

TITLE 22 - FOREIGN RELATIONS AND INTERCOURSE

CHAPTER 33 - MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM

§ 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.)

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, as amended, 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, as amended, 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.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 3, 2005 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

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

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.

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.

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.