

PRIOR PROVISIONS

A prior section 4360, Pub. L. 99-371, title II, §211, formerly title IV, §411, Aug. 4, 1986, 100 Stat. 794; renumbered title II, §211, and amended Pub. L. 102-421, title I, §§101(b)(5), (6), 140, 151(a)(4), Oct. 16, 1992, 106 Stat. 2151, 2163, 2164; Pub. L. 103-73, title II, §204(i), Aug. 11, 1993, 107 Stat. 735, authorized appropriations for this chapter, prior to repeal by Pub. L. 105-244, §3, title IX, §923, Oct. 7, 1998, 112 Stat. 1585, 1832, effective Oct. 1, 1998. See section 4360a of this title.

AMENDMENTS

2008—Subsec. (a)(1). Pub. L. 110-315, §913(a), inserted “establish a commission on the education of the deaf (in this section referred to as the ‘commission’) to” after “The Secretary shall”.

Subsec. (b). Pub. L. 110-315, §913(b), substituted “commission” for “Secretary” wherever appearing.

Subsec. (c). Pub. L. 110-315, §913(c)(1), in introductory provisions, substituted “commission shall report to the Secretary and Congress not later than 18 months after August 14, 2008” for “Secretary shall report to Congress not later than 18 months after October 7, 1998”.

Subsec. (c)(1). Pub. L. 110-315, §913(c)(2), substituted “recommendations relating to educated-related factors that contribute to successful postsecondary education experiences and employment for individuals who are deaf, including” for “recommendations, including” and “commission” for “Secretary”.

Subsec. (d). Pub. L. 110-315, §913(d), substituted “such sums as may be necessary for each of the fiscal years 2009 and 2010” for “\$1,000,000 for each of the fiscal years 1999 and 2000”.

EFFECTIVE DATE

Section effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as an Effective Date of 1998 Amendment note under section 1001 of this title.

§ 4360a. Authorization of appropriations**(a) Gallaudet University**

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2014 to carry out the provisions of subchapter I of this chapter and this subchapter, relating to—

- (1) Gallaudet University;
- (2) Kendall Demonstration Elementary School; and
- (3) the Model Secondary School for the Deaf.

(b) National Technical Institute for the Deaf

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2014 to carry out the provisions of subchapter I of this chapter and this subchapter relating to the National Technical Institute for the Deaf.

(Pub. L. 99-371, title II, §212, as added Pub. L. 105-244, title IX, §925, Oct. 7, 1998, 112 Stat. 1833; amended Pub. L. 110-315, title IX, §914, Aug. 14, 2008, 122 Stat. 3455.)

PRIOR PROVISIONS

Provisions similar to this section were contained in section 4360 of this title, prior to repeal by Pub. L. 105-244.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-315, §914(1), substituted “fiscal years 2009 through 2014” for “fiscal years 1998 through 2003” in introductory provisions.

Subsec. (b). Pub. L. 110-315, §914(2), substituted “fiscal years 2009 through 2014” for “fiscal years 1998 through 2003”.

EFFECTIVE DATE

Section effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as an Effective Date of 1998 Amendment note under section 1001 of this title.

§ 4361. Supervision of public business of Gallaudet University

The Secretary of Education is charged with the supervision of public business relating to Gallaudet University.

(R.S. §441; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; 1940 Reorg. Plan No. IV, §11, eff. June 30, 1940, 5 F.R. 2421, 54 Stat. 1234; 1953 Reorg. Plan No. 1, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; June 18, 1954, ch. 324, §1, 68 Stat. 265; Oct. 17, 1979, Pub. L. 96-88, title III, §301(a)(2)(M), title V, §507, 93 Stat. 677, 692; Aug. 4, 1986, Pub. L. 99-371, title I, §101(a), 100 Stat. 781.)

CODIFICATION

Section was not enacted as part of the Education of the Deaf Act of 1986, which comprises this chapter.

Section was formerly classified to section 691h of this title.

CHANGE OF NAME

Pursuant to section 101(a) of Pub. L. 99-371, which is classified to section 4301(a) of this title, “Gallaudet University” was substituted in text for “Gallaudet College” which had been substituted in text for “Columbia Institution for the Deaf” pursuant to section 1 of act June 18, 1954, which was formerly classified to section 691 of this title. Previously, act Mar. 4, 1911, ch. 285, 36 Stat. 1422, had redesignated the “Columbia Institution for the Deaf and Dumb” as the “Columbia Institution for the Deaf”.

TRANSFER OF FUNCTIONS

“Secretary of Education” substituted in text for “Secretary of Health, Education, and Welfare” pursuant to sections 301(a)(2)(M) and 507 of Pub. L. 96-88, which are classified to sections 3441(a)(2)(M) and 3507 of this title and which transferred to Secretary of Education functions of Secretary of Health, Education, and Welfare under laws relating to relationship between Gallaudet College [now Gallaudet University] and Department of Health, Education, and Welfare.

Functions of Federal Security Administrator transferred to Secretary of Health, Education, and Welfare and all agencies of Federal Security Agency transferred to Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5, Government Organization and Employees. Federal Security Agency and office of Administrator abolished by section 8 of Reorg. Plan No. 1 of 1953.

Functions of Department of the Interior relating to administration of Columbia Institution for the Deaf transferred to Federal Security Agency to be administered under direction and supervision of Federal Security Administrator by §11(d) of 1940 Reorg. Plan No. IV, set out in the Appendix to Title 5.

§ 4362. Purchases through General Services Administration

On and after September 8, 1978, Gallaudet University and the National Technical Institute for the Deaf are authorized to make purchases through the General Services Administration.

(Pub. L. 95-355, title I, §100, Sept. 8, 1978, 92 Stat. 531; Pub. L. 99-371, title I, §101(a), Aug. 4, 1986, 100 Stat. 781.)

CODIFICATION

Section is from the Second Supplemental Appropriations Act, 1978, and not enacted as part of the Education of the Deaf Act of 1986, which comprises this chapter, and contained additional provisions relating to purchases by the American Printing House for the Blind and Howard University which are set out as sections 106 and 130 of this title, respectively.

Section, as it relates to Gallaudet University, was formerly classified to section 691i of this title, and as it relates to the National Technical Institute for the Deaf, was formerly classified to section 686 of this title.

CHANGE OF NAME

“Gallaudet University” substituted in text for “Gallaudet College” pursuant to section 101(a) of Pub. L. 99-371, which is classified to section 4301(a) of this title.

§ 4363. Financial and program audit by Secretary

Funds appropriated in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts to the National Technical Institute for the Deaf, and Gallaudet University shall be subject to financial and program audit by the Secretary of Education and the Secretary may withhold all or any portion of these appropriations if he determines that an institution has not cooperated fully in the conduct of such audits.

(Pub. L. 102-394, title III, §301, Oct. 6, 1992, 106 Stat. 1819.)

CODIFICATION

Section is from the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1993, and was not enacted as part of the Education of the Deaf Act of 1986 which comprises this chapter, and contained additional provisions relating to the American Printing House for the Blind and Howard University, which are set out as sections 106a and 130a of this title, respectively.

CHAPTER 56—AMERICAN INDIAN, ALASKA NATIVE, AND NATIVE HAWAIIAN CULTURE AND ART DEVELOPMENT

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SUBCHAPTER III—AUTHORIZATION OF APPROPRIATIONS

- 4451. Authorization of appropriations.

§ 4401. Findings

The Congress finds that—

- (1) Indian art and culture and Native Hawaiian art and culture have contributed greatly to the artistic and cultural richness of the Nation;
- (2) Indian art and culture and Native Hawaiian art and culture occupy a unique position in American history as being our only native art form and cultural heritage;
- (3) the enhancement and preservation of this Nation’s native art and culture has a fundamental positive influence on the American people;
- (4) although the encouragement and support of Indian and Native Hawaiian arts and crafts are primarily a matter for private, local, and Indian and Native Hawaiian initiative, it is also an appropriate matter of concern to the Federal Government;
- (5) it is appropriate and necessary for the Federal Government to support research and scholarship in Indian art and culture and Native Hawaiian art and culture and to complement programs for the advancement of such art and culture by tribal, private, and public agencies and organizations;
- (6) current Federal initiatives in the area of Indian art and culture and Native Hawaiian art and culture are fragmented and inadequate; and
- (7) in order to coordinate the Federal Government’s effort to preserve, support, revitalize, and disseminate Indian art and culture and Native Hawaiian art and culture, it is desirable to establish—

- (A) a national Institute of American Indian and Alaska Native Culture and Arts Development, and
- (B) a program for Native Hawaiian culture and arts development.

(Pub. L. 99-498, title XV, §1502, Oct. 17, 1986, 100 Stat. 1600.)

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-239, title VII, §721, May 4, 1994, 108 Stat. 606, provided that: “This title [probably should be “subtitle” meaning subtitle C [§§ 721, 722] of title VII of Pub. L. 103-239, amending section 4441 of this title] may be cited as the ‘Alaska Native Culture and Arts Development Act.’”

SHORT TITLE

Pub. L. 99-498, title XV, §1501, Oct. 17, 1986, 100 Stat. 1600, provided that: “This title [enacting this chapter] may be cited as the ‘American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act.’”

§ 4402. Definitions

For the purpose of this chapter—

- (1) The term “Indian art and culture” includes (but is not limited to) the traditional and contemporary expressions of Indian language, history, visual and performing arts, and crafts.