

110TH CONGRESS
1ST SESSION

H. R. 1469

AN ACT

To establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Senator Paul Simon
3 Study Abroad Foundation Act of 2007”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) According to President George W. Bush,
7 “America’s leadership and national security rest on
8 our commitment to educate and prepare our youth
9 for active engagement in the international commu-
10 nity.”.

11 (2) According to former President William J.
12 Clinton, “Today, the defense of United States inter-
13 ests, the effective management of global issues, and
14 even an understanding of our Nation’s diversity re-
15 quire ever-greater contact with, and understanding
16 of, people and cultures beyond our borders.”.

17 (3) Congress authorized the establishment of
18 the Commission on the Abraham Lincoln Study
19 Abroad Fellowship Program pursuant to section 104
20 of the Miscellaneous Appropriations and Offsets Act,
21 2004 (division H of Public Law 108–199). Pursuant
22 to its mandate, the Lincoln Commission has sub-
23 mitted to Congress and the President a report of its
24 recommendations for greatly expanding the oppor-
25 tunity for students at institutions of higher edu-

1 cation in the United States to study abroad, with
2 special emphasis on studying in developing nations.

3 (4) According to the Lincoln Commission,
4 “[s]tudy abroad is one of the major means of pro-
5 ducing foreign language speakers and enhancing for-
6 eign language learning” and, for that reason, “is
7 simply essential to the [N]ation’s security”.

8 (5) Studies consistently show that United
9 States students score below their counterparts in
10 other advanced countries on indicators of inter-
11 national knowledge. This lack of global literacy is a
12 national liability in an age of global trade and busi-
13 ness, global interdependence, and global terror.

14 (6) Americans believe that it is important for
15 their children to learn other languages, study
16 abroad, attend a college where they can interact with
17 international students, learn about other countries
18 and cultures, and generally be prepared for the glob-
19 al age.

20 (7) In today’s world, it is more important than
21 ever for the United States to be a responsible, con-
22 structive leader that other countries are willing to
23 follow. Such leadership cannot be sustained without
24 an informed citizenry with significant knowledge and
25 awareness of the world.

1 (8) Study abroad has proven to be a very effective
2 means of imparting international and foreign-
3 language competency to students.

4 (9) In any given year, only approximately one
5 percent of all students enrolled in United States in-
6 stitutions of higher education study abroad.

7 (10) Less than 10 percent of the students who
8 graduate from United States institutions of higher
9 education with bachelors degrees have studied
10 abroad.

11 (11) Far more study abroad must take place in
12 developing countries. Ninety-five percent of the
13 world's population growth over the next 50 years
14 will occur outside of Europe. Yet in the academic
15 year 2004–2005, 60 percent of United States stu-
16 dents studying abroad studied in Europe, and 45
17 percent studied in four countries—the United King-
18 dom, Italy, Spain, and France—according to the In-
19 stitute of International Education.

20 (12) The Final Report of the National Commis-
21 sion on Terrorist Attacks Upon the United States
22 (The 9/11 Commission Report) recommended that
23 the United States increase support for “scholarship,
24 exchange, and library programs”. The 9/11 Public
25 Discourse Project, successor to the 9/11 Commis-

1 sion, noted in its November 14, 2005, status report
2 that this recommendation was “unfulfilled,” and
3 stated that “The U.S. should increase support for
4 scholarship and exchange programs, our most power-
5 ful tool to shape attitudes over the course of a gen-
6 eration.”. In its December 5, 2005, Final Report on
7 the 9/11 Commission Recommendations, the 9/11
8 Public Discourse Project gave the government a
9 grade of “D” for its implementation of this rec-
10 ommendation.

11 (13) Investing in a national study abroad pro-
12 gram would help turn a grade of “D” into an “A”
13 by equipping United States students to communicate
14 United States values and way of life through the
15 unique dialogue that takes place among citizens
16 from around the world when individuals study
17 abroad.

18 (14) An enhanced national study abroad pro-
19 gram could help further the goals of other United
20 States Government initiatives to promote edu-
21 cational, social, and political reform and the status
22 of women in developing and reforming societies
23 around the world, such as the Middle East Partner-
24 ship Initiative.

1 (15) To complement such worthwhile Federal
2 programs and initiatives as the Benjamin A. Gilman
3 International Scholarship Program, the National Se-
4 curity Education Program, and the National Secu-
5 rity Language Initiative, a broad-based under-
6 graduate study abroad program is needed that will
7 make many more study abroad opportunities acces-
8 sible to all undergraduate students, regardless of
9 their field of study, ethnicity, socio-economic status,
10 or gender.

11 **SEC. 3. PURPOSES.**

12 The purposes of this Act are—

13 (1) to significantly enhance the global competi-
14 tiveness and international knowledge base of the
15 United States by ensuring that more United States
16 students have the opportunity to acquire foreign lan-
17 guage skills and international knowledge through
18 significantly expanded study abroad;

19 (2) to enhance the foreign policy capacity of the
20 United States by significantly expanding and diversi-
21 fying the talent pool of individuals with non-tradi-
22 tional foreign language skills and cultural knowledge
23 in the United States who are available for recruit-
24 ment by United States foreign affairs agencies, leg-

1 islative branch agencies, and nongovernmental orga-
2 nizations involved in foreign affairs activities;

3 (3) to ensure that an increasing portion of
4 study abroad by United States students will take
5 place in nontraditional study abroad destinations
6 such as the People’s Republic of China, countries of
7 the Middle East region, and developing countries;
8 and

9 (4) to create greater cultural understanding of
10 the United States by exposing foreign students and
11 their families to United States students in countries
12 that have not traditionally hosted large numbers of
13 United States students.

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Foreign Affairs and
20 the Committee on Appropriations of the House
21 of Representatives; and

22 (B) the Committee on Foreign Relations
23 and the Committee on Appropriations of the
24 Senate.

1 (2) BOARD.—The term “Board” means the
2 Board of Directors of the Foundation established
3 pursuant to section 5(d).

4 (3) CHIEF EXECUTIVE OFFICER.—The term
5 “Chief Executive Officer” means the chief executive
6 officer of the Foundation appointed pursuant to sec-
7 tion 5(c).

8 (4) FOUNDATION.—The term “Foundation”
9 means the Senator Paul Simon Study Abroad Foun-
10 dation established by section 5(a).

11 (5) INSTITUTION OF HIGHER EDUCATION.—The
12 term “institution of higher education” has the
13 meaning given the term in section 101(a) of the
14 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

15 (6) NONTRADITIONAL STUDY ABROAD DESTINA-
16 TION.—The term “nontraditional study abroad des-
17 tination” means a location that is determined by the
18 Foundation to be a less common destination for
19 United States students who study abroad.

20 (7) STUDY ABROAD.—The term “study abroad”
21 means an educational program of study, work, re-
22 search, internship, or combination thereof that is
23 conducted outside the United States and that carries
24 academic credit toward fulfilling the participating
25 student’s degree requirements.

1 (8) UNITED STATES.—The term “United
2 States” means any of the several States, the District
3 of Columbia, Puerto Rico, the Northern Mariana Is-
4 lands, the Virgin Islands, Guam, American Samoa,
5 and any other territory or possession of the United
6 States.

7 (9) UNITED STATES STUDENT.—The term
8 “United States student” means a national of the
9 United States who is enrolled at an institution of
10 higher education located within the United States.

11 **SEC. 5. ESTABLISHMENT AND MANAGEMENT OF THE SEN-**
12 **ATOR PAUL SIMON STUDY ABROAD FOUNDA-**
13 **TION.**

14 (a) ESTABLISHMENT.—

15 (1) IN GENERAL.—There is established in the
16 executive branch a corporation to be known as the
17 “Senator Paul Simon Study Abroad Foundation”
18 that shall be responsible for carrying out this Act
19 under the authorities of the Mutual Educational and
20 Cultural Exchange Act of 1961 (22 U.S.C. 2451 et
21 seq.). The Foundation shall be a government cor-
22 poration, as defined in section 103 of title 5, United
23 States Code.

24 (2) BOARD OF DIRECTORS.—The Foundation
25 shall be governed by a Board of Directors chaired by

1 the Secretary of State (or the Secretary's designee)
2 in accordance with subsection (d).

3 (3) INTENT OF CONGRESS.—It is the intent of
4 Congress in establishing the structure of the Foun-
5 dation set forth in this subsection to create an entity
6 that will administer a study abroad program that—

7 (A) serves the long-term foreign policy and
8 national security needs of the United States;
9 but

10 (B) operates independently of short-term
11 political and foreign policy considerations.

12 (b) MANDATE OF FOUNDATION.—In administering
13 the program referred to in subsection (a)(3), the Founda-
14 tion shall—

15 (1) promote the objectives and purposes of this
16 Act;

17 (2) through responsive, flexible grant-making,
18 promote access to study abroad opportunities by
19 United States students at diverse institutions of
20 higher education, including two-year institutions, mi-
21 nority-serving institutions, and institutions that
22 serve nontraditional students;

23 (3) through creative grant-making, promote ac-
24 cess to study abroad opportunities by diverse United
25 States students, including minority students, stu-

1 dents of limited financial means, and nontraditional
2 students;

3 (4) raise funds from the private sector to sup-
4 plement funds made available under this Act; and

5 (5) be committed to minimizing administrative
6 costs and to maximizing the availability of funds for
7 grants under this Act.

8 (c) CHIEF EXECUTIVE OFFICER.—

9 (1) IN GENERAL.—There shall be in the Foun-
10 dation a Chief Executive Officer who shall be re-
11 sponsible for the management of the Foundation.

12 (2) APPOINTMENT.—The Chief Executive Offi-
13 cer shall be appointed by the Board and shall be a
14 recognized leader in higher education, business, or
15 foreign policy, chosen on the basis of a rigorous
16 search.

17 (3) RELATIONSHIP TO BOARD.—The Chief Ex-
18 ecutive Officer shall report to and be under the di-
19 rect authority of the Board.

20 (4) COMPENSATION AND RANK.—

21 (A) IN GENERAL.—The Chief Executive
22 Officer shall be compensated at the rate pro-
23 vided for level III of the Executive Schedule
24 under section 5314 of title 5, United States
25 Code.

1 (B) AMENDMENT.—Section 5314 of title
2 5, United States Code, is amended by adding at
3 the end the following:

4 “Chief Executive Officer, Senator Paul Simon
5 Study Abroad Foundation.”.

6 (5) AUTHORITIES AND DUTIES.—The Chief Ex-
7 ecutive Officer shall be responsible for the manage-
8 ment of the Foundation and shall exercise the pow-
9 ers and discharge the duties of the Foundation.

10 (6) AUTHORITY TO APPOINT OFFICERS.—In
11 consultation and with approval of the Board, the
12 Chief Executive Officer shall appoint all officers of
13 the Foundation.

14 (d) BOARD OF DIRECTORS.—

15 (1) ESTABLISHMENT.—There shall be in the
16 Foundation a Board of Directors.

17 (2) DUTIES.—The Board shall perform the
18 functions specified to be carried out by the Board in
19 this Act and may prescribe, amend, and repeal by-
20 laws, rules, regulations, and procedures governing
21 the manner in which the business of the Foundation
22 may be conducted and in which the powers granted
23 to it by law may be exercised.

24 (3) MEMBERSHIP.—The Board shall consist
25 of—

1 (A) the Secretary of State (or the Sec-
2 retary's designee), the Secretary of Education
3 (or the Secretary's designee), the Secretary of
4 Defense (or the Secretary's designee), and the
5 Administrator of the United States Agency for
6 International Development (or the Administra-
7 tor's designee); and

8 (B) five other individuals with relevant ex-
9 perience in matters relating to study abroad
10 (such as individuals who represent institutions
11 of higher education, business organizations, for-
12 eign policy organizations, or other relevant or-
13 ganizations) who shall be appointed by the
14 President, by and with the advice and consent
15 of the Senate, of which—

16 (I) one individual shall be appointed
17 from among a list of individuals submitted
18 by the majority leader of the House of
19 Representatives;

20 (ii) one individual shall be appointed
21 from among a list of individuals submitted
22 by the minority leader of the House of
23 Representatives;

1 (iii) one individual shall be appointed
2 from among a list of individuals submitted
3 by the majority leader of the Senate; and

4 (iv) one individual shall be appointed
5 from among a list of individuals submitted
6 by the minority leader of the Senate.

7 (4) CHIEF EXECUTIVE OFFICER.—The Chief
8 Executive Officer of the Foundation shall serve as a
9 nonvoting, ex officio member of the Board.

10 (5) TERMS.—

11 (A) OFFICERS OF THE FEDERAL GOVERN-
12 MENT.—Each member of the Board described
13 in paragraph (3)(A) shall serve for a term that
14 is concurrent with the term of service of the in-
15 dividual's position as an officer within the other
16 Federal department or agency.

17 (B) OTHER MEMBERS.—Each member of
18 the Board described in paragraph (3)(B) shall
19 be appointed for a term of 3 years and may be
20 reappointed for a term of an additional 3 years.

21 (C) VACANCIES.—A vacancy in the Board
22 shall be filled in the manner in which the origi-
23 nal appointment was made.

1 (6) CHAIRPERSON.—There shall be a Chair-
2 person of the Board. The Secretary of State (or the
3 Secretary’s designee) shall serve as the Chairperson.

4 (7) QUORUM.—A majority of the members of
5 the Board described in paragraph (3) shall con-
6 stitute a quorum, which, except with respect to a
7 meeting of the Board during the 135-day period be-
8 ginning on the date of the enactment of this Act,
9 shall include at least one member of the Board de-
10 scribed in paragraph (3)(B).

11 (8) MEETINGS.—The Board shall meet at the
12 call of the Chairperson.

13 (9) COMPENSATION.—

14 (A) OFFICERS OF THE FEDERAL GOVERN-
15 MENT.—

16 (I) IN GENERAL.—A member of the
17 Board described in paragraph (3)(A) may
18 not receive additional pay, allowances, or
19 benefits by reason of the member’s service
20 on the Board.

21 (ii) TRAVEL EXPENSES.—Each such
22 member of the Board shall receive travel
23 expenses, including per diem in lieu of sub-
24 sistence, in accordance with applicable pro-

1 visions under subchapter I of chapter 57 of
2 title 5, United States Code.

3 (B) OTHER MEMBERS.—

4 (I) IN GENERAL.—Except as provided
5 in clause (ii), a member of the Board de-
6 scribed in paragraph (3)(B) while away
7 from the member’s home or regular place
8 of business on necessary travel in the ac-
9 tual performance of duties as a member of
10 the Board, shall be paid per diem, travel,
11 and transportation expenses in the same
12 manner as is provided under subchapter I
13 of chapter 57 of title 5, United States
14 Code.

15 (ii) LIMITATION.—A member of the
16 Board may not be paid compensation
17 under clause (I) for more than 90 days in
18 any calendar year.

19 **SEC. 6. ESTABLISHMENT AND OPERATION OF PROGRAM.**

20 (a) ESTABLISHMENT OF THE PROGRAM.—There is
21 hereby established a program, which shall—

22 (1) be administered by the Foundation; and

23 (2) award grants to—

24 (A) United States students for study
25 abroad;

1 (B) nongovernmental institutions that pro-
2 vide and promote study abroad opportunities
3 for United States students, in consortium with
4 institutions described in subparagraph (C); and

5 (c) institutions of higher education, indi-
6 vidually or in consortium,

7 in order to accomplish the objectives set forth in
8 subsection (b).

9 (b) OBJECTIVES.—The objectives of the program es-
10 tablished under subsection (a) are that, within 10 years
11 of the date of the enactment of this Act—

12 (1) not less than one million undergraduate
13 United States students will study abroad annually
14 for credit;

15 (2) the demographics of study-abroad participa-
16 tion will reflect the demographics of the United
17 States undergraduate population, including students
18 enrolled in community colleges, minority-serving in-
19 stitutions, and institutions serving large numbers of
20 low-income and first-generation students; and

21 (3) an increasing portion of study abroad will
22 take place in nontraditional study abroad destina-
23 tions, with a substantial portion of such increases
24 taking place in developing countries.

1 (c) MANDATE OF THE PROGRAM.—In order to ac-
2 comply with the objectives set forth in subsection (b), the
3 Foundation shall, in administering the program estab-
4 lished under subsection (a), take fully into account the rec-
5 ommendations of the Commission on the Abraham Lincoln
6 Study Abroad Fellowship Program (established pursuant
7 to section 104 of the Miscellaneous Appropriations and
8 Offsets Act, 2004 (division H of Public Law 108–199)).

9 (d) STRUCTURE OF GRANTS.—In accordance with
10 the recommendations of the Commission on the Abraham
11 Lincoln Study Abroad Fellowship Program, grants award-
12 ed under the program established under subsection (a)
13 shall be structured to the maximum extent practicable to
14 promote appropriate reforms in institutions of higher edu-
15 cation in order to remove barriers to participation by stu-
16 dents in study abroad.

17 (e) BALANCE OF LONG-TERM AND SHORT-TERM
18 STUDY ABROAD PROGRAMS.—In administering the pro-
19 gram established under subsection (a), the Foundation
20 shall seek an appropriate balance between—

21 (1) longer-term study abroad programs, which
22 maximize foreign-language learning and intercultural
23 understanding; and

1 (2) shorter-term study abroad programs, which
2 maximize the accessibility of study abroad to non-
3 traditional students.

4 (f) **QUALITY AND SAFETY IN STUDY ABROAD.**—In
5 administering the program established under subsection
6 (a), the Foundation shall require that institutions receiv-
7 ing grants demonstrate that—

8 (1) the study abroad programs for which stu-
9 dents receive grant funds are for academic credit;
10 and

11 (2) the programs have established health and
12 safety guidelines and procedures.

13 **SEC. 7. ANNUAL REPORT.**

14 (a) **REPORT REQUIRED.**—Not later than March 31,
15 2008, and each March 31 thereafter, the Foundation shall
16 submit to the appropriate congressional committees a re-
17 port on the implementation of this Act during the prior
18 fiscal year.

19 (b) **CONTENTS.**—The report required by subsection
20 (a) shall include—

21 (1) the total financial resources available to the
22 Foundation during the year, including appropriated
23 funds, the value and source of any gifts or donations
24 accepted pursuant to section 8(a)(6), and any other
25 resources;

1 (2) a description of the Board’s policy priorities
2 for the year and the bases upon which competitive
3 grant proposals were solicited and awarded to insti-
4 tutions of higher education, nongovernmental insti-
5 tutions, and consortiums pursuant to section
6 6(a)(2)(B) and 6(a)(2)(C);

7 (3) a list of grants made to institutions of high-
8 er education, nongovernmental institutions, and con-
9 sortiums pursuant to section 6(a)(2)(B) and
10 6(a)(2)(C) that includes the identity of the institu-
11 tional recipient, the dollar amount, and the esti-
12 mated number of study abroad opportunities pro-
13 vided to United States students by each grant;

14 (4) a description of the bases upon which the
15 Foundation made grants directly to United States
16 students pursuant to section 6(a)(2)(A);

17 (5) the number and total dollar amount of
18 grants made directly to United States students by
19 the Foundation pursuant to section 6(a)(2)(A); and

20 (6) the total administrative and operating ex-
21 penses of the Foundation for the year, as well as
22 specific information on—

23 (A) the number of Foundation employees
24 and the cost of compensation for Board mem-

1 bers, Foundation employees, and personal serv-
2 ice contractors;

3 (B) costs associated with securing the use
4 of real property for carrying out the functions
5 of the Foundation;

6 (C) total travel expenses incurred by Board
7 members and Foundation employees in connec-
8 tion with Foundation activities; and

9 (D) total representational expenses.

10 **SEC. 8. POWERS OF THE FOUNDATION; RELATED PROVI-**
11 **SIONS.**

12 (a) **POWERS.**—The Foundation—

13 (1) shall have perpetual succession unless dis-
14 solved by a law enacted after the date of the enact-
15 ment of this Act;

16 (2) may adopt, alter, and use a seal, which shall
17 be judicially noticed;

18 (3) may make and perform such contracts,
19 grants, and other agreements with any person or
20 government however designated and wherever situ-
21 ated, as may be necessary for carrying out the func-
22 tions of the Foundation;

23 (4) may determine and prescribe the manner in
24 which its obligations shall be incurred and its ex-

1 penses allowed and paid, including expenses for rep-
2 resentation;

3 (5) may lease, purchase, or otherwise acquire,
4 improve, and use such real property wherever situ-
5 ated, as may be necessary for carrying out the func-
6 tions of the Foundation;

7 (6) may accept cash gifts or donations of serv-
8 ices or of property (real, personal, or mixed), tan-
9 gible or intangible, for the purpose of carrying out
10 the provisions of this Act;

11 (7) may use the United States mails in the
12 same manner and on the same conditions as the ex-
13 ecutive departments;

14 (8) may contract with individuals for personal
15 services, who shall not be considered Federal em-
16 ployees for any provision of law administered by the
17 Office of Personnel Management;

18 (9) may hire or obtain passenger motor vehi-
19 cles; and

20 (10) shall have such other powers as may be
21 necessary and incident to carrying out this Act.

22 (b) PRINCIPAL OFFICE.—The Foundation shall
23 maintain its principal office in the metropolitan area of
24 Washington, District of Columbia.

1 (c) APPLICABILITY OF GOVERNMENT CORPORATION
2 CONTROL ACT.—

3 (1) IN GENERAL.—The Foundation shall be
4 subject to chapter 91 of subtitle VI of title 31,
5 United States Code, except that the Foundation
6 shall not be authorized to issue obligations or offer
7 obligations to the public.

8 (2) CONFORMING AMENDMENT.—Section
9 9101(3) of title 31, United States Code, is amended
10 by adding at the end the following:

11 “(R) the Senator Paul Simon Study
12 Abroad Foundation.”.

13 (d) INSPECTOR GENERAL.—

14 (1) IN GENERAL.—The Inspector General of
15 the Department of State shall serve as Inspector
16 General of the Foundation, and, in acting in such
17 capacity, may conduct reviews, investigations, and
18 inspections of all aspects of the operations and ac-
19 tivities of the Foundation.

20 (2) AUTHORITY OF THE BOARD.—In carrying
21 out the responsibilities under this subsection, the In-
22 spector General shall report to and be under the
23 general supervision of the Board.

24 (3) REIMBURSEMENT AND AUTHORIZATION OF
25 SERVICES.—

1 (A) REIMBURSEMENT.—The Foundation
2 shall reimburse the Department of State for all
3 expenses incurred by the Inspector General in
4 connection with the Inspector General’s respon-
5 sibilities under this subsection.

6 (B) AUTHORIZATION FOR SERVICES.—Of
7 the amount authorized to be appropriated
8 under section 10(a) for a fiscal year, up to
9 \$2,000,000 is authorized to be made available
10 to the Inspector General of the Department of
11 State to conduct reviews, investigations, and in-
12 spections of operations and activities of the
13 Foundation.

14 **SEC. 9. GENERAL PERSONNEL AUTHORITIES.**

15 (a) DETAIL OF PERSONNEL.—Upon request of the
16 Chief Executive Officer, the head of an agency may detail
17 any employee of such agency to the Foundation on a reim-
18 bursable basis. Any employee so detailed remains, for the
19 purpose of preserving such employee’s allowances, privi-
20 leges, rights, seniority, and other benefits, an employee of
21 the agency from which detailed.

22 (b) REEMPLOYMENT RIGHTS.—

23 (1) IN GENERAL.—An employee of an agency
24 who is serving under a career or career conditional
25 appointment (or the equivalent), and who, with the

1 consent of the head of such agency, transfers to the
2 Foundation, is entitled to be reemployed in such em-
3 ployee's former position or a position of like senior-
4 ity, status, and pay in such agency, if such em-
5 ployee—

6 (A) is separated from the Foundation for
7 any reason, other than misconduct, neglect of
8 duty, or malfeasance; and

9 (B) applies for reemployment not later
10 than 90 days after the date of separation from
11 the Foundation.

12 (2) SPECIFIC RIGHTS.—An employee who satis-
13 fies paragraph (1) is entitled to be reemployed (in
14 accordance with such paragraph) within 30 days
15 after applying for reemployment and, on reemploy-
16 ment, is entitled to at least the rate of basic pay to
17 which such employee would have been entitled had
18 such employee never transferred.

19 (c) HIRING AUTHORITY.—Of persons employed by
20 the Foundation, not to exceed 30 persons may be ap-
21 pointed, compensated, or removed without regard to the
22 civil service laws and regulations.

23 (d) BASIC PAY.—The Chief Executive Officer may fix
24 the rate of basic pay of employees of the Foundation with-
25 out regard to the provisions of chapter 51 of title 5,

1 United States Code (relating to the classification of posi-
2 tions), subchapter III of chapter 53 of such title (relating
3 to General Schedule pay rates), except that no employee
4 of the Foundation may receive a rate of basic pay that
5 exceeds the rate for level IV of the Executive Schedule
6 under section 5315 of such title.

7 (e) DEFINITIONS.—In this section—

8 (1) the term “agency” means an executive
9 agency, as defined by section 105 of title 5, United
10 States Code; and

11 (2) the term “detail” means the assignment or
12 loan of an employee, without a change of position,
13 from the agency by which such employee is employed
14 to the Foundation.

15 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) IN GENERAL.—There are authorized to be
18 appropriated to carry out this Act \$80,000,000 for
19 fiscal year 2008 and each subsequent fiscal year.

20 (2) AMOUNTS IN ADDITION TO OTHER AVAIL-
21 ABLE AMOUNTS.—Amounts authorized to be appro-
22 priated by paragraph (1) are in addition to amounts
23 authorized to be appropriated or otherwise made
24 available for educational exchange programs, includ-
25 ing the J. William Fulbright Educational Exchange

1 Program and the Benjamin A. Gilman International
2 Scholarship Program, administered by the Bureau of
3 Educational and Cultural Affairs of the Department
4 of State.

5 (b) ALLOCATION OF FUNDS.—

6 (1) IN GENERAL.—The Foundation may allo-
7 cate or transfer to any agency of the United States
8 Government any of the funds available for carrying
9 out this Act. Such funds shall be available for obli-
10 gation and expenditure for the purposes for which
11 the funds were authorized, in accordance with au-
12 thority granted in this Act or under authority gov-
13 erning the activities of the United States Govern-
14 ment agency to which such funds are allocated or
15 transferred.

16 (2) NOTIFICATION.—The Foundation shall no-
17 tify the appropriate congressional committees not
18 less than 15 days prior to an allocation or transfer
19 of funds pursuant to paragraph (1).

Passed the House of Representatives June 5, 2007.

Attest:

Clerk.

110TH CONGRESS
1ST SESSION

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