

ommendations of the panel made under subsection (a) of this section.

(c) Notification

Not later than June 30 of each year, the Secretary shall notify each institution of higher education making an application under this subchapter of—

- (1) the scores given the applicant by the panel pursuant to this section;
- (2) the recommendations of the panel with respect to such application; and
- (3) the reasons for the decision of the Secretary in awarding or refusing to award a grant under this subchapter, and any modifications, if any, in the recommendations of the panel made by the Secretary.

(d) Exclusion

The provisions of this section shall not apply to applications submitted under part D of this subchapter.

(Pub. L. 89-329, title III, §393, formerly §353, as added Pub. L. 99-498, title III, §301(a), Oct. 17, 1986, 100 Stat. 1305; renumbered §393 and amended Pub. L. 105-244, title III, §§301(a)(2), 308(e), Oct. 7, 1998, 112 Stat. 1636, 1649.)

CODIFICATION

Section was formerly classified to section 1068 of this title prior to renumbering by Pub. L. 105-244.

AMENDMENTS

1998—Subsec. (a)(2). Pub. L. 105-244, §308(e)(1), substituted “Tribal Colleges and Universities” for “Native American colleges and universities”.

Subsec. (d). Pub. L. 105-244, §308(e)(2), added subsec. (d).

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.

§ 1068c. Cooperative arrangements

(a) General authority

The Secretary may make grants to encourage cooperative arrangements—

- (1) with funds available to carry out part A of this subchapter, between institutions eligible for assistance under part A of this subchapter and between such institutions and institutions not receiving assistance under this subchapter; or
- (2) with funds available to carry out part B of this subchapter, between institutions eligible for assistance under part B of this subchapter and institutions not receiving assistance under this subchapter;

for the activities described in section 1057(b) of this title or section 1062 of this title, as the case may be, so that the resources of the cooperating institutions might be combined and shared to achieve the purposes of such parts and avoid costly duplicative efforts and to enhance the development of part A and part B eligible institutions.

(b) Priority

The Secretary shall give priority to grants for the purposes described under subsection (a) of

this section whenever the Secretary determines that the cooperative arrangement is geographically and economically sound or will benefit the applicant institution.

(c) Duration

Grants to institutions having a cooperative arrangement may be made under this section for a period as determined under section 1059 of this title or section 1062 of this title.

(Pub. L. 89-329, title III, §394, formerly §354, as added Pub. L. 99-498, title III, §301(a), Oct. 17, 1986, 100 Stat. 1305; renumbered §394, Pub. L. 105-244, title III, §301(a)(2), Oct. 7, 1998, 112 Stat. 1636.)

CODIFICATION

Section was formerly classified to section 1069 of this title prior to renumbering by Pub. L. 105-244.

§ 1068d. Assistance to institutions under other programs

(a) Assistance eligibility

Each institution which the Secretary determines to be an institution eligible under part A of this subchapter or an institution eligible under part B of this subchapter may be eligible for waivers in accordance with subsection (b) of this section.

(b) Waiver applicability

(1) Subject to, and in accordance with, regulations promulgated for the purpose of this section, in the case of any application by an institution referred to in subsection (a) of this section for assistance under any programs specified in paragraph (2), the Secretary is authorized, if such application is otherwise approvable, to waive any requirement for a non-Federal share of the cost of the program or project, or, to the extent not inconsistent with other law, to give, or require to be given, priority consideration of the application in relation to applications from other institutions.

(2) The provisions of this section shall apply to any program authorized by part D of this subchapter or subchapter IV of this chapter or part C of subchapter I of chapter 34 of title 42.

(c) Limitation

The Secretary shall not waive, under subsection (b) of this section, the non-Federal share requirement for any program for applications which, if approved, would require the expenditure of more than 10 percent of the appropriations for the program for any fiscal year.

(Pub. L. 89-329, title III, §395, formerly §356, as added Pub. L. 99-498, title III, §301(a), Oct. 17, 1986, 100 Stat. 1306; amended Pub. L. 102-325, title III, §305(d), July 23, 1992, 106 Stat. 478; Pub. L. 104-208, div. A, title I, §101(e) [title VII, §709(d)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-314; renumbered §395 and amended Pub. L. 105-244, title III, §§301(a)(2), 308(f), Oct. 7, 1998, 112 Stat. 1636, 1649.)

CODIFICATION

Section was formerly classified to section 1069b of this title prior to renumbering by Pub. L. 105-244.

AMENDMENTS

1998—Subsec. (b)(2). Pub. L. 105-244, §308(f), substituted “part D of this subchapter or subchapter IV of