

technology system modernization project or facility infrastructure improvement obligations planned for such amounts.

(Pub. L. 116-260, div. H, title III, §313, Dec. 27, 2020, 134 Stat. 1609.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is div. H of Pub. L. 116-260, Dec. 27, 2020, 134 Stat. 1547, known as the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2021. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was enacted as part of the Department of Education Appropriations Act, 2021, and not as part of the Department of Education Organization Act which comprises this chapter.

§ 3484. Funds transfer

The Secretary may, when authorized in an appropriation Act in any fiscal year, transfer funds from one appropriation to another within the Department, except that no appropriation for any fiscal year shall be either increased or decreased pursuant to this section by more than 5 percent and no such transfer shall result in increasing any such appropriation above the amount authorized to be appropriated therefor.

(Pub. L. 96-88, title IV, §424, Oct. 17, 1979, 93 Stat. 688.)

§ 3485. Seal of Department

The Secretary shall cause a seal of office to be made for the Department of such design as the Secretary shall approve. Judicial notice shall be taken of such seal.

(Pub. L. 96-88, title IV, §425, Oct. 17, 1979, 93 Stat. 688.)

§ 3486. Annual report

(a) Contents

The Secretary shall, as soon as practicable after the close of each fiscal year, make a single, comprehensive report to the President for transmission to the Congress on the activities of the Department during such fiscal year. The report shall include a statement of goals, priorities, and plans for the Department together with an assessment of the progress made toward—

- (1) the attainment of such goals, priorities, and plans;
- (2) the more effective and efficient management of the Department and the coordination of its functions; and
- (3) the reduction of excessive or burdensome regulation and of unnecessary duplication and fragmentation in Federal education programs,

accompanied where necessary by recommendations for proposed legislation for the achievement of such objectives.

(b) Estimate on non-Federal personnel employed

The report required by subsection (a) shall also include an estimate of the extent of the non-Federal personnel employed pursuant to

contracts entered into by the Department under section 3475 of this title or under any other authority (including any subcontract thereunder), the number of such contracts and subcontracts pursuant to which non-Federal personnel are employed, and the total cost of those contracts and subcontracts.

(Pub. L. 96-88, title IV, §426, Oct. 17, 1979, 93 Stat. 688.)

Statutory Notes and Related Subsidiaries

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (a) of this section relating to transmission of report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 80 of House Document No. 103-7.

§ 3487. Repealed. Pub. L. 103-382, title II, § 271(a)(1), Oct. 20, 1994, 108 Stat. 3929

Section, Pub. L. 96-88, title IV, §427, Oct. 17, 1979, 93 Stat. 689, related to application of General Education Provisions Act, 20 U.S.C. 1221 et seq., to functions transferred by this chapter.

§ 3488. Authorization of appropriations

Subject to any limitation on appropriations applicable with respect to any function or office transferred to the Secretary or the Department, there are authorized to be appropriated for fiscal year 1980 and each succeeding fiscal year such sums as may be necessary to carry out the provisions of this chapter and to enable the Secretary to administer and manage the Department. Funds appropriated in accordance with this section shall remain available until expended.

(Pub. L. 96-88, title IV, §427, formerly §428, Oct. 17, 1979, 93 Stat. 689; renumbered §427, Pub. L. 103-382, title II, §271(a)(2), Oct. 20, 1994, 108 Stat. 3929.)

Editorial Notes

PRIOR PROVISIONS

A prior section 427 of Pub. L. 96-88 was classified to section 3487 of this title prior to repeal by Pub. L. 103-382.

§ 3489. General extension of authorizations

Subject to the limitations contained in subtitle A of this title, there are authorized to be appropriated for fiscal years 1982, 1983, and 1984 such sums as may be necessary to carry out each of the following provisions of law:

- (1) the Act of September 30, 1950¹ (Public Law 874, 81st Congress);
- (2) the Act of September 23, 1950¹ (Public Law 815, 81st Congress);
- (3) the General Education Provisions Act [20 U.S.C. 1221 et seq.];
- (4) the Indian Education Act;
- (5) titles XI [25 U.S.C. 2000 et seq.], XIV [20 U.S.C. 921 et seq.], and XV of the Education Amendments of 1978 and part H of title XIII of the Education Amendments of 1980;

¹ See References in Text note below.