

ian Education consisting of seven members appointed by Secretary of Education, after consultation with Governor of Hawaii, from among individuals who were professionals in various fields relating to human development, and who were familiar with educational problems of Native Hawaiians, to conduct a study to (A) evaluate effectiveness of State and federally assisted educational programs in serving Native Hawaiian children and extent to which such programs achieve their purposes with respect to such children, and (B) take into account special health, social, and psychological needs of Native Hawaiian children, and to submit a report to Secretary and to Congress not later than Jan. 31, 1983, containing findings and recommendations of the Council, with the Council to terminate 60 days after submission of its report.

APPROPRIATIONS NOT AUTHORIZED FOR NATIVE HAWAIIAN EDUCATION STUDY FOR FISCAL YEAR 1982, 1983, OR 1984

Pub. L. 97-35, title V, §512(a), Aug. 13, 1981, 95 Stat. 444, provided that: "No funds are authorized to be appropriated to carry out part D of title XIII of the Education Amendments of 1980 [section 1331 of Pub. L. 96-374, set out as a note above] for fiscal year 1982, 1983, or 1984."

FINANCING OF ELEMENTARY AND SECONDARY EDUCATION; STUDIES AND SURVEYS; ADVISORY PANEL; REPORTS

Pub. L. 95-561, title XII, §1203, Nov. 1, 1978, 92 Stat. 2335, as amended by Pub. L. 96-46, §2(a)(4), Aug. 6, 1979, 93 Stat. 340; Pub. L. 96-88, title III, §301(a)(2), (b)(1), title V, §501(a), 507, Oct. 17, 1979, 93 Stat. 677, 678, 689, 692, established a 15-member Advisory Panel on Financing Elementary and Secondary Education within Department of Education to provide for (1) availability of reliable and comparative data on status and trends in financing elementary and secondary education, (2) conduct of studies necessary to understand and analyze the trends and problems affecting financing of elementary and secondary education, both public and non-public, including prospects for adequate financing during the next ten years, and development of recommendations for Federal policies to assist in improving equity and efficiency of Federal and State systems for raising and distributing revenues to support elementary and secondary education, with views and recommendations of the Panel to be presented to 1980 White House Conference on Education.

WHITE HOUSE CONFERENCE ON EDUCATION: REPORT OF FINDINGS AND RECOMMENDATIONS; NATIONAL CONFERENCE COMMITTEE: ESTABLISHMENT, MEMBERSHIP, REPORT TO PRESIDENT AND CONGRESS, TRAVEL EXPENSES; APPORTIONMENT OF FUNDS; AUTHORIZATION OF APPROPRIATIONS

Pub. L. 93-380, title VIII, §804, Aug. 21, 1974, 88 Stat. 597, as amended by Pub. L. 95-272, title III, §301, May 3, 1978, 92 Stat. 227; Pub. L. 95-561, title XII, §1203(c)(8), Nov. 1, 1978, 92 Stat. 2335, directed President to call and conduct a White House Conference on Education in 1980, established a National Conference Committee to provide guidance and planning and to make a final report to President and Congress not later than Dec. 1, 1980, authorized making of grants to States to assist in meeting cost of that State's participation, and authorized appropriations.

**§ 1221-2. National policy with respect to museums as educational institutions**

The Congress, recognizing—

- (1) that museums serve as sources for schools in providing education for children,
- (2) that museums provide educational services of various kinds for educational agencies and institutions and institutions of higher education, and

(3) that the expense of the educational services provided by museums is seldom borne by the educational agencies and institutions taking advantage of the museums' resources,

declares that it is the sense of the Congress that museums be considered educational institutions and that the cost of their educational services be more frequently borne by educational agencies and institutions benefiting from those services.

(Pub. L. 93-380, title VIII, §803, Aug. 21, 1974, 88 Stat. 597.)

CODIFICATION

Section was enacted as part of Education Amendments of 1974, and not as part of General Education Provisions Act which comprises this chapter.

EFFECTIVE DATE

Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub. L. 93-380, set out as a note under section 1221-1 of this title.

**§ 1221-3. Repealed. Pub. L. 103-382, title II, § 212(a)(1), Oct. 20, 1994, 108 Stat. 3913**

Section, Pub. L. 90-247, title IV, §400A, as added Pub. L. 95-561, title XII, §1212(b), Nov. 1, 1978, 92 Stat. 2338; amended Pub. L. 96-46, §4(a), Aug. 6, 1979, 93 Stat. 342; Pub. L. 96-88, title III, §301(b)(2), title V, §507, Oct. 17, 1979, 93 Stat. 678, 692; Pub. L. 96-511, §4(a), Dec. 11, 1980, 94 Stat. 2826, related to control of excessive paperwork.

SUBCHAPTER I—FUNCTIONS OF DEPARTMENT OF EDUCATION

AMENDMENTS

1994—Pub. L. 103-382, title II, §221, Oct. 20, 1994, 108 Stat. 3913, amended subchapter heading generally.

**§§ 1221a to 1221c. Repealed. Pub. L. 103-382, title II, § 212(a)(1), Oct. 20, 1994, 108 Stat. 3913**

Section 1221a, Pub. L. 90-247, title IV, §401, as added Pub. L. 92-318, title III, §301(a)(2), June 23, 1972, 86 Stat. 326; amended Pub. L. 93-380, title V, §504(a), Aug. 21, 1974, 88 Stat. 561, established Education Division of the Department of Health, Education, and Welfare.

Section 1221b, Pub. L. 90-247, title IV, §402, as added Pub. L. 92-318, title III, §301(a)(2), June 23, 1972, 86 Stat. 327; amended Pub. L. 93-380, title V, §502(a)(2)(A), Aug. 21, 1974, 88 Stat. 560, established position of and provided for appointment and compensation of Assistant Secretary for Education in the Department of Health, Education, and Welfare.

Section 1221c, Pub. L. 90-247, title IV, §403, as added Pub. L. 92-318, title III, §301(a)(2), June 23, 1972, 86 Stat. 327; amended Pub. L. 93-380, title V, §503(a), Aug. 21, 1974, 88 Stat. 560; Pub. L. 94-482, title IV, §409(a), Oct. 12, 1976, 90 Stat. 2233; Pub. L. 95-561, title XII, §1241, Nov. 1, 1978, 92 Stat. 2351; Pub. L. 96-88, title III, §301(a)(1), (b)(2), title V, §507, Oct. 17, 1979, 93 Stat. 677, 678, 692; Pub. L. 96-470, title I, §106(d), Oct. 19, 1980, 94 Stat. 2238, related to nonpublic education.

**§ 1221d. Repealed. Pub. L. 96-374, title X, § 1001(c), Oct. 3, 1980, 94 Stat. 1491**

Section, Pub. L. 90-247, title IV, §404, as added Pub. L. 92-318, title III, §301(a)(2), June 23, 1972, 86 Stat. 327; amended Pub. L. 94-482, title IV, §402, Oct. 12, 1976, 90 Stat. 2226; Pub. L. 96-49, §13, Aug. 13, 1979, 93 Stat. 354, related to grants and contracts for improvement of post-secondary education.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1980, see section 1393(a) of Pub. L. 96-374, set out as an Effective Date of 1980 Amendment note under section 1001 of this title.

**§ 1221e. Repealed. Pub. L. 103-227, title IX, § 911(a), Mar. 31, 1994, 108 Stat. 213**

Section, Pub. L. 90-247, title IV, § 405, as added Pub. L. 92-318, title III, § 301(a)(2), June 23, 1972, 86 Stat. 328; amended Pub. L. 93-380, title V, § 502(a)(2)(B), Aug. 21, 1974, 88 Stat. 560; Pub. L. 94-482, title IV, § 403, Oct. 12, 1976, 90 Stat. 2227; Pub. L. 95-561, title XII, § 1242, Nov. 1, 1978, 92 Stat. 2352; Pub. L. 96-49, § 14, Aug. 13, 1979, 93 Stat. 354; Pub. L. 96-374, title XIII, §§ 1311-1314, Oct. 3, 1980, 94 Stat. 1498, 1499; Pub. L. 98-511, title VII, §§ 702(a), 703, 704(a), Oct. 19, 1984, 98 Stat. 2405, 2406; Pub. L. 99-498, title XIV, § 1401(a), Oct. 17, 1986, 100 Stat. 1589; Pub. L. 100-50, § 24(a), June 3, 1987, 101 Stat. 362; Pub. L. 100-297, title III, §§ 3001(p)(2), 3002, 3403(b), (c), Apr. 28, 1988, 102 Stat. 337, 349; Pub. L. 103-33, § 1(b), May 25, 1993, 107 Stat. 94, related to Office of Educational Research and Improvement.

**SAVINGS PROVISION**

Pub. L. 103-227, title IX, § 914, Mar. 31, 1994, 108 Stat. 223, which provided that contracts for regional educational laboratories, Educational Resources Information Center Clearinghouses and research and development centers and regional educational laboratories assisted under this section as in effect on Mar. 30, 1994, would remain in effect until the termination date of such contracts, was repealed by Pub. L. 107-279, title IV, § 403(2), Nov. 5, 2002, 116 Stat. 1985.

**EXISTING GRANTS AND CONTRACTS**

Pub. L. 103-227, title IX, § 915, Mar. 31, 1994, 108 Stat. 223, which provided that grants and contracts for the research and development centers assisted under this section as in effect on Mar. 30, 1994, would remain in effect until the termination date of such grants or contracts, except if extended to implement the provisions of title IX of Pub. L. 103-227 [see section 6001 of this title], and authorized use of funds appropriated pursuant to former section 6011(m)(1) of this title to carry out these provisions, was repealed by Pub. L. 107-279, title IV, § 403(2), Nov. 5, 2002, 116 Stat. 1985.

**§§ 1221e-1 to 1221e-1c. Repealed. Pub. L. 103-382, title II, § 212(a)(1), Oct. 20, 1994, 108 Stat. 3913**

Section 1221e-1, Pub. L. 90-247, title IV, § 406, as added Pub. L. 93-380, title V, § 501(a), Aug. 21, 1974, 88 Stat. 556; amended Pub. L. 94-273, § 12(1), Apr. 21, 1976, 90 Stat. 378; Pub. L. 94-482, title IV, §§ 401, 406, title V, § 501(q), Oct. 12, 1976, 90 Stat. 2226, 2231, 2238; Sen. Res. 4, Feb. 4, 1977; Pub. L. 95-561, title XII, §§ 1201, 1212(a), (c), 1243(a), Nov. 1, 1978, 92 Stat. 2333, 2338, 2341, 2353; S. Res. 30, Mar. 7, 1979; Pub. L. 98-511, title VII, §§ 702(b), 704(b), Oct. 19, 1984, 98 Stat. 2406; Pub. L. 99-498, title XIV, § 1402, Oct. 17, 1986, 100 Stat. 1597; Pub. L. 100-50, § 24(b), June 3, 1987, 101 Stat. 363; Pub. L. 100-297, title III, § 3001(a), (b)(1), (c)-(p)(1), (q), 3403(a), Apr. 28, 1988, 102 Stat. 331-337, 344; Pub. L. 101-589, title II, § 252, Nov. 16, 1990, 104 Stat. 2894; Pub. L. 102-325, title XV, § 1552, July 23, 1992, 106 Stat. 838; Pub. L. 103-33, § 1(a), May 25, 1993, 107 Stat. 93; Pub. L. 103-227, title VII, § 707, Mar. 31, 1994, 108 Stat. 209; Pub. L. 103-437, § 7(a)(1), Nov. 2, 1994, 108 Stat. 4587, related to National Center for Education Statistics. See section 9541 et seq. of this title.

Section 1221e-1a, Pub. L. 90-247, title IV, § 406A, formerly § 437, as added Pub. L. 93-380, title V, § 512(a), Aug. 21, 1974, 88 Stat. 571; amended Pub. L. 94-273, § 17, Apr. 21, 1976, 90 Stat. 379; Pub. L. 94-482, title V, § 501(f)(2), (3), Oct. 12, 1976, 90 Stat. 2237; S. Res. 4, Feb. 4, 1977; renumbered § 406A, Pub. L. 95-561, title XII, § 1231(a)(2), Nov. 1, 1978, 92 Stat. 2342; S. Res. 30, Mar. 7, 1979; Pub. L. 96-88, title III, § 301(a)(1), title V, § 507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 98-211, § 18(b), Dec. 8, 1983, 97 Stat. 1417; Pub. L. 103-437, § 7(a)(1), Nov. 2, 1994, 108 Stat. 4587, related to responsibility of State to furnish information on uses of Federal funds in State. See section 1226b(a) and (f) of this title.

Section 1221e-1b, Pub. L. 90-247, title IV, § 406B, formerly § 406A, as added Pub. L. 96-374, title XIII, § 1303,

Oct. 3, 1980, 94 Stat. 1497; renumbered § 406B, Pub. L. 99-159, title IV, § 401(1), Nov. 22, 1985, 99 Stat. 903, authorized appropriations for fiscal year 1981 for Pre-College Science Teacher Training Program and Minority Institutions Science Improvement program.

Section 1221e-1c, Pub. L. 90-247, title IV, § 406C, as added Pub. L. 99-159, title IV, § 401(2), Nov. 22, 1985, 99 Stat. 903, authorized appropriations for fiscal years 1985 and 1986 for Minority Institutions Science Improvement Program.

**§ 1221e-1d. Use of Council staff and facilities**

The National Advisory Council on Educational Research and Improvement, the Advisory Council on Education Statistics, and members of such councils may not use any staff, facilities, equipment, supplies, or franking privileges of the councils for activities unrelated to the purposes of the councils.

(Pub. L. 99-498, title XIV, § 1403, Oct. 17, 1986, 100 Stat. 1599.)

**CODIFICATION**

Section was enacted as part of the Higher Education Amendments of 1986, and not as part of the General Education Provisions Act which comprises this chapter.

**§ 1221e-2. Repealed. Pub. L. 103-382, title II, § 212(a)(1), Oct. 20, 1994, 108 Stat. 3913**

Section, Pub. L. 90-247, title IV, § 407, as added Pub. L. 93-380, title V, § 502(a)(1), Aug. 21, 1974, 88 Stat. 559; amended Pub. L. 96-88, title III, § 301(b)(2), title V, § 507, Oct. 17, 1979, 93 Stat. 678, 692, related to education officers of United States.

**§ 1221e-3. General authority of Secretary**

The Secretary, in order to carry out functions otherwise vested in the Secretary by law or by delegation of authority pursuant to law, and subject to limitations as may be otherwise imposed by law, is authorized to make, promulgate, issue, rescind, and amend rules and regulations governing the manner of operation of, and governing the applicable programs administered by, the Department.

(Pub. L. 90-247, title IV, § 410, formerly § 408, as added Pub. L. 93-380, title V, § 502(a)(1), Aug. 21, 1974, 88 Stat. 559; amended Pub. L. 95-561, title XII, §§ 1243(b), 1244, Nov. 1, 1978, 92 Stat. 2353; renumbered § 410 and amended Pub. L. 103-382, title II, § 212(b)(1), 222, Oct. 20, 1994, 108 Stat. 3913, 3914.)

**AMENDMENTS**

1994—Pub. L. 103-382, § 222, amended section generally, substituting single par. relating to general authority of Secretary for former subsecs. (a) to (d) relating to general authority of administrative heads of education agencies.

1978—Subsec. (a). Pub. L. 95-561, § 1243(b), inserted “or by delegation of authority pursuant to law” after “vested in him by law” in provisions preceding par. (1) and, in par. (1), inserted “, and governing the applicable programs administered by” after “the manner of operation of”.

Subsecs. (b) to (d). Pub. L. 95-561, § 1244, added subsec. (b), redesignated former subsecs. (b) and (c) as (c) and (d), and in subsec. (d) as so redesignated substituted “For the purposes of this chapter” for “For the purposes of this section”.