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110TH CONGRESS
1ST SESSION

H. R. 1469

[Report No. 110-138]

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2007

Mr. LANTOS (for himself and Ms. ROS-LEHTINEN) introduced the following bill; which was referred to the Committee on Foreign Affairs

MAY 9, 2007

Additional sponsors: Mr. PAYNE, Ms. WATSON, Mr. SHIMKUS, Mr. HOLT, Mr. ENGEL, Mr. HASTINGS of Florida, Mr. BLUMENAUER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. McDERMOTT, Ms. MCCOLLUM of Minnesota, Mr. BERMAN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. COSTELLO, Mr. SCOTT of Georgia, Ms. HOOLEY, Mr. WEXLER, Mr. WU, Mr. DEFazio, Mr. SIREs, Mr. SNYDER, Mr. MORAN of Virginia, Mr. GRIJALVA, Mr. KLEIN of Florida, Mr. MCGOVERN, Mr. BOOZMAN, Mr. FILNER, Ms. SCHAKOWSKY, Mr. ABERCROMBIE, Ms. JACKSON-LEE of Texas, Ms. SLAUGHTER, Mr. RAHALL, Mr. ROSS, Mr. MOORE of Kansas, Mr. YARMUTH, Ms. HERSETH SANDLIN, Mr. GONZALEZ, Mr. DOYLE, Mr. CONYERS, Mrs. EMERSON, Mr. THOMPSON of Mississippi, Mr. McCOTTER, Mr. WAXMAN, Mr. ELLISON, and Mr. MORAN of Kansas

MAY 9, 2007

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To establish the Senator Paul Simon Study Abroad Founda-

tion 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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

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

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

19 (3) Congress authorized the establishment of
20 the Commission on the Abraham Lincoln Study
21 Abroad Fellowship Program pursuant to section 104
22 of the Miscellaneous Appropriations and Offsets Act,
23 2004 (division H of Public Law 108–199). Pursuant
24 to its mandate, the Lincoln Commission has sub-

1 mitted to Congress and the President a report of its
2 recommendations for greatly expanding the oppor-
3 tunity for students at institutions of higher edu-
4 cation in the United States to study abroad, with
5 special emphasis on studying in developing nations.

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

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

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

23 (7) In today’s world, it is more important than
24 ever for the United States to be a responsible, con-
25 structive leader that other countries are willing to

1 follow. Such leadership cannot be sustained without
2 an informed citizenry with significant knowledge and
3 awareness of the world.

4 (8) Study abroad has proven to be a very effective
5 means of imparting international and foreign-
6 language competency to students.

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

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

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

23 (12) The Final Report of the National Commis-
24 sion on Terrorist Attacks Upon the United States
25 (The 9/11 Commission Report) recommended that

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

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

21 (14) An enhanced national study abroad pro-
22 gram could help further the goals of other United
23 States Government initiatives to promote edu-
24 cational, social, and political reform and the status
25 of women in developing and reforming societies

1 around the world, such as the Middle East Partner-
2 ship Initiative.

3 **SEC. 3. PURPOSES.**

4 The purposes of this Act are—

5 (1) to significantly enhance the global competi-
6 tiveness and international knowledge base of the
7 United States by ensuring that more United States
8 students have the opportunity to acquire foreign lan-
9 guage skills and international knowledge through
10 significantly expanded study abroad;

11 (2) to enhance the foreign policy capacity of the
12 United States by significantly expanding and diversi-
13 fying the talent pool of individuals with non-tradi-
14 tional foreign language skills and cultural knowledge
15 in the United States who are available for recruit-
16 ment by United States foreign affairs agencies, leg-
17 islative branch agencies, and nongovernmental orga-
18 nizations involved in foreign affairs activities;

19 (3) to ensure that an increasing portion of
20 study abroad by United States students will take
21 place in nontraditional study abroad destinations
22 such as the People's Republic of China, countries of
23 the Middle East region, and developing countries;
24 and

1 (4) to create greater cultural understanding of
2 the United States by exposing foreign students and
3 their families to United States students in countries
4 that have not traditionally hosted large numbers of
5 United States students.

6 **SEC. 4. DEFINITIONS.**

7 In this Act:

8 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
9 **TEES.**—The term “appropriate congressional com-
10 mittees” means—

11 (A) the Committee on Foreign Affairs and
12 the Committee on Appropriations of the House
13 of Representatives; and

14 (B) the Committee on Foreign Relations
15 and the Committee on Appropriations of the
16 Senate.

17 (2) **BOARD.**—The term “Board” means the
18 Board of Directors of the Foundation established
19 pursuant to section 5(d).

20 (3) **CHIEF EXECUTIVE OFFICER.**—The term
21 “Chief Executive Officer” means the chief executive
22 officer of the Foundation appointed pursuant to sec-
23 tion 5(c).

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

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

8 (6) NONTRADITIONAL STUDY ABROAD DESTINA-
9 TION.—The term “nontraditional study abroad des-
10 tination” means a location that is determined by the
11 Foundation to be a less common destination for
12 United States students who study abroad.

13 (7) STUDY ABROAD.—The term “study abroad”
14 means an educational program of study, work, re-
15 search, internship, or combination thereof that is
16 conducted outside the United States and that carries
17 academic credit toward fulfilling the participating
18 student’s degree requirements.

19 (8) UNITED STATES.—The term “United
20 States” means any of the several States, the District
21 of Columbia, Puerto Rico, the Northern Mariana Is-
22 lands, the Virgin Islands, Guam, American Samoa,
23 and any other territory or possession of the United
24 States.

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

5 **SEC. 5. ESTABLISHMENT AND MANAGEMENT OF THE SEN-**
6 **ATOR PAUL SIMON STUDY ABROAD FOUNDA-**
7 **TION.**

8 (a) ESTABLISHMENT.—

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

18 (2) BOARD OF DIRECTORS.—The Foundation
19 shall be governed by a Board of Directors chaired by
20 the Secretary of State (or the Secretary’s designee)
21 in accordance with subsection (d).

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

1 (A) serves the long-term foreign policy and
2 national security needs of the United States;
3 but

4 (B) operates independently of short-term
5 political and foreign policy considerations.

6 (b) MANDATE OF FOUNDATION.—In administering
7 the program referred to in subsection (a)(3), the Founda-
8 tion shall—

9 (1) promote the objectives and purposes of this
10 Act;

11 (2) through responsive, flexible grant-making,
12 promote access to study abroad opportunities by
13 United States students at diverse institutions of
14 higher education, including two-year institutions, mi-
15 nority-serving institutions, and institutions that
16 serve nontraditional students;

17 (3) through creative grant-making, promote ac-
18 cess to study abroad opportunities by diverse United
19 States students, including minority students, stu-
20 dents of limited financial means, and nontraditional
21 students;

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

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

4 (c) CHIEF EXECUTIVE OFFICER.—

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

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

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

16 (4) COMPENSATION AND RANK.—

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

22 (B) AMENDMENT.—Section 5314 of title
23 5, United States Code, is amended by adding at
24 the end the following:

1 “Chief Executive Officer, Senator Paul Simon
2 Study Abroad Foundation.”.

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

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

11 (d) BOARD OF DIRECTORS.—

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

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

21 (3) MEMBERSHIP.—The Board shall consist
22 of—

23 (A) the Secretary of State (or the Sec-
24 retary’s designee), the Secretary of Education
25 (or the Secretary’s designee), the Secretary of

1 Defense (or the Secretary's designee), and the
2 Administrator of the United States Agency for
3 International Development (or the Administra-
4 tor's designee); and

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

13 (i) one individual shall be appointed
14 from among a list of individuals submitted
15 by the majority leader of the House of
16 Representatives;

17 (ii) one individual shall be appointed
18 from among a list of individuals submitted
19 by the minority leader of the House of
20 Representatives;

21 (iii) one individual shall be appointed
22 from among a list of individuals submitted
23 by the majority leader of the Senate; and

1 (iv) one individual shall be appointed
2 from among a list of individuals submitted
3 by the minority leader of the Senate.

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

7 (5) TERMS.—

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

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

18 (C) VACANCIES.—A vacancy in the Board
19 shall be filled in the manner in which the origi-
20 nal appointment was made.

21 (6) CHAIRPERSON.—There shall be a Chair-
22 person of the Board. The Secretary of State (or the
23 Secretary's designee) shall serve as the Chairperson.

24 (7) QUORUM.—A majority of the members of
25 the Board described in paragraph (3) shall con-

1 stitute a quorum, which, except with respect to a
2 meeting of the Board during the 135-day period be-
3 ginning on the date of the enactment of this Act,
4 shall include at least one member of the Board de-
5 scribed in paragraph (3)(B).

6 (8) MEETINGS.—The Board shall meet at the
7 call of the Chairperson.

8 (9) COMPENSATION.—

9 (A) OFFICERS OF THE FEDERAL GOVERN-
10 MENT.—

11 (i) IN GENERAL.—A member of the
12 Board described in paragraph (3)(A) may
13 not receive additional pay, allowances, or
14 benefits by reason of the member’s service
15 on the Board.

16 (ii) TRAVEL EXPENSES.—Each such
17 member of the Board shall receive travel
18 expenses, including per diem in lieu of sub-
19 sistence, in accordance with applicable pro-
20 visions under subchapter I of chapter 57 of
21 title 5, United States Code.

22 (B) OTHER MEMBERS.—

23 (i) IN GENERAL.—Except as provided
24 in clause (ii), a member of the Board de-
25 scribed in paragraph (3)(B)—

1 (I) shall be paid compensation
2 out of funds made available for the
3 purposes of this Act at the daily
4 equivalent of the highest rate payable
5 under section 5332 of title 5, United
6 States Code, for each day (including
7 travel time) during which the member
8 is engaged in the actual performance
9 of duties as a member of the Board;
10 and

11 (II) while away from the mem-
12 ber's home or regular place of busi-
13 ness on necessary travel in the actual
14 performance of duties as a member of
15 the Board, shall be paid per diem,
16 travel, and transportation expenses in
17 the same manner as is provided under
18 subchapter I of chapter 57 of title 5,
19 United States Code.

20 (ii) LIMITATION.—A member of the
21 Board may not be paid compensation
22 under clause (i)(II) for more than 90 days
23 in any calendar year.

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

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

4 (1) be administered by the Foundation; and

5 (2) award grants to—

6 (A) United States students for study
7 abroad;

8 (B) nongovernmental institutions that pro-
9 vide and promote study abroad opportunities
10 for United States students, in consortium with
11 institutions described in subparagraph (C); and

12 (C) institutions of higher education, indi-
13 vidually or in consortium,

14 in order to accomplish the objectives set forth in
15 subsection (b).

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

19 (1) not less than one million undergraduate
20 United States students will study abroad annually
21 for credit;

22 (2) the demographics of study-abroad participa-
23 tion will reflect the demographics of the United
24 States undergraduate population, including students
25 enrolled in community colleges, minority-serving in-

1 stitutions, and institutions serving large numbers of
2 low-income and first-generation students; and

3 (3) an increasing portion of study abroad will
4 take place in nontraditional study abroad destina-
5 tions, with a substantial portion of such increases
6 taking place in developing countries.

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

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

23 (e) BALANCE OF LONG-TERM AND SHORT-TERM
24 STUDY ABROAD PROGRAMS.—In administering the pro-

1 gram established under subsection (a), the Foundation
2 shall seek an appropriate balance between—

3 (1) longer-term study abroad programs, which
4 maximize foreign-language learning and intercultural
5 understanding; and

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

9 **SEC. 7. ANNUAL REPORT.**

10 (a) **REPORT REQUIRED.**—Not later than March 31,
11 2008, and each March 31 thereafter, the Foundation shall
12 submit to the appropriate congressional committees a re-
13 port on the implementation of this Act during the prior
14 fiscal year.

15 (b) **CONTENTS.**—The report required by subsection
16 (a) shall include—

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

22 (2) a description of the Board's policy priorities
23 for the year and the bases upon which competitive
24 grant proposals were solicited and awarded to insti-
25 tutions of higher education, nongovernmental insti-

1 tutions, and consortiums pursuant to section
2 6(a)(2)(B) and 6(a)(2)(C);

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

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

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

16 (6) the total administrative and operating ex-
17 penses of the Foundation for the year, as well as
18 specific information on—

19 (A) the number of Foundation employees
20 and the cost of compensation for Board mem-
21 bers, Foundation employees, and personal serv-
22 ice contractors;

23 (B) costs associated with securing the use
24 of real property for carrying out the functions
25 of the Foundation;

1 (C) total travel expenses incurred by Board
2 members and Foundation employees in connec-
3 tion with Foundation activities; and

4 (D) total representational expenses.

5 **SEC. 8. POWERS OF THE FOUNDATION; RELATED PROVI-**
6 **SIONS.**

7 (a) POWERS.—The Foundation—

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

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

13 (3) may make and perform such contracts,
14 grants, and other agreements with any person or
15 government however designated and wherever situ-
16 ated, as may be necessary for carrying out the func-
17 tions of the Foundation;

18 (4) may determine and prescribe the manner in
19 which its obligations shall be incurred and its ex-
20 penses allowed and paid, including expenses for rep-
21 resentation;

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

1 (6) may accept cash gifts or donations of serv-
2 ices or of property (real, personal, or mixed), tan-
3 gible or intangible, for the purpose of carrying out
4 the provisions of this Act;

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

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

12 (9) may hire or obtain passenger motor vehi-
13 cles; and

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

16 (b) PRINCIPAL OFFICE.—The Foundation shall
17 maintain its principal office in the metropolitan area of
18 Washington, District of Columbia.

19 (c) APPLICABILITY OF GOVERNMENT CORPORATION
20 CONTROL ACT.—

21 (1) IN GENERAL.—The Foundation shall be
22 subject to chapter 91 of subtitle VI of title 31,
23 United States Code, except that the Foundation
24 shall not be authorized to issue obligations or offer
25 obligations to the public.

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

4 “(R) the Senator Paul Simon Study
5 Abroad Foundation.”.

6 (d) INSPECTOR GENERAL.—

7 (1) IN GENERAL.—The Inspector General of
8 the Department of State shall serve as Inspector
9 General of the Foundation, and, in acting in such
10 capacity, may conduct reviews, investigations, and
11 inspections of all aspects of the operations and ac-
12 tivities of the Foundation.

13 (2) AUTHORITY OF THE BOARD.—In carrying
14 out the responsibilities under this subsection, the In-
15 spector General shall report to and be under the
16 general supervision of the Board.

17 (3) REIMBURSEMENT AND AUTHORIZATION OF
18 SERVICES.—

19 (A) REIMBURSEMENT.—The Foundation
20 shall reimburse the Department of State for all
21 expenses incurred by the Inspector General in
22 connection with the Inspector General’s respon-
23 sibilities under this subsection.

24 (B) AUTHORIZATION FOR SERVICES.—Of
25 the amount authorized to be appropriated

1 under section 10(a) for a fiscal year, up to
2 \$2,000,000 is authorized to be made available
3 to the Inspector General of the Department of
4 State to conduct reviews, investigations, and in-
5 spections of operations and activities of the
6 Foundation.

7 **SEC. 9. GENERAL PERSONNEL AUTHORITIES.**

8 (a) **DETAIL OF PERSONNEL.**—Upon request of the
9 Chief Executive Officer, the head of an agency may detail
10 any employee of such agency to the Foundation on a reim-
11 bursable basis. Any employee so detailed remains, for the
12 purpose of preserving such employee’s allowances, privi-
13 leges, rights, seniority, and other benefits, an employee of
14 the agency from which detailed.

15 (b) **REEMPLOYMENT RIGHTS.**—

16 (1) **IN GENERAL.**—An employee of an agency
17 who is serving under a career or career conditional
18 appointment (or the equivalent), and who, with the
19 consent of the head of such agency, transfers to the
20 Foundation, is entitled to be reemployed in such em-
21 ployee’s former position or a position of like senior-
22 ity, status, and pay in such agency, if such em-
23 ployee—

1 (A) is separated from the Foundation for
2 any reason, other than misconduct, neglect of
3 duty, or malfeasance; and

4 (B) applies for reemployment not later
5 than 90 days after the date of separation from
6 the Foundation.

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

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

18 (d) BASIC PAY.—The Chief Executive Officer may fix
19 the rate of basic pay of employees of the Foundation with-
20 out regard to the provisions of chapter 51 of title 5,
21 United States Code (relating to the classification of posi-
22 tions), subchapter III of chapter 53 of such title (relating
23 to General Schedule pay rates), except that no employee
24 of the Foundation may receive a rate of basic pay that

1 exceeds the rate for level IV of the Executive Schedule
2 under section 5315 of such title.

3 (e) DEFINITIONS.—In this section—

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

7 (2) the term “detail” means the assignment or
8 loan of an employee, without a change of position,
9 from the agency by which such employee is employed
10 to the Foundation.

11 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to carry out this Act
14 \$80,000,000 for fiscal year 2008 and each subsequent fis-
15 cal year.

16 (b) ALLOCATION OF FUNDS.—

17 (1) IN GENERAL.—The Foundation may allo-
18 cate or transfer to any agency of the United States
19 Government any of the funds available for carrying
20 out this Act. Such funds shall be available for obli-
21 gation and expenditure for the purposes for which
22 the funds were authorized, in accordance with au-
23 thority granted in this Act or under authority gov-
24 erning the activities of the United States Govern-

1 ment agency to which such funds are allocated or
2 transferred.

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

Union Calendar No. 80

110TH CONGRESS
1ST Session

H. R. 1469

[Report No. 110-138]

A BILL

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

MAY 9, 2007

Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed