

Public Law 89-103

JOINT RESOLUTION

August 3, 1965
[S. J. Res. 83]

To authorize the President to issue a proclamation commemorating the one hundred and seventy-fifth anniversary, on August 4, 1965, of the founding of the United States Coast Guard at Newburyport, Massachusetts.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation commemorating the one hundred and seventy-fifth anniversary, on August 4, 1965, of the founding of the United States Coast Guard at Newburyport, Massachusetts, a service which for the past century and three-quarters has been dedicated to humanity through the saving of life and property at sea, and calling upon the people of the United States to observe such anniversary with appropriate ceremonies and activities.

U.S. Coast
Guard 175th an-
niversary.

Approved August 3, 1965.

Public Law 89-104

AN ACT

August 3, 1965
[H. R. 8862]

To amend the Act of August 7, 1935, to increase the authorized annual share of the United States as an adhering member of the International Council of Scientific Unions and Associated Unions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 7, 1935 (22 U.S.C. 274), is amended by striking out "\$65,000" and inserting in lieu thereof "\$100,000".

49 Stat. 540;
72 Stat. 574.

Approved August 3, 1965.

Public Law 89-105

AN ACT

August 4, 1965
[H. R. 2985]

To authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers, and for other purposes.

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 "Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965".

SEC. 2. (a) The Mental Retardation Facilities and Community Mental Health Centers Construction Act is amended (1) by amending the heading of title II thereof to read "TITLE II—COMMUNITY MENTAL HEALTH CENTERS", (2) by inserting immediately below section 200 of such Act "PART A—GRANTS FOR CONSTRUCTION", (3) by striking out "this title" each place where it appears in sections 201 through 207 of such Act and inserting in lieu thereof "this part", and (4) by striking out "title II" each place where it appears in titles I and IV of such Act and inserting in lieu thereof "part A of title II".

Mental Retar-
dation Facilities
and Community
Mental Health
Centers Con-
struction Act
Amendments of
1965.77 Stat. 282.
42 USC 2661
note.42 USC 2681
et seq.42 USC 2691
et seq.

(b) Such Act is further amended by adding at the end of title II the following new part:

“PART B—GRANTS FOR INITIAL COST OF PROFESSIONAL AND TECHNICAL
PERSONNEL OF CENTERS

“AUTHORIZATION, DURATION, AND AMOUNT OF GRANTS

“SEC. 220. (a) For the purpose of assisting in the establishment and initial operation of community mental health centers providing all or part of a comprehensive community mental health program, the Secretary may, in accordance with the provisions of this part, make grants to meet, for the temporary periods specified in this section, a portion of the costs (determined pursuant to regulations under section 223) of compensation of professional and technical personnel for the initial operation of new community mental health centers or of new services in community mental health centers.

“(b) Grants for such costs for any center under this part may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of four years and three months after such first day; and such grants with respect to any center may not exceed 75 per centum of such costs for the period ending with the close of the fifteenth month following such first day, 60 per centum of such costs for the first year thereafter, 45 per centum of such costs for the second year thereafter, and 30 per centum of such costs for the third year thereafter.

“(c) In making such grants, the Secretary shall take into account the relative needs of the several States for community mental health center programs, their relative financial needs, and their populations.

“APPLICATIONS AND CONDITIONS FOR APPROVAL

“SEC. 221. (a) Grants under this part with respect to any community mental health center may be made only upon application, and only if—

“(1) the applicant is a public or nonprofit private agency or organization which owns or operates the center;

“(2) the services to be provided by the center, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated with the applicant, will be part of a program providing, principally for persons residing in a particular community or communities in or near which such center is situated, at least those essential elements of comprehensive mental health services which are prescribed by the Secretary;

“(3) (A) a grant was made under part A of this title to assist in financing the construction of the center or (B) the type of service to be provided as part of such program with the aid of a grant under this part was not previously being provided by the center with respect to which such application is made;

“(4) the Secretary determines that there is satisfactory assurance that Federal funds made available under this part for any period will be so used as to supplement and, to the extent practical, increase the level of State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the program described in paragraph (2) of this subsection, and will in no event supplant such State, local, and other non-Federal funds; and

“(5) the services to be provided by the center are described in the State mental health plan submitted to the Public Health Service by the State mental health authority in accordance with title III of the Public Health Service Act.

“(b) No grant may be made under this part after June 30, 1968, with respect to any community mental health center or with respect

to any type of service provided by such a center unless a grant with respect thereto was made under this part prior to July 1, 1968.

"PAYMENTS

"SEC. 222. Payment of grants under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and on such terms and conditions and in such installments, as the Secretary may determine.

"REGULATIONS

"SEC. 223. The Secretary shall, after consultation with the National Advisory Mental Health Council (appointed pursuant to the Public Health Service Act), prescribe general regulations concerning eligibility of centers under this part, determination of eligible costs with respect to which grants may be made, and the terms and conditions (including those specified in section 221) for approving applications under this part.

58 Stat. 682.
42 USC 201 note.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 224. There are hereby authorized to be appropriated \$19,500,000 for the fiscal year ending June 30, 1966, \$24,000,000 for the fiscal year ending June 30, 1967, and \$30,000,000 for the fiscal year ending June 30, 1968, to enable the Secretary to make initial grants to community mental health centers under the provisions of this part. For the fiscal year ending June 30, 1967, and each of the five succeeding years, there are hereby authorized to be appropriated such sums as may be necessary to make grants to such centers which have previously received a grant under this part and are eligible for such a grant for the year for which sums are being appropriated under this sentence."

SEC. 3. Title IV of the Mental Retardation Facilities and Community Mental Health Centers Construction Act is amended by inserting at the end thereof the following new section:

77 Stat. 296.
42 USC 2691
et seq.

"RECORDS AND AUDIT

"SEC. 408. (a) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the assistance received under this Act."

SEC. 4. Subsection (a) of section 302 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164) is amended by striking out "There is authorized to be appropriated for the fiscal year ending June 30, 1964, and each of the next two fiscal years the sum of \$2,000,000" and inserting in lieu thereof the following: "There is authorized to be appropriated \$6,000,000 for the fiscal year ending June 30, 1966;

Research projects.

20 USC 618.

\$9,000,000 for fiscal year ending June 30, 1967; \$12,000,000 for fiscal year ending June 30, 1968; and \$14,000,000 for fiscal year ending June 30, 1969”.

SEC. 5. Section 302 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164) is further amended by inserting at the end thereof the following new subsections as follow :

Facilities, construction, etc.

“(f) For the purposes of this section the Commissioner of Education may make grants to institutions of higher education for the construction, equipping, and operation of a facility for research, or for research and related purposes (as defined in this section).

Laborers, wages.

“(g) All laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of any project under this section shall 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). The Secretary of Labor shall have, with respect to the labor standards specified in this clause, 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.

“Construction.”

“(h) As used in this section the terms ‘construction’ and ‘cost of construction’ include (A) the construction of new buildings and the expansion, remodeling, and alteration of existing buildings, including architects’ fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered.

“Research and related purposes.”

“(i) As used in this section, the term ‘research and related purposes’ means research, research training, surveys, or demonstrations in the field of education of handicapped children, or the dissemination of information derived therefrom, or all of such activities, including (but without limitation) experimental schools.”

Special account.

SEC. 6. There is hereby established on the books of the Treasury an account or accounts without fiscal year limitation. There shall be deposited in such account, to the extent provided by the Secretary of Health, Education, and Welfare or his designee, all or part of any grant awarded by the Secretary or any other officer or employee of the Department of Health, Education, and Welfare. Payments of any such grant shall from time to time be made to the grantee from such account or accounts, subject to such limitations relating to fund accumulation as the Secretary may prescribe, to the extent needed to carry out the purposes of any such grant. Such reports as the Secretary or other officer awarding the grant may find necessary to assure expenditure of funds for the purpose of and in accordance with the terms and conditions of the grant shall be made to the Secretary or such officer by any such grantee.

Reports.

72 Stat. 1777.
20 USC 615.

“State.”

SEC. 7. Section 5 of the Act of September 6, 1958 (Public Law 85-926), is amended by adding at the end thereof the following new paragraph:

“(c) The term ‘State’ includes the Commonwealth of Puerto Rico, the Virgin Islands, the District of Columbia, Guam, and American Samoa.”

77 Stat. 294.

SEC. 8. Section 7 of the Act of September 6, 1958 (Public Law 85-926) as amended (20 U.S.C. 617), is amended to read as follows:

“SEC. 7. There are authorized to be appropriated for carrying out this Act \$19,500,000 for the fiscal year ending June 30, 1966; \$29,500,000 for the fiscal year ending June 30, 1967; \$34,000,000 for the fiscal year ending June 30, 1968; and \$37,500,000 for the fiscal year ending June 30, 1969.”

Approved August 4, 1965.