Public Law 92-48

AN ACT

July 9, 1971
[H. R. 7016]

Making appropriations for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes, namely:

Office of Education and Related Agencies Appropriation Act, 1972.

TITLE I—OFFICE OF EDUCATION

ELEMENTARY AND SECONDARY EDUCATION

For carrying out, to the extent not otherwise provided, title I ($1,565,000,000), title II ($90,000,000), title III ($146,393,000), title V–A ($33,000,000), title VII, and section 807 of the Elementary and Secondary Education Act, section 402 of the General Education Provisions Act, and title III–A of the National Defense Education Act of 1958 ($50,000,000), and the Follow Through program, as authorized under section 222(a)(2) of the Economic Opportunity Act of 1964 ($60,060,000), $1,993,278,000.

20 USC 241a, 821, 841, 861, 880b, 887.
20 USC 1222.
20 USC 441.
42 USC 2809.

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $612,620,000, of which $592,580,000, including $37,650,000 for amounts payable under section 6, shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and $20,040,000, which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950: *Provided*, That none of the funds contained herein shall be available to pay any local educational agency in excess of 73 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(b) of title I: *Provided further*, That none of the funds contained herein shall be available to pay any local educational agency in excess of 90 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(a) of said title I if the number of children in average daily attendance in the schools of that agency eligible under said section 3(a) is less than 25 per centum of the total number of children in such schools.

20 USC 236.
20 USC 631.

EDUCATION FOR THE HANDICAPPED

For carrying out, to the extent not otherwise provided, the Education of the Handicapped Act, and section 402 of the General Education Provisions Act, $115,750,000.

84 Stat. 175.
20 USC 1401 note.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, section 102(b) ($20,000,000), parts B and C ($394,682,000), D, F ($25,625,000), G ($19,500,000), H ($6,000,000), and I of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241–1391), the Adult Education Act of 1966 (20 U.S.C. ch. 30) ($61,300,000), the Cooperative Research Act, and section 402 of the General Education Provisions Act, $569,027,000, including $16,000,000 for exemplary

82 Stat. 1064; 84 Stat. 188.
84 Stat. 159.
79 Stat. 47.
20 USC 331 note.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

82 Stat. 1080.
20 USC 1301.

programs under part D of said 1963 Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1973, and not to exceed $18,000,000 for research and training under part C of said 1963 Act: *Provided*, That grants to each State under the Adult Education Act shall not be less than grants made to such State agencies in fiscal year 1971.

20 USC 1281.

84 Stat. 159.
20 USC 1201 note.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles I, III, IV (except part F), part E of title V, and part A of title VI of the Higher Education Act of 1965, as amended, section 105(b), section 306, titles I and IV of the Higher Education Facilities Act of 1963, as amended, titles II, IV, and VI of the National Defense Education Act of 1958, as amended, section 22 of the Act of June 29, 1935 (7 U.S.C. 329), the Emergency Insured Student Loan Act of 1969, sections 402 and 411 of the General Education Provisions Act, and section 102(b)(6) of the Mutual Education and Cultural Exchange Act of 1961, $1,341,784,000, of which $1,074,571,000 shall be for student assistance programs and $12,500,000 shall be for instructional equipment under part A of title VI of the Higher Education Act: *Provided*, That the following amounts shall remain available until June 30, 1973: $43,000,000 for grants for construction of undergraduate facilities under title I of the Higher Education Facilities Act of 1963, $175,300,000 for educational opportunity grants and amounts reallotted for grants for college work-study programs: *Provided further*, That the following amounts shall remain available until expended: $196,600,000 for the student loan insurance programs and $29,010,000 for interest payments for subsidized construction loans.

20 USC 1001 note.

20 USC 711, 746, 751.
20 USC 421, 461, 511.
74 Stat. 525; 82 Stat. 241.
20 USC 1078a note.
20 USC 1222, 1231.
22 USC 2452.

EDUCATION PROFESSIONS DEVELOPMENT

For carrying out, to the extent not otherwise provided, section 504 and parts B ($7,000,000 for subpart 2), C, D, and F of the Education Professions Development Act (title V of the Higher Education Act of 1965), and section 402 of the General Education Provisions Act, $135,800,000.

20 USC 1091c, 1101, 1111, 1119, 1119c.

LIBRARIES AND EDUCATIONAL COMMUNICATIONS

For carrying out, to the extent not otherwise provided, titles I ($46,568,500), II, and III ($2,640,500) of the Library Services and Construction Act (20 U.S.C. ch. 16); title II (except sections 224 and 231) of the Higher Education Act of 1965 (20 U.S.C. 1021–1033, 1041), section 402 of the General Education Provisions Act and part IV of title III of the Communications Act of 1934 (47 U.S.C. 390–395), $85,109,000, of which $9,500,000, to remain available through June 30, 1973, shall be for grants for public library construction under title II of the Library Services and Construction Act, and $13,000,000 shall be for educational broadcasting facilities and shall remain available until expended.

84 Stat. 1666.
20 USC 352.

79 Stat. 1224; 82 Stat. 1036.

76 Stat. 64; 83 Stat. 146.

RESEARCH AND DEVELOPMENT

For carrying out, to the extent not otherwise provided, the Cooperative Research Act (except section 4), the Drug Abuse Education Act of 1970, the Environmental Education Act, and sections 402 and 412 of the General Education Provisions Act, $113,538,000.

20 USC 331 note.
21 USC 1001 note.
20 USC 1531 note.
20 USC 1231a.

EDUCATIONAL ACTIVITIES OVERSEAS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Office of Education, as authorized by law, $3,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such office, for payments in the foregoing currencies.

SALARIES AND EXPENSES

For the necessary expenses of the Office of Education, not otherwise provided, including rental of conference rooms in the District of Columbia; $51,200,000.

HIGHER EDUCATION FACILITIES LOAN FUND

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Higher Education Facilities Loan Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 849) as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such fund: *Provided*, That loans may be made during the current fiscal year from the fund to the extent that amounts are available from commitments withdrawn prior to July 1, 1972, by the Commissioner of Education.

61 Stat. 584.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations in assets of the Office of Education authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)), $2,961,000, to remain available until expended.

81 Stat. 394.

78 Stat. 800; 82 Stat. 537, 542.

TITLE II—RELATED AGENCIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101–105), $1,580,000.

20 Stat. 468; 84 Stat. 194.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For carrying out the National Technical Institute for the Deaf Act (20 U.S.C. 681, et seq.), $7,619,000, of which $3,500,000 shall be for construction and shall remain available until expended.

79 Stat. 125.

MODEL SECONDARY SCHOOL FOR THE DEAF

For carrying out the Model Secondary School for the Deaf Act (80 Stat. 1027), $17,482,000, of which $14,958,000 shall be for construction and shall remain available until expended.

D.C. Code 31-1051 note.

GALLAUDET COLLEGE

D.C. Code 31-1025.

For the partial support of Gallaudet College, including repairs and improvements as authorized by the Act of June 18, 1954 (68 Stat. 265), $13,286,000, of which $5,194,000 shall be for construction and shall remain available until expended: *Provided*, That if so requested by the College, such construction shall be supervised by the General Services Administration.

HOWARD UNIVERSITY

For the partial support of Howard University, $47,277,000, including $2,490,000 to remain available until expended for planning and site development of buildings and facilities under the supervision of the General Services Administration.

PAYMENT TO THE CORPORATION FOR PUBLIC BROADCASTING

84 Stat. 888.
47 USC 396.

To enable the Department of Health, Education, and Welfare to make payment to the Corporation for Public Broadcasting, as authorized by section 396(k)(1) of the Communications Act of 1934, as amended, for expenses of the Corporation, $30,000,000, to remain available until expended: *Provided*, That in addition, there is appropriated in accordance with the authorization contained in section 396(k)(2) of such Act, to remain available until expended, amounts equal to the amount of total grants, donations, bequests or other contributions (including money and the fair market value of any property) from non-Federal sources received by the Corporation during the current fiscal year, but not to exceed a total of $5,000,000.

TITLE III—GENERAL PROVISIONS

Experts and consultants.
80 Stat. 416.
5 USC 5332 note.

SEC. 301. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18.

SEC. 302. Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Fiscal year limitation.

SEC. 303. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 304. No part of any appropriation contained in this Act shall be used to finance any Civil Service Interagency Board of Examiners.

Funds to campus disrupters, prohibition.

SEC. 305. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

Grants, cost payment limitation.

SEC. 306. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project.

SEC. 307. None of the funds contained in this Act shall be used for any activity the purpose of which is to require any recipient of any project grant for research, training, or demonstration made by any officer or employee of the Department of Health, Education, and Welfare to pay to the United States any portion of any interest or other income earned on payments of such grant made before July 1, 1964; nor shall any of the funds contained in this Act be used for any activity the purpose of which is to require payment to the United States of any portion of any interest or other income earned on payments made before July 1, 1964, to the American Printing House for the Blind.

Additional Federal positions, limitation.

SEC. 308. None of the funds contained in this Act shall be available for additional permanent Federal positions in the Washington area if the proportion of additional positions in the Washington area in relation to the total new positions is allowed to exceed the proportion existing at the close of fiscal year 1966.

Forced student busing.

SEC. 309. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

78 Stat. 246. 42 USC 2000c.

SEC. 310. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

Transfer of funds.

SEC. 311. The Secretary of Health, Education, and Welfare is authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

Audit.

SEC. 312. Expenditures from funds appropriated under this Act to the American Printing House for the Blind, Howard University, the National Technical Institute for the Deaf, the Model Secondary School for the Deaf, and Gallaudet College shall be subject to audit by the Secretary of Health, Education, and Welfare.

Short title.

This Act may be cited as the "Office of Education and Related Agencies Appropriation Act, 1972."

Approved July 9, 1971.