

other health disparity populations enrolled as students in the institution (including individuals accepted for enrollment in the institution);

(B) has been effective in assisting such students of the institution to complete the program of education or training and receive the degree involved;

(C) has made significant efforts to recruit minority students to enroll in and graduate from the institution, which may include providing means-tested scholarships and other financial assistance as appropriate; and

(D) has made significant recruitment efforts to increase the number of minority or other members of health disparity populations serving in faculty or administrative positions at the institution.

**(2) Consortium**

Any designated biomedical and behavioral research institution involved may, with other biomedical and behavioral institutions (designated or otherwise), including tribal health programs, form a consortium to receive an award under subsection (a).

**(3) Application of criteria to other programs**

In the case of any criteria established by the Director of the Institute for purposes of determining whether institutions meet the conditions described in paragraph (1), this section may not, with respect to minority health disparity populations or other health disparity populations, be construed to authorize, require, or prohibit the use of such criteria in any program other than the program established in this section.

**(d) Duration of grant**

The period during which payments are made under a grant under subsection (a) may not exceed 5 years. Such payments shall be subject to annual approval by the Director of the Institute and to the availability of appropriations for the fiscal year involved to make the payments.

**(e) Maintenance of effort**

**(1) In general**

With respect to activities for which an award under subsection (a) is authorized to be expended, the Director of the Institute may not make such an award to a designated research institution or consortium for any fiscal year unless the institution, or institutions in the consortium, as the case may be, agree to maintain expenditures of non-Federal amounts for such activities at a level that is not less than the level of such expenditures maintained by the institutions involved for the fiscal year preceding the fiscal year for which such institutions receive such an award.

**(2) Use of Federal funds**

With respect to any Federal amounts received by a designated research institution or consortium and available for carrying out activities for which an award under subsection (a) is authorized to be expended, the Director of the Institute may make such an award only if the institutions involved agree that the institutions will, before expending the award,

expend the Federal amounts obtained from sources other than the award.

**(f) Certain expenditures**

The Director of the Institute may authorize a designated biomedical and behavioral research institution to expend a portion of an award under subsection (a) for research endowments.

**(g) Definitions**

For purposes of this section:

(1) The term “designated biomedical and behavioral research institution” has the meaning indicated for such term in subsection (c)(1). Such term includes any health professions school receiving an award of a grant or contract under section 293 of this title.

(2) The term “program of excellence” means any program carried out by a designated biomedical and behavioral research institution with an award under subsection (a), if the program is for purposes for which the institution involved is authorized in subsection (b) to expend the grant.

(July 1, 1944, ch. 373, title IV, §464z-4, formerly §485F, as added Pub. L. 106-525, title I, §102, Nov. 22, 2000, 114 Stat. 2501; amended Pub. L. 109-482, title I, §103(b)(45), Jan. 15, 2007, 120 Stat. 3688; renumbered §464z-4 and amended Pub. L. 111-148, title X, §10334(c)(1)(D)(i), (iii), Mar. 23, 2010, 124 Stat. 973.)

CODIFICATION

Section was formerly classified to section 287c-32 of this title prior to renumbering by Pub. L. 111-148.

AMENDMENTS

2010—Subsecs. (a), (c)(3) to (f). Pub. L. 111-148, §10334(c)(1)(D)(iii), substituted “Institute” for “Center” wherever appearing.

2007—Subsec. (h). Pub. L. 109-482 struck out heading and text of subsec. (h). Text read as follows: “For the purpose of making grants under subsection (a) of this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.”

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 109-482 applicable only with respect to amounts appropriated for fiscal year 2007 or subsequent fiscal years, see section 109 of Pub. L. 109-482, set out as a note under section 281 of this title.

**§ 285t-2. Repealed. Pub. L. 114-255, div. A, title II, § 2022(c)(1), Dec. 13, 2016, 130 Stat. 1054**

Section, July 1, 1944, ch. 373, title IV, §464z-5, formerly §485G, as added Pub. L. 106-525, title I, §103, Nov. 22, 2000, 114 Stat. 2503; amended Pub. L. 109-482, title I, §103(b)(46), Jan. 15, 2007, 120 Stat. 3688; renumbered §464z-5 and amended Pub. L. 111-148, title X, §10334(c)(1)(D)(i), (iii), Mar. 23, 2010, 124 Stat. 973, related to loan repayment program for minority health disparities research.

**§ 285t-3. General provisions regarding the Institute**

The Secretary, acting through the Director of the National Institutes of Health, shall provide administrative support and support services to the Director of the Institute and shall ensure that such support takes maximum advantage of existing administrative structures at the agencies of the National Institutes of Health.