

the fund such sums as the Board determines are necessary and appropriate to enable the Foundation to carry out the purposes of this chapter.

**(b) Access to books, records, etc., by General Accounting Office**

The activities of the Foundation under this chapter may be audited by the General Accounting Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, and files and all other papers, things, or property belonging to or in use by the Foundation, pertaining to such activities and necessary to facilitate the audit.

(Pub. L. 93-642, § 11, Jan. 4, 1975, 88 Stat. 2279.)

**§ 2011. Executive Secretary of Foundation**

**(a) Appointment; functions**

There shall be an Executive Secretary of the Foundation who shall be appointed by the Board. The Executive Secretary shall be the chief executive officer of the Foundation and shall carry out the functions of the Foundation subject to the supervision and direction of the Board. The Executive Secretary shall carry out such other functions consistent with the provisions of this chapter as the Board shall delegate.

**(b) Compensation**

The Executive Secretary of the Foundation shall be compensated at the rate specified for employees placed in grade 18 of the General Schedule set forth in section 5332 of title 5.

(Pub. L. 93-642, § 12, Jan. 4, 1975, 88 Stat. 2280.)

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.

**§ 2012. Administrative provisions**

**(a) Powers of Foundation**

In order to carry out the provisions of this chapter, the Foundation is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this chapter, except that in no case shall employees other than the Executive Secretary be compensated at a rate to exceed the rate provided for employees in grade 15 of the General Schedule set forth in section 5332 of title 5;

(2) procure temporary and intermittent services of experts and consultants as are necessary to the extent authorized by section 3109 of title 5, but at rates not to exceed the rate specified at the time of such service for grade GS-18 in section 5332 of such title;

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

(4) receive money and other property donated, bequeathed, or devised, without condi-

tion or restriction other than it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

(5) 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;

(6) enter into contracts, grants, or other arrangements, or modifications thereof, to carry out the provisions of this chapter, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the Board, be entered into without performance or other bonds, and without regard to section 5 of title 41;

(7) make advances, progress, and other payments which the Board deems necessary under this chapter without regard to the provisions of section 3324(a) and (b) of title 31;

(8) rent office space in the District of Columbia; and

(9) make other necessary expenditures.

**(b) Annual report to Congress**

The Foundation shall submit to the President and to the Congress an annual report of its operations under this chapter.

(Pub. L. 93-642, § 13, Jan. 4, 1975, 88 Stat. 2280.)

CODIFICATION

In subsec. (a)(7), “section 3324(a) and (b) of title 31” substituted for “section 3648 of the Revised Statutes, as amended (31 U.S.C. 529)” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

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.

**§ 2013. Authorization of appropriations**

There are authorized to be appropriated \$30,000,000 to the fund.

(Pub. L. 93-642, § 14, Jan. 4, 1975, 88 Stat. 2280.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2009 of this title.

**CHAPTER 43—AMERICAN FOLKLIFE PRESERVATION**

Sec. 2101.	Congressional declaration of findings and purpose.
2102.	Definitions.
2103.	American Folklife Center.
	(a) Establishment.
	(b) Board of Trustees; composition; regional balance.
	(c) Term of office.
	(d) Compensation of Board members; travel expenses.
	(e) Chairman; Vice Chairman; election; vacancies; quorum.
	(f) Director; Deputy Director; appointment and compensation.

- Sec.
- (g) Duties of Director and Deputy Director.
2104. Functions of Center.
- (a) Contracts; national archive and center for American folklife; loan of items in archive; procurement, display, etc., of items in archive; miscellaneous programs.
- (b) Functions carried out through Center.
2105. Limitations on contracts.
- (a) Time.
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- (c) Former Government employees.
2106. Administration.
- (a) Regulations; receipt of money and other property; compensation of personnel; services of experts and consultants; contracts; payments.
- (b) Annual report to Congress.
2107. Authorization of appropriations.

**§ 2101. Congressional declaration of findings and purpose**

- (a) The Congress hereby finds and declares—
- (1) that the diversity inherent in American folklife has contributed greatly to the cultural richness of the Nation and has fostered a sense of individuality and identity among the American people;
- (2) that the history of the United States effectively demonstrates that building a strong nation does not require the sacrifice of cultural differences;
- (3) that American folklife has a fundamental influence on the desires, beliefs, values, and character of the American people;
- (4) that it is appropriate and necessary for the Federal Government to support research and scholarship in American folklife in order to contribute to an understanding of the complex problems of the basic desires, beliefs, and values of the American people in both rural and urban areas;
- (5) that the encouragement and support of American folklife, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government; and
- (6) that it is in the interest of the general welfare of the Nation to preserve, support, revitalize, and disseminate American folklife traditions and arts.

(b) It is therefore the purpose of this chapter to establish in the Library of Congress an American Folklife Center to preserve and present American folklife.

(Pub. L. 94-201, § 2, Jan. 2, 1976, 89 Stat. 1129.)

SHORT TITLE

Section 1 of Pub. L. 94-201 provided: "That this Act [enacting this chapter] may be cited as the 'American Folklife Preservation Act'."

**§ 2102. Definitions**

- As used in this chapter—
- (1) the term "American folklife" means the traditional expressive culture shared within the various groups in the United States: familial, ethnic, occupational, religious, regional; expressive culture includes a wide range of creative and symbolic forms such as custom,

belief, technical skill, language, literature, art, architecture, music, play, dance, drama, ritual, pageantry, handicraft; these expressions are mainly learned orally, by imitation, or in performance, and are generally maintained without benefit of formal instruction or institutional direction;

(2) the term "Board" means the Board of Trustees of the Center;

(3) the term "Center" means the American Folklife Center established under this chapter;

(4) the term "group" includes any State or public agency or institution and any nonprofit society, institution, organization, association, or establishment in the United States;

(5) the term "Librarian" means the Librarian of Congress;

(6) the term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands; and

(7) the term "workshop" means an activity the primary purpose of which is to encourage the development of skills, appreciation, or enjoyment of American folklife among amateur, student, or nonprofessional participants, or to promote scholarship or teaching among the participants.

(Pub. L. 94-201, § 3, Jan. 2, 1976, 89 Stat. 1129.)

**§ 2103. American Folklife Center**

**(a) Establishment**

There is hereby established in the Library of Congress an American Folklife Center.

**(b) Board of Trustees; composition; regional balance**

The Center shall be under the direction of a Board of Trustees. The Board shall be composed as follows—

(1) four members appointed by the President from among individuals who are officials of Federal departments and agencies concerned with some aspect of American folklife traditions and arts;

(2) four members appointed by the President pro tempore of the Senate from among individuals from private life who are widely recognized by virtue of their scholarship, experience, creativity, or interest in American folklife traditions and arts, and four members appointed by the Speaker of the House of Representatives from among such individuals;

(3) the Librarian of Congress;

(4) the Secretary of the Smithsonian Institution;

(5) the Chairman of the National Endowment for the Arts;

(6) the Chairman of the National Endowment for the Humanities; and

(7) the Director of the Center.

In making appointments from private life under clause 2, the President pro tempore of the Senate and the Speaker of the House of Representatives shall give due consideration to the appointment of individuals who collectively will provide appropriate regional balance on the Board. Not more than three of the members appointed by the President pro tempore of the