

106TH CONGRESS
2D SESSION

S. 3251

To authorize the Secretary of State to provide for the establishment of nonprofit entities for the Department's international educational, cultural and arts programs.

IN THE SENATE OF THE UNITED STATES

OCTOBER 26 (legislative day, SEPTEMBER 22), 2000

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To authorize the Secretary of State to provide for the establishment of nonprofit entities for the Department's international educational, cultural and arts programs.

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

3 **SECTION 1. FINDINGS.**

4 The Congress makes the following findings:

5 (1) It is in the national interest of the United
6 Staes to promote mutual understanding between the
7 people of the United States and other nations.

8 (2) Among the means to be used in achieving
9 this objective are a wide range of international edu-

1 cational and cultural exchange programs, including
2 the J. William Fulbright Educational Exchange Pro-
3 gram and the International Visitors Program.

4 (3) Cultural diplomacy, especially the presen-
5 tation abroad of the finest of America's creative, vis-
6 ual and performing arts, is an especially affective
7 means of advancing the United States national in-
8 terest.

9 (4) The financial support available for inter-
10 national cultural and scholarly exchanges has de-
11 clined by approximately 10 percent in recent years.

12 (5) Funds appropriated for the purpose of en-
13 suring that the excellence, diversity and vitality of
14 the arts in the United States are presented to for-
15 eign audiences by and in cooperation with our diplo-
16 matic and consular representatives have declined
17 dramatically.

18 (6) One of the ways to deepen and expand cul-
19 tural and educational exchange programs is through
20 the establishment of nonprofit entities to encourage
21 the participation and financial support of multi-
22 national companies and other private sector contrib-
23 utors.

24 (7) The United States private sector should be
25 encouraged to cooperate closely with the Secretary of

1 State and her representatives to expand and spread
2 appreciation of United States cultural and artistic
3 accomplishments.

4 **SEC. 2. AUTHORITY TO ESTABLISH NONPROFIT ENTITIES.**

5 Section 105(f) of the Mutual Educational and Cul-
6 tural Exchange Act of 1961, as amended, (22 U.S.C.
7 2255(f)) is further amended—

8 (1) by inserting “(1)” after “(f)”; and by add-
9 ing at the end the following new paragraphs:

10 “(2) The Secretary of State is authorized to
11 provide for the establishment of private, nonprofit
12 entities to assist in carrying out the purposes of the
13 Act. Any such entity shall not be considered an
14 agency or instrumentality of the United States gov-
15 ernment, nor shall its employees be considered em-
16 ployees of the United States government for any
17 purposes.

18 “(3) The entities may, among other functions,

19 “(A) encourage participation and support
20 by United States multinational companies and
21 other elements of the private sector for cultural,
22 arts and educational exchange programs, in-
23 cluding those programs that will enhance inter-
24 national appreciation of America’s cultural and
25 artistic accomplishments;

1 “(B) solicit and receive contributions from
2 the private sector to support these cultural arts
3 and educational exchange programs; and

4 “(C) provide grants and other assistance
5 for these programs.

6 “(4) The Secretary of State is authorized to
7 make such arrangements as are necessary to carry
8 out the purposes of these entities, including the so-
9 licitation and receipt of funds for the entity; des-
10 ignation of a program in recognition of such con-
11 tributions; and designation of members, including
12 employees of the United States government, on any
13 board or other body established to administer the
14 entity.

15 “(5) Any funds available to the Department of
16 State may be made available to such entities to
17 cover administrative and other costs for their estab-
18 lishment. Any such entity is authorized to invest any
19 amounts provided to it by the Department of State,
20 and such amounts, as well as any interest or earn-
21 ings on such amounts, may be used by the entity to
22 carry out its purposes.”.

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