

(2) Grant recipients

The Secretary may award grants under this section to carry out the activities authorized under this section to the following:

- (A) An institution of higher education.
- (B) A public or nonprofit private library.
- (C) A partnership of an institution of higher education and one or more of the following:
 - (i) Another institution of higher education.
 - (ii) A library.
 - (iii) A nonprofit educational organization.

(b) Authorized activities

Grants under this section may be used—

- (1) to acquire, facilitate access to, or preserve foreign information resources in print or electronic forms;
- (2) to develop new means of immediate, full-text document delivery for information and scholarship from abroad;
- (3) to develop new means of or standards for shared electronic access to international data;
- (4) to support collaborative projects of indexing, cataloging, and other means of bibliographic access for scholars to important research materials published or distributed outside the United States;
- (5) to develop methods for the wide dissemination of resources written in non-Roman language alphabets;
- (6) to assist teachers of less commonly taught languages in acquiring, via electronic and other means, materials suitable for classroom use;
- (7) to promote collaborative technology based projects in foreign languages, area studies, and international studies among grant recipients under this subchapter;
- (8) to establish linkages to facilitate carrying out the activities described in this subsection between—
 - (A) the institutions of higher education, libraries, and partnerships receiving grants under this section; and
 - (B) institutions of higher education, nonprofit educational organizations, and libraries overseas; and
- (9) to carry out other activities that the Secretary determines are consistent with the purpose of the grants awarded under this section.

(c) Application

Each institution of higher education, library, or partnership desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information and assurances as the Secretary may reasonably require.

(d) Match required

The Federal share of the total cost of carrying out a program supported by a grant under this section shall not be more than 66⅔ percent. The non-Federal share of such cost may be provided either in-kind or in cash, and may include contributions from private sector corporations or foundations.

(Pub. L. 89-329, title VI, § 606, as added Pub. L. 105-244, title VI, § 601, Oct. 7, 1998, 112 Stat. 1781;

amended Pub. L. 110-315, title VI, § 606, Aug. 14, 2008, 122 Stat. 3337.)

PRIOR PROVISIONS

A prior section 1126, Pub. L. 89-329, title VI, § 609, formerly § 606, as added Pub. L. 96-374, title VI, § 601(a), Oct. 3, 1980, 94 Stat. 1467; renumbered § 609, Pub. L. 99-498, title VI, § 605(1), Oct. 17, 1986, 100 Stat. 1517; amended Pub. L. 102-325, title VI, § 601, July 23, 1992, 106 Stat. 727, related to equitable distribution of grants, prior to the general amendment of this part by Pub. L. 105-244.

Another prior section 1126, Pub. L. 89-329, title VI, § 606, Nov. 8, 1965, 79 Stat. 1265, related to reservation and payment of equipment grants to institutions of higher education, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 606 of Pub. L. 89-329 was classified to section 1125 of this title, prior to the general amendment of this part by Pub. L. 105-244.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-315, § 606(1)(D), (E), designated existing provisions as par. (1), inserted heading, and added par. (2).

Pub. L. 110-315, § 606(1)(A)–(C), substituted “or partnerships between such institutions and other such institutions, libraries, or nonprofit educational organizations” for “or consortia of such institutions or libraries” and “electronic technologies” for “new electronic technologies” and inserted “from foreign sources” after “disseminate information”.

Subsec. (b)(1). Pub. L. 110-315, § 606(2)(A), substituted “to acquire, facilitate access to,” for “to facilitate access to”.

Subsec. (b)(3). Pub. L. 110-315, § 606(2)(B), inserted “or standards for” after “develop new means of”.

Subsec. (b)(8), (9). Pub. L. 110-315, § 606(2)(C)–(E), added pars. (8) and (9).

Subsec. (c). Pub. L. 110-315, § 606(3), substituted “institution of higher education, library, or partnership” for “institution or consortium”.

§ 1127. Selection of certain grant recipients**(a) Competitive grants**

The Secretary shall award grants under section 1122 of this title competitively on the basis of criteria that separately, but not less rigorously, evaluates—

- (1) the applications for comprehensive foreign language and area or international studies centers and programs; and
- (2) the applications for undergraduate foreign language and area or international studies centers and programs.

(b) Selection criteria

The Secretary shall set criteria for grants awarded under section 1122 of this title by which a determination of excellence shall be made to meet the differing objectives of graduate and undergraduate institutions. In keeping with the purposes of this part, the Secretary shall take into account the degree to which activities of centers, programs, and fellowships at institutions of higher education address national needs, and generate information for and disseminate information to the public. The Secretary shall also consider an applicant's record of placing students into postgraduate employment, education, or training in areas of national need and an applicant's stated efforts to increase the number of such students that go into such placements.

(c) Equitable distribution of grants

The Secretary shall, to the extent practicable, award grants under this part (other than section

1122 of this title) in such manner as to achieve an equitable distribution of the grant funds throughout the United States, based on the merit of a proposal as determined pursuant to a peer review process involving broadly representative professionals.

(Pub. L. 89-329, title VI, §607, as added Pub. L. 105-244, title VI, §601, Oct. 7, 1998, 112 Stat. 1782; amended Pub. L. 110-315, title VI, §607, Aug. 14, 2008, 122 Stat. 3338.)

PRIOR PROVISIONS

A prior section 1127, Pub. L. 89-329, title VI, §610, formerly §607, as added Pub. L. 96-374, title VI, §601(a), Oct. 3, 1980, 94 Stat. 1467; renumbered §610 and amended Pub. L. 99-498, title VI, §§605(1), 609, Oct. 17, 1986, 100 Stat. 1517, 1519; Pub. L. 102-325, title VI, §601, July 23, 1992, 106 Stat. 728, authorized grants and contracts for American overseas research centers, prior to the general amendment of this part by Pub. L. 105-244.

Another prior section 1127, Pub. L. 89-329, title VI, §607, Nov. 8, 1965, 79 Stat. 1265, provided procedures to be followed in event of disapproval of a State plan under equipment grant program, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 607 of Pub. L. 89-329 was classified to section 1125a of this title, prior to the general amendment of this part by Pub. L. 105-244.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-315, §607(1), substituted “evaluates—” and pars. (1) and (2) for “evaluates the applications for comprehensive and undergraduate language and area centers and programs.”

Subsec. (b). Pub. L. 110-315, §607(2), inserted at end “In keeping with the purposes of this part, the Secretary shall take into account the degree to which activities of centers, programs, and fellowships at institutions of higher education address national needs, and generate information for and disseminate information to the public. The Secretary shall also consider an applicant’s record of placing students into postgraduate employment, education, or training in areas of national need and an applicant’s stated efforts to increase the number of such students that go into such placements.”

§ 1128. Equitable distribution of certain funds

(a) Selection criteria

The Secretary shall make excellence the criterion for selection of grants awarded under section 1122 of this title.

(b) Equitable distribution

To the extent practicable and consistent with the criterion of excellence, the Secretary shall award grants under this part (other than section 1122 of this title) in such a manner as will achieve an equitable distribution of funds throughout the United States.

(c) Support for undergraduate education

The Secretary shall also award grants under this part in such manner as to ensure that an appropriate portion of the funds appropriated for this part (as determined by the Secretary) are used to support undergraduate education.

(Pub. L. 89-329, title VI, §608, as added Pub. L. 105-244, title VI, §601, Oct. 7, 1998, 112 Stat. 1782.)

PRIOR PROVISIONS

A prior section 1128, Pub. L. 89-329, title VI, §610A, as added Pub. L. 102-325, title VI, §601, July 23, 1992, 106 Stat. 728, authorized appropriations for this part, prior

to the general amendment of this part by Pub. L. 105-244.

Another prior section 1128, Pub. L. 89-329, title VI, §608, Nov. 8, 1965, 79 Stat. 1265, provided the process of judicial review in event of State dissatisfaction in equipment grant program, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 608 of Pub. L. 89-329 was classified to section 1125b of this title, prior to the general amendment of this part by Pub. L. 105-244.

§ 1128a. American overseas research centers

(a) Centers authorized

The Secretary is authorized to make grants to and enter into contracts with any American overseas research center that is a consortium of institutions of higher education (hereafter in this section referred to as a “center”) to enable such center to promote postgraduate research, exchanges and area studies.

(b) Use of grants

Grants made and contracts entered into pursuant to this section may be used to pay all or a portion of the cost of establishing or operating a center or program, including—

- (1) the cost of faculty and staff stipends and salaries;
- (2) the cost of faculty, staff, and student travel;
- (3) the cost of the operation and maintenance of overseas facilities;
- (4) the cost of teaching and research materials;
- (5) the cost of acquisition, maintenance, and preservation of library collections;
- (6) the cost of bringing visiting scholars and faculty to a center to teach or to conduct research;
- (7) the cost of organizing and managing conferences; and
- (8) the cost of publication and dissemination of material for the scholarly and general public.

(c) Limitation

The Secretary shall only award grants to and enter into contracts with centers under this section that—

- (1) receive more than 50 percent of their funding from public or private United States sources;
- (2) have a permanent presence in the country in which the center is located; and
- (3) are organizations described in section 501(c)(3) of title 26 which are exempt from taxation under section 501(a) of such title.

(d) Development grants

The Secretary is authorized to make grants for the establishment of new centers. The grants may be used to fund activities that, within 1 year, will result in the creation of a center described in subsection (c).

(e) Application

Each center desiring to receive a grant or contract under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information and assurances as the Secretary may require.

(Pub. L. 89-329, title VI, §609, as added Pub. L. 105-244, title VI, §601, Oct. 7, 1998, 112 Stat. 1782;