

89TH CONGRESS
1ST SESSION

H. R. 7100

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 1965

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

A BILL

To provide for the establishment and operation of a National Technical Institute for the Deaf.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That this Act may be cited as the "National Technical
4 Institute for the Deaf Act".

5 AUTHORIZATION OF APPROPRIATIONS

6 SEC. 2. For the purpose of providing a residential
7 facility for postsecondary technical training and education
8 for persons who are deaf, there are authorized to be appro-
9 priated for each fiscal year such sums as may be necessary
10 for the establishment and operation, including construction
11 and equipment, of a National Technical Institute for the

1 Deaf, including sums necessary for the acquisition of prop-
2 erty, both real and personal, and for the construction of
3 buildings and other facilities for such Institute.

4 DEFINITIONS

5 SEC. 3. As used in this Act—

6 (a) The term “Secretary” means the Secretary of
7 Health, Education, and Welfare.

8 (b) The term “institution of higher education” means
9 an educational institution in any State or in the District of
10 Columbia which (1) admits as regular students only per-
11 sons having a certificate of graduation from a school pro-
12 viding secondary education, or the recognized equivalent of
13 such a certificate, (2) is legally authorized within such
14 State (or in the District of Columbia) to provide a program
15 of education beyond secondary education, (3) provides an
16 educational program for which it awards a bachelor’s degree,
17 (4) includes one or more professional or graduate schools,
18 (5) is a public or nonprofit private institution, and (6) is
19 accredited by a nationally recognized accrediting agency or
20 association. For purposes of this subsection, the Commis-
21 sioner of Education shall publish a list of nationally recog-
22 nized accrediting agencies or associations which he deter-
23 mines to be reliable authority as to the quality of training
24 offered.

25 (c) The term “construction” includes construction and

1 initial equipment of new buildings, expansion, remodeling,
2 and alteration of existing buildings and equipment thereof,
3 and acquisition of land; including architect's services, but
4 excluding off-site improvements.

5 PROPOSALS

6 SEC. 4. Any institution of higher education which de-
7 sires to enter into an agreement with the Secretary to estab-
8 lish and operate a National Technical Institute for the Deaf
9 shall submit a proposal therefor at such time, in such
10 manner, and containing such information as may be pre-
11 scribed by the Secretary.

12 AGREEMENT TO ESTABLISH INSTITUTE

13 SEC. 5. (a) The Secretary, after consultation with the
14 National Advisory Board created by section 6, is authorized
15 to enter into an agreement with an institution of higher
16 education for the establishment and operation, including
17 construction and equipment, of a National Technical In-
18 stitute for the Deaf. The Secretary, in considering pro-
19 posals from institutions of higher education to enter into an
20 agreement under this Act, shall give preference to institutions
21 which are located in metropolitan industrial areas.

22 (b) The agreement shall provide that—

23 (1) Federal funds appropriated for the benefit of
24 the Institute will be used only for the purposes for which

1 paid and in accordance with the applicable provisions
2 of this Act and the agreement made pursuant thereto;

3 (2) the Board of Trustees of the institution, subject
4 to the approval of the Secretary, will appoint an ad-
5 visory group to advise the Director of the Institute in
6 formulating and carrying out the basic policies governing
7 its establishment and operation, which group shall in-
8 clude persons who are professionally concerned with
9 education and technical training at the postsecondary
10 school level, persons who are professionally concerned
11 with activities relating to education and training of the
12 deaf, and members of the public familiar with the need
13 for services provided by the Institute;

14 (3) the Board of Trustees of the institution will
15 make an annual report to the Secretary. The Secretary
16 shall transmit the report of the institution to the Con-
17 gress with such comments and recommendations as he
18 may deem appropriate;

19 (4) such other conditions as the Secretary, after
20 consultation with the National Advisory Board, deems
21 necessary to carry out the purposes of this Act; and

22 (5) any laborer or mechanic employed by any con-
23 tractor or subcontractor in the performance of work
24 on any construction aided by Federal funds appropriated
25 for the benefit of the Institute will be paid wages at rates

1 not less than those prevailing on similar construction in
2 the locality as determined by the Secretary of Labor in
3 accordance with the Davis-Bacon Act, as amended (40
4 U.S.C. 276a—276a-5) ; and the Secretary of Labor shall
5 have, with respect to the labor standards specified in this
6 paragraph, the authority and functions set forth in Re-
7 organization Plan Numbered 14 of 1950 (15 F.R.
8 3176; 5 U.S.C. 133z-15) and section 2 of the Act of
9 June 13, 1934, as amended (40 U.S.C. 276c).

10 (c) If within twenty years after the completion of any
11 construction (except minor remodeling or alteration) for
12 which such funds have been paid—

13 (A) the facility ceases to be used for the purposes
14 for which it was constructed or the agreement is termi-
15 nated, unless the Secretary determines that there is good
16 cause for releasing the institution from its obligation, or

17 (B) the institution ceases to be the owner of the
18 facility,

19 the United States shall be entitled to recover from the
20 applicant or other owner of the facility an amount which
21 bears to the then value of the facility the same ratio as the
22 amount of such Federal funds bore to the cost of the facility
23 financed with the aid of such funds. Such value shall be
24 determined by agreement of the parties or by action brought

1 in the United States district court for the district in which
2 the facility is situated.

3 NATIONAL ADVISORY BOARD ON ESTABLISHMENT OF THE
4 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

5 SEC. 6. (a) There is hereby established a National
6 Advisory Board on Establishment of the National Technical
7 Institute for the Deaf, which shall consist of twelve persons,
8 not regular full-time employees of the United States, ap-
9 pointed by the Secretary without regard to the civil service
10 laws. The Secretary shall appoint one of the members to
11 serve as Chairman. The appointed members shall be selected
12 from among leaders in fields related to education and training
13 of the deaf and other fields of education, and from members
14 of the public familiar with the need for services provided by
15 the Institute. The Commissioner of Education and the
16 Commissioner of Vocational Rehabilitation shall be ex officio
17 members of the Board.

18 (b) Members of the Council, while serving on business
19 of the Council, shall be entitled to receive compensation at
20 rates fixed by the Secretary, but not exceeding \$100 per
21 day, including traveltime, and while so serving away from
22 their homes or regular places of business, they may be
23 allowed travel expenses, including per diem in lieu of sub-
24 sistence, as authorized by section 5 of the Administrative

1 Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the
2 Government service employed intermittently.

3 (c) It shall be the function of the Board (1) to review
4 proposals from institutions of higher education which offer to
5 enter into an agreement with the Secretary for the con-
6 struction and operation of a National Technical Institute for
7 the Deaf, (2) to make recommendations to the Secretary
8 with respect to such proposals, and (3) to make such other
9 recommendations to the Secretary concerning the establish-
10 ment and operation of the National Technical Institute as
11 may be appropriate.

12 (d) After the Secretary enters into an agreement under
13 this Act, the Board shall cease to exist.

89TH CONGRESS
1ST SESSION

H. R. 7100

A BILL

To provide for the establishment and operation
of a National Technical Institute for the
Deaf.

By Mr. FOGARTY

APRIL 5, 1965

Referred to the Committee on Education and Labor