

credited 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 section 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 con-

sult 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.)

#### 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.

#### § 1067I. 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