

nance of a trust fund at a federally insured banking or savings institution;”.

Subsec. (b)(3). Pub. L. 103-382, §383(2)(B), struck out “same” before “banking or savings institution”.

1990—Subsec. (b)(2)(B). Pub. L. 101-477, §1(d)(1)(A), substituted “(or of a value) equal to half of” for “equal to”.

Subsec. (b)(4). Pub. L. 101-477, §1(d)(1)(B), substituted “an amount of Federal capital contribution equal to twice the amount of (or value of) such withdrawal” for “an equal amount of Federal capital contribution”.

#### Statutory Notes and Related Subsidiaries

##### 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 Title 20, Education.

##### EFFECTIVE DATE OF 1990 AMENDMENT

Pub. L. 101-477, §1(d)(2), Oct. 30, 1990, 104 Stat. 1153, provided that: “The amendments made by paragraphs (A) through (E) of subsection (a) [probably means subpars. (A) to (E) of subsec. (d)(1), amending this section and sections 1834 and 1835 of this title] shall take effect October 1, 1991.”

### § 1833. Use of funds

Interest deposited, pursuant to section 1832(b)(2)(C) of this title, in the trust fund of any tribally controlled college or university may be periodically withdrawn and used, at the discretion of such college or university, to defray any expenses associated with the operation of such college or university, including expense of operations and maintenance, administration, academic and support personnel, community and student services programs, and technical assistance.

(Pub. L. 95-471, title III, §303, as added Pub. L. 98-192, §13, Dec. 1, 1983, 97 Stat. 1342; amended Pub. L. 105-244, title IX, §901(b)(5), (7), Oct. 7, 1998, 112 Stat. 1828.)

#### Editorial Notes

##### AMENDMENTS

1998—Pub. L. 105-244 substituted “controlled college or university” for “controlled community college” and substituted “such college or university” for “such college” in two places.

#### Statutory Notes and Related Subsidiaries

##### 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 Title 20, Education.

### § 1834. Compliance with matching requirement

For the purpose of complying with the contribution requirement of section 1832(b)(2)(B) of this title, a tribally controlled college or university may use funds which are available from any private or tribal source. Any real or personal property received by a tribally controlled college or university as a donation or gift on or after October 30, 1990, may, to the extent of its fair market value as determined by the Secretary, be used by such college or university as its contribution pursuant to section 1832(b)(2)(B)

of this title, or as part of such contribution, as the case may be. In any case in which any such real or personal property so used is thereafter sold or otherwise disposed of by such college or university, the proceeds therefrom shall be deposited pursuant to section 1832(b)(2)(B) of this title but shall not again be considered for Federal capital contribution purposes.

(Pub. L. 95-471, title III, §304, as added Pub. L. 98-192, §13, Dec. 1, 1983, 97 Stat. 1342; amended Pub. L. 101-477, §1(d)(1)(C), Oct. 30, 1990, 104 Stat. 1153; Pub. L. 105-244, title IX, §901(b)(5), (7), Oct. 7, 1998, 112 Stat. 1828.)

#### Editorial Notes

##### AMENDMENTS

1998—Pub. L. 105-244 substituted “controlled college or university” for “controlled community college” in two places and “such college or university” for “such college” in two places.

1990—Pub. L. 101-477 inserted at end “Any real or personal property received by a tribally controlled community college as a donation or gift on or after October 30, 1990, may, to the extent of its fair market value as determined by the Secretary, be used by such college as its contribution pursuant to section 1832(b)(2)(B) of this title, or as part of such contribution, as the case may be. In any case in which any such real or personal property so used is thereafter sold or otherwise disposed of by such college, the proceeds therefrom shall be deposited pursuant to section 1832(b)(2)(B) of this title but shall not again be considered for Federal capital contribution purposes.”

#### Statutory Notes and Related Subsidiaries

##### 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 Title 20, Education.

##### EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-477 effective Oct. 1, 1991, see section 1(d)(2) of Pub. L. 101-477, set out as a note under section 1832 of this title.

### § 1835. Allocation of funds

(a) From the amount appropriated pursuant to section 1836 of this title, the Secretary shall allocate to each tribally controlled college or university which is eligible for an endowment grant under this subchapter an amount for a Federal capital contribution equal to twice the value of the property or the amount which such college or university demonstrates has been placed within the control of, or irrevocably committed to the use of, the college or university and is available for deposit as a capital contribution of that college or university in accordance with section 1832(b)(2)(B) of this title, except that the maximum amount which may be so allocated to any such college or university for any fiscal year shall not exceed \$750,000.

(b) If for any fiscal year the amount appropriated pursuant to section 1836 of this title is not sufficient to allocate to each tribally controlled college or university an amount equal to twice the value of the property or the amount demonstrated by such college or university pursuant to subsection (a), then the amount of the allocation to each such college or university shall be ratably reduced.