

former section 3101 of this title until Oct. 1, 1980, except at the option of local educational agencies, see section 1530 of Pub. L. 95-561, as amended, set out as a note under section 1221e-3 of this title.

EFFECTIVE DATE OF 1974 AMENDMENT

Pub. L. 93-380, title V, §506(b), Aug. 21, 1974, 88 Stat. 565, provided that: "The amendments made by subsection (a) of this section [enacting sections 1226a to 1226d of this title, amending this section and section 1227 of this title, and repealing sections 1222 and 1224 of this title] shall become effective on the date of enactment of this Act [Aug. 21, 1974]."

INDOCHINESE REFUGEE CHILDREN EDUCATION ASSISTANCE PROGRAMS; APPLICABILITY OF CONTINGENT EXTENSION PROVISIONS

Pub. L. 94-482, title III, §327, Oct. 12, 1976, 90 Stat. 2220, provided that: "The provisions of section 414 [now 422] of the General Education Provisions Act [section 1226a of this title], relating to the contingent extension of applicable programs, shall not apply to the Indochina Refugee Children Assistance Act of 1976 [former section 1211b of this title], or to any program of financial assistance for educational purposes for Indochinese refugee children."

§ 1226. Repealed. Pub. L. 103-382, title II, §212(a)(1), Oct. 20, 1994, 108 Stat. 3913

Section, Pub. L. 90-247, title IV, §413, formerly §406, as added Pub. L. 90-576, title III, §301(b), Oct. 16, 1968, 82 Stat. 1094; amended Pub. L. 91-230, title IV, §401(a)(9), Apr. 13, 1970, 84 Stat. 166; renumbered §415, Pub. L. 92-318, title III, §301(a)(1), June 23, 1972, 86 Stat. 326; renumbered §413, Pub. L. 93-380, title V, §506(a)(2)(A), Aug. 21, 1974, 88 Stat. 563, related to availability of appropriations.

§ 1226a. Contingent extension of programs

(a) Automatic extension

The authorization of appropriations for, or duration of, an applicable program shall be automatically extended for one additional fiscal year unless Congress, in the regular session that ends prior to the beginning of the terminal fiscal year of such authorization or duration, has passed legislation that becomes law and extends or repeals the authorization or duration of such program.

(b) Amount of appropriation

The amount authorized to be appropriated for the period of automatic extension under subsection (a) of an applicable program shall be the amount authorized to be appropriated for such program for the terminal fiscal year of the applicable program.

(c) Acts and determinations necessary for program continuation

If the Secretary is required, in the terminal fiscal year of an applicable program, to carry out certain acts or make certain determinations that are necessary for the continuation of such program, such acts or determinations shall be required to be carried out or made during the period of automatic extension under subsection (a).

(d) Application to commissions, councils, and committees required by law to terminate

This section shall not apply to the authorization of appropriations for a commission, council, or committee which is required by an applicable statute to terminate on a date certain.

(Pub. L. 90-247, title IV, §422, formerly §414, as added Pub. L. 93-380, title V, §506(a)(2)(B), Aug. 21, 1974, 88 Stat. 563; amended Pub. L. 96-374, title XIII, §1301, Oct. 3, 1980, 94 Stat. 1496; renumbered §422 and amended Pub. L. 103-382, title II, §212(b)(1), 233, Oct. 20, 1994, 108 Stat. 3913, 3915.)

Editorial Notes

PRIOR PROVISIONS

A prior section 422 of Pub. L. 90-247 was renumbered section 431, and is classified to section 1231a of this title.

Another prior section 422 of Pub. L. 90-247 was renumbered section 438, and is classified to section 1232a of this title.

AMENDMENTS

1994—Pub. L. 103-382, §233, amended section generally, revising and restating former subsecs. (a) and (b) as subsecs. (a) to (c) and adding subsec. (d).

1980—Subsec. (a). Pub. L. 96-374 inserted provisions for the automatic extension of an authorization or duration of two additional fiscal years for any applicable program authorized to be included in the Appropriation Act for the fiscal year preceding the fiscal year for which appropriations are available for obligation.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1980 AMENDMENT

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

ADDITIONAL EXTENSIONS NOT PERMITTED

Pub. L. 114-105, §2(c), Dec. 18, 2015, 129 Stat. 2220, provided that: "Section 422 of the General Education Provisions Act (20 U.S.C. 1226a) shall not apply to further extend the duration of the authority under paragraph (1) of section 461(b) of the Higher Education Act of 1965 (20 U.S.C. 1087aa(b)), as amended by subsection (a)(1) of this section, beyond September 30, 2017, on the basis of the extension under such subsection."

INDOCHINESE REFUGEE CHILDREN EDUCATION ASSISTANCE PROGRAMS; APPLICABILITY OF CONTINGENT EXTENSION PROVISIONS

Applicability of contingent extension provisions to any program of financial assistance for educational purposes for Indochinese refugee children, see section 327 of Pub. L. 94-482, set out as a note under section 1225 of this title.

LIMITATION ON EXTENSION OF PROGRAMS

Pub. L. 94-328, §2(d), June 30, 1976, 90 Stat. 727, provided that: "The amendments made by this section [amending sections 1070a, 1074, 1078 and 1078a of this title] shall not be deemed to authorize the automatic extension of the programs so amended, under section 414 [now 422] of the General Education Provisions Act [this section], beyond the date specified in such amendments."

§ 1226a-1. Payments; installments, advances or reimbursement, and adjustments

Payments pursuant to grants or contracts under any applicable program may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Secretary may determine.

(Pub. L. 90-247, title IV, §423, formerly §425, as added Pub. L. 91-230, title IV, §401(a)(10), Apr. 13,