

Public Law 88-665

AN ACT

October 16, 1964
[S. 3060]

To amend and extend the National Defense Education Act of 1958 and to extend Public Laws 815 and 874, Eighty-first Congress (federally affected areas).

National De-
fense Education
Act Amendments,
1964.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Defense Education Act Amendments, 1964."

TITLE I—AMENDMENTS OF TITLE I

AMENDMENT OF STATEMENT OF FINDINGS

72 Stat. 1581.
20 USC 401.

SEC. 101. The second sentence of the second paragraph of section 101 of the National Defense Education Act of 1958 is amended by striking out "which have led to an insufficient proportion of our population educated in science, mathematics, and modern foreign languages and trained in technology".

SCHOOLS OF NURSING

20 USC 403.

SEC. 102. The second sentence of section 103(b) of the National Defense Education Act of 1958 is amended by striking out "private" and by striking out "(3)", and by inserting before the period at the end thereof the following: "and includes any school of nursing as defined in subsection (1) of this section".

ADDITIONAL DEFINITIONS

SEC. 103. Section 103 of such Act is amended by adding at the end thereof the following:

"(l) The term 'school of nursing' means a public or other nonprofit collegiate or associate degree school of nursing.

"(m) The term 'collegiate school of nursing' means a department, division, or other administrative unit in a college or university which provides primarily or exclusively an accredited program of education in professional nursing and allied subjects leading to the degree of bachelor of arts, bachelor of science, bachelor of nursing, or to an equivalent degree, or to a graduate degree in nursing.

"(n) The term 'associate degree school of nursing' means a department, division, or other administrative unit in a junior college, community college, college, or university which provides primarily or exclusively an accredited two-year program of education in professional nursing and allied subjects leading to an associate degree in nursing or to an equivalent degree.

"(o) The term 'accredited' when applied to any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education."

TITLE II—AMENDMENTS OF TITLE II

APPROPRIATIONS AUTHORIZED

77 Stat. 415.
20 USC 421.

SEC. 201. The first sentence of section 201 of the National Defense Education Act of 1958 is amended by striking out "and \$135,000,000 for the fiscal year ending June 30, 1965, and such sums for the fiscal year ending June 30, 1966, and each of the next three fiscal years as may be necessary to enable students who have received loans for school years ending prior to July 1, 1965, to continue or complete their education" and inserting in lieu thereof "\$163,300,000 for the fiscal year ending June 30, 1965, \$179,300,000 for the fiscal year ending June

30, 1966, \$190,000,000 for the fiscal year ending June 30, 1967, and \$195,000,000 for the fiscal year ending June 30, 1968, and such sums for the fiscal year ending June 30, 1969, and each of the next three fiscal years as may be necessary to enable students who have received loans for school years ending prior to July 1, 1968, to continue or complete their education”.

ALLOTMENTS TO STATES

SEC. 202. Section 202 of the National Defense Education Act of 1958 is amended by striking out “1965” wherever it appears therein and inserting in lieu thereof “1968”.

72 Stat. 1583;
77 Stat. 416.
20 USC 422.

PAYMENT OF FEDERAL CAPITAL CONTRIBUTIONS

SEC. 203. Effective with respect to fiscal years beginning after June 30, 1964, section 203 of the National Defense Education Act of 1958 is further amended by striking out subsection (b) and by striking out “(a)” after “SEC. 203.”.

20 USC 423.

CONDITIONS OF AGREEMENTS

SEC. 204. (a) Paragraph (4) of section 204 of the National Defense Education Act of 1958 is amended to read as follows:

20 USC 424.

“(4) provide that in the selection of students to receive loans from such student loan fund special consideration shall be given to students with a superior academic background; and”.

(b) The amendment made by subsection (a) of this section shall apply to the selection of students under title II of the National Defense Education Act of 1958 made in or after the second month following the month in which this Act is enacted.

20 USC 421-
429.

TERMS OF LOANS

SEC. 205. (a) Subsection (a) of section 205 of the National Defense Education Act of 1958 is amended to read as follows:

20 USC 425.

“(a) The total of the loans for any academic year or its equivalent, as determined under regulations of the Commissioner, made by institutions of higher education from loan funds established pursuant to agreements under this title may not exceed \$2,500 in the case of any graduate or professional student (as defined in regulations of the Commissioner), and may not exceed \$1,000 in the case of any other student. The aggregate of the loans for all years from such funds may not exceed \$10,000 in the case of any graduate or professional student (as so defined, and including any loans from such funds made to such person before he became a graduate or professional student), or \$5,000 in the case of any other student.”

(b)(1) Paragraph (1) of subsection (b) of such section 205 is amended to read as follows:

“(1) such a loan shall be made only to a student who (A) is in need of the amount of the loan to pursue a course of study at such institution, and (B) is capable, in the opinion of the institution, of maintaining good standing in such course of study, and (C) has been accepted for enrollment as a student in such institution or, in the case of a student already attending such institution, is in good standing there either as an undergraduate, graduate, or professional student, and (D) is carrying at least one-half the normal full-time academic workload as determined by the institution;”.

72 Stat. 1584.
20 USC 425.

(2) Paragraph (2) of such subsection (b) of such section 205 is amended by striking out "and (D)" and inserting in lieu thereof the following: "(D) the institution may provide that periodic installments need not be paid during any period or periods, aggregating not in excess of three years, during which the borrower is in part-time attendance at an institution of higher education taking courses which are creditable toward a degree, and may also provide that any such period shall not be included in determining the ten-year period during which the repayment must be completed, but interest shall continue to accrue during any such period, and (E)".

(3) Subparagraph (3) of such subsection (b) of such section 205 is amended to read as follows:

"(3) not to exceed 50 per centum of any such loan (plus interest) shall be canceled for service as a full-time teacher in a public or other nonprofit elementary or secondary school in a State, in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States, at the rate of 10 per centum of the amount of such loan plus interest thereon, which was unpaid on the first day of such service for each complete academic year of such service;"

(4) Paragraph (4) of subsection (b) of such section 205 is amended by inserting immediately before the semicolon at the end thereof the following: "in all cases except where the date on which repayment is to begin is suspended by reason of clause (D) of paragraph (2)".

20 USC 421-
429.

(c) The amendment made by subsection (a) shall apply for purposes of determining the amount of any loans under title II of the National Defense Education Act of 1958 for academic years beginning after the date of enactment of this Act. The amendments made by paragraphs (2) and (4) of subsection (b) shall apply to any loan (under an agreement under title II of the National Defense Education Act of 1958) outstanding on the date of enactment of this Act only with the consent of the institution which made the loan. The amendment made by paragraph (3) of subsection (b) shall apply with respect to service performed during academic years beginning after the enactment of this Act, whether the loan was made before or after such enactment.

DISTRIBUTION OF ASSETS FROM STUDENT LOAN FUNDS

77 Stat. 416.
20 USC 426.

SEC. 206. Section 206 of the National Defense Education Act of 1958 is amended by striking out "1969" wherever it appears therein and inserting in lieu thereof "1972".

TITLE III—AMENDMENTS OF TITLE III

EXTENSION OF TITLE

20 USC 441-
445.

SEC. 301. Title III of the National Defense Education Act of 1958 is amended by striking "TITLE III—FINANCIAL ASSISTANCE FOR STRENGTHENING SCIENCE, MATHEMATICS, AND MODERN FOREIGN LANGUAGE INSTRUCTION" as it appears as the heading of that title, and inserting in lieu thereof: "TITLE III—FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN SCIENCE, MATHEMATICS, MODERN FOREIGN LANGUAGES, AND OTHER CRITICAL SUBJECTS".

APPROPRIATIONS AUTHORIZED

SEC. 302. Section 301 of the National Defense Education Act of 1958 is amended to read as follows:

72 Stat. 1588;
77 Stat. 416.
20 USC 441.

"APPROPRIATIONS AUTHORIZED

"SEC. 301. There are hereby authorized to be appropriated \$70,000,000 for the fiscal year ending June 30, 1959, and for each of the five succeeding fiscal years, and \$90,000,000 for the fiscal year ending June 30, 1965, and for each of the three succeeding fiscal years, for (1) making payments to State educational agencies under this title for the acquisition of equipment and for minor remodeling, described in paragraph (1) of section 303(a), and (2) making loans authorized in section 305. There are also authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1959, and for each of the five succeeding fiscal years, and \$10,000,000 for the fiscal year ending June 30, 1965, and for each of the three succeeding fiscal years, for making payments to State educational agencies under this title to carry out the programs described in paragraph (5) of section 303(a)."

ALLOTMENTS TO STATES

SEC. 303. (a) The second sentence of subsection (a)(2) of section 302 of the National Defense Education Act of 1958 is amended by striking out "as soon as possible after the enactment of this Act, and again between July 1 and August 31 of 1959" and inserting in lieu thereof "between July 1 and August 31 of each even-numbered year beginning with calendar year 1964".

20 USC 442.

(b) The third sentence of such subsection is amended to read as follows: "Each such promulgation shall be conclusive for each of the two fiscal years in the period July 1 next succeeding such promulgation, except that the ratios promulgated in 1959 shall be conclusive for each of the five fiscal years in the period beginning July 1, 1960, and ending June 30, 1965."

(c) Effective with respect to allotments under subsection (b) of section 302 of such Act for fiscal years beginning after June 30, 1964, the third sentence of such subsection is amended by striking out "\$20,000" wherever it appears therein and inserting in lieu thereof "\$50,000".

STATE PLANS

SEC. 304. (a) Clause (A) of section 303(a)(1) of the National Defense Education Act of 1958 is amended to read as follows: "(A) acquisition of laboratory and other special equipment (other than supplies consumed in use), including audiovisual materials and equipment, and printed and published materials (other than textbooks), suitable for use in providing education in science, mathematics, history, civics, geography, modern foreign language, English, or reading in public elementary or secondary schools, or both, and of testgrading equipment for such schools and specialized equipment for audiovisual libraries serving such schools, and such equipment may, if there exists a critical need therefor in the judgment of local school authorities, be used when available and suitable in providing education in other subject matter, and".

20 USC 443.

(b) Paragraph (5) of section 303(a) is amended by striking out "and modern foreign languages" and inserting in lieu thereof "history, civics, geography, modern foreign languages, English, and reading".

PAYMENTS TO STATES

72 Stat. 1589;
77 Stat. 417.
20 USC 444.

SEC. 305. The second sentence of subsection (b) of section 304 of such Act is amended by striking out "five" and inserting in lieu thereof "eight".

INTEREST RATES

20 USC 445.

SEC. 306. Paragraph (3) of subsection (b) of section 305 of such Act is amended by striking out "as of the last day of the month" and inserting in lieu thereof the following: "as computed at the end of the fiscal year next".

TITLE IV—FELLOWSHIPS

72 Stat. 1591;
77 Stat. 417.
20 USC 462.

SEC. 401. Effective July 1, 1964, section 402(a) of the National Defense Education Act of 1958 is amended to read as follows:

"NUMBER OF FELLOWSHIPS

"SEC. 402. (a) During the fiscal year ending June 30, 1965, the Commissioner is authorized to award not to exceed three thousand fellowships to be used for study in graduate programs at institutions of higher education, during the fiscal year ending June 30, 1966, he is authorized to award not to exceed six thousand such fellowships, and during each of the two succeeding fiscal years, he is authorized to award not to exceed seven thousand five hundred such fellowships. Such fellowships may be awarded for such period of study as the Commissioner may determine, but not in excess of three academic years, except that where a fellowship holder pursues his studies as a regularly enrolled student at the institution during periods outside the regular sessions of the graduate program of the institution, a fellowship may be awarded for a period not in excess of three calendar years."

AWARD OF FELLOWSHIPS AND APPROVAL OF INSTITUTIONS

20 USC 463.

SEC. 402. (a) The first sentence of subsection (a) of section 403 of the National Defense Education Act of 1958 is amended to read as follows: "Of the total number of fellowships authorized by section 402(a) to be awarded during a fiscal year (1) not less than one thousand five hundred of such fellowships awarded during the fiscal year ending June 30, 1965, and not less than one-third of such fellowships awarded during the three succeeding fiscal years shall be awarded to individuals accepted for study in graduate programs approved by the Commissioner under this section, and (2) the remainder shall be awarded on such bases as he may determine, subject to the provisions of subsection (c)." The second sentence of subsection (a) of such section is amended by striking out ", and" at the end of clause (2) and inserting in lieu thereof a period, and by striking out clause (3) thereof.

(b) Section 403(b) of such Act is amended by striking out "under this title" and inserting in lieu thereof "as described in clause (1) of subsection (a)", and by inserting before the period at the end thereof the following: ", and the Commissioner shall give consideration to such objective in determining the number of fellowships awarded under this title for attendance at any one institution of higher education".

(c) Section 403 of such Act is further amended by adding at the end thereof the following new subsections:

"(c) Recipients of fellowships under this title shall be persons who are interested in teaching, or continuing to teach, in institutions of higher education and are pursuing, or intend to pursue, a course of study leading to a degree of doctor of philosophy or an equivalent degree.

“(d) No fellowship shall be awarded under this title for study at a school or department of divinity. For the purposes of this subsection, the term ‘school or department of divinity’ means an institution, or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.”

(d) The amendments made by this section shall become effective July 1, 1964.

FELLOWSHIP STIPENDS

SEC. 403. Section 404(a) of the National Defense Education Act of 1958 is amended (1) by striking out “after the baccalaureate degree”, and (2) by adding at the end thereof the following: “Where a person awarded a fellowship under this title for study at an institution of higher education pursues his studies as a regularly enrolled student at such institution during periods outside of the regular sessions of the graduate program of the institution, the Commissioner may make appropriate adjustments in his stipends and allowances for dependents.”

20 USC 464.

TITLE V—GUIDANCE, COUNSELING, AND TESTING; IDENTIFICATION AND ENCOURAGEMENT OF ABLE STUDENTS

APPROPRIATIONS AUTHORIZED

SEC. 501. Section 501 of the National Defense Education Act of 1958 is amended by striking out “and \$17,500,000 each for the fiscal year ending June 30, 1964, and the succeeding fiscal year,” and inserting in lieu thereof “\$17,500,000 for the fiscal year ending June 30, 1964, \$24,000,000 for the fiscal year ending June 30, 1965, \$24,500,000 for the fiscal year ending June 30, 1966, and \$30,000,000 for each of the two succeeding fiscal years.”

72 Stat. 1592;
77 Stat. 417.
20 USC 481.

STATE PLANS

SEC. 502. Paragraphs (1) and (2) of section 503(a) of the National Defense Education Act of 1958 are amended to read as follows:

20 USC 483.

“(1) a program for testing students in the public elementary and secondary schools of such State or in the public junior colleges and technical institutes of such State, and, if authorized by law, in other elementary and secondary schools and in other junior colleges and technical institutes in such State, to identify students with outstanding aptitudes and ability, and the means of testing which will be utilized in carrying out such program; and

“(2) a program of guidance and counseling at the appropriate levels in the public elementary and secondary schools or public junior colleges and technical institutes of such State (A) to advise students of courses of study best suited to their ability, aptitudes, and skills, (B) to advise students in their decisions as to the type of educational program they should pursue, the vocation they should train for and enter, and the job opportunities in the various fields, and (C) to encourage students with outstanding aptitudes and ability to complete their secondary school education, take the necessary courses for admission to institutions of higher education, and enter such institutions.”

PAYMENTS TO STATES

SEC. 503. (a) Section 504(a) of the National Defense Education Act of 1958 is amended by striking out “five” and inserting in lieu thereof “eight”.

20 USC 484.

20 USC 484.

(b) Section 504(b) of such Act is amended by striking out “, who are not below grade 7,” and by striking out “six” and inserting in lieu thereof “nine”, and by inserting after “schools” the first time it appears the following: “, or junior colleges or technical institutes.”

JUNIOR COLLEGES AND TECHNICAL INSTITUTES

SEC. 504. Title V of the National Defense Education Act of 1958 is amended by inserting after section 504 the following new section:

“DEFINITIONS

“SEC. 505. For the purposes of this title, the term ‘junior colleges or technical institutes’ means (1) institutions of higher education which are organized and administered principally to provide a two-year program which is acceptable for full credit toward a bachelor’s degree, and (2) institutions which meet the requirements of clauses (1), (2), (4), and (5) of section 103(b) and are organized and administered principally to provide a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, and, if a branch of an institution of higher education offering four or more years of higher education, is located in a community different from that in which its parent institution is located.”

COUNSELING AND GUIDANCE TRAINING INSTITUTES

20 USC 491.

SEC. 505. Section 511 of such Act is amended to read as follows:

“AUTHORIZATION

“SEC. 511. (a) There are hereby authorized to be appropriated \$6,250,000 for the fiscal year ending June 30, 1959, \$7,250,000 for the fiscal year ending June 30, 1960, and for each of the eight succeeding fiscal years, to enable the Commissioner to arrange, through grants or contracts, with institutions of higher education for the operation by them of short-term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals who are engaged, or are teachers preparing to engage, in counseling and guidance of students in elementary or in secondary schools or in institutions of higher education, including junior colleges and technical institutes as defined in section 505.

“(b) Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of \$75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of \$15 per week for each such dependent.”

TITLE VI—LANGUAGE DEVELOPMENT

EXTENSION OF TITLE

SEC. 601. (a) Section 601 of the National Defense Education Act of 1958 is amended by striking out “1965” wherever it appears therein and inserting in lieu thereof “1968”.

72 Stat. 1593;
77 Stat. 418.
20 USC 511.

(b) Section 603 of such Act is amended to read as follows:

20 USC 513.

“APPROPRIATIONS AUTHORIZED

“SEC. 603. There are hereby authorized to be appropriated \$8,000,000 for the fiscal year ending June 30, 1964, \$13,000,000 for the fiscal year ending June 30, 1965, \$14,000,000 for the fiscal year ending June 30, 1966, \$16,000,000 for the fiscal year ending June 30, 1967, and \$18,000,000 for the fiscal year ending June 30, 1968, to carry out the provisions of this title.”

REPEALER

SEC. 602. Effective July 1, 1964, title VI of the National Defense Education Act of 1958 is amended by striking out the center heading “Part A—Centers and Research and Studies” and by striking out part B thereof.

TITLE VII—UTILIZATION OF TELEVISION, RADIO, MOTION PICTURES, AND RELATED MEDIA FOR EDUCATIONAL PURPOSES

EXTENSION OF PROGRAM

SEC. 701. Section 763 of the National Defense Education Act of 1958 is amended by striking out “six succeeding fiscal years” and inserting in lieu thereof “nine succeeding fiscal years”.

72 Stat. 1597;
77 Stat. 419.
20 USC 563.

TITLE VIII—MISCELLANEOUS

STATE ADMINISTRATION

SEC. 801. (a) Subparagraph (2) of section 1004(a) of the National Defense Education Act of 1958 is amended by inserting before the semicolon “and will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verifications of such reports”.

20 USC 584.

(b) Subparagraph (3) of such section 1004(a) is amended by inserting before the period at the end thereof “(including such funds paid by the State to the local educational agencies)”.

EXTENSION OF STATISTICAL SERVICES PROGRAM

SEC. 802. Section 1009(a) of the National Defense Education Act of 1958 is amended by striking out “six” and inserting in lieu thereof “nine”.

72 Stat. 1605;
77 Stat. 419.
20 USC 589.

TITLE IX—ADDITIONAL TITLE

SEC. 901. (a) The National Defense Education Act of 1958 is amended by adding at the end thereof the following new title:

“TITLE XI—INSTITUTES

“AUTHORIZATION OF INSTITUTES

“SEC. 1101. There are authorized to be appropriated \$32,750,000 for the fiscal year ending June 30, 1965, and each of the three succeeding fiscal years, to enable the Commissioner to arrange, through grants or contracts, with institutions of higher education for the operation by

them of short-term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals—

“(1) who are engaged in or preparing to engage in the teaching, or supervising or training of teachers, of history, geography, modern foreign languages, reading, or English in elementary or secondary schools,

“(2) who are engaged in or preparing to engage in the teaching of disadvantaged youth and are, by virtue of their service or future service in elementary or secondary schools enrolling substantial numbers of culturally, economically, socially, and educationally handicapped youth, in need of specialized training; except that no institute may be established under this title for teachers of disadvantaged youth unless such institute will offer a specialized program of instruction designed to assist such teachers in coping with the unique and peculiar problems involved in the teaching of such youth,

“(3) who are engaged as, or preparing to engage as, library personnel in the elementary or secondary schools, or as supervisors of such personnel, or

“(4) who are engaged as, or are preparing to engage as, educational media specialists.

“STIPENDS

“SEC. 1102. Each individual who attends an institute operated under the provisions of this title shall be eligible (after application therefor) to receive a stipend at the rate of \$75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of \$15 per week for each such dependent.”

TITLE X—AMENDMENTS OF TABLE OF CONTENTS

SEC. 1001. The table of contents of the National Defense Education Act of 1958 is amended—

(1) by striking out

“TITLE III—FINANCIAL ASSISTANCE FOR STRENGTHENING SCIENCE, MATHEMATICS, AND MODERN FOREIGN LANGUAGE INSTRUCTION”

and inserting in lieu thereof

“TITLE III—FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN SCIENCE, MATHEMATICS, MODERN FOREIGN LANGUAGES, AND OTHER CRITICAL SUBJECTS”;

(2) by inserting after

“Sec. 504. Payments to States.”

the following:

“Sec. 505. Definitions.”;

(3) by striking out

“PART A—CENTERS AND RESEARCH AND STUDIES”;

(4) by striking out

“PART B—LANGUAGE INSTITUTES

“Sec. 611. Authorization.”;

(5) by inserting at the end thereof the following :

“TITLE XI—INSTITUTES

“Sec. 1101. Authorization of institutes.

“Sec. 1102. Stipends.”

TITLE XI—FEDERALLY AFFECTED AREAS

AMENDMENTS TO PUBLIC LAW 815

SEC. 1101. (a) The first sentence of section 3 of the Act of September 23, 1950, as amended (20 U.S.C. 631-645), is amended by striking out “1965” and inserting in lieu thereof “1966”.

72 Stat. 548;
77 Stat. 419.

(b) Subsection (b) of section 14 of such Act is amended by striking out “1965” each time it appears therein and inserting in lieu thereof “1966”.

(c) Paragraph (13) of section 15 of such Act is amended by inserting “the District of Columbia,” after “Guam,”.

(d) Paragraph (15) of section 15 of such Act is amended by striking out “1962-1963” and inserting in lieu thereof “1963-1964”.

AMENDMENTS TO PUBLIC LAW 874

SEC. 1102. (a) Sections 2(a), 3(b), and 4(a) of the Act of September 30, 1950, as amended (20 U.S.C. 236-244), are each amended by striking out “1965” each place where it appears and inserting in lieu thereof “1966”.

64 Stat. 1100;
77 Stat. 419.

(b) Section 9(8) of such Act is amended by inserting “the District of Columbia,” after “Guam,”.

COMPREHENSIVE STUDY

SEC. 1103. The Commissioner of Education shall submit to the Secretary of Health, Education, and Welfare for transmission to the Congress on or before June 30, 1965, a full report of the operation of Public Laws 815 and 874, as extended by this Act, and his recommendations as to what amendments to such laws should be made if they are further extended.

Report to
Congress.

Approved October 16, 1964.