

110-315, title III, §320(3), Aug. 14, 2008, 122 Stat. 3187.)

CODIFICATION

Section was formerly classified to section 1135d-5 of this title prior to renumbering by Pub. L. 105-244.

AMENDMENTS

2008—Par. (9)(A). Pub. L. 110-315 substituted “sup-ports” for “support” in introductory provisions.

1998—Par. (4). Pub. L. 105-244, §307(c), inserted “be-havioral,” after “physical.”

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

§ 10671. Repealed. Pub. L. 105-244, title III, § 301(a)(8), Oct. 7, 1998, 112 Stat. 1636

Section, Pub. L. 89-329, title III, §366, formerly title X, §1047, as added Pub. L. 99-498, title X, §1002, Oct. 17, 1986, 100 Stat. 1567; amended Pub. L. 100-418, title VI, §6221, Aug. 23, 1988, 102 Stat. 1518; Pub. L. 102-325, title X, §1002(f), July 23, 1992, 106 Stat. 780; renumbered title III, §366, Pub. L. 105-244, title III, §301(a)(5), (7), Oct. 7, 1998, 112 Stat. 1636, authorized appropriations to carry out Fund for Improvement of Postsecondary Education program.

CODIFICATION

Section was formerly classified to section 1135d-6 of this title prior to renumbering by Pub. L. 105-244.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as an Effective Date of 1998 Amendment note under section 1001 of this title.

PART F—STRENGTHENING HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND OTHER MINORITY-SERVING INSTITUTIONS

CODIFICATION

Part F of title III of Pub. L. 89-329, comprising this part, was originally added as part J of title IV of Pub. L. 89-329 by Pub. L. 110-84, title VIII, §802, Sept. 27, 2007, 121 Stat. 817, and was classified to part I (§1099e) of subchapter IV of this chapter. Part J of title IV of Pub. L. 89-329 was subsequently redesignated part F of title III of Pub. L. 89-329 by Pub. L. 110-315, title III, §316(a)(2), Aug. 14, 2008, 122 Stat. 3185, and transferred to this part.

PRIOR PROVISIONS

A prior part F [§1068 et seq.] of this subchapter was redesignated part G by Pub. L. 110-315, title III, §316(a)(1), Aug. 14, 2008, 122 Stat. 3185.

§ 1067q. Investment in historically Black colleges and universities and other minority-serving institutions

(a) Eligible institution

An institution of higher education is eligible to receive funds from the amounts made available under this section if such institution is—

- (1) a part B institution (as defined in section 1061 of this title);
- (2) a Hispanic-serving institution (as defined in section 1101a of this title);
- (3) a Tribal College or University (as defined in section 1059c of this title);
- (4) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in section 1059d(b) of this title);

(5) a Predominantly Black Institution (as defined in subsection (c));

(6) an Asian American and Native American Pacific Islander-serving institution (as defined in subsection (c)); or

(7) a Native American-serving nontribal institution (as defined in subsection (c)).

(b) New investment of funds

(1) In general

(A) Provision of funds

There shall be available to the Secretary to carry out this section, from funds in the Treasury not otherwise appropriated, \$255,000,000 for each of the fiscal years 2008 and 2009. The authority to award grants under this section shall expire at the end of fiscal year 2009.

(B) Availability

Funds made available under subparagraph (A) for a fiscal year shall remain available for the next succeeding fiscal year.

(2) Allocation and allotment

(A) In general

Of the amounts made available under paragraph (1) for each fiscal year—

- (i) \$100,000,000 shall be available for allocation under subparagraph (B);
- (ii) \$100,000,000 shall be available for allocation under subparagraph (C); and
- (iii) \$55,000,000 shall be available for allocation under subparagraph (D).

(B) HSI STEM and articulation programs

The amount made available for allocation under this subparagraph by subparagraph (A)(i) for any fiscal year shall be available for Hispanic-serving Institutions¹ for activities described in section 1101b of this title, with a priority given to applications that propose—

- (i) to increase the number of Hispanic and other low income students attaining degrees in the fields of science, technology, engineering, or mathematics; and
- (ii) to develop model transfer and articulation agreements between 2-year Hispanic-serving institutions and 4-year institutions in such fields.

(C) Allocation and allotment HBCUS and PBIS

From the amount made available for allocation under this subparagraph by subparagraph (A)(ii) for any fiscal year—

- (i) 85 percent shall be available to eligible institutions described in subsection (a)(1) and shall be made available as grants under section 1062 of this title and allotted among such institutions under section 1063 of this title, treating such amount, plus the amount appropriated for such fiscal year in a regular or supplemental appropriation Act to carry out part B of this subchapter, as the amount appropriated to carry out part B of this subchapter for purposes of allotments under section 1063 of this title, for use by such institutions with a priority for—

¹ So in original. Probably should not be capitalized.