

carry out this subsection shall be available for reallocation from time to time, on such dates as the Secretary of Education may fix, to other States in proportion to the original allotments to such States under subparagraph (A) or subparagraph (B) but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary of Education estimates such State needs and will be able to use. The total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amounts reallocated to a State under this subparagraph from funds appropriated under this subsection shall be deemed a part of its allotment under subparagraph (A) or subparagraph (B).

(Pub. L. 94-482, title III, §342, Oct. 12, 1976, 90 Stat. 2224; Pub. L. 95-561, title XIII, §1351, Nov. 1, 1978, 92 Stat. 2364; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692.)

#### REFERENCES IN TEXT

Title IV of the Elementary and Secondary Education Act of 1965, referred to in subsec. (b)(2), which was formerly classified to subchapter I (§1801 et seq.) of chapter 40 of this title, was amended generally by Pub. L. 95-561, title IV, §401, Nov. 1, 1978, 92 Stat. 2229, and reclassified to subchapter IV (§3081 et seq.) of chapter 47 of this title prior to its repeal by Pub. L. 97-35, title V, §587(a)(1), Aug. 13, 1981, 95 Stat. 480. Section 401(a) and part B of title IV of the Elementary and Secondary Education Act of 1965 were classified to section 3081(a) and sections 3101 and 3102, respectively, of this title prior to their repeal by section 587(a)(1) of Pub. L. 97-35.

#### AMENDMENTS

1978—Subsec. (a). Pub. L. 95-561 substituted “fiscal years 1978 through 1983” for “fiscal years 1978 and 1979”.

#### EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-561 effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95-561, set out as a note under section 1221e-3 of this title.

#### TRANSFER OF FUNCTIONS

“Secretary of Education” substituted for “Commissioner” in subsec. (b)(1) and (3) pursuant to sections 301(a)(1) and 507 of Pub. L. 96-88, which are classified to sections 3441(a)(1) and 3507 of this title and which transferred functions of Commissioner of Education to Secretary of Education.

#### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

### § 2533. Administration by unit in Department of Education

#### (a) Establishment; functions

The Secretary of Education shall establish or designate an administrative unit within the Department of Education for purposes of—

- (1) carrying out provisions of this subchapter;
- (2) providing information regarding guidance and counseling as a profession, guidance and counseling activities of the Federal Government, and, to the extent practicable, activities of State and local programs of guidance and counseling; and

(3) advising the Secretary of Education on coordinating guidance and counseling activities included in all programs which he is authorized to carry out, and, to the extent he deems practicable, how such activities may be coordinated with other programs of the Federal Government and State and local guidance and counseling programs.

#### (b) Reservation of amount for implementation

The Secretary of Education may reserve an amount not to exceed 5 per centum of the sums appropriated under this subchapter to carry out the provisions of this section.

(Pub. L. 94-482, title III, §343, Oct. 12, 1976, 90 Stat. 2225; Pub. L. 95-43, §1(b)(8), June 15, 1977, 91 Stat. 219; Pub. L. 96-88, title III, §301(a)(1), (b)(2), title V, §507, Oct. 17, 1979, 93 Stat. 677, 678, 692.)

#### AMENDMENTS

1977—Subsec. (a)(1). Pub. L. 95-43 substituted “this subchapter” for “this section”.

#### TRANSFER OF FUNCTIONS

“Secretary of Education” and “Department of Education” substituted in text for “Commissioner” and “Education Division”, respectively, pursuant to sections 301(a)(1), (b)(2) and 507 of Pub. L. 96-88, which are classified to sections 3441(a)(1), (b)(2) and 3507 of this title and which transferred functions of Commissioner of Education to Secretary of Education and transferred Education Division to Department of Education.

For authority of Secretary of Education to consolidate, alter, or discontinue the administrative unit for guidance and counseling programs, or to reallocate any functions vested by statute in the administrative unit, see section 413 of Pub. L. 96-88, which is classified to section 3473 of this title.

### § 2534. Contracts and grants to States, educational agencies, etc.

#### (a) Implementation of programs

The Secretary of Education is authorized, on a competitive basis, to enter into contracts and make grants to State and local educational agencies, to institutions of higher education, and to private nonprofit organizations to assist them in conducting institutes, work shops, and seminars designed to improve the professional guidance qualifications of teachers and counselors in State and local educational agencies and nonpublic elementary and secondary school systems, including opportunities for teachers and guidance counselors in such agencies and systems to obtain experience in business and industry, the professions, and other occupational pursuits, and including, for the purpose of such improvement, such programs, services, or activities which bring individuals with experience in such pursuits into schools as counselors or advisors for students, and which bring students into the workplaces of such pursuits to acquaint students with the nature of the work and to provide training for supervisory and technical personnel in such agencies and systems having responsibilities for guidance and counseling, and to improve supervisory services in the field of guidance and counseling.

#### (b) Coordination of programs of guidance and counseling

The Secretary of Education is authorized to make grants to States to assist them in carry-

ing out programs to coordinate new and existing programs of guidance and counseling in the States.

(Pub. L. 94-482, title III, §344, Oct. 12, 1976, 90 Stat. 2225; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692.)

#### TRANSFER OF FUNCTIONS

“Secretary of Education” substituted in text for “Commissioner” pursuant to sections 301(a)(1) and 507 of Pub. L. 96-88, which are classified to sections 3441(a)(1) and 3507 of this title and which transferred functions of Commissioner of Education to Secretary of Education.

### SUBCHAPTER III—MISCELLANEOUS PROVISIONS

#### §§ 2561 to 2563. Omitted

#### CODIFICATION

Section 2561, Pub. L. 94-482, title V, §521, Oct. 12, 1976, 90 Stat. 2238, required Secretary of Health, Education, and Welfare, not later than six months after October 12, 1976, to report on purposes, administration, and effectiveness of special programs for students from disadvantaged backgrounds under sections 1070d and 1070d-1 of this title and High School Equivalency Program and College Assistance Migrant Program authorized under section 873 of title 29 and provided funding requirements for fiscal year 1977 for the programs authorized under section 873 of title 29.

Section 2562, Pub. L. 94-482, title V, §522, Oct. 12, 1976, 90 Stat. 2238, S.Res. 4, 1977, required Secretary of Health, Education, and Welfare to conduct a study of need to reorganize the Education Division and transmit a report to Committee on Human Resources of Senate and Committee on Education and Labor of House of Representatives, no later than June 30, 1977.

Section 2563, Pub. L. 94-482, title V, §523, Oct. 12, 1976, 90 Stat. 2239; Pub. L. 95-40, §1(30), (31)(A), June 3, 1977, 91 Stat. 208, required Commissioner of Education to carry out a study of extent to which sex discrimination and sex stereotyping existed in certain vocational rehabilitation programs, and of progress made to reduce or eliminate such discrimination and stereotyping, and report to Congress results of study with recommendations by Oct. 12, 1978. Section also required National Institute of Education to undertake a thorough evaluation and study of vocational education programs, including such programs conducted by States and such programs conducted under specified laws, and made an interim report to President and to Congress not later than Sept. 30, 1980, and a final report to President and to Congress not later than Sept. 30, 1981.

#### § 2564. Departmental day care center facilities; establishment; fees and charges; equipment and operation by appropriated funds

Notwithstanding any other provision of law, the Secretary of Health and Human Services is authorized by contract or otherwise to establish, equip, and operate day care center facilities for the purpose of serving children who are members of households of employees of the Department of Health and Human Services. The Secretary is authorized to establish or provide for the establishment of appropriate fees and charges to be chargeable against the Department employees or others who are beneficiaries of services provided by such facilities to pay for the cost of their operation and to accept money, equipment, or other property donated for use in connection with the facilities. No appropriated funds may be used for the equipping or oper-

ation of any centers provided under this authority. The prohibition made by the preceding sentence shall not preclude the provision of appropriate donated space nor the purchase of the initial equipment for the centers, except that the cost of such equipment shall be reimbursed over the expected life of such equipment, not to exceed 10 years.

(Pub. L. 94-482, title V, §524, Oct. 12, 1976, 90 Stat. 2240; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

#### CHANGE OF NAME

“Secretary of Health and Human Services” and “Department of Health and Human Services” substituted in text for “Secretary of Health, Education, and Welfare” and “Department of Health, Education, and Welfare”, respectively, pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of this title.

#### § 2565. Wayne Morse Chair of Law and Politics

##### (a) Establishment

The Secretary of Education (hereinafter in this section referred to as the “Secretary”) is authorized to provide financial assistance in accordance with the provisions of this section to assist in establishing the Wayne Morse Chair of Law and Politics at the University of Oregon, of Eugene, Oregon.

##### (b) Federal share; application for financial assistance

(1) For purposes of this section, the Federal share of the cost of establishing the Wayne Morse Chair of Law and Politics shall not exceed 50 per centum.

(2) No financial assistance under this section may be made except upon an application at such time, in such manner, and containing or accompanied by such information, as the Secretary may reasonably require.

##### (c) Authorization of appropriations

There are authorized to be appropriated such sums, not to exceed \$500,000, as may be necessary to carry out the provisions of this section. Funds appropriated pursuant to this section shall remain available until expended.

(Pub. L. 94-482, title V, §525, Oct. 12, 1976, 90 Stat. 2241; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692.)

#### TRANSFER OF FUNCTIONS

“Secretary” substituted for “Commissioner” in subs. (a) and (b) pursuant to sections 301(a)(1) and 507 of Pub. L. 96-88, which are classified to sections 3441(a)(1) and 3507 of this title and which transferred functions of Commissioner of Education to Secretary of Education.

#### § 2566. Hubert H. Humphrey Institute of Public Affairs; grants for development

In recognition of the public service of Senator Hubert H. Humphrey, the Secretary of Education (hereinafter in sections 2566 to 2569 of this title referred to as the “Secretary”) is authorized to make grants in accordance with the provisions of sections 2566 to 2569 of this title to assist in the development of the Hubert H. Humphrey Institute of Public Affairs, located at the University of Minnesota, Minneapolis-Saint Paul.