

Marine Corps), or Air Force installation, it shall be presumed, for the purposes of this subsection, that no local educational agency is able to provide suitable free public education for the children residing on such installation, until the Commissioner and the Secretary of the military department concerned jointly determine, after consultation with the appropriate State educational agency, that a local educational agency is able to do so.

(d) Restrictions on making arrangements.

The Commissioner may make an arrangement under this section only with a local educational agency or with the head of a Federal department or agency administering Federal property on which children reside who are to be provided education pursuant to such arrangement or, in the case of children to whom the second sentence of subsection (a) of this section applies, with the head of any Federal department or agency having jurisdiction over the parents of some or all of such children. Except where the Commissioner makes arrangements pursuant to the second sentence of subsection (a) of this section, arrangements may be made under this section only for the provision of education in facilities of a local educational agency or in facilities situated on Federal property.

(As amended May 6, 1960, Pub. L. 86-449, title V, § 501, 74 Stat. 89.)

AMENDMENTS

1960—Subsec. (a). Pub. L. 86-449, § 501(a), authorized arrangements to provide free public education to be made in cases where schools are made unavailable as a result of official action by State or local governmental authority, and the Commissioner determines that no local educational agency is able to provide suitable free public education.

Subsec. (d). Pub. L. 86-449, § 501(b), empowered the Commissioner to make arrangements with the head of any Federal department or agency having jurisdiction over the parents of some or all of the children to whom the second sentence of subsec. (a) of this section applies, and substituted "Except where the Commissioner makes arrangements pursuant to the second sentence of subsection (a) of this section, arrangements" for "Arrangements."

DEPENDENTS OF COAST GUARD PERSONNEL

Pub. L. 86-561, title I, § 101, June 30, 1960, 74 Stat. 285, after appropriating \$205,000,000 for operating expenses of the Coast Guard for the fiscal year 1960, and merging unobligated balances of prior appropriations thereto, provided in part that: "Except as otherwise authorized by the Act of September 30, 1950 [sections 236-244 of this title] this appropriation shall be available for expenses of primary and secondary schooling for dependents of Coast Guard personnel stationed outside the continental United States in amounts not exceeding an average of \$250 per student, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and the Coast Guard may provide for the transportation of said dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation."

Similar provisions for fiscal year 1959 were contained in Pub. L. 86-39, title I, § 101, June 11, 1959, 73 Stat. 67.

§ 244. Definitions.

For the purposes of this chapter—

(8) The term "State" means a State, Puerto Rico, Wake Island, Guam, or the Virgin Islands.

(As amended June 25, 1959, Pub. L. 86-70, § 18(d) (4), 73 Stat. 145; July 12, 1960, Pub. L. 86-624, § 14(d) (4), 74 Stat. 414.)

AMENDMENTS

1960—Pub. L. 86-624 eliminated "Hawaii," preceding "Puerto Rico" in par. (8).

1959—Pub. L. 86-70 eliminated "Alaska," preceding "Hawaii" in par. (8).

EFFECTIVE DATE OF 1960 AMENDMENT

Amendment of par. (8) of this section by Pub. L. 86-624 effective on Aug. 21, 1959, see section 47(f) of Pub. L. 86-624, set out as a note under section 645 of this title.

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment of section by Pub. L. 86-70 effective on January 3, 1959, see section 47(d) of Pub. L. 86-70, set out as a note under section 151 of this title.

ADMISSION OF HAWAII AS STATE

Admission of Hawaii into the Union was accomplished Aug. 21, 1959, upon issuance of Proc. No. 3309, Aug. 25, 1959, 25 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding section 491 of Title 48, Territories and Insular Possessions.

Chapter 16.—PUBLIC LIBRARY SERVICES FOR RURAL AREAS

§ 352. Authorization of appropriations.

There is authorized to be appropriated for the fiscal year ending June 30, 1957, and for each of the nine succeeding fiscal years the sum of \$7,500,000 which shall be used for making payments to States which have submitted and had approved by the Commissioner of Education (hereinafter referred to as the Commissioner) State plans for the further extension of public library services to rural areas without such services, or with inadequate services. (As amended Aug. 31, 1960, Pub. L. 86-679, § 1, 74 Stat 571.)

AMENDMENTS

1960—Pub. L. 86-679 substituted "nine succeeding fiscal years" for "four succeeding fiscal years."

§ 353. Allotments to the States, Guam and Virgin Islands.

From the sums appropriated pursuant to section 352 of this title for each fiscal year, the Commissioner shall allot \$10,000 each to Guam and to the Virgin Islands and \$40,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the rural population of the State bears to the rural population of the United States, according to the most recent decennial census. (As amended Aug. 31, 1960, Pub. L. 86-679, § 2, 74 Stat. 571.)

AMENDMENTS

1960—Pub. L. 86-679 eliminated subsec. (b) which made the amount of any allotment to a State for any fiscal year remaining unpaid at the end of the fiscal year available for payment until the end of the succeeding fiscal year, and which prohibited payment to a State under section 355 of this title until the State's allotment for the preceding fiscal year has been exhausted or has ceased to be available.

EFFECTIVE DATE OF 1960 AMENDMENT

Section 6 of Pub. L. 86-679 provided that: "The amendments made by section 2 of this Act [to this section]

shall be effective in the case of allotments from sums appropriated under section 3 of the Library Services Act [section 352 of this title] for any fiscal year beginning after June 30, 1961, except that no payment shall be made to any State from its allotment under section 4 of such Act [this section] for the fiscal year ending June 30, 1962, until its allotment for any preceding year has been exhausted or ceased to be available. The amendments made by sections 3 and 4 of this Act [to subsecs. (c) and (d) of section 355 of this title] shall be effective in the case of promulgations of Federal shares under the Library Services Act [this chapter] made after the enactment of this Act [Aug. 31, 1960]."

§ 355. Payments to States.

(c) Federal share.

For the purposes of this section the "Federal share" for any State shall be 100 per centum less the State percentage and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of all the States (excluding Puerto Rico, Guam, and the Virgin Islands), except that (1) the Federal share shall in no case be more than 66 per centum or less than 33 per centum, and (2) the Federal share for Puerto Rico, Guam, and the Virgin Islands shall be 66 per centum.

(d) Promulgation of Federal share.

(1) The "Federal share" for each State shall be promulgated by the Commissioner between July 1 and August 31 of each even-numbered year, on the basis of the average of the per capita incomes of each of the States and of all of the States (excluding Puerto Rico, Guam, and the Virgin Islands), for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation: *Provided*, That the Commissioner shall promulgate such percentages as soon as possible after June 19, 1956, to be effective until July 1, 1957.

(2) Promulgations made before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska shall prescribe a Federal share for Alaska of 66 per centum and, for purposes of such promulgations, Alaska shall not be included in determining the per capita income of all of the States. Promulgations made thereafter but before per capita income data for Alaska for a full three-year period are available from the Department of Commerce shall be based on satisfactory data available therefrom for Alaska for such one full year, or, when such data are available for a two-year period, for such two years.

(As amended Aug. 31, 1960, Pub. L. 86-679 §§ 3, 4, 74 Stat. 571.)

AMENDMENTS

1960—Subsec. (c). Pub. L. 86-679, § 3, substituted "all the States (excluding Puerto Rico, Guam, and the Virgin Islands)" for "the continental United States (excluding Alaska)", and "the Federal share for Puerto Rico" for "the Federal share for Hawaii shall be 50 per centum and for Alaska, Puerto Rico."

Subsec. (d). Pub. L. 86-679, § 4, designated existing provisions as par. (1) and substituted therein "each of

the States and of all of the States (excluding Puerto Rico, Guam, and the Virgin Islands)," for "the States and of the continental United States (excluding Alaska)", and added par. (2).

EFFECTIVE DATE OF 1960 AMENDMENT

Amendments of subsecs. (c) and (d) of this section by Pub. L. 86-679 effective in the case of promulgations of Federal shares under this chapter made after Aug. 31, 1960, see section 6 of Pub. L. 86-679, set out as a note under section 353 of this title.

§ 358. Definitions.

For the purposes of this chapter—

(a) The term "State" means a State, Puerto Rico, Guam, or the Virgin Islands;

(As amended Aug. 31, 1960, Pub. L. 86-679, § 5, 74 Stat. 572.)

AMENDMENTS

1960—Subsec. (a). Pub. L. 86-679 eliminated "Alaska, Hawaii," which preceded "Puerto Rico."

Chapter 17.—NATIONAL DEFENSE EDUCATION PROGRAM

§ 403. Definitions.

As used in this Act—

(a) The term "State" means a State, Puerto Rico, the District of Columbia, the Canal Zone, Guam, or the Virgin Islands, except that as used in sections 442 and 482 of this title, such term does not include Puerto Rico, the Canal Zone, Guam, or the Virgin Islands.

(As amended Pub. L. 86-70, § 18(a)(1), June 25, 1959, 73 Stat. 144; Pub. L. 86-624, § 14(a)(1), July 12, 1960, 74 Stat. 413.)

REFERENCES IN TEXT

"This Act," referred to in text, is the National Defense Education Act of 1958, Pub. L. 85-864, which is classified to this chapter and sections 15aaa—15ggg of this title, and sections 1876—1879 of Title 42, The Public Health and Welfare.

AMENDMENTS

1960—Subsec. (a). Pub. L. 86-624 eliminated "Hawaii," which preceded "Puerto Rico" in two instances.

1959—Subsec. (a). Pub. L. 86-70 eliminated "Alaska," preceding "Hawaii" in two instances.

EFFECTIVE DATE OF 1960 AMENDMENT

Section 47(d) of Pub. L. 86-624 provided that: "The amendments made by paragraphs (1) and (3) of section 14(a) [amending subsec. (a) of this section and section 588 of this title] shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958 [section 442(b) or 482 of this title], for fiscal years beginning after June 30, 1960, and, in the case of allotments under section 302(a) of such Act [section 442(a) of this title], for fiscal years beginning after allotment ratios, to which the amendment made by paragraph (2) of section 14(a) [amending section 442(a) of this title and enacting notes set out under section 442 of this title] is applicable, are promulgated under such section 302(a) [section 442(a) of this title]."

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment of this section by Pub. L. 86-70 effective, except as provided in section 47(b) of Pub. L. 86-70, set out below, on January 3, 1959, see section 47(d) of Pub. L. 86-70, set out as a note under section 151 of this title.

Section 47(b) of Pub. L. 86-70 provided that: "The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 [to subsec. (a) of this section and section 588 of this title] shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958 [section 442(b)