

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, between institutions eligible for assistance under part A and between such institutions and institutions not receiving assistance under this subchapter; or

(2) with funds available to carry out part B, between institutions eligible for assistance under part B 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) 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 or an institution eligible under part B may be eligible for waivers in accordance with subsection (b).

(b) Waiver applicability

(1) Subject to, and in accordance with, regulations promulgated for the purpose of this sec-

tion, in the case of any application by an institution referred to in subsection (a) 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 or subchapter IV of this chapter.

(c) Limitation

The Secretary shall not waive, under subsection (b), 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 or subchapter IV of this chapter” for “subchapter IV, VII, or VIII of this chapter”.

1996—Subsec. (b)(2). Pub. L. 104-208 struck out “II,” after “authorized by subchapter”.

1992—Subsec. (a). Pub. L. 102-325 substituted “may be eligible” for “shall be eligible”.

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.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-325 effective Oct. 1, 1992, see section 2 of Pub. L. 102-325, set out as a note under section 1001 of this title.

§ 1068e. Limitations

The funds appropriated under section 1068h of this title may not be used—

(1) for a school or department of divinity or any religious worship or sectarian activity;

(2) for an activity that is inconsistent with a State plan for desegregation of higher education applicable to such institution;

(3) for an activity that is inconsistent with a State plan of higher education applicable to such institution; or

(4) for purposes other than the purposes set forth in the approved application under which the funds were made available to the institution.

(Pub. L. 89-329, title III, §396, formerly §357, as added Pub. L. 99-498, title III, §301(a), Oct. 17,