

87TH CONGRESS  
1ST SESSION

# H. R. 5872

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 1961

Mr. FOGARTY introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instruction materials for the blind, and to increase the appropriations authorized for this purpose, and to otherwise improve such Act.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 101 of title 20 of the United States Code is  
4       amended to read as follows:

5       **“§ 101. Permanent trust fund; annual appropriation**

6       “The sum of \$250,000, set apart as a perpetual trust  
7       fund for the purpose of aiding the education of the blind  
8       in the United States through the American Printing House

1 for the Blind, shall be credited on the books of the Treasury  
2 Department as a perpetual trust fund for that purpose, to be  
3 held by the Secretary of the Treasury; and the sum of  
4 \$10,000, being equivalent to 4 per centum on the principal  
5 of said trust fund, is appropriated out of any moneys in the  
6 Treasury not otherwise appropriated, and such appropriation  
7 shall be deemed a permanent annual appropriation and shall  
8 be expended in the manner and for the purposes authorized  
9 by sections 101, 102, and 104 of this title. In addition to  
10 the permanent appropriation of \$10,000 made in this sec-  
11 tion, there is authorized to be appropriated annually to the  
12 American Printing House for the Blind such sums as the  
13 Congress may determine, which sums shall be expended in  
14 accordance with the requirements of sections 101, 102, and  
15 104 of this title, under rules and regulations prescribed by  
16 the Secretary of Health, Education, and Welfare.”

17       SEC. 2. The first sentence of section 102 of title 20 of  
18 the United States Code is amended by striking out the  
19 word “permanent”.

20       SEC. 3. The paragraph of such section 102 labeled “(1)”  
21 is amended to read as follows:

22       “(1) PURPOSES AND METHOD OF EXPENDITURES.—  
23 First. Such appropriation shall, except to the extent pro-  
24 vided hereinafter, be expended by the trustees of the Ameri-  
25 can Printing House for the Blind each year in manufactur-

1 ing or furnishing books and other materials specially adapted  
2 or useful for instruction of the blind; and the total amount  
3 of such books and other materials so manufactured or fur-  
4 nished by such appropriation shall each year be distributed  
5 among all the public institutions in the States in which blind  
6 pupils are educated. Large items of equipment, tangible  
7 apparatus, and other instructional materials as may be de-  
8 termined by the Advisory Council on the Education of the  
9 Blind (appointed as provided hereinafter in this Act) shall  
10 be distributed annually on a school, classroom, or other  
11 practicable basis upon requisition of the State agency or  
12 agencies without regard to the ratio mentioned hereinafter.  
13 In addition, each State shall receive in books and other  
14 materials upon requisition of its State agency or agencies,  
15 that portion of the appropriated funds available for such  
16 purposes as is shown by the ratio between the number in  
17 the State of blind pupils in public institutions in which  
18 blind pupils are educated and the total number in all of  
19 the States of blind pupils in the public institutions in which  
20 blind pupils are educated, except that up to 10 per centum  
21 of the monetary equivalent of that portion of the appro-  
22 priation to which each State is entitled on the basis of  
23 the aforementioned ratio may be used by each State for  
24 direct purchase by such State of books and other materials  
25 approved by the aforementioned Advisory Council upon req-

1quisition by the State agency or agencies. The ratio referred  
2to in the preceding sentence shall be computed upon the  
3first Monday in January of each year; and for purposes of  
4such sentence the number of blind pupils in public institu-  
5tions in which blind pupils are educated shall be authenti-  
6cated in such manner and as often as shall be required.  
7Books and other materials received by a State agency or  
8agencies under this Act shall be the property of the State,  
9except to the extent title thereto is transferred by such  
10State in carrying out the purposes of this Act. For pur-  
11poses of this Act, a "blind pupil" is a blind individual pur-  
12suing a course of study in an institution at the elementary  
13or secondary school level. The "State agency or agencies"  
14for any State is the agency or agencies of such State desig-  
15nated by the State for purposes of this Act, with responsi-  
16bility for requisitioning books and materials under this Act,  
17distributing them within the State, and making reports to  
18the trustees of the American Printing House for the Blind  
19which are deemed necessary to carry out this Act. If any  
20State shall designate more than one State agency with re-  
21sponsibility for requisitioning and distributing books and  
22other materials under this Act, procedures for obtaining  
23and distributing such books and materials within the State  
24in a manner to be prescribed shall be attested to by the  
25State's department of education or equivalent body. The

1 term "State" includes the Commonwealth of Puerto Rico,  
2 the District of Columbia, and possessions of the United  
3 States."

4 SEC. 4. The paragraph of such section 102 labeled  
5 "(2)" is amended to read as follows:

6 "(2) BUILDINGS, AND SALARIES AND EXPENSES.—  
7 Second. No part of the appropriation shall be expended in  
8 the erection or leasing of buildings; but the trustees of the  
9 American Printing House for the Blind may use each year  
10 a reasonable sum of the annual appropriation for salaries and  
11 other expenses of experts and other staff to assist the Ad-  
12 visory Council on the Education of the Blind and special  
13 committees which may be appointed in performance of  
14 their functions, and for expenses of members of the advisory  
15 council, such committees, experts, and staff."

16 SEC. 5. The paragraph of such section 102 labeled  
17 "(3)" is amended to read as follows:

18 "(3) SALES OF BOOKS AND APPARATUS AT COST.—  
19 Third. No profit shall be put by the trustees of the Ameri-  
20 can Printing House for the Blind on any books or tangible  
21 apparatus for the instruction of the blind manufactured or  
22 furnished by said trustees; and the price put upon each  
23 article so manufactured or furnished shall only be its actual  
24 cost to the American Printing House for the Blind."

25 SEC. 6. The paragraph of such section 102 labeled

1 “(4)” is amended by striking it out and renumbering the  
2 succeeding paragraphs accordingly.

3 SEC. 7. The paragraph of such section 102 labeled  
4 “(6)” is amended to read as follows:

5 “(5) ADVISORY COUNCIL ON THE EDUCATION OF THE  
6 BLIND.—Fifth. There is established in the Department of  
7 Health, Education, and Welfare an Advisory Council on  
8 the Education of the Blind to advise the Board of Trustees  
9 of the American Printing House for the Blind in the selec-  
10 tion of the books and other materials to be manufactured  
11 or furnished pursuant to this Act and on the other functions  
12 of the Board under this Act. Such Council shall consist of  
13 the superintendent of the American Printing House for  
14 the Blind, who shall be Chairman, and twelve members  
15 appointed without regard to civil service laws by the Secre-  
16 tary of Health, Education, and Welfare from among teachers  
17 of blind pupils, administrators of public educational pro-  
18 grams for blind pupils, and other individuals who have  
19 demonstrated knowledge of or interest in matters relating  
20 to books and other materials which may be of use in the  
21 education of the blind. Four of the members shall be ap-  
22 pointed from among teachers of blind pupils in public in-  
23 stitutions in which blind pupils are educated; and four of  
24 the members shall be appointed from among administrators  
25 of public educational programs for blind pupils, and four of

1 the members shall be appointed from among individuals  
2 other than the two aforementioned groups who have demon-  
3 strated knowledge of or interest in matters relating to books  
4 and other materials which may be of use in the education  
5 of the blind. Each appointed member of the Council shall  
6 hold office for a term of four years, except that any member  
7 appointed to fill a vacancy occurring prior to the expiration  
8 of the term for which his predecessor is appointed shall be  
9 appointed for the remainder of such term, and except that,  
10 of the members first appointed, three shall hold office for a  
11 term of three years, three shall hold office for a term of  
12 two years, and three shall hold office for a term of one year,  
13 as designated by the Secretary at the time of appointment.  
14 None of such twelve members shall be eligible for reap-  
15 pointment until a year has elapsed after the end of his pre-  
16 ceding term."

17 SEC. 8. Section 104 of title 20 of the United States Code  
18 is amended to read as follows:

19 "The trustees of said American Printing House for the  
20 Blind shall annually make to the Secretary of Health, Edu-  
21 cation, and Welfare a report of the items of their expendi-  
22 ture of the appropriation aforesaid during the year pre-  
23 ceding their report, and shall annually furnish him with a  
24 voucher from each State agency, showing that the amount  
25 of books and tangible apparatus due has been received."

1        SEC. 9. This Act shall be applicable with respect to fiscal  
2 years beginning on or after the date of its enactment.

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By Mr. FOGARTY

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