

Editorial Notes

CODIFICATION

Pub. L. 105-185, title VI, §606(g), June 23, 1998, 112 Stat. 604, provided that the technical amendment made by section 606(g) to section 873 of Pub. L. 104-127, which repealed this section, is effective Apr. 6, 1996.

SUBCHAPTER VII—PROGRAMS FOR HISPANIC, ALASKA NATIVE, AND NATIVE HAWAIIAN SERVING INSTITUTIONS

Editorial Notes

PRIOR PROVISIONS

A prior subchapter VII, consisting of parts A (§3241), B (§§3251, 3252), C (§§3261 to 3263), D (§3271), and E (§§3281, 3282), related to solar energy research and development, prior to repeal by Pub. L. 101-624, title XVI, §1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704.

Section 3241, Pub. L. 95-113, title XIV, §1449, Sept. 29, 1977, 91 Stat. 1012, related to farm and forest uses of solar energy and nonrenewable fuel and petrochemical substitutes.

Section 3251, Pub. L. 95-113, title XIV, §1450, Sept. 20, 1977, 91 Stat. 1012, provided for a solar energy research information system.

Section 3252, Pub. L. 95-113, title XIV, §1451, Sept. 29, 1977, 91 Stat. 1013, provided for assistance from an advisory committee respecting functions of Secretary on model farms and demonstration projects.

Section 3261, Pub. L. 95-113, title XIV, §1452, Sept. 29, 1977, 91 Stat. 1013, provided for model farms.

Section 3262, Pub. L. 95-113, title XIV, §1453, Sept. 29, 1977, 91 Stat. 1014, provided for demonstration projects.

Section 3263, Pub. L. 95-113, title XIV, §1454, Sept. 29, 1977, 91 Stat. 1015; Pub. L. 97-98, title XIV, §1434, Dec. 22, 1981, 95 Stat. 1312, authorized appropriation of funds.

Section 3271, Pub. L. 95-113, title XIV, §1455, Sept. 29, 1977, 91 Stat. 1015, provided for establishment of regional solar energy research, development, and demonstration centers.

Section 3281, Pub. L. 95-113, title XIV, §1456, Sept. 29, 1977, 91 Stat. 1015, authorized appropriation of funds.

Section 3282, Pub. L. 95-113, title XIV, §1457, Sept. 29, 1977, 91 Stat. 1015; Pub. L. 97-98, title XIV, §1435, Dec. 22, 1981, 95 Stat. 1313, defined "solar energy".

§ 3241. Education grants programs for Hispanic-serving institutions

(a) Grant authority

The Secretary may make competitive grants to Hispanic-serving institutions for the purpose of promoting and strengthening the ability of Hispanic-serving institutions to carry out education, applied research, and related community development programs.

(b) Use of grant funds

Grants made under this section shall be used—

(1) to support the activities of Hispanic-serving institutions to enhance educational equity for underrepresented students;

(2) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agricultural sciences;

(3) to attract and support undergraduate and graduate students from underrepresented groups in order to prepare them for careers related to the food, agricultural, and natural re-

source systems of the United States, beginning with the mentoring of students at the high school level and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(4) to facilitate cooperative initiatives between 2 or more Hispanic-serving institutions, or between Hispanic-serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(c) Authorization of appropriations

There are authorized to be appropriated to make grants under this section \$40,000,000 for each of fiscal years 1997 through 2023.

(Pub. L. 95-113, title XIV, §1455, as added Pub. L. 104-127, title VIII, §815(a), Apr. 4, 1996, 110 Stat. 1166; amended Pub. L. 105-185, title III, §301(a)(11), June 23, 1998, 112 Stat. 562; Pub. L. 107-171, title VII, §7111, May 13, 2002, 116 Stat. 433; Pub. L. 110-234, title VII, §7128, May 22, 2008, 122 Stat. 1223; Pub. L. 110-246, §4(a), title VII, §7128, June 18, 2008, 122 Stat. 1664, 1985; Pub. L. 113-79, title VII, §7115, Feb. 7, 2014, 128 Stat. 875; Pub. L. 115-334, title VII, §7121, Dec. 20, 2018, 132 Stat. 4792.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

PRIOR PROVISIONS

For prior section 3241 and prior section 1455 of Pub. L. 95-113, see note set out preceding this section.

AMENDMENTS

2018—Subsec. (c). Pub. L. 115-334 substituted "2023" for "2018".

2014—Subsec. (c). Pub. L. 113-79 substituted "2018" for "2012".

2008—Subsec. (a). Pub. L. 110-246, §7128(1), struck out "(or grants without regard to any requirement for competition)" after "competitive grants".

Subsec. (b)(1). Pub. L. 110-246, §7128(2), struck out "of consortia" after "activities".

Subsec. (c). Pub. L. 110-246, §7128(3), substituted "\$40,000,000" for "\$20,000,000" and "2012" for "2007".

2002—Subsec. (c). Pub. L. 107-171 substituted "2007" for "2002".

1998—Subsec. (c). Pub. L. 105-185 substituted "each of fiscal years 1997 through 2002" for "fiscal year 1997".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

§ 3242. Transferred**Editorial Notes**

CODIFICATION

Section, Pub. L. 106-78, title VII, §759, Oct. 22, 1999, 113 Stat. 1172, which related to education grants to

Alaska Native serving institutions and Native Hawaiian serving institutions, was renumbered section 1419B of title XIV of Pub. L. 95-113, and amended by Pub. L. 110-234, title VII, §7112, May 22, 2008, 122 Stat. 1219, and Pub. L. 110-246, §4(a), title VII, §7112, June 18, 2008, 122 Stat. 1664, 1980, and was transferred to section 3156 of this title.

§ 3243. Hispanic-serving agricultural colleges and universities

(a) Definition of endowment fund

In this section, the term “endowment fund” means the Hispanic-Serving Agricultural Colleges and Universities Fund established under subsection (b).

(b) Endowment

(1) In general

The Secretary of the Treasury shall establish in accordance with this subsection a Hispanic-Serving Agricultural Colleges and Universities Fund.

(2) Agreements

The Secretary of the Treasury may enter into such agreements as are necessary to carry out this subsection.

(3) Deposit to the endowment fund

The Secretary of the Treasury shall deposit in the endowment fund any—

(A) amounts made available through Acts of appropriations, which shall be the endowment fund corpus; and

(B) interest earned on the endowment fund corpus.

(4) Investments

The Secretary of the Treasury shall invest the endowment fund corpus and income in interest-bearing obligations of the United States.

(5) Withdrawals and expenditures

(A) Corpus

The Secretary of the Treasury may not make a withdrawal or expenditure from the endowment fund corpus.

(B) Withdrawals

On September 30, 2008, and each September 30 thereafter, the Secretary of the Treasury shall withdraw the amount of the income from the endowment fund for the fiscal year and warrant the funds to the Secretary of Agriculture who, after making adjustments for the cost of administering the endowment fund, shall distribute the adjusted income as follows:

(i) 60 percent shall be distributed among the Hispanic-serving agricultural colleges and universities on a pro rata basis based on the Hispanic enrollment count of each institution.

(ii) 40 percent shall be distributed in equal shares to the Hispanic-serving agricultural colleges and universities.

(6) Endowments

Amounts made available under this subsection shall be held and considered to be granted to Hispanic-serving agricultural colleges and universities to establish an endowment in accordance with this subsection.

(7) Authorization of appropriations

There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection for fiscal year 2008 and each fiscal year thereafter.

(c) Authorization for annual payments

(1) In general

For fiscal year 2008 and each fiscal year thereafter, there are authorized to be appropriated to the Department of Agriculture to carry out this subsection an amount equal to the product obtained by multiplying—

(A) \$80,000; by

(B) the number of Hispanic-serving agricultural colleges and universities.

(2) Payments

For fiscal year 2008 and each fiscal year thereafter, the Secretary of the Treasury shall pay to the treasurer of each Hispanic-serving agricultural college and university an amount equal to—

(A) the total amount made available by appropriations under paragraph (1); divided by

(B) the number of Hispanic-serving agricultural colleges and universities.

(3) Use of funds

(A) In general

Amounts authorized to be appropriated under this subsection shall be used in the same manner as is prescribed for colleges under the Act of August 30, 1890 (commonly known as the “Second Morrill Act”) (7 U.S.C. 321 et seq.).

(B) Relationship to other law

Except as otherwise provided in this subsection, the requirements of that Act shall apply to Hispanic-serving agricultural colleges and universities under this section.

(d) Institutional capacity-building grants

(1) In general

For fiscal year 2008 and each fiscal year thereafter, the Secretary shall make grants to assist Hispanic-serving agricultural colleges and universities in institutional capacity building (not including alteration, repair, renovation, or construction of buildings).

(2) Criteria for institutional capacity-building grants

(A) Requirements for grants

The Secretary shall make grants under this subsection on the basis of a competitive application process under which Hispanic-serving agricultural colleges and universities may submit applications to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(B) Demonstration of need

(i) In general

As part of an application for a grant under this subsection, the Secretary shall require the applicant to demonstrate need for the grant, as determined by the Secretary.