

their officers or agents, in any matter arising under the National Labor Relations Act, as amended, or this Act; and (B) in any proceeding where a labor organization would be prohibited from defraying the costs of legal services by the provisions of the Labor-Management Reporting and Disclosure Act of 1959”.

Approved August 15, 1973.

73 Stat. 519.  
29 USC 401  
note.

Public Law 93-96

AN ACT

August 16, 1973  
[H. R. 8510]

To authorize appropriations for activities of the National Science Foundation, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1974, for the following categories:

National Science  
Foundation  
Authorization  
Act, 1974.

- (1) Scientific Research Project Support, \$285,000,000.
- (2) National and Special Research Programs, \$105,600,000.
- (3) National Research Centers, \$46,000,000.
- (4) Computing Activities in Education and Research, \$8,200,000.
- (5) Science Information Activities, \$8,300,000.
- (6) International Cooperative Scientific Activities, \$6,200,000.
- (7) Research Applied to National Needs, \$91,000,000.
- (8) Intergovernmental Science Program, \$1,000,000.
- (9) Institutional Improvement for Science, \$2,000,000.
- (10) Graduate Student Support, \$11,500,000.
- (11) Science Education Improvement, \$35,200,000.
- (12) Planning and Policy Studies, \$2,600,000.
- (13) Program Development and Management, \$30,000,000.

SEC. 2. (a) Any amounts which were authorized and appropriated to the National Science Foundation for the fiscal year ending June 30, 1973, or any prior fiscal year, but which remained unobligated as of the close of the fiscal year ending June 30, 1973, shall be merged with and added to the amounts authorized by section 1 of this Act.

(b) Notwithstanding any other provision of this or any other Act—

Programs, minimum funding levels.

(1) of the total amount authorized for the purpose of “National and Special Research Programs” under category (2) of section 1 and subsection (a) of this section, not less than \$6,000,000 shall be available for oceanography-related programs, including ship construction/conversion;

(2) of the total amount authorized for the purpose of “Research Applied to National Needs” under category (7) of section 1 and subsection (a) of this section, not less than \$25,000,000 shall be available for energy research and technology programs, including but not limited to solar, geothermal, and other nonconventional energy sources, and not less than \$8,000,000 shall be available for earthquake engineering programs;

(3) of the total amount authorized under section 1 and subsection (a) of this section, not less than \$10,000,000 shall be available for the purpose of “Institutional Improvement for Science”;

(4) of the total amount authorized under section 1 and sub-

section (a) of this section, not less than \$13,000,000 shall be available for the purpose of "Graduate Student Support"; and

(5) of the total amount authorized under section 1 and subsection (a) of this section, not less than \$67,500,000 shall be available for the purpose of "Science Education Improvement".

SEC. 3. Appropriations made pursuant to this Act may be used, but not to exceed \$5,000, for official consultation, representation, or other extraordinary expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by the preceding provisions of this Act, not to exceed \$3,000,000 is authorized to be appropriated for the fiscal year ending June 30, 1974, for expenses of the National Science Foundation incurred outside the United States to be paid in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 5. Appropriations made pursuant to authority provided in sections 1, 3, and 4, shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

SEC. 6. No funds may be transferred from any particular category listed in section 1 to any other category or categories listed in such section if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in section 1 from any other category or categories listed in such section if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, unless—

(A) a period of thirty legislative days (or forty-five calendar days, when Congress is in adjournment sine die) has passed after the Director or his designee has transmitted to the Speaker of the House of Representatives and the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Labor and Public Welfare of the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

(B) each such committee before the expiration of such period has transmitted to the Director written notice to the effect that such committee has no objection to the proposed action.

SEC. 7. (a) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institutions from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period of two years any further payment to, for the direct benefit of, such individual under any of the programs specified in subsection (c). If an institution denies an individual assistance

Funds, availability.

Transfer of funds, limitation.

Report to Congress.

Notice.

Payments to convicted criminals, prohibition.

under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of the two-year period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(c) The programs referred to in subsections (a) and (b) are as follows:

(1) The programs authorized by the National Science Foundation Act of 1950; and

(2) The programs authorized under title IX of the National Defense Education Act of 1958 relating to establishing the Science Information Service.

(d) (1) Nothing in this Act, or any Act amended by this Act, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such Act to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

(2) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law.

(3) Nothing in this section shall be construed to limit the freedom of any student to verbal expression of individual views or opinions.

SEC. 8. The amount available for the oceanographic ship construction/conversion program from the sum stipulated (for the purpose of "National and Special Research Programs") in category (2) of section 1 of Public Law 92-372 shall, after the date of the enactment of this Act, be determined without regard to section 2(a) of such Public Law.

SEC. 9. Notwithstanding any other provision of this or any other Act, the Director of the National Science Foundation shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Labor and Public Welfare of the Senate fully and currently informed with respect to all the activities of the National Science Foundation.

SEC. 10. No funds—

(1) authorized to be appropriated under this Act to the National Science Foundation for fiscal year ending June 30, 1974, or

(2) heretofore appropriated to the National Science Foundation and remaining available to it for obligation and expenditure, may be used to conduct or support research in the United States or abroad on a human fetus which is outside the womb of its mother and which has a beating heart.

SEC. 11. This Act may be cited as the "National Science Foundation Authorization Act, 1974".

Approved August 16, 1973.

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64 Stat. 149.  
42 USC 1861  
note.  
72 Stat. 1601.  
42 USC 1876.

Public Law 93-96

86 Stat. 526.

Information to congressional committees.

Human fetus research, funds, prohibition.

Short title.