

(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 L. 110–234 were repealed by section 4(a) of Pub.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 His-

panic-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.

**(ii) Other sources of funding**

The Secretary may award a grant under this subsection only to an applicant that demonstrates a failure to obtain funding for a project after making a reasonable effort to otherwise obtain the funding.

**(C) Payment of non-Federal share**

A grant awarded under this subsection shall be made only if the recipient of the grant pays a non-Federal share in an amount that is specified by the Secretary and based on assessed institutional needs.

**(3) 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.

**(e) Competitive grants program**

**(1) In general**

The Secretary shall establish a competitive grants program—

(A) to fund fundamental and applied research and extension at Hispanic-serving agricultural colleges and universities in agriculture, human nutrition, food science, bioenergy, and environmental science; and

(B) to award competitive grants to Hispanic-serving agricultural colleges and universities to provide for training in the food and agricultural sciences of Hispanic agricultural workers and Hispanic youth working in the food and agricultural sciences.

**(2) 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.

(Pub. L. 95-113, title XIV, § 1456, as added Pub. L. 110-234, title VII, § 7129(a), May 22, 2008, 122 Stat. 1224, and Pub. L. 110-246, § 4(a), title VII, § 7129(a), June 18, 2008, 122 Stat. 1664, 1985; amended Pub. L. 113-79, title VII, § 7116, Feb. 7, 2014, 128 Stat. 875.)

**Editorial Notes**

REFERENCES IN TEXT

Act of August 30, 1890 and that Act, referred to in subsec. (c)(3), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

PRIOR PROVISIONS

For prior section 1456 of Pub. L. 95-113, see note set out preceding section 3241.

AMENDMENTS

2014—Subsec. (e)(1). Pub. L. 113-79 amended par. (1) generally. Prior to amendment, text read as follows: “The Secretary shall establish a competitive grants program to fund fundamental and applied research at Hispanic-serving agricultural colleges and universities in agriculture, human nutrition, food science, bioenergy, and environmental science.”

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Enactment 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 a note under section 8701 of this title.

**SUBCHAPTER VIII—INTERNATIONAL RESEARCH, EXTENSION, AND TEACHING**

**§ 3291. International agricultural research, extension, and teaching**

**(a) Authority of Secretary**

To carry out the policy of this subchapter, the Secretary (in consultation with the Agency for