

Public Law 89-36

AN ACT

To provide for the establishment and operation of a National Technical Institute for the Deaf.

June 8, 1965
[H. R. 7031]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Technical Institute for the Deaf Act".

National Technical Institute for the Deaf Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. For the purpose of providing a residential facility for post-secondary technical training and education for persons who are deaf in order to prepare them for successful employment, there are authorized to be appropriated for each fiscal year such sums as may be necessary for the establishment and operation, including construction and equipment, of a National Technical Institute for the Deaf, including sums necessary for the acquisition of property, both real and personal, and for the construction of buildings and other facilities for such Institute.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "institution of higher education" means an educational institution in any State or in the District of Columbia which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State (or in the District of Columbia) to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree, (4) includes one or more professional or graduate schools, (5) is a public or nonprofit private institution, and (6) is accredited by a nationally recognized accrediting agency or association. For purposes of this subsection, the Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(c) The term "construction" includes construction and initial equipment of new buildings, expansion, remodeling, and alteration of existing buildings and equipment thereof, and acquisition of land; including architect's services, but excluding off-site improvements.

PROPOSALS

SEC. 4. Any institution of higher education which desires to enter into an agreement with the Secretary to establish and operate a National Technical Institute for the Deaf shall submit a proposal therefor at such time, in such manner, and containing such information as may be prescribed by the Secretary.

AGREEMENT TO ESTABLISH INSTITUTE

SEC. 5. (a) The Secretary, after consultation with the National Advisory Board created by section 6, is authorized to enter into an agreement with an institution of higher education for the establishment and operation, including construction and equipment, of a National Technical Institute for the Deaf. The Secretary, in considering proposals from institutions of higher education to enter into an agreement under this Act, shall give preference to institutions which are located in metropolitan industrial areas.

Provisions.

(b) The agreement shall—

(1) provide that Federal funds appropriated for the benefit of the Institute will be used only for the purposes for which paid and in accordance with the applicable provisions of this Act and the agreement made pursuant thereto;

Advisory group.
Appointment.

(2) provide that the Board of Trustees or other governing body of the institution, subject to the approval of the Secretary, will appoint an advisory group to advise the Director of the Institute in formulating and carrying out the basic policies governing its establishment and operation, which group shall include persons who are professionally concerned with education and technical training at the post secondary school level, persons who are professionally concerned with activities relating to education and training of the deaf, and members of the public familiar with the need for services provided by the Institute;

Report to Con-
gress.

(3) provide that the Board of Trustees or other governing body of the institution will make an annual report to the Secretary. The Secretary shall transmit the report of the institution to the Congress with such comments and recommendations as he may deem appropriate;

(4) include such other conditions as the Secretary, after consultation with the National Advisory Board, deems necessary to carry out the purposes of this Act; and

(5) provide that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by Federal funds appropriated for the benefit of the Institute will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

49 Stat. 1011;
78 Stat. 238.64 Stat. 1267.
63 Stat. 108.

(c) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which such funds have been paid—

(A) the facility ceases to be used for the purposes for which it was constructed or the agreement is terminated, unless the Secretary determines that there is good cause for releasing the institution from its obligation, or

Federal funds.
Recovery.

(B) the institution ceases to be the owner of the facility, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

NATIONAL ADVISORY BOARD ON ESTABLISHMENT OF THE NATIONAL
TECHNICAL INSTITUTE FOR THE DEAF

SEC. 6. (a) There is hereby established a National Advisory Board on Establishment of the National Technical Institute for the Deaf, which shall consist of twelve persons, not regular full-time employees of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall appoint one of the members to serve as Chairman. The appointed members shall be selected from among leaders in fields related to education and training of the deaf and other fields of education, and from members of the public familiar with the need for services provided by the Institute. The Commissioner of Education and the Commissioner of Vocational Rehabilitation shall be *ex officio* members of the Board.

Personnel.

(b) Members of the Board, while serving on business of the Board, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Compensation.

60 Stat. 808;
75 Stat. 339, 340.

(c) It shall be the function of the Board (1) to review proposals from institutions of higher education which offer to enter into an agreement with the Secretary for the construction and operation of a National Technical Institute for the Deaf, (2) to make recommendations to the Secretary with respect to such proposals, and (3) to make such other recommendations to the Secretary concerning the establishment and operation of the National Technical Institute as may be appropriate.

Functions.

(d) After the Secretary enters into an agreement under this Act, the Board shall cease to exist.

Termination.

Approved June 8, 1965.

Public Law 89-37

AN ACT

June 11, 1965
[S. 800]

To authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during fiscal year 1966 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, and naval vessels, as authorized by law, in amounts as follows:

Armed Forces.
Appropriation
authorization, 1966.

AIRCRAFT

For aircraft: For the Army, \$344,500,000; for the Navy and the Marine Corps, \$1,915,800,000; for the Air Force, \$3,550,200,000.

MISSILES

For missiles: For the Army, \$253,700,000; for the Navy, \$364,000,000; for the Marine Corps, \$13,000,000; for the Air Force, \$796,100,000.