

sion of this subchapter by section 201 of Pub. L. 99-159. See section 3919 of this title.

#### § 3916. Other functional activities

(a) The Foundation is authorized to expend up to 15 per centum of the funds available for science and engineering education for applications which the Foundation determines will meet one or more of the functional objectives described in section 3912(b) of this title.

(b) Such programs may include a program for the exchange of mathematics, science, or engineering faculty between institutions of higher education (particularly institutions having nationally recognized research facilities) and eligible institutions. For the purposes of this section, the term “eligible institution” means an institution of higher education which—

(1) has an enrollment which includes a substantial percentage of students who are members of a minority group, or who are economically or educationally disadvantaged; or

(2) is located in a community that is not within commuting distance of a major institution of higher education; and

(3) demonstrates a commitment to meet the special educational needs of students who are members of a minority group or are economically or educationally disadvantaged.

(Pub. L. 98-377, title I, §106, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 896.)

#### § 3917. Repealed. Pub. L. 104-66, title II, §2141(a), Dec. 21, 1995, 109 Stat. 731

Section, Pub. L. 98-377, title I, §107, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 896; amended Pub. L. 103-437, §7(c), Nov. 2, 1994, 108 Stat. 4588, related to developing and annual update of a strategic plan for science and engineering education.

#### § 3918. Approval of proposals

The Foundation shall adopt approval procedures designed to assure that awards are made on the basis of the scientific and educational merit as determined by the peer review process. To the maximum extent possible, the Foundation shall assure that there is an equitable distribution of resources with respect to institutions and geographical areas.

(Pub. L. 98-377, title I, §108, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 896.)

#### § 3919. Special consideration of underrepresented and underserved population

In providing financial assistance under this subchapter, the Foundation shall make every effort to ensure that consideration is given to proposals which contain provisions designed to meet the needs of underrepresented and underserved populations.

(Pub. L. 98-377, title I, §109, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 897.)

#### § 3920. Availability of funds

Funds to carry out this subchapter for any fiscal year shall be made available from amounts appropriated pursuant to annual authorizations of appropriations for the National Science Foundation for Science and Engineering Education.

For fiscal year 1986, funds to carry out this subchapter shall be available from amounts authorized by section 102(a)(8) of the National Science Foundation Authorization Act for fiscal year 1986.

(Pub. L. 98-377, title I, §110, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 897.)

#### REFERENCES IN TEXT

Section 102(a)(8) of the National Science Foundation Authorization Act for fiscal year 1986, referred to in text, is section 102(a)(8) of Pub. L. 99-159, title I, Nov. 22, 1985, 99 Stat. 887, which is not classified to the Code.

#### § 3921. Prohibition against the Federal control of education

The provisions of section 1232a<sup>1</sup> of this title, relating to prohibition against Federal control of education, shall apply to each program and award authorized by this subchapter.

(Pub. L. 98-377, title I, §111, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 897.)

#### REFERENCES IN TEXT

Section 1232a of this title, referred to in text, was in the original a reference to section 432 of the General Education Provisions Act. Sections 425 and 432 of that Act were renumbered as sections 432 and 438, respectively, by Pub. L. 103-382, title II, §212(b)(1), Oct. 20, 1994, 108 Stat. 3913, and are classified to sections 1231b-2 and 1232a, respectively, of this title.

#### PRIOR PROVISIONS

A prior section 3921, Pub. L. 98-377, title I, §121, Aug. 11, 1984, 98 Stat. 1269, related to programs authorized for mathematics and science education development, prior to the general revision of this subchapter by section 201 of Pub. L. 99-159. See section 3914 of this title.

#### § 3922. Participation of teachers from private schools

The Foundation shall, after consultation with appropriate private school representatives, make provision for the benefit of teachers in private elementary and secondary schools in the programs authorized by this subchapter, in order to assure equitable participation of such teachers.

(Pub. L. 98-377, title I, §112, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 897.)

#### PRIOR PROVISIONS

Prior sections 3922 to 3954 were omitted in the general revision of this subchapter by section 201 of Pub. L. 99-159.

Prior section 3922, Pub. L. 98-377, title I, §122, Aug. 11, 1984, 98 Stat. 1269, related to requirements, contents, etc., for applications and defined “eligible applicant”.

Prior section 3923, Pub. L. 98-377, title I, §123, Aug. 11, 1984, 98 Stat. 1270, related to special consideration for applications meeting the needs of underrepresented and underserved populations. See section 3919 of this title.

Prior section 3931, Pub. L. 98-377, title I, §132, Aug. 11, 1984, 98 Stat. 1270, related to establishment, etc., of the merit scholarship program.

Prior section 3932, Pub. L. 98-377, title I, §133, Aug. 11, 1984, 98 Stat. 1271, related to criteria, etc., for selection of merit scholars.

Prior section 3933, Pub. L. 98-377, title I, §134, Aug. 11, 1984, 98 Stat. 1271, related to amount of stipends and conditions for scholarships.

<sup>1</sup> See References in Text note below.