

(Pub. L. 89-329, title III, §355, as added Pub. L. 110-315, title III, §315(a)(2), Aug. 14, 2008, 122 Stat. 3182.)

REFERENCES IN TEXT

Section 302, referred to in subsec. (a), probably means section 302 of Pub. L. 110-315, Aug. 14, 2008, 122 Stat. 3167, which added subsection (g) to section 1058 of this title, defining low-income individual.

PRIOR PROVISIONS

A prior section 355 of Pub. L. 89-329 was classified to section 1069a of this title, prior to repeal by Pub. L. 102-325.

§ 1067e-1. Promotion of entry into STEM fields

(a) Authority to contract, subject to appropriations

The Secretary is authorized to enter into a contract with a firm with a demonstrated record of success in advertising to implement a campaign to expand the population of qualified individuals in science, technology, engineering, and mathematics fields (referred to in this section as “STEM fields”) by encouraging young Americans to enter such fields.

(b) Design of campaign

The campaign under this section shall be designed to enhance the image of education and professions in the STEM fields and promote participation in the STEM fields, and may include—

- (1) monitoring trends in youths’ attitudes toward pursuing education and professions in the STEM fields and their propensity toward entering the STEM fields;
- (2) determining what factors contribute to encouraging and discouraging Americans from pursuing study in STEM fields and entering the STEM fields professionally;
- (3) determining what specific factors limit the participation of groups currently underrepresented in STEM fields, including Latinos, African-Americans, and women; and
- (4) drawing from the market research performed under this section and implementing an advertising campaign to encourage young Americans to take up studies in STEM fields, beginning at an early age.

(c) Required components

The campaign under this section shall—

- (1) include components that focus tailored messages on appropriate age groups, starting with elementary school students; and
- (2) link participation in the STEM fields to the concept of service to one’s country, so that young people will be encouraged to enter the STEM fields in order fulfill the obligation to be of service to their country.

(d) Priority

The campaign under this section shall hold as a high priority making specific appeals to Hispanic Americans, African Americans, Native Americans, students with disabilities, and women, who are currently underrepresented in the STEM fields, in order to increase their numbers in the STEM fields, and shall tailor recruitment efforts to each specific group.

(e) Use of variety of media

The campaign under this section shall make use of a variety of media, with an emphasis on

television advertising, to reach its intended audience.

(f) Teaching

The campaign under this section shall include a narrowly focused effort to attract current professionals in the STEM fields, through advertising in mediums likely to reach that specific group, into teaching in a STEM field in elementary schools and secondary schools.

(Pub. L. 89-329, title III, §356, as added Pub. L. 110-315, title III, §315(a)(2), Aug. 14, 2008, 122 Stat. 3183.)

PRIOR PROVISIONS

A prior section 356 of Pub. L. 89-329 was renumbered section 395 and is classified to section 1068d of this title.

§ 1067e-2. Evaluation and accountability plan

The Secretary shall develop an evaluation and accountability plan for projects funded under this subpart. Such plan shall include, if the Secretary determines that it is practical, an objective measure of the impact of such projects, such as a measure of whether underrepresented minority student enrollment in courses related to science, technology, engineering, and mathematics increases at the secondary and post-secondary levels.

(Pub. L. 89-329, title III, §357, as added Pub. L. 110-315, title III, §315(a)(2), Aug. 14, 2008, 122 Stat. 3184.)

PRIOR PROVISIONS

A prior section 357 of Pub. L. 89-329 was renumbered section 396 and is classified to section 1068e of this title.

SUBPART 3—ADMINISTRATIVE AND GENERAL PROVISIONS

CODIFICATION

Pub. L. 110-315, title III, §315(a)(1), Aug. 14, 2008, 122 Stat. 3182, redesignated subpart 2 (§1067 et seq.) of this part as subpart 3 of this part.

Pub. L. 105-244, title III, §301(a)(5), Oct. 7, 1998, 112 Stat. 1636, redesignated subpart 3 (§1135d et seq.) of part B of subchapter X of this chapter as subpart 2 of this part.

§ 1067g. Eligibility for grants

Eligibility to receive grants under this part is limited to—

- (1) public and private nonprofit institutions of higher education that—
 - (A) award baccalaureate degrees; and
 - (B) are minority institutions;
- (2) public or private nonprofit institutions of higher education that—
 - (A) award associate degrees; and
 - (B) are minority institutions that—
 - (i) have a curriculum that includes science or engineering subjects; and
 - (ii) enter into a partnership with public or private nonprofit institutions of higher education that award baccalaureate degrees in science and engineering;
- (3) nonprofit science-oriented organizations, professional scientific societies, and institutions of higher education that award baccalaureate degrees, that—

(A) provide a needed service to a group of minority institutions; or

(B) provide in-service training for project directors, scientists, and engineers from minority institutions;

(4) consortia of organizations, that provide needed services to one or more minority institutions, the membership of which may include—

(A) public and private nonprofit institutions of higher education which have a curriculum in science or engineering;

(B) institutions of higher education that have a graduate or professional program in science or engineering;

(C) research laboratories of, or under contract with, the Department of Energy, the Department of Defense, or the National Institutes of Health;

(D) relevant offices of the National Aeronautics and Space Administration, National Oceanic and Atmospheric Administration, National Science Foundation, and National Institute of Standards and Technology;

(E) quasi-governmental entities that have a significant scientific or engineering mission; or

(F) institutions of higher education that have State-sponsored centers for research in science, technology, engineering, and mathematics; or

(5) only with respect to grants under subpart 2, partnerships of organizations, the membership of which shall include—

(A) at least one institution of higher education eligible for assistance under this subchapter or subchapter V;

(B) at least one high-need local educational agency (as defined in section 1021 of this title); and

(C) at least two community organizations or entities, such as businesses, professional associations, community-based organizations, philanthropic organizations, or State agencies.

(Pub. L. 89-329, title III, §361, formerly title X, §1041, as added Pub. L. 99-498, title X, §1002, Oct. 17, 1986, 100 Stat. 1564; renumbered title III, §361, and amended Pub. L. 105-244, title III, §§301(a)(5), (7), (b), (c)(9), 307(b), Oct. 7, 1998, 112 Stat. 1636, 1637, 1648; Pub. L. 110-315, title III, §315(b), Aug. 14, 2008, 122 Stat. 3184.)

CODIFICATION

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

AMENDMENTS

2008—Par. (3)(B). Pub. L. 110-315, §315(b)(1), struck out “or” at end.

Par. (4)(A). Pub. L. 110-315, §315(b)(2)(A), substituted “public and private nonprofit institutions of higher education” for “institutions of higher education”.

Par. (4)(C). Pub. L. 110-315, §315(b)(2)(B), inserted “, the Department of Defense, or the National Institutes of Health” before the semicolon.

Par. (4)(D). Pub. L. 110-315, §315(b)(2)(C), added subpar. (D) and struck out former subpar. (D) which read as follows: “private organizations that have science or engineering facilities; or”.

Par. (4)(F). Pub. L. 110-315, §315(b)(2)(D), (E), added subpar. (F).

Par. (5). Pub. L. 110-315, §315(b)(3), added par. (5).

1998—Pub. L. 105-244, §307(b), amended section catchline and text generally. Prior to amendment, text read as follows: “Eligibility to receive grants under this part is limited to—

“(1) public and private nonprofit institutions that are minority institutions (as defined in section 1067k(3) of this title); and

“(2) nonprofit science-oriented organizations, professional scientific societies, and all nonprofit, accredited colleges and universities which provide a needed service to a group of eligible minority institutions or which provide in-service training for project directors, scientists, and engineers from eligible minority institutions.”

Par. (1). Pub. L. 105-244, §301(c)(9), substituted “section 1067k(3)” for “section 1135d-5(3)”.

Pub. L. 105-244, §301(b)(1), inserted “and” after the semicolon.

Par. (2). Pub. L. 105-244, §301(b)(2), substituted a period for “; and”.

Par. (3). Pub. L. 105-244, §301(b)(3), struck out par. (3) which read as follows: “for the purposes of section 1135c-1 of this title, public and private nonprofit institutions that have at least 10 percent minority enrollment.”

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.

§ 1067h. Grant application

(a) Submission and contents of applications

An eligible applicant (as determined under section 1067g of this title) that desires to receive a grant under this part shall submit to the Secretary an application therefor at such time or times, in such manner, and containing such information as the Secretary may prescribe by regulation. Such application shall set forth—

(1) a program of activities for carrying out one or more of the purposes described in section 1067a(b) of this title in such detail as will enable the Secretary to determine the degree to which such program will accomplish such purpose or purposes; and

(2) such other policies, procedures, and assurances as the Secretary may require by regulation.

(b) Approval based on likelihood of progress

The Secretary shall approve an application only if the Secretary determines that the application sets forth a program of activities which are likely to make substantial progress toward achieving the purposes of this part.

(Pub. L. 89-329, title III, §362, formerly title X, §1042, as added Pub. L. 99-498, title X, §1002, Oct. 17, 1986, 100 Stat. 1564; renumbered title III, §362, and amended Pub. L. 105-244, title III, §301(a)(5), (7), (c)(10), Oct. 7, 1998, 112 Stat. 1636, 1637.)

CODIFICATION

Section was formerly classified to section 1135d-1 of this title prior to renumbering by Pub. L. 105-244.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-244, §301(c)(10), substituted “section 1067g” for “section 1135d” in introductory provisions and “section 1067a(b)” for “section 1135b(b)” in par. (1).

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 sec-

tion 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

§ 1067i. Cross program and cross agency cooperation

The Minority Science and Engineering Improvement Programs shall cooperate and consult with other programs within the Department and within Federal, State, and private agencies which carry out programs to improve the quality of science, mathematics, and engineering education.

(Pub. L. 89-329, title III, §363, formerly title X, §1043, as added Pub. L. 99-498, title X, §1002, Oct. 17, 1986, 100 Stat. 1564; amended Pub. L. 102-325, title X, §1002(d), July 23, 1992, 106 Stat. 780; renumbered title III, §363, Pub. L. 105-244, title III, §301(a)(5), (7), Oct. 7, 1998, 112 Stat. 1636.)

CODIFICATION

Section was formerly classified to section 1135d-2 of this title prior to renumbering by Pub. L. 105-244.

AMENDMENTS

1992—Pub. L. 102-325 inserted “and consult” after “cooperate”.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-325 effective Oct. 1, 1992, see section 2 of Pub. L. 102-325, set out as a note under section 1001 of this title.

§ 1067j. Administrative provisions

(a) Technical staff

The Secretary shall appoint, without regard to the provisions of title 5 governing appointments in the competitive service, not less than 2 technical employees with appropriate scientific and educational background to administer the programs under this part who may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) Procedures for grant review

The Secretary shall establish procedures for reviewing and evaluating grants and contracts made or entered into under such programs. Procedures for reviewing grant applications, based on the peer review system, or contracts for financial assistance under this subchapter may not be subject to any review outside of officials responsible for the administration of the Minority Science and Engineering Improvement Programs.

(Pub. L. 89-329, title III, §364, formerly title X, §1044, as added Pub. L. 99-498, title X, §1002, Oct. 17, 1986, 100 Stat. 1564; renumbered title III, §364, Pub. L. 105-244, title III, §301(a)(5), (7), Oct. 7, 1998, 112 Stat. 1636.)

REFERENCES IN TEXT

The provisions of title 5 governing appointments in the competitive service, referred to in subsec. (a), are classified to section 3301 et seq. of Title 5, Government Organization and Employees.

CODIFICATION

Section was formerly classified to section 1135d-3 of this title prior to renumbering by Pub. L. 105-244.

§ 1067k. Definitions

For the purpose of this part—

(1) The term “accredited” means currently certified by a nationally recognized accrediting agency or making satisfactory progress toward achieving accreditation.

(2) The term “minority” means American Indian, Alaskan Native, Black (not of Hispanic origin), Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin), Pacific Islander or other ethnic group underrepresented in science and engineering.

(3) The term “minority institution” means an institution of higher education whose enrollment of a single minority or a combination of minorities (as defined in paragraph (2)) exceeds 50 percent of the total enrollment. The Secretary shall verify this information from the data on enrollments in the higher education general information surveys (HEGIS) furnished by the institution to the Office for Civil Rights, Department of Education.

(4) The term “science” means, for the purpose of this program, the biological, engineering, mathematical, physical, behavioral, and social sciences, and history and philosophy of science; also included are interdisciplinary fields which are comprised of overlapping areas among two or more sciences.

(5) The term “underrepresented in science and engineering” means a minority group whose number of scientists and engineers per 10,000 population of that group is substantially below the comparable figure for scientists and engineers who are white and not of Hispanic origin.

(6) The term “institutional grant” means a grant that supports the implementation of a comprehensive science improvement plan, which may include any combination of activities for improving the preparation of minority students for careers in science.

(7) The term “cooperative grant” means a grant that assists groups of nonprofit accredited colleges and universities to work together to conduct a science improvement program.

(8) The term “design projects” means projects that assist minority institutions that do not have their own appropriate resources or personnel to plan and develop long-range science improvement programs.

(9) The term “special projects” means—

(A) a special project grant to a minority institution which supports activities that—

(i) improve the quality of training in science and engineering at minority institutions; or

(ii) enhance the minority institutions’ general scientific research capabilities; or

(B) a special project grant to any eligible applicant which supports activities that—

(i) provide a needed service to a group of eligible minority institutions; or

(ii) provide in-service training for project directors, scientists, and engineers from eligible minority institutions.

(Pub. L. 89-329, title III, §365, formerly title X, §1046, as added Pub. L. 99-498, title X, §1002, Oct. 17, 1986, 100 Stat. 1566; renumbered title III, §365, and amended Pub. L. 105-244, title III, §§301(a)(5), (7), 307(c), Oct. 7, 1998, 112 Stat. 1636, 1648; Pub. L.

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 “supports” for “support” in introductory provisions.

1998—Par. (4). Pub. L. 105-244, §307(c), inserted “behavioral,” 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.