

## **US Code**

*(Unofficial compilation from the Legal Information Institute)*

### **TITLE 22 - FOREIGN RELATIONS AND INTERCOURSE**

#### **CHAPTER 59—FASCELL FELLOWSHIP PROGRAM**

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### **§ 4901. Fellowship program for temporary service at United States missions abroad**

#### **(a) Establishment**

There is hereby established a fellowship program pursuant to which the Secretary of State will provide fellowships to United States citizens while they serve, for a period of between one and two years, in positions which would otherwise be held by foreign national employees at United States diplomatic or consular missions abroad.

#### **(b) Designation of fellowships**

Fellowships under this chapter shall be known as “Fascell Fellowships”.

#### **(c) Purpose of fellowships**

Fellowships under this chapter shall be provided in order to allow the recipient (hereafter in this chapter referred to as a “Fellow”) to serve on a short-term basis at a United States diplomatic or consular mission abroad in order to obtain first hand exposure to that country, including (as appropriate) independent study in that country’s area studies or languages.

#### **(d) Individuals who may receive a fellowship**

To receive a fellowship under this chapter, an individual must be a United States citizen who is an undergraduate or graduate student, a teacher, scholar, or other academic, or an other individual, who has expertise in international affairs, foreign languages, or career and professional experience or interest in international affairs, and who has a working knowledge of the principal language of the country in which he or she would serve.

#### **(e) Women and members of minority groups**

In carrying out this section, the Secretary of State shall actively recruit women and members of minority groups.

(Pub. L. 99–399, title X, § 1002, Aug. 27, 1986, 100 Stat. 893; Pub. L. 101–454, § 9(b), Oct. 24, 1990, 104 Stat. 1065; Pub. L. 103–199, title III, § 303, Dec. 17, 1993, 107 Stat. 2323.)

### **Amendments**

1993—Pub. L. 103–199 substituted “abroad” for “in the Soviet Union and Eastern Europe” in section catchline.

1990—Subsec. (a). Pub. L. 101–454, § 9(b)(1), substituted “which would otherwise be” for “formerly” and “abroad” for “in the Soviet Union or Eastern European countries”.

Subsec. (c). Pub. L. 101–454, § 9(b)(2), substituted “abroad” for “in the Soviet Union or an Eastern European country” and “that country’s” for “Soviet or Eastern European”.

Subsec. (d). Pub. L. 101–454, § 9(b)(3), substituted “international affairs, foreign languages, or career and professional experience or interest in international affairs,” for “Soviet or Eastern European area studies or languages”.

### **Short Title of 1990 Amendment**

Section 9(a) of Pub. L. 101–454 provided that: “This section [amending this section and sections 4902 and 4904 of this title, and enacting provisions set out as a note under section 4902 of this title] may be cited as the ‘Fascell Fellowship Amendments Act of 1990’.”

### Short Title

Section 1001 of title X of Pub. L. 99–399 provided that: “This title [enacting this chapter] may be cited as the ‘Fascell Fellowship Act’.”

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## § 4902. Fellowship Board

### (a) Establishment and function

There is hereby established a Fellowship Board (hereafter in this chapter referred to as the “Board”), which shall select the individuals who will be eligible to serve as Fellows.

### (b) Membership

The Board shall consist of 7 members as follows:

- (1) A senior official of the Department of State (who shall be the chair of the Board), designated by the Secretary of State.
- (2) An officer or employee of the Department of Commerce, designated by the Secretary of Commerce.
- (3) Five academic specialists in international affairs or foreign languages, appointed by the Secretary of State (in consultation with the chairman and ranking minority member of the Committee on Foreign Affairs of the House of Representatives and the chairman and ranking minority<sup>1</sup> of the Committee on Foreign Relations of the Senate).

### (c) Meetings

The Board shall meet at least once each year to select the individuals who will be eligible to serve as Fellows.

### (d) Compensation and per diem

Members of the Board shall receive no compensation on account of their service on the Board, but while away from their homes or regular places of business in the performance of their duties under this chapter, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

### Footnotes

<sup>1</sup> So in original. Probably should be followed by “member”.

(Pub. L. 99–399, title X, § 1003, Aug. 27, 1986, 100 Stat. 893; Pub. L. 101–454, § 9(c)(1), Oct. 24, 1990, 104 Stat. 1066; Pub. L. 105–277, div. G, subdiv. A, title XIII, § 1335(f), Oct. 21, 1998, 112 Stat. 2681–788.)

### Amendments

1998—Subsec. (b). Pub. L. 105–277, § 1335(f)(1), substituted “7 members” for “9 members” in introductory provisions.

Subsec. (b)(3), (4). Pub. L. 105–277, § 1335(f)(2)–(4), redesignated par. (4) as (3), substituted “Five” for “Six”, and struck out former par. (3) which read as follows: “An officer or employee of the United States Information Agency, designated by the Director of that Agency.”

1990—Subsec. (b)(4). Pub. L. 101–454 substituted “international affairs or foreign languages,” for “Soviet or Eastern European area studies or languages,”.

### Effective Date of 1998 Amendment

Amendment by Pub. L. 105–277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105–277, set out as an Effective Date note under section 6531 of this title.

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**Effective Date of 1990 Amendment**

Section 9(c)(2) of Pub. L. 101-454 provided that: "The amendment made by paragraph (1) [amending this section] shall apply only to appointments to the Fascell Fellowship Board after the date of the enactment of this section [Oct. 24, 1990] and shall not affect the service of members of such board on the date of the enactment of this section."

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**§ 4903. Fellowships**

**(a) Number**

Up to 100 fellowships may be provided under this chapter each year. Not less than 15 shall be provided during fiscal year 1993.

**(b) Remuneration and period**

The Board shall determine, taking into consideration the position in which each Fellow will serve and his or her experience and expertise—

- (1) the amount of remuneration the Fellow will receive for his or her service under this chapter, and
- (2) the period of the fellowship, which shall be between one and two years.

**(c) Training**

Each Fellow may be given appropriate training at the George P. Shultz National Foreign Affairs Training Center or other appropriate institution.

**(d) Housing and transportation**

The Secretary of State shall, pursuant to regulations—

- (1) provide housing for each Fellow while the Fellow is serving abroad, including (where appropriate) housing for family members; and
- (2) pay the costs and expenses incurred by each Fellow in traveling between the United States and the country in which the Fellow serves, including (where appropriate) travel for family members.

**(e) Effective date**

Subsection (d) of this section shall not take effect until October 1, 1986.

(Pub. L. 99-399, title X, § 1004, Aug. 27, 1986, 100 Stat. 894; Pub. L. 102-511, title VIII, § 804(a), Oct. 24, 1992, 106 Stat. 3353; Pub. L. 107-132, § 1(b), Jan. 16, 2002, 115 Stat. 2412.)

**Amendments**

2002—Subsec. (c). Pub. L. 107-132 substituted "George P. Shultz National Foreign Affairs Training Center" for "Foreign Service Institute".

1992—Subsec. (a). Pub. L. 102-511 inserted at end "Not less than 15 shall be provided during fiscal year 1993."

**Funding**

Section 804(b) of Pub. L. 102-511 provided that: "In addition to the funds made available pursuant to section 1005(c) of that Act [22 U.S.C. 4904 (c)], funds authorized to be appropriated by chapter 11 of part I of the Foreign Assistance Act of 1961 [22 U.S.C. 2295 et seq.] may be used in carrying out the amendment made by subsection (a) [amending this section] with respect to missions in the independent states of the former Soviet Union."

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**§ 4904. Secretary of State**

**(a) Determinations**

The Secretary of State shall determine which of the individuals selected by the Board will serve at each United States diplomatic or consular mission abroad and the position in which each will serve.

**(b) Authorities**

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Fellows may be employed—

- (1) under a temporary appointment in the civil service;
- (2) under a limited appointment in the Foreign Service; or
- (3) by contract under the provisions of section 2669 (c) of this title.

**(c) Funding**

Funds appropriated to the Department of State for “Salaries and Expenses” shall be used for the expenses incurred in carrying out this chapter.

(Pub. L. 99–399, title X, § 1005, Aug. 27, 1986, 100 Stat. 894; Pub. L. 100–204, title I, § 187, Dec. 22, 1987, 101 Stat. 1368; Pub. L. 101–454, § 9(d), Oct. 24, 1990, 104 Stat. 1066.)

**Amendments**

1990—Subsec. (a). Pub. L. 101–454 substituted “abroad” for “in the Soviet Union or Eastern Europe”.

1987—Subsec. (b). Pub. L. 100–204 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “Such service shall be in accordance with the relevant authorities of the Foreign Service Act of 1980, the State Department Basic Authorities Act of 1956, and title 5.”