

(6) Membership organization

The term “membership organization” includes any organization that maintains a membership list or collects dues or membership fees from its members.

(7) Recreational organization

The term “recreational organization” includes any organization or entity that has as its primary function pleasure, amusement, or sports activities.

(8) Recreational program

The term “recreational program” includes any activity or service that is intended as an entertainment pastime.

(Pub. L. 90–247, title IV, § 429, as added Pub. L. 103–382, title II, § 238, Oct. 20, 1994, 108 Stat. 3918; amended Pub. L. 105–244, title I, § 102(a)(6)(C), Oct. 7, 1998, 112 Stat. 1618; Pub. L. 114–95, title IX, § 9215(mm)(3), Dec. 10, 2015, 129 Stat. 2176.)

PRIOR PROVISIONS

A prior section 429 of Pub. L. 90–247 was classified to section 1231f of this title prior to repeal by Pub. L. 103–382.

AMENDMENTS

2015—Subsec. (d)(2)(B)(i). Pub. L. 114–95 substituted “an elementary or secondary school (as defined by the terms ‘elementary school’ and ‘secondary school’ in section 7801 of this title)” for “an elementary or secondary school as defined by the Elementary and Secondary Education Act of 1965”.

1998—Subsec. (d)(2)(B)(ii). Pub. L. 105–244 substituted “section 1001” for “section 1141(a)”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of this title.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105–244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105–244, see section 3 of Pub. L. 105–244, set out as a note under section 1001 of this title.

SUBCHAPTER III—GENERAL REQUIREMENTS AND CONDITIONS CONCERNING OPERATION AND ADMINISTRATION OF EDUCATION PROGRAMS: GENERAL AUTHORITY OF SECRETARY

CODIFICATION

Pub. L. 103–382, title II, § 261(c), Oct. 20, 1994, 108 Stat. 3927, substituted “SECRETARY” for “COMMISSIONER OF EDUCATION”.

Pub. L. 92–318, title III, § 301(a)(1), June 23, 1972, 86 Stat. 326, redesignated former subchapter II as III. Former subchapter III redesignated IV.

§ 1230. Repealed. Pub. L. 103–382, title II, § 212(a)(1), Oct. 20, 1994, 108 Stat. 3913

Section, Pub. L. 90–247, title IV, § 421, as added Pub. L. 93–380, title V, § 507(a), Aug. 21, 1974, 88 Stat. 565; amended Pub. L. 94–482, title IV, § 404(a), Oct. 12, 1976, 90 Stat. 2230; Pub. L. 96–88, title III, § 301(a)(1), title V, § 507, Oct. 17, 1979, 93 Stat. 677, 692, specified programs subject to provisions of this subchapter.

PART 1—GENERAL AUTHORITY

§ 1231. Joint funding of programs**(a) Joint projects; transfers of appropriations; contracts or grants; criteria**

(1) The Secretary is authorized to enter into arrangements with other Federal agencies to jointly carry out projects of common interest, to transfer to such agencies funds appropriated under any applicable program, and to receive and use funds from such agencies, for projects of common interest.

(2) Funds transferred or received pursuant to paragraph (1) shall be used only in accordance with the statutes authorizing the appropriation of such funds, and shall be made available by contract or grant only to recipients eligible to receive such funds under such statutes.

(3) If the Secretary enters into an agreement under this subsection for the administration of a project, the agency administering the project shall use such agency’s procedures to award contracts or grants and to administer such awards, unless the parties to the agreement specify the use of procedures of another agency that is a party to the agreement.

(4) If the Secretary has entered into an agreement authorized under this subsection and the Secretary and the heads of the other agencies participating in the agreement determine that joint funding is necessary to address a special need consistent with the purposes and authorized activities of each program that provides funding under the joint project, the Secretary and the heads of the other participating agencies may develop a single set of criteria for the jointly funded project and require each applicant for such project to submit a single application for review by the participating agencies.

(b) Joint applications

The Secretary may develop the criteria for, and require the submission of, joint applications under two or more applicable programs under which funds are awarded on a competitive basis, and may jointly review and approve such applications separately from other applications under such programs, when the Secretary determines that such joint awards are necessary to address a special need consistent with the purposes and authorized activities of each such program. Any applicant for such a joint award shall meet the eligibility requirements of each such program.

(c) Limitations on joint funding

The Secretary may not construe the provisions of this section to take precedence over a limitation on joint funding contained in an applicable statute.

(d) Congressional notice

(1) The Secretary shall provide notice to the Committee on Education and Labor of the House of Representatives and to the Committee on Labor and Human Resources of the Senate of each joint funding agreement made with other Federal agencies not later than 60 days after the making of such agreements.

(2) Such notice shall include—

(A) a description of the purpose and objectives of the joint funding arrangement;

(B) the amounts and sources, by program, of the funds dedicated to such arrangement; and
(C) the criteria developed to govern the award of contracts and grants.

(Pub. L. 90-247, title IV, § 430, formerly § 411, as added Pub. L. 91-230, title IV, § 401(a)(10), Apr. 13, 1970, 84 Stat. 166; renumbered § 421 and amended Pub. L. 92-318, title III, §§ 301(a)(1), 302(a), June 23, 1972, 86 Stat. 326, 332; renumbered § 421A, Pub. L. 93-380, title V, § 507(a), Aug. 21, 1974, 88 Stat. 565; renumbered § 430 and amended Pub. L. 103-382, title II, §§ 212(b)(1), 241, Oct. 20, 1994, 108 Stat. 3913, 3921.)

PRIOR PROVISIONS

A prior section 430 of Pub. L. 90-247 was renumbered section 436, and is classified to section 1231g of this title.

AMENDMENTS

1994—Pub. L. 103-382, § 241, amended section generally. Prior to amendment, section consisted of subsecs. (a) to (c) relating to administration of education programs, delegations of authority, utilization of services and facilities of other agencies, and consolidation of programs.

1972—Subsec. (c). Pub. L. 92-318, § 302(a), added subsec. (c).

CHANGE OF NAME

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

Committee on Education and Labor of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

EFFECTIVE DATE OF 1972 AMENDMENT; INCONSISTENT PROVISIONS INEFFECTIVE

Pub. L. 92-318, title III, § 302(c), June 23, 1972, 86 Stat. 333, provided that: “The provisions of section 421(c) [now 430(c)] of the General Education Provisions Act [subsec. (c) of this section] shall be effective upon the date of enactment of this Act [June 23, 1972]. No provision of any law which is inconsistent with such section 421(c) shall be effective nor shall any such provision control to the extent of such inconsistency, unless such a law is enacted after the date of enactment of this Act.”

§ 1231a. Collection and dissemination of information

The Secretary shall—

(1) prepare and disseminate to State and local educational agencies and institutions information concerning applicable programs, and cooperate with other Federal officials who administer programs affecting education in disseminating information concerning such programs;

(2) inform the public regarding federally supported education programs; and

(3) collect data and information on applicable programs for the purpose of obtaining objective measurements of the effectiveness of such programs in achieving the intended purposes of such programs.

(Pub. L. 90-247, title IV, § 431, formerly § 412, as added Pub. L. 91-230, title IV, § 401(a)(10), Apr. 13, 1970, 84 Stat. 166; renumbered § 422 and amended

Pub. L. 92-318, title III, § 301(a)(1), (b)(2)(B), June 23, 1972, 86 Stat. 326, 332; Pub. L. 94-482, title IV, § 409(b), Oct. 12, 1976, 90 Stat. 2233; renumbered § 431, renumbered § 422, and amended Pub. L. 103-382, title II, §§ 212(b)(1), 242, Oct. 20, 1994, 108 Stat. 3913, 3922; renumbered § 431, Pub. L. 107-110, title X, § 1062(1), Jan. 8, 2002, 115 Stat. 2087.)

PRIOR PROVISIONS

A prior section 431 of Pub. L. 90-247 was renumbered section 437, and is classified to section 1232 of this title.

Another prior section 431 of Pub. L. 90-247 was renumbered section 441, and was classified to section 1233 of this title prior to repeal by Pub. L. 103-382.

AMENDMENTS

1994—Pub. L. 103-382, § 242, amended section generally. Prior to amendment, section consisted of subsecs. (a) to (c) relating to duty to collect and disseminate information about applicable programs and to submit an annual report to Congress and authorizing use of contract to carry out this section.

1976—Subsec. (b). Pub. L. 94-482 substituted “June 30” for “March 31”.

1972—Subsec. (a)(4). Pub. L. 92-318, § 301(b)(2)(B), substituted “(as set forth in section 1221c(a) of this title)” for “(as set forth in section 1 of this title)”.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-482 effective 30 days after Oct. 12, 1976, except either as specifically otherwise provided or, if not so specifically otherwise provided, effective July 1, 1976, for those amendments providing for authorization of appropriations, see section 532 of Pub. L. 94-482, set out as a note under section 1001 of this title.

EFFECTIVE DATE OF 1972 AMENDMENT

Pub. L. 92-318, title III, § 301(b)(2)(B), June 23, 1972, 86 Stat. 332, provided that the amendment made by Pub. L. 92-318 is effective July 1, 1972.

EVALUATION PRACTICES AND PROCEDURES AT NATIONAL, STATE, AND LOCAL LEVELS FOR FEDERALLY FUNDED ELEMENTARY AND SECONDARY EDUCATIONAL PROGRAMS; REPORT TO CONGRESS

Pub. L. 95-561, title XV, § 1526, Nov. 1, 1978, 92 Stat. 2379, as amended by Pub. L. 96-46, § 2(a)(9), Aug. 6, 1979, 93 Stat. 340; Pub. L. 96-88, title III, § 301(a)(1), title V, § 507, Oct. 17, 1979, 93 Stat. 677, 692, directed Secretary of Education to conduct a study of evaluation practices and procedures at the national, State, and local levels with respect to federally funded elementary and secondary educational programs and include in the first annual report to Congress submitted more than eighteen months after Nov. 1, 1978, proposals and recommendations for the revision or modification of any part or all of such practices and procedures.

§§ 1231b, 1231b-1. Repealed. Pub. L. 103-382, title II, § 212(a)(1), Oct. 20, 1994, 108 Stat. 3913

Section 1231b, Pub. L. 90-247, title IV, § 423, formerly § 413, as added Pub. L. 91-230, title IV, § 401(a)(10), Apr. 13, 1970, 84 Stat. 167; renumbered § 423, Pub. L. 92-318, title III, § 301(a)(1), June 23, 1972, 86 Stat. 326; amended Pub. L. 96-88, title III, § 301(a)(1), title V, § 507, Oct. 17, 1979, 93 Stat. 677, 692, related to catalog of Federal education assistance programs.

Section 1231b-1, Pub. L. 90-247, title IV, § 424, as added Pub. L. 93-380, title V, § 508(a), Aug. 21, 1974, 88 Stat. 565; amended Pub. L. 96-88, title III, § 301(a)(1), (b)(2), title V, § 507, Oct. 17, 1979, 93 Stat. 677, 678, 692, related to compilation of assisted innovative projects.