

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 this title.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-208 effective as if included in the Higher Education Amendments of 1992, Pub. L. 102-325, except as otherwise provided, see section 5(a) of Pub. L. 103-208, set out as a note under section 1051 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.

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-50 effective as if enacted as part of the Higher Education Amendments of 1986, Pub. L. 99-498, see section 27 of Pub. L. 100-50, set out as a note under section 1001 of this title.

CONGRESSIONAL FINDINGS

Pub. L. 104-141, §1, May 6, 1996, 110 Stat. 1328, provided that: "The Congress finds the following:

"(1) The Historically Black Graduate Professional Schools identified under section 326 of the Higher Education Act [20 U.S.C. 1063b] may receive grant funds if the Secretary of Education determines that such institutions make a substantial contribution to the legal, medical, dental, veterinary, or other graduate opportunity for African Americans.

"(2) The health professions schools which participate under section 326 train 50 percent of the Nation's African American physicians, 50 percent of the Nation's African American dentists, 50 percent of the Nation's African American pharmacists, and 75 percent of the Nation's African American veterinarians.

"(3) A majority of the graduates of these schools practice in poor urban and rural areas of the country providing care to many disadvantaged Americans.

"(4) The survival of these schools will contribute to the improved health status of disadvantaged persons, and of all Americans."

§ 1063c. Reporting and audit requirements**(a) Recordkeeping**

Each recipient of a grant under this part shall keep such records as the Secretary shall prescribe, including records which fully disclose—

(1) the amount and disposition by such recipient of the proceeds of such assistance;

(2) the cost of the project or undertaking in connection with which such assistance is given or used;

(3) the amount of that portion of the cost of the project or undertaking supplied by other sources; and

(4) such other records as will facilitate an effective audit.

(b) Use of unexpended funds

Any funds paid to an institution and not expended or used for the purposes for which the funds were paid during the five-year period following the date of the initial grant award, may be carried over and expended during the succeeding five-year period, if such funds were obligated for a purpose for which the funds were paid during the five-year period following the date of the initial grant award.

(Pub. L. 89-329, title III, §327, as added Pub. L. 99-498, title III, §301(a), Oct. 17, 1986, 100 Stat. 1298; amended Pub. L. 100-50, §2(a)(11), June 3, 1987, 101 Stat. 335; Pub. L. 110-315, title III, §312, Aug. 14, 2008, 122 Stat. 3180.)

Editorial Notes

AMENDMENTS

2008—Subsec. (b). Pub. L. 110-315 amended subsec. (b) generally. Prior to amendment, text read as follows: "Any funds paid to an institution and not expended or used for the purposes for which the funds were paid within 10 years following the date of the initial grant awarded to an institution under part B of this subchapter shall be repaid to the Treasury of the United States."

1987—Subsec. (a). Pub. L. 100-50 substituted "part" for "chapter" in introductory text.

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EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-50 effective as if enacted as part of the Higher Education Amendments of 1986, Pub. L. 99-498, see section 27 of Pub. L. 100-50, set out as a note under section 1001 of this title.

§ 1063d. Strengthening HBCUS through Federal agency plans**(a) Designating applicable agencies**

The Secretary, in consultation with the Executive Director, shall—

(1) identify each Federal agency with which an HBCU—

(A) has entered into a grant, contract, or cooperative agreement; or

(B) is eligible to participate in the programs and initiatives under the jurisdiction of such Federal agency; and

(2) designate each Federal agency so identified as an applicable agency.

(b) Submitting agency plans

Not later than February 1 of each year, the head of each applicable agency shall submit to the Secretary, the Executive Director, the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and Labor of the House of Representatives, and the President's Board of Advisors an annual Agency Plan describing efforts to strengthen the capacity of HBCUs to participate or be eligible to participate in the programs and initiatives under the jurisdiction of such applicable agency as described in subsection (a)(1)(B).

(c) Further requirements for submission and accessibility

The Executive Director shall make all annual Agency Plan submissions publicly available online in a user-friendly format.

(d) Agency plan content

Where appropriate, each Agency Plan shall include—

(1) a description of how the applicable agency intends to increase the capacity of HBCUs to compete effectively for grants, contracts, or cooperative agreements;

(2) an identification of Federal programs and initiatives under the jurisdiction of the appli-