Section 1491i, Pub. L. 91–230, title VI, § 710, as added Pub. L. 103–382, title III, § 315, Oct. 20, 1994, 108 Stat. 3952, related to progress criteria and reports.

Section 1491j, Pub. L. 91–230, title VI, § 711, as added Pub. L. 103–382, title III, § 315, Oct. 20, 1994, 108 Stat. 3952, related to administrative provisions.

Section 1491k, Pub. L. 91–230, title VI, § 712, as added Pub. L. 103–382, title III, § 315, Oct. 20, 1994, 108 Stat. 3953, related to technical assistance.

Section 1491*l*, Pub. L. 91–230, title VI, § 713, as added Pub. L. 103–382, title III, § 315, Oct. 20, 1994, 108 Stat. 3954, related to program evaluation by Secretary.

Section 1491m, Pub. L. 91–230, title VI, § 714, as added Pub. L. 103–382, title III, § 315, Oct. 20, 1994, 108 Stat. 3955, related to projects of national significance.

Section 1491n, Pub. L. 91–230, title VI, § 715, as added Pub. L. 103–382, title III, § 315, Oct. 20, 1994, 108 Stat. 3955, related to construction of provisions of subchapters I through VIII of this chapter as being inapplicable to subchapter IX of this chapter.

Section 1491*o*, Pub. L. 91–230, title VI, § 716, as added Pub. L. 103–382, title III, § 315, Oct. 20, 1994, 108 Stat. 3955, related to authorization of appropriations.

CHAPTER 34—NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Sec.
1501. Congressional statement of policy.
1502. Establishment.
1503. Contributions.
1504. Functions and powers.
1505. Membership.
1506. Authorization of appropriations.

§ 1501. Congressional statement of policy

The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.

(Pub. L. 91–345, § 2, July 20, 1970, 84 Stat. 440.)

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102–95, § 1, Aug. 14, 1991, 105 Stat. 479, provided that: ''This Act [amending sections 1502 to 1506 of this title] may be cited as the 'National Commission on Libraries and Information Science Act Amendments of 1991'.''

SHORT TITLE

Section 1 of Pub. L. 91–345 provided: ''That this Act [enacting this chapter] may be cited as the 'National Commission on Libraries and Information Science Act'.''

WHITE HOUSE CONFERENCE ON LIBRARY AND INFORMATION SERVICES

Pub. L. 100–382, Aug. 8, 1988, 102 Stat. 898, authorized President to call and conduct a White House Conference on Library and Information Services to be held not earlier than Sept. 1, 1989, and not later than Sept. 30, 1991, to develop recommendations for the further improvement of the library and information services of the Nation and their use by the public, with a final report of the Conference to be submitted to the President not later than 120 days following the close of the Conference and to be made public and transmitted to the Congress together with a statement of the President containing the recommendations of the President with respect to such report.

§ 1502. Establishment

(a) Independent agency within executive branch

There is hereby established as an independent agency within the executive branch, a National Commission on Libraries and Information Science (hereinafter referred to as the ''Commission'').

(b) Repealed. Pub. L. 102–95, § 2, Aug. 14, 1991, 105 Stat. 479

(Pub. L. 91–345, § 3, July 20, 1970, 84 Stat. 440; Pub. L. 102–95, § 2, Aug. 14, 1991, 105 Stat. 479.)

AMENDMENTS

1991—Subsec. (b). Pub. L. 102–95 struck out subsec. (b) which related to provision of administrative services for Commission.

§ 1503. Contributions

The Commission is authorized to solicit, accept, hold, administer, invest in the name of the United States, and utilize gifts, bequests, and devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Commission. Gifts, bequests, and devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon the order of the Commission.

(Pub. L. 91–345, § 4, July 20, 1970, 84 Stat. 441; Pub. L. 102–95, § 3, Aug. 14, 1991, 105 Stat. 479; Pub. L. 108–81, title IV, § 401, Sept. 25, 2003, 117 Stat. 1002.)

AMENDMENTS

2003—Pub. L. 108–81 substituted ''solicit, accept, hold, administer, invest in the name of the United States, and utilize gifts, bequests, and devises of services or property,'' for ''accept, hold, administer, and utilize gifts, bequests, and devises of property,''.

1991—Pub. L. 102–95 amended section generally. Prior to amendment, section read as follows: ''The Commission shall have authority to accept in the name of the United States grants, gifts, or bequests of money for immediate disbursement in furtherance of the functions of the Commission. Such grants, gifts, or bequests, after acceptance by the Commission, shall be paid by the donor or his representative to the Treasurer of the United States whose receipts shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the Commission for the purposes in each case specified.''

§ 1504. Functions and powers

(a) Advice to President and Congress; studies and surveys, plans; annual report

The Commission shall have the primary responsibility for developing or recommending overall plans for, and advising the appropriate governments and agencies on, the policy set forth in section 1501 of this title. In carrying out that responsibility, the Commission shall—

(1) advise the President and the Congress on the implementation of national policy by such statements, presentations, and reports as it deems appropriate;

(2) conduct studies, surveys, and analyses of the library and informational needs of the Nation, including the special library and informational needs of rural areas, of economi-

cally, socially, or culturally deprived persons, and of elderly persons, and the means by which these needs may be met through information centers, through the libraries of elementary and secondary schools and institutions of higher education, and through public, research, special, and other types of libraries;

(3) appraise the adequacies and deficiencies of current library and information resources and services and evaluate the effectiveness of current library and information science programs;

(4) develop overall plans for meeting national library and informational needs and for the coordination of activities at the Federal, State, and local levels, taking into consideration all of the library and informational resources of the Nation to meet those needs;

(5) be authorized to advise Federal, State, local, and private agencies regarding library and information sciences;

(6) promote research and development activities which will extend and improve the Nation's library and information-handling capability as essential links in national and international communications and cooperative networks;

(7) submit to the President and the Congress (not later than January 31 of each year) a report on its activities during the preceding fiscal year; and

(8) make and publish such additional reports as it deems to be necessary, including, but not limited to, reports of consultants, transcripts of testimony, summary reports, and reports of other Commission findings, studies, and recommendations.

(b) Contract authority

The Commission is authorized to contract with Federal agencies and other public and private agencies to carry out any of its functions under subsection (a) of this section and to publish and disseminate such reports, findings, studies, and records as it deems appropriate.

(c) Hearings

The Commission is further authorized to conduct such hearings at such times and places as it deems appropriate for carrying out the purposes of this chapter.

(d) Cooperation with other agencies

The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the Commission in carrying out the purposes of this chapter.

(Pub. L. 91–345, § 5, July 20, 1970, 84 Stat. 441; Pub. L. 93–29, title VIII, § 802(a), May 3, 1973, 87 Stat. 59; Pub. L. 102–95, § 4, Aug. 14, 1991, 105 Stat. 479; Pub. L. 104–208, div. A, title I, § 101(e) [title VII, § 703(a)], Sept. 30, 1996, 110 Stat. 3009–233, 3009–306; Pub. L. 108–81, title V, § 505(a), Sept. 25, 2003, 117 Stat. 1004.)

AMENDMENTS

2003—Subsecs. (b) to (f). Pub. L. 108–81 redesignated subsecs. (d) to (f) as (b) to (d), respectively, and struck out former subsecs. (b) and (c) which related to Commission advising Director of Institute of Museum and Library Services on general policies with respect to duties, powers, and authority of Institute of Museum and Library Services, and provided for joint meetings between Commission and National Museum Services Board for the purpose of providing advice on general policy with respect to financial assistance for projects described in section 9162(a)(4) of this title.

1996—Subsecs. (b) to (f). Pub. L. 104–208 added subsecs. (b) and (c) and redesignated former subsecs. (b) to (d) as (d) to (f), respectively.

1991—Subsec. (a)(6). Pub. L. 102–95 substituted ''national and international communications and cooperative networks'' for ''the national communications networks''.

1973—Subsec. (a)(2). Pub. L. 93–29 required the Commission to conduct studies, surveys, and analyses of the special library and informational needs of elderly persons.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (a)(7) of this section relating to submitting annual report to Congress, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 181 of House Document No. 103–7.

§ 1505. Membership

(a) Appointment; terms of office; Chairman; vacancies

The Commission shall be composed of the Librarian of Congress, the Director of the Institute of Museum and Library Services (who shall serve as an ex officio, nonvoting member), and fourteen members appointed by the President, by and with the advice and consent of the Senate. Five members of the Commission shall be professional librarians or information specialists, and the remainder shall be persons having special competence in or knowledge of the needs of our society for library and information services, at least one of whom shall be knowledgeable with respect to the technological aspects of library and information services and sciences, and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly. One of the appointive members of the Commission shall be designated by the President as Chairman of the Commission. A majority of members of the Commission who have taken office and are serving on the Commission shall constitute a quorum for conduct of business at official meetings of the Commission[1] The terms of office of the appointive members of the Commission shall be five years, except that—

(1) a member of the Commission appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed, shall be appointed only for the remainder of such term; and

(2) any member of the Commission may continue to serve after an expiration of the member's term of office until such member's successor is appointed, has taken office, and is serving on the Commission.

(b) Compensation; travel expenses

Members of the Commission who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Commission or otherwise engaged in the business of the Commission, be en-

[1] So in original. Probably should be followed by a period.

titled to receive compensation at a rate fixed by the Chairman, but not exceeding the daily equivalent of the maximum rate authorized for a position above grade GS–15 of the General Schedule under section 5108 of title 5, for each day (including traveltime) during which the members are engaged in the business of the Commission. While so serving on the business of the Commission away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 for persons employed intermittently in the Government service.

(c) Professional and technical personnel

(1) The Commission is authorized to appoint, without regard to the provisions of title 5 covering appointments in the competitive service, such professional and technical personnel as may be necessary to enable it to carry out its function under this chapter.

(2) The Commission may procure, without regard to the civil service or classification laws, temporary and intermittent services of such personnel as is necessary to the extent authorized by section 3109 of title 5, but at rates not to exceed the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 for persons employed intermittently in the Government service.

(Pub. L. 91–345, § 6, July 20, 1970, 84 Stat. 442; Pub. L. 93–29, title VIII, § 802(b), May 3, 1973, 87 Stat. 59; Pub. L. 102–95, § 5, Aug. 14, 1991, 105 Stat. 479; Pub. L. 104–208, div. A, title I, § 101(e) [title VII, § 703(b)], Sept. 30, 1996, 110 Stat. 3009–233, 3009–307; Pub. L. 108–81, title IV, § 402, Sept. 25, 2003, 117 Stat. 1002.)

REFERENCES IN TEXT

The provisions of title 5 covering appointments in the competitive service, referred to in subsec. (c)(1), are classified to sections 3301 et seq. of Title 5, Government Organization and Employees.

The civil service laws, referred to in subsec. (c)(2), are set forth in Title 5. See, particularly, section 3301 et seq. of Title 5.

The classification laws, referred to in subsec. (c)(2), are set forth in chapter 51 (§ 5101 et seq.) and subchapter III (§ 5331 et seq.) of chapter 53 of Title 5.

AMENDMENTS

2003—Subsec. (a). Pub. L. 108–81, § 402(2), (3), substituted ''A majority of members of the Commission who have taken office and are serving on the Commission shall constitute a quorum for conduct of business at official meetings of the Commission'' for ''A majority of members of the Commission shall constitute a quorum for conduct of business at official meetings of the Commission.'' in fourth sentence and ''five years, except that—'' and pars. (1) and (2) for ''five years, except that (1) the term of office of any member of the Commission shall continue until the earlier of (A) the date on which the member's successor has been appointed by the President; or (B) July 19 of the year succeeding the year in which the member's appointed term of office shall expire, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.'' in fifth sentence.

Pub. L. 108–81, § 402(1), struck out after ''services and sciences,'' in second sentence ''and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly'', which appeared twice.

1996—Subsec. (a). Pub. L. 104–208, § 101(e) [title VII, § 703(b)(1)(A), (B)(ii), (C)], in first sentence, substituted ''Librarian of Congress, the Director of the Institute of Museum and Library Services (who shall serve as an ex officio, nonvoting member),'' for ''Librarian of Congress'', in second sentence, inserted ''and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly'' before period at end, and in third sentence, inserted ''appointive'' before ''members of the Commission''.

Pub. L. 104–208, § 101(e) [title VII, § 703(b)(1)(B)(i)], substituted ''special competence in or knowledge of'' for ''special competence or interest in''. The substitution was made to reflect the probable intent of Congress, in the absence of closing quotations designating the provisions to be inserted.

Pub. L. 104–208, § 101(e) [title VII, § 703(b)(1)(D)], which directed that ''term.'' be substituted for ''term and at least'' and all that follows in last sentence of subsec. (a), could not be executed because the phrase ''term and at least'' did not appear in subsec. (a).

Subsec. (b). Pub. L. 104–208, § 101(e) [title VII, § 703(b)(2)], substituted ''the daily equivalent of the maximum rate authorized for a position above grade GS–15 of the General Schedule under section 5108 of title 5, for each day (including traveltime) during which the members are engaged in the business of the Commission. While'' for ''the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, including traveltime, and while''.

1991—Subsec. (a). Pub. L. 102–95 inserted after third sentence ''A majority of members of the Commission shall constitute a quorum for conduct of business at official meetings of the Commission.'' and substituted ''(1) the term of office of any member of the Commission shall continue until the earlier of (A) the date on which the member's successor has been appointed by the President; or (B) July 19 of the year succeeding the year in which the member's appointed term of office shall expire,'' for ''(1) the terms of office of the members first appointed shall commence on July 20, 1970, and shall expire two at the end of one year, three at the end of two years, three at the end of three years, three at the end of four years, and three at the end of five years, as designated by the President at the time of appointment'' in fourth sentence.

1973—Subsec. (a). Pub. L. 93–29 required that one of the appointees be knowledgeable with respect to the library and information service and science needs of the elderly.

§ 1506. Authorization of appropriations

There are authorized to be appropriated $911,000 for fiscal year 1992 and such sums as may be necessary for each succeeding fiscal year thereafter to carry out the provisions of this chapter.

(Pub. L. 91–345, § 7, July 20, 1970, 84 Stat. 442; Pub. L. 102–95, § 6, Aug. 14, 1991, 105 Stat. 479.)

AMENDMENTS

1991—Pub. L. 102–95 amended section generally. Prior to amendment, section read as follows: ''There are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1970, and $750,000 for the fiscal year ending June 30, 1971, and for each succeeding year, for the purpose of carrying out the provisions of this chapter.''

CHAPTER 35—ENVIRONMENTAL EDUCATION

CODIFICATION

The Environmental Education Act, which comprised this chapter, contained appropriation authorizations for fiscal years 1971 to 1977. The Act was superseded by part H of title III of Pub. L. 89–10, as added by Pub. L. 95–561, title III, § 301(a), Nov. 1, 1978, 92 Stat. 2217, known as the Environmental Education Act of 1978, which was classified to section 3011 et seq. of this title, prior to repeal by Pub. L. 97–35, § 587(a)(1).

§§ 1531 to 1536. Omitted

CODIFICATION

Section 1531, Pub. L. 91–516, § 2, Oct. 30, 1970, 84 Stat. 1312; Pub. L. 93–278, § 4, May 10, 1974, 88 Stat. 121, set forth Congressional declaration of findings and purpose of Environmental Education Act.

Section 1532, Pub. L. 91–516, § 3, Oct. 30, 1970, 84 Stat. 1312; Pub. L. 93–278, §§ 2, 5, 6, May 10, 1974, 88 Stat. 121; Pub. L. 94–273, § 3(15), Apr. 21, 1976, 90 Stat. 376, established an office of environmental education, authorized grants and contracts, and established an Advisory Council on Environmental Education.

Section 1533, Pub. L. 91–516, § 4, Oct. 30, 1970, 84 Stat. 1315, related to technical assistance to eligible agencies and organizations.

Section 1534, Pub. L. 91–516, § 5, Oct. 30, 1970, 84 Stat. 1315, authorized grants to nonprofit organizations.

Section 1535, Pub. L. 91–516, § 6, Oct. 30, 1970, 84 Stat. 1315, related to administration of the Act.

Section 1536, Pub. L. 91–516, § 7, Oct. 30, 1970, 84 Stat. 1315; Pub. L. 93–278, § 3, May 10, 1974, 88 Stat. 121, authorized appropriations to carry out the purposes of the Act.

CHAPTER 36—EMERGENCY SCHOOL AID

§§ 1601 to 1619. Repealed. Pub. L. 95–561, title VI, § 601(b)(2), Nov. 1, 1978, 92 Stat. 2268

Section 1601, Pub. L. 92–318, title VII, § 702, June 23, 1972, 86 Stat. 354, related to Congressional findings and purpose with respect to this chapter.

Section 1602, Pub. L. 92–318, title VII, § 703, June 23, 1972, 86 Stat. 354, related to policy of the United States with respect to application of certain provisions of Federal laws.

Section 1603, Pub. L. 92–318, title VII, § 704, June 23, 1972, 86 Stat. 355; Pub. L. 93–380, title VI, §§ 641(a), 642(a), Aug. 21, 1974, 88 Stat. 587; Pub. L. 94–482, title III, § 321(a)–(c)(1), Oct. 12, 1976, 90 Stat. 2216; Pub. L. 95–561, title VI, § 601(b)(1), Nov. 1, 1978, 92 Stat. 2268, authorized appropriations for purpose of carrying out this chapter.

Section 1604, Pub. L. 92–318, title VII, § 705, June 23, 1972, 86 Stat. 355, related to apportionment to States of sums appropriated pursuant to section 1603(a) of this title for grants and contracts.

Section 1605, Pub. L. 92–318, title VII, § 706, June 23, 1972, 86 Stat. 356; Pub. L. 93–380, title VI, § 643(a), (b), Aug. 21, 1974, 88 Stat. 587; S. Res. 4, Feb. 4, 1977, related to eligibility for assistance.

Section 1606, Pub. L. 92–318, title VII, § 707, June 23, 1972, 86 Stat. 359; Pub. L. 94–482, title III, § 321(c)(2), Oct. 12, 1976, 90 Stat. 2217, related to authorized activities with respect to financial assistance.

Section 1607, Pub. L. 92–318, title VII, § 708, June 23, 1972, 86 Stat. 360; Pub. L. 93–380, title VI, §§ 644, 645, Aug. 21, 1974, 88 Stat. 588; Pub. L. 94–482, title V, § 501(a)(12), Oct. 12, 1976, 90 Stat. 2235, related to special programs and projects with respect to financial assistance.

Section 1608, Pub. L. 92–318, title VII, § 709, June 23, 1972, 86 Stat. 361; Pub. L. 93–380, title II, § 222, title VI, § 642(b), Aug. 21, 1974, 88 Stat. 519, 587; Pub. L. 94–482, title V, § 501(i), Oct. 12, 1976, 90 Stat. 2237, related to availability of sums for metropolitan area projects.

Section 1609, Pub. L. 92–318, title VII, § 710, June 23, 1972, 86 Stat. 362; Pub. L. 93–380, title VI, § 643(c), Aug. 21, 1974, 88 Stat. 587; Pub. L. 94–482, title III, § 323(a)(5), Oct. 12, 1976, 90 Stat. 2218, related to applications for assistance.

Section 1610, Pub. L. 92–318, title VII, § 711, June 23, 1972, 86 Stat. 366, related to availability of funds for educational television.

Section 1611, Pub. L. 92–318, title VII, § 712, June 23, 1972, 86 Stat. 366, related to payment of assistance to applicant.

Section 1612, Pub. L. 92–318, title VII, § 713, June 23, 1972, 86 Stat. 367, related to evaluation of programs and projects assisted under this chapter.

Section 1613, Pub. L. 92–318, title VII, § 714, June 23, 1972, 86 Stat. 368; S. Res. 4, Feb. 4, 1977, related to reports to President and Congressional committees.

Section 1614, Pub. L. 92–318, title VII, § 715, June 23, 1972, 86 Stat. 368, related to administration of joint funding with respect to programs and projects under this chapter.

Section 1615, Pub. L. 92–318, title VII, § 716, June 23, 1972, 86 Stat. 368; Pub. L. 93–380, title VIII, § 845(e), Aug. 21, 1974, 88 Stat. 612; Pub. L. 94–43, § 3, June 28, 1975, 89 Stat. 233; Pub. L. 94–482, title III, § 321(d), Oct. 12, 1976, 90 Stat. 2217, related to establishment of National Advisory Council on Equality of Educational Opportunity.

Section 1616, Pub. L. 92–318, title VII, § 717(a), June 23, 1972, 86 Stat. 369, related to applicability of General Education Provisions Act to this chapter.

Section 1617, Pub. L. 92–318, title VII, § 718, June 23, 1972, 86 Stat. 369, related to allowance of reasonable attorney's fees respecting a final order by a court against an educational agency, a State, etc., for failure to comply with provisions of this chapter, discrimination on basis of race, etc.

Section 1618, Pub. L. 92–318, title VII, § 719, June 23, 1972, 86 Stat. 369, related to effect of this chapter on method of student assignment.

Section 1619, Pub. L. 92–318, title VII, § 720, June 23, 1972, 86 Stat. 369; Pub. L. 93–380, title VI, § 643(d), Aug. 21, 1974, 88 Stat. 587; Pub. L. 94–482, title III, § 321(c)(3), Oct. 12, 1976, 90 Stat. 2217, defined terms used in this chapter.

EFFECTIVE DATE OF REPEAL

Section 601(b)(2) of Pub. L. 95–561 provided that the repeal is effective Sept. 30, 1979.

CHAPTER 37—ASSIGNMENT OR TRANSPORTATION OF STUDENTS

Sec.
1651. Prohibition against assignment or transportation of students to overcome racial imbalance.
1652. Prohibition against busing.
1653. Omitted.
1654. Intervention authorization in implementation of court orders.
1655. Uniform rules of evidence of racial discrimination.
1656. Prohibition against official or court orders to achieve racial balance or insure compliance with constitutional standards applicable to entire United States.

§ 1651. Prohibition against assignment or transportation of students to overcome racial imbalance

No provision of this Act shall be construed to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

(Pub. L. 92–318, title VIII, § 801, June 23, 1972, 86 Stat. 371.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 92–318, June 23, 1972, 86 Stat. 235, as amended, known as the Edu-