

Public Law 96-49
96th Congress

An Act

To extend certain programs under the Higher Education Act of 1965 for one year, and for other purposes.

Aug. 13, 1979
[H.R. 4476]

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 "Higher Education Technical Amendments of 1979".

Higher
Education
Technical
Amendments of
1979.
20 USC 1001
note.
20 USC 1001.

COMMUNITY SERVICES AND CONTINUING EDUCATION PROGRAMS

SEC. 2. (a) Section 101(a) of the Higher Education Act of 1965 (hereafter in this Act referred to as the "Act") is amended by striking out "fiscal years 1977, 1978, and 1979" and inserting in lieu thereof: "for the fiscal year 1977 and for each of the succeeding fiscal years ending prior to October 1, 1980".

(b) Section 101(b) of the Act is amended by inserting before the period a comma and the following: "and for each of the succeeding fiscal years ending prior to October 1, 1980".

COLLEGE LIBRARY ASSISTANCE AND LIBRARY TRAINING AND RESEARCH

SEC. 3. (a) The first sentence of section 201(b) of the Act is amended by inserting before the period a comma and the following: "and for the succeeding fiscal year".

(b) Section 232 of the Act is amended by inserting before the period a comma and the following: "and for the succeeding fiscal year".

20 USC 1021.

20 USC 1042.

STRENGTHENING DEVELOPING INSTITUTIONS

SEC. 4. Section 301(b)(1) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".

20 USC 1051.

STUDENT ASSISTANCE

SEC. 5. (a)(1) Section 411(a)(1) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".

20 USC 1070a.

(2)(A) Section 411(a)(3) of the Higher Education Act of 1965 is amended by adding at the end thereof the following new subparagraph:

"(D) Notwithstanding any other provision of law, regulations required to be promulgated by the Commissioner under this paragraph for the academic year 1979-1980 shall be effective with respect to funds appropriated for the purpose of making payments under this subpart for that academic year."

(B) Sections 411(b)(3)(B)(ii) and 411(b)(4)(B) of the Higher Education Act of 1965 shall not apply to funds appropriated for the purpose of making payments under subpart 1 of part A of title IV of such Act for the academic year 1978-1979, and any funds available at the end of that academic year shall remain available through September 30, 1981, for the purpose of making payments under that subpart with respect to entitlements for succeeding academic years.

20 USC 1070a
note.

20 USC 1070a.

- 20 USC 1070b. (3) Section 413A(b)(1) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".
- 20 USC 1070c. (4) Section 415A(b)(1) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".
- 20 USC 1070d. (5) Section 417A(b) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".
- 20 USC 1070d-2. (6) Section 418A(b)(1) of the Act is amended by inserting before the period a comma and the following: "and for the succeeding fiscal year".
- 20 USC 1070e-1. (7)(A) Section 420(a)(1) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".
(B) Section 420(a)(4) of the Act is amended by striking out "1980" and inserting in lieu thereof "1981".
- 20 USC 1078. (b) Section 428(a)(8) of the Higher Education Act of 1965 is amended by adding at the end thereof the following new subparagraph:
"(C) If the Commissioner has not promulgated regulations pursuant to this paragraph on or before September 30, 1979, all eligible lenders (other than those excluded under subparagraph (A)) shall be deemed approved by the Commissioner for purposes of this paragraph."
- 20 USC 1087-1. (c)(1) Section 438(b)(2) of the Act is amended—
(A) by striking out "(A) Subject to subparagraphs (B) and (C) and" and inserting in lieu thereof "Subject to", and
(B) by striking out subparagraphs (B) and (C).
(2) Notwithstanding any other provision of section 438 of the Higher Education Act of 1965, effective October 1, 1979, the Commissioner shall determine the special allowance pursuant to the provisions of section 438(b)(2) of that Act (as amended by paragraph (1) of this subsection), except with respect to eligible loans held during the third quarter of the calendar year 1979, holders of such loans shall be entitled to a special allowance payment increased by the difference between (A) the special allowance determined with respect to such loans for such quarter under section 438(b)(2) prior to the amendments made by paragraph (1) of this subsection, and (B) the amount which would be determined with respect to such loans for such quarter under section 438(b)(2) as amended.
- Special allowance payment.
20 USC 1087-1 note.
- 20 USC 1087aa. (d)(1) Section 461(b)(1) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".
(2) Section 461(b)(2) of the Act is amended by striking out "1979" each place it appears and inserting in lieu thereof "1980".
(3)(A) Part E of title IV of the Higher Education Act of 1965 is amended by adding at the end thereof the following new section:
- "COLLECTION OF DEFAULTED LOANS**
- 20 USC 1087gg. "Sec. 467. The Commissioner is authorized to attempt to collect any loan, which was made under this part and which is in default, referred to him by an institution, with which he has an agreement under subsection (a) of section 463, on behalf of such institution under such terms and conditions as the Commissioner may prescribe, including reimbursement for expenses he may reasonably incur in attempting such collection."
- 20 USC 1087gg note. (B) Nothing in the amendment made by this paragraph shall be construed to authorize the enactment of new budget authority for fiscal years 1979 or 1980.
- 20 USC 1088. (e)(1) Section 491(b)(1) of the Act is amended by striking out "and any proprietary institution of higher education" and inserting in lieu

thereof "any postsecondary vocational institution; and any proprietary institution of higher education".

(2) Section 491(b) of the Act is amended by adding at the end thereof the following new paragraph: 20 USC 1088.

"(4) For the purposes of this subsection, the term 'postsecondary vocational institution' means a school (A) which provides not less than a six-month program of training to prepare students for gainful employment in a recognized occupation, (B) which meets the requirements of clauses (1), (2), and (4) of section 1201(a), (C) which is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose, and (D) which has been in existence for at least two years. For the purpose of this paragraph, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authorities to the quality of training offered." "Postsecondary vocational institution." 20 USC 1142a.

TEACHER CORPS AND TEACHER TRAINING PROGRAMS

SEC. 6. (a) Section 511(b) of the Act is amended by inserting before the period a comma and the following: "and for the succeeding fiscal year". 20 USC 1101.

(b) Section 531 of the Act is amended by inserting after "1979," the following: "and for the succeeding fiscal year". 20 USC 1119.

FINANCIAL ASSISTANCE FOR THE IMPROVEMENT OF UNDERGRADUATE INSTRUCTION

SEC. 7. (a) Section 601(b) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1121.

(b) Section 601(c) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".

CONSTRUCTION, RECONSTRUCTION, AND RENOVATION OF ACADEMIC FACILITIES

SEC. 8. (a) Section 701(b) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1132a.

(b) Section 721 of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1132b.

(c)(1) Section 741(b) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1132c.

(2) Section 745(c)(2) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1132c-4.

GRADUATE PROGRAMS

SEC. 9. (a) Section 901(c) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1134.

(b) Section 922(a) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1134e.

(c) Section 941(a) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1134i.

(d) Section 961(b)(1) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1134n.

(e) Section 966(a) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980". 20 USC 1134r-1.

COMMUNITY COLLEGE ESTABLISHMENT AND EXPANSION

- 20 USC 1135. SEC. 10. (a) Section 1001(b)(1) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".
- 20 USC 1135a. (b) Section 1011(b) of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".

LAW SCHOOL CLINICAL EXPERIENCE PROGRAM

- 20 USC 1136b. SEC. 11. Section 1103 of the Act is amended by striking out "1979" and inserting in lieu thereof "1980".

STATEWIDE PLANNING AUTHORIZATION

- 20 USC 1142b. SEC. 12. Sections 1203(d) (1) and (2) of the Act are amended by striking out "1979" and inserting in lieu thereof "1980".

FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION

- 20 USC 1221d. SEC. 13. Section 404(e) of the General Education Provisions Act is amended by striking out "1979" and inserting in lieu thereof "1980".

NATIONAL INSTITUTE OF EDUCATION

- 20 USC 1221e. SEC. 14. The last sentence of section 405(j) of the General Education Provisions Act is amended by striking out "and" the first place it appears therein and inserting in lieu thereof a comma, and by inserting before the period at the end thereof the following: ", and \$125,000,000 for fiscal year 1980".

NATIONAL DEFENSE EDUCATION ACT

- 20 USC 513. SEC. 15. Section 604 of the National Defense Education Act of 1958 is amended by striking out "1979" and inserting in lieu thereof "1980".

MIDDLE INCOME STUDENT ASSISTANCE

- 92 Stat 2404.
20 USC 1070a
note. SEC. 16. (a) Section 9 of the Middle Income Student Assistance Act (Public Law 95-566) is amended by striking out "August 1, 1979" and inserting in lieu thereof "July 1, 1979".
- (b) Nothing in the amendment made by this section shall be construed to authorize the enactment of new budget authority for fiscal years 1979 or 1980.

EFFECTIVE DATE

SEC. 17. (a) The amendments made by section 5(c) shall take effect on October 1, 1979.

20 USC 1087-1 note.

(b) The amendments made by section 5(e) shall take effect with respect to grants, loans, and other financial assistance made available to students for the academic year 1979-1980 and for academic years thereafter.

20 USC 1088 note.

Approved August 13, 1979.

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LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-318, pt. 1 (Comm. on Education and Labor) and No. 96-318, pt. 2 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 125 (1979):
July 31, considered and passed House; considered and passed Senate, amended.
Aug. 1, House concurred in Senate amendment.