

850, provided that the National Council on the Arts meet at the call of the Chairman at least twice a year, established 14 Council members as constituting a quorum, and set forth functions and duties of the Council.

Section 787, Pub. L. 88-579, §8, Sept. 3, 1964, 78 Stat. 907, provided for compensation of Council members.

Section 788, Pub. L. 88-579, §9, Sept. 3, 1964, 78 Stat. 907, authorized appointment of and compensation for secretarial, clerical, and other staff and further authorized procurement by the Chairman of temporary and intermittent services.

#### EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1970, see section 5(d)(3)(B) of Pub. L. 91-346.

#### § 789. Repealed. Pub. L. 89-209, § 6(d)(5), Sept. 29, 1965, 79 Stat. 850

Section, Pub. L. 88-579, §10, Sept. 3, 1964, 78 Stat. 907; Pub. L. 89-125, Aug. 13, 1965, 79 Stat. 518, authorized \$150,000 per annum to be appropriated to the Council to carry out the purpose of this chapter. See section 960 of this title.

Section was also repealed by Pub. L. 91-346, §5(d)(3)(B), July 20, 1970, 84 Stat. 445.

#### § 790. Repealed. Pub. L. 91-346, § 5(d)(3)(B), July 20, 1970, 84 Stat. 445

Section, Pub. L. 88-579, §11, Sept. 3, 1964, 78 Stat. 907, provided that this chapter would not invalidate any act of Congress or Executive order vesting authority in the Commission of Fine Arts or any other Federal advisory body nor would this chapter authorize the National Council on the Arts to undertake any duty or responsibility which belongs to any other Federal advisory body established as of Sept. 3, 1964.

#### EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1970, see section 5(d)(3)(B) of Pub. L. 91-346.

### CHAPTER 23—TRAINING AND FELLOWSHIP PROGRAMS FOR COMMUNITY DEVELOPMENT

Sec.

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### § 801. Congressional findings and purpose

#### (a) Need for training and research related to community development

The Congress finds that the rapid expansion of the Nation's urban areas and urban population has caused severe problems in urban and suburban development and created a national need to (1) provide special training in skills needed for economic and efficient community development, and (2) support research in new or improved methods of dealing with community development problems.

#### (b) Fellowships for specialists and personnel in urban affairs; grants to institutions of higher education; assistance to States and localities

It is the purpose of this chapter to provide fellowships for the graduate training of professional city and regional planning, management, and housing specialists, and professionally trained personnel with a general capacity in urban affairs and problems: to make grants to and contracts with institutions of higher education (or combinations of such institutions) to assist them in planning, developing, strengthening, improving, or carrying out programs or projects for the preparation of graduate or professional students to enter the public service; and to assist and encourage the States and localities, in cooperation with public and private universities and colleges and urban centers and with business firms and associations, labor unions, and other interested associations and organizations, to (1) organize, initiate, develop, and expand programs which will provide special training in skills needed for economic and efficient community development to those technical, professional, and other persons with the capacity to master and employ such skills who are, or are training to be, employed by a governmental or public body which has responsibility for community development, or by a private nonprofit organization which is conducting or has responsibility for housing and community development programs, and (2) support State and local research that is needed in connection with housing programs and needs, public improvement programing, code problems, efficient land use, urban transportation, and similar community development problems.

(Pub. L. 88-560, title VIII, §801, Sept. 2, 1964, 78 Stat. 802; Pub. L. 90-448, title XVII, §1707(a), Aug. 1, 1968, 82 Stat. 605; Pub. L. 91-152, title III, §307, Dec. 24, 1969, 83 Stat. 392; Pub. L. 93-383, title IV, §402(a), Aug. 22, 1974, 88 Stat. 691.)

#### CODIFICATION

Pub. L. 93-383, §402, provided for amendments to title VIII of the Housing and Urban Development Act of 1964. The amendments of the enumerated sections of such title VIII have been executed to comparable sections of title VIII of the Housing Act of 1964 as the probable intent of Congress.

#### AMENDMENTS

1974—Subsec. (b). Pub. L. 93-383 expanded purposes of chapter to include graduate training in regional planning and for training of personnel with a general capacity in urban affairs and problems and authorizing grants and contracts with institutions of higher education for training of graduate or professional students.

1969—Subsec. (a). Pub. L. 91-152 inserted a comma before “and (2)”.

Subsec. (b). Pub. L. 91-152 inserted provision that it is the purpose of this chapter to grant fellowships for the graduate training of professional city planning and urban and housing technicians and specialists.

1968—Subsec. (b). Pub. L. 90-448 provided for cooperation with business firms and associations, labor unions, and other interested associations or organizations, included employment by a private nonprofit organization which is conducting or has responsibility for housing and community development programs, and substituted “technical, professional, and other persons with the capacity to master and employ such skills” for “technical and professional people.”

**§ 802. Fellowships for city planning, management, housing specialists, and persons with general capacity in urban affairs and problems**

**(a) Criteria**

The Secretary is authorized to provide fellowships for the graduate training of professional city planning, management, and housing specialists, and other persons who wish to develop a general capacity in urban affairs and problems as herein provided. Persons shall be selected for such fellowships solely on the basis of ability and upon the recommendation of the Urban Studies Fellowship Advisory Board established pursuant to subsection (b) of this section. Fellowships shall be solely for training in public and private nonprofit institutions of higher education having programs of graduate study in the field of city planning or in related fields (including architecture, civil engineering, economics, municipal finance, public administration, urban affairs, and sociology) which programs are oriented to training for careers in city and regional planning, housing, urban renewal, and community development.

**(b) Urban Studies Fellowship Board**

There is hereby established the Urban Studies Fellowship Advisory Board (hereinafter referred to as the “Board”), which shall consist of nine members to be appointed by the Secretary as follows: Three from public institutions of higher learning and three from private nonprofit institutions of higher education, who are the heads of departments which provide academic courses appropriately related to the fields referred to in subsection (a) of this section, and three from national organizations which are directly concerned with problems relating to urban, regional, and community development. The Board shall meet upon the request of the Secretary and shall make recommendations to him with respect to persons to be selected for fellowships under this section. Members of the Board shall be entitled to receive transportation expenses and a per diem in lieu of subsistence as authorized for members of advisory committees created pursuant to section 1701h of title 12.

(Pub. L. 88-560, title VIII, §802, Sept. 2, 1964, 78 Stat. 802; Pub. L. 89-117, title XI, §1103(a), Aug. 10, 1965, 79 Stat. 503; Pub. L. 90-19, §21(d), May 25, 1967, 81 Stat. 26; Pub. L. 90-448, title XVII, §1707(a)(2), (3), Aug. 1, 1968, 82 Stat. 606; Pub. L. 91-152, title III, §307, Dec. 24, 1969, 83 Stat. 392; Pub. L. 93-383, title IV, §402(b), Aug. 22, 1974, 88 Stat. 691.)

CODIFICATION

Pub. L. 93-383, §402, provided for amendments to title VIII of the Housing and Urban Development Act of 1964. The amendments of the enumerated sections of such title VIII have been executed to comparable sections of title VIII of the Housing Act of 1964 as the probable intent of Congress.

AMENDMENTS

1974—Subsec. (a). Pub. L. 93-383 expanded authority of Secretary to include fellowships in graduate training in city management and for persons wishing to develop a general capacity in urban affairs and added urban affairs to authorized fields of study.

1969—Pub. L. 91-152 substituted provisions authorizing the Secretary to grant fellowships solely on the basis of ability for training in city planning at public and private nonprofit institutions of higher education and establishing the Urban Studies Fellowship Advisory Board for provisions authorizing the Secretary to make matching grants to States to assist in programs providing special training in community development and to support local research and setting forth the provisions required in any plan submitted to the Secretary in order to obtain grants. The former provisions of this section are now set forth in section 803 of this title with minor amendments.

1968—Subsec. (a)(1). Pub. L. 90-448 substituted “technical, professional, and other persons with the capacity to master and employ such skills” for “technical and professional people”, and inserted provisions to include employment by a private nonprofit organization which is conducting or has responsibility for housing and community development programs.

1967—Subsecs. (a), (b). Pub. L. 90-19 substituted “Secretary” for “Administrator” wherever appearing.

1965—Subsec. (d). Pub. L. 89-117 substituted “\$30,000,000” for “\$10,000,000”.

TERMINATION OF ADVISORY BOARDS

Advisory boards in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 803. Matching grants to States**

**(a) Purposes**

Subject to the provisions of this chapter and in accordance with regulations prescribed by him, the Secretary may make matching grants to States to assist in—

(1) organizing, initiating, developing, or expanding programs to provide special training in skills needed for economic and efficient community development to those technical, professional, and other persons with the capacity to master and employ such skills who are, or are training to be, employed by a governmental or public body which has responsibilities for community development, or by a private nonprofit organization which is conducting or has responsibility for housing and community development programs; and

(2) supporting State and local research that is needed in connection with housing programs and needs, public improvement programing, code problems, efficient land use, urban transportation, and similar community develop-

ment problems, and collecting, collating, and publishing statistics and information relating to such research.

**(b) Training in housing management**

Grants may be made under subsection (a) of this section to support (1) the training of persons, especially persons of low income, in acquiring the skills needed in the management of housing for low- and moderate-income persons, and (2) research and the dissemination of information with respect to the problems involved in the management of housing for low- and moderate-income persons.

**(c) State plan; required provisions**

No grants may be made to a State under this section unless the Secretary has approved a plan for the State which—

(1) sets forth the proposed use of the funds and the objectives to be accomplished;

(2) explains the method by which the required amounts from non-Federal sources will be obtained;

(3) provides such fiscal control and fund accounting procedures as may be reasonably necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State under this section;

(4) designates an officer or agency of the State government who has responsibility and authority for the administration of a state-wide research and training program as the officer or agency with responsibility and authority for the execution of the State's program under this section; and

(5) provides that such officer or agency will make such reports to the Secretary, in such form, and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this section.

**(d) Matching funds from non-Federal sources**

No grant may be made under this section for any use unless an amount at least equal to such grant is made available from non-Federal sources for the same purpose and for concurrent use.

(Pub. L. 88-560, title VIII, § 803, Sept. 2, 1964, 78 Stat. 803; Pub. L. 89-117, title XI, § 1103(b), Aug. 10, 1965, 79 Stat. 503; Pub. L. 91-152, title III, § 307, Dec. 24, 1969, 83 Stat. 393; Pub. L. 91-609, title IX, § 904, Dec. 31, 1970, 84 Stat. 1809.)

AMENDMENTS

1970—Subsecs. (b) to (d). Pub. L. 91-609 added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

1969—Pub. L. 91-152 substituted provisions authorizing the Secretary to make matching grants to States to assist in programs providing special training in community development and to support State and local research, provisions setting forth the required contents of any plan submitted to the Secretary in order to obtain grants, and provisions requiring the matching from non-Federal sources of any grant made pursuant to this section, for provisions requiring not more than 10 per centum of the total amount appropriated be used for making grants to any one State. The former provisions of this section are now set forth in section 804 of this title with minor amendments.

1965—Pub. L. 89-117 substituted "appropriated for the purposes of this subchapter" for "authorized to be appropriated by section 802(d) of this title".

**§ 803a. Project grants and contracts**

**(a) Authorization; purposes; application**

The Secretary is authorized to make grants to or contracts with institutions of higher education, or combinations of such institutions, to assist them in planning, developing, strengthening, improving, or carrying out programs or projects (1) for the preparation of graduate or professional students in the fields of city and regional planning and management, housing, and urban affairs, or (2) for research into, or development or demonstration of, improved methods of education for these professions. Such grants or contracts may include payment of all or part of the cost of programs or projects.

**(b) Contents; use of payments**

(1) A grant or contract authorized by this section shall be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it—

(A) sets forth programs, activities, research, or development for which a grant is authorized under this section;

(B) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this subsection; and

(C) provides for making such reports, in such form and containing such information, as the Secretary may require to carry out his functions under this subsection, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(2) Payments under this section may be used, in accordance with regulations of the Secretary, and subject to the terms and conditions set forth in an application approved under paragraph (1), to pay part of the compensation of students employed in professions referred to in subsection (a)(1) of this section, except students employed in any branch of the Government of the United States, as part of a program for which a grant has been approved pursuant to this subsection.

(Pub. L. 88-560, title VIII, § 804, as added Pub. L. 93-383, title IV, § 402(c)(2), Aug. 22, 1974, 88 Stat. 692.)

CODIFICATION

Pub. L. 93-383, § 402, provided for amendments to title VIII of the Housing and Urban Development Act of 1964. The amendments of the enumerated sections of such title VIII have been executed to comparable sections of title VIII of the Housing Act of 1964 as the probable intent of Congress.

**§ 804. Limitation on grants to any one State**

Not more than 10 per centum of the total amount appropriated for the purposes of this chapter may be used for making grants to any one State.

(Pub. L. 88-560, title VII, § 805, formerly § 804, Sept. 2, 1964, 78 Stat. 803; Pub. L. 90-19, § 21(d),

May 25, 1967, 81 Stat. 26; Pub. L. 91-152, title III, §307, Dec. 24, 1969, 83 Stat. 394; renumbered §805, Pub. L. 93-383, title IV, §402(c)(1), Aug. 22, 1974, 88 Stat. 692.)

#### AMENDMENTS

1969—Pub. L. 91-152 substituted provisions that not more than 10 per centum of the total amount appropriated be used for making grants to any one State for provisions that authorized the Secretary to provide technical assistance, etc., to State and local bodies. The former provisions of the section are now set forth in section 805 of this title with minor amendments.

1967—Pub. L. 90-19 substituted “Secretary” for “Administrator” wherever appearing.

#### § 805. Technical assistance, studies, and publication of information

In order to carry out the purpose of this chapter, the Secretary is authorized to provide technical assistance to State and local governmental or public bodies and to undertake such studies and publish and distribute such information, either directly or by contract, as he shall determine to be desirable. Nothing contained in this chapter shall limit any authority of the Secretary under any other provision of law.

(Pub. L. 88-560, title VIII, §806, formerly §805, Sept. 2, 1964, 78 Stat. 803; Pub. L. 90-19, §21(e), May 25, 1967, 81 Stat. 26; Pub. L. 90-448, title XVII, §1707(b), Aug. 1, 1968, 82 Stat. 606; Pub. L. 91-152, title III, §307, Dec. 24, 1969, 83 Stat. 394; renumbered §806, Pub. L. 93-383, title IV, §402(c)(1), Aug. 22, 1974, 88 Stat. 692.)

#### AMENDMENTS

1969—Pub. L. 91-152 substituted provisions authorizing the Secretary to provide technical assistance, etc., to State and local bodies to carry out the purposes of this chapter for provisions defining “State” and “Secretary” and authorizing to be appropriated such sums as may be necessary for administrative and other expenses. The former provisions of this section are now set forth in section 807 of this title with minor amendments.

1968—Subsec. (a). Pub. L. 90-448 inserted “Guam, American Samoa, the Trust Territory of the Pacific Islands.”.

1967—Subsec. (a). Pub. L. 90-19 substituted definition of “Secretary” meaning the Secretary of Housing and Urban Development for “Administrator” meaning the Housing and Home Finance Administrator.

#### § 806. Authorization of appropriations; availability of funds

There is authorized to be appropriated for the purpose of making grants and providing fellowships under this chapter, without fiscal year limitation, not to exceed \$30,000,000, which amount shall be increased by \$3,500,000 on July 1, 1974, and by \$3,500,000 on July 1, 1975. Any amounts appropriated under this section shall remain available until expended.

(Pub. L. 88-560, title VIII, §807, formerly §806, as added Pub. L. 91-152, title III, §307, Dec. 24, 1969, 83 Stat. 394; renumbered §807 and amended Pub. L. 93-383, title IV, §402(c)(1), (d), Aug. 22, 1974, 88 Stat. 692.)

#### CODIFICATION

Pub. L. 93-383, §402, provided for amendments to title VIII of the Housing and Urban Development Act of 1964.

The amendments of the enumerated sections of such title VIII have been executed to comparable sections of title VIII of the Housing Act of 1964 as the probable intent of Congress.

#### AMENDMENTS

1974—Pub. L. 93-383, §402(d), inserted provisions increasing amount by \$3,500,000 on July 1, 1974, and by \$3,500,000 on July 1, 1975.

#### § 807. Definitions; authorization of appropriations for administrative and other expenses

(a) As used in this chapter the term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands; and the term “Secretary” means the Secretary of Housing and Urban Development.

(b) There are authorized to be appropriated such sums as may be necessary for administrative and other expenses in carrying out this chapter.

(Pub. L. 88-560, title VIII, §808, formerly §807, as added Pub. L. 91-152, title III, §307, Dec. 24, 1969, 83 Stat. 394; renumbered §808, Pub. L. 93-383, title IV, §402(c)(1), Aug. 22, 1974, 88 Stat. 692.)

#### CODIFICATION

This chapter formerly consisted of subchapters I and II prior to its general reorganization by Pub. L. 91-152, title III, §307, Dec. 24, 1969, 83 Stat. 394. Former subchapter II, consisting of section 811, Pub. L. 88-560, VIII, §810, Sept. 2, 1964, 78 Stat. 803; Pub. L. 90-19, §21(d), (f), May 25, 1967, 81 Stat. 26; Pub. L. 90-66, Aug. 19, 1967, 81 Stat. 167, was omitted in the general reorganization of this chapter by Pub. L. 91-152. For subject matter of former section 811, see section 802 of this title.

#### 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.

#### CHAPTER 24—GRANTS FOR EDUCATIONAL MATERIALS, FACILITIES AND SERVICES, AND STRENGTHENING OF EDUCATIONAL AGENCIES

#### CODIFICATION

Titles I to IX of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, as amended, which were classified to this chapter (§821 et seq.), subchapter II (§241a et seq.) of chapter 13, and subchapter I (§1801 et seq.) of chapter 40 of this title, were amended generally by Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2152, known as the Education Amendments of 1978, and the Elementary and Secondary Education Act of 1965 was transferred to chapter 47 (§2701 et seq.) of this title. Subsequently, that act was amended generally by Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3519, and transferred to chapter 70 (§6301 et seq.) of this title.

#### SUBCHAPTER I—SCHOOL LIBRARY RESOURCES, TEXTBOOKS, AND OTHER INSTRUCTIONAL MATERIALS

#### §§ 821 to 827. Omitted

#### CODIFICATION

Sections were omitted in the general revision of title II of the Elementary and Secondary Education Act of