July 12, 1976, 90 Stat. 833.)

Editorial Notes

AMENDMENTS

1976—Subsecs. (d), (e)(1). Pub. L. 94-350 included interest and proceeds accruing to the Fund in accordance with sections 2905(4) and 2906 of this title.

§ 2903. Japan-United States Friendship Commission

(a) Establishment; composition

There is established a commission to be known as the Japan-United States Friendship Commission (hereafter referred to as the "Commission"). The Commission shall be composed of—

- (1) the members of the United States Panel of the Joint Committee on United States-Japan Cultural and Educational Cooperation;
- (2) two Members of the House of Representatives, to be appointed at the beginning of each Congress or upon the occurrence of a vacancy during a Congress by the Speaker of the House of Representatives;
- (3) two Members of the Senate, to be appointed at the beginning of each Congress or upon the occurrence of a vacancy during a Congress by the President pro tempore of the Senate;
- (4) the Chairman of the National Endowment for the Arts; and
- (5) the Chairman of the National Endowment for the Humanities.

(b) Compensation and travel expenses

Members of the Commission who are not full-time officers or employees of the United States and who are not Members of Congress shall, while serving on business of the Commission, be entitled to receive compensation at rates fixed by the President, but not exceeding the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, including travel-time; and while so serving away from their homes or regular places of business, all members of the Commission may be allowed travel expenses including per diem in lieu of subsistence, as authorized by section 5703 of title 5 for persons in Government service employed intermittently.

(c) Chairman; quorum; meetings

The Chairman of the United States Panel of the Joint Committee on United States-Japan Cultural and Educational Cooperation shall be the Chairman of the Commission. A majority of the members of the Commission shall constitute a quorum. The Commission shall meet at least twice in each year.

(Pub. L. 94-118, § 4, Oct. 20, 1975, 89 Stat. 604.)

Statutory Notes and Related Subsidiaries

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.

§ 2904. Functions of Commission

(a) Promotion of scholarly, cultural, and artistic activities; grants

The Commission is authorized to—

- (1) develop and carry out programs at public or private institutions for the promotion of

scholarly, cultural, and artistic activities in Japan and the United States consistent with the provisions of section 2902(b) of this title; and

- (2) make grants to carry out such programs.

(b) Annual report

The Commission shall submit to the President and to the Congress an annual report of its activities under this chapter together with such recommendations as the Commission determines appropriate.

(Pub. L. 94-118, § 5, Oct. 20, 1975, 89 Stat. 605.)

§ 2905. Administrative powers of Commission

In order to carry out its functions under this chapter, the Commission is authorized to—

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

- (2) receive money and property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of this chapter; and to use, sell, or otherwise dispose of such property (including transfer to the Fund) for the purpose of carrying out the purposes of this chapter, and any such donation shall be exempt from any Federal income, State, or gift tax;

- (3) in the discretion of the Commission, receive (and use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed, or devised to the Commission with a condition or restriction, including a condition that the Commission use other funds of the Commission for the purposes of the gift, and any such donation shall be exempt from any Federal income, State, or gift tax;

- (4) direct the Secretary of the Treasury to make expenditure of the income of the Fund, any amount of the contributions deposited in the Fund from nonappropriated sources pursuant to paragraph (2) or (3) of this section, and not to exceed 5 percent annually of the principal of the total amount appropriated to the Fund to carry out the purposes of this chapter, including the payment of Commission expenses if needed;

- (5) appoint an Executive Director, without regard to the provisions of title 5 governing appointments in the competitive service, who shall be compensated at the rate provided for a GS-18 of the General Schedule of such title;

- (6) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, at rates for individuals not to exceed the rate specified at the time of such service for grade GS-18 in section 5332 of title 5;

- (7) 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;

- (8) enter into contracts, grants, or other arrangements, or modifications thereof;

- (9) make advances, progress, and other payments which the Commission deems necessary under this chapter;