

**§ 4360. National study on the education of the deaf**

**(a) Conduct of study**

**(1) In general**

The Secretary shall establish a commission on the education of the deaf (in this section referred to as the “commission”) to conduct a national study on the education of the deaf, to identify education-related barriers to successful postsecondary education experiences and employment for individuals who are deaf, and those education-related factors that contribute to successful postsecondary education experiences and employment for individuals who are deaf.

**(2) Definition**

In this section the term “deaf”, when used with respect to an individual, means an individual with a hearing impairment, including an individual who is hard of hearing, an individual deafened later in life, and an individual who is profoundly deaf.

**(b) Public input and consultation**

**(1) In general**

In conducting such study, the commission shall obtain input from the public. To obtain such input, the commission shall—

(A) publish a notice with an opportunity for comment in the Federal Register;

(B) consult with individuals and organizations representing a wide range of perspectives on deafness-related issues, including organizations representing individuals who are deaf, parents of children who are deaf, educators, and researchers; and

(C) take such other action as the commission deems appropriate, which may include holding public meetings.

**(2) Structured opportunities**

The commission shall provide structured opportunities to receive and respond to the viewpoints of the individuals and organizations described in paragraph (1)(B).

**(c) Report**

The commission shall report to the Secretary and Congress not later than 18 months after August 14, 2008, regarding the results of the study. The report shall contain—

(1) recommendations relating to educated-related factors that contribute to successful postsecondary education experiences and employment for individuals who are deaf, including recommendations for legislation, that the commission deems appropriate; and

(2) a detailed summary of the input received under subsection (b) and the ways in which the report addresses such input.

**(d) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 and 2010 to carry out the provisions of this section.

(Pub. L. 99-371, title II, § 211, as added Pub. L. 105-244, title IX, § 924, Oct. 7, 1998, 112 Stat. 1832; amended Pub. L. 110-315, title IX, § 913, Aug. 14, 2008, 122 Stat. 3455.)

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 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 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.

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