

mit a report to the authorizing committees regarding the historically Black colleges and universities described in paragraph (1)(A) that includes administrative and legislative recommendations for addressing the issues related to construction financing facing such historically Black colleges and universities.

(Pub. L. 89-329, title III, §347, formerly title VII, §727, as added Pub. L. 102-325, title VII, §704, July 23, 1992, 106 Stat. 746; renumbered title III, §347, and amended Pub. L. 105-244, title III, §§301(a)(3), (4), 306(e), Oct. 7, 1998, 112 Stat. 1636, 1647; Pub. L. 110-315, title III, §314(e), Aug. 14, 2008, 122 Stat. 3182.)

CODIFICATION

Section was formerly classified to section 1132c-6 of this title prior to renumbering by Pub. L. 105-244.

PRIOR PROVISIONS

A prior section 347 of Pub. L. 89-329 was classified to section 1069c of this title prior to the general amendment of this subchapter by Pub. L. 99-498.

AMENDMENTS

2008—Subsec. (b)(1). Pub. L. 110-315, §314(e)(1)(A), substituted “11 members” for “9 members” in introductory provisions.

Subsec. (b)(1)(C). Pub. L. 110-315, §314(e)(1)(B), substituted “Three members” for “Two members”.

Subsec. (b)(1)(G). Pub. L. 110-315, §314(e)(1)(C), added subpar. (G).

Subsec. (c). Pub. L. 110-315, §314(e)(2), added subsec. (c).

1998—Subsec. (b)(1)(D). Pub. L. 105-244, §306(e)(1)(A), inserted “, or the president’s designee.” after “Fund, Inc.”

Subsec. (b)(1)(E). Pub. L. 105-244, §306(e)(1)(B), inserted “, or the designee of the Association” before the period.

Subsec. (c). Pub. L. 105-244, §306(e)(2), struck out heading and text of subsec. (c). Text read as follows: “There are authorized to be appropriated \$50,000 for fiscal year 1993 and each of the 4 succeeding fiscal years to carry out this section.”

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.

TERMINATION OF ADVISORY BOARDS

Advisory boards established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 1066g. Minority business enterprise utilization

In the performance of and with respect to the Secretary’s effectuation of his responsibilities under section 1066d(1) of this title and to the maximum extent feasible in the implementation of the purposes of this part, minority business persons, including bond underwriters and credit enhancers, bond counsel, marketers, accountants, advisors, construction contractors, and managers should be utilized.

(Pub. L. 89-329, title III, §348, formerly title VII, §728, as added Pub. L. 102-325, title VII, §704, July 23, 1992, 106 Stat. 747; renumbered title III, §348, and amended Pub. L. 105-244, title III, §301(a)(3), (4), (c)(7), Oct. 7, 1998, 112 Stat. 1636, 1637.)

CODIFICATION

Section was formerly classified to section 1132c-7 of this title prior to renumbering by Pub. L. 105-244.

AMENDMENTS

1998—Pub. L. 105-244, §301(c)(7), substituted “section 1066d(1)” for “section 1132c-4(1)”.

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.

PART E—MINORITY SCIENCE AND ENGINEERING IMPROVEMENT PROGRAM

SUBPART 1—MINORITY SCIENCE AND ENGINEERING IMPROVEMENT PROGRAM

CODIFICATION

Pub. L. 105-244, title III, §§301(a)(5), 307(d), Oct. 7, 1998, 112 Stat. 1636, 1648, redesignated subpart 1 (§1135b et seq.) of part B of subchapter X of this chapter as subpart 1 of part E of subchapter III of this chapter and inserted “AND ENGINEERING” before “IMPROVEMENT PROGRAM” in heading.

§ 1067. Findings

Congress makes the following findings:

(1) It is incumbent on the Federal Government to support the technological and economic competitiveness of the United States by improving and expanding the scientific and technological capacity of the United States. More and better prepared scientists, engineers, and technical experts are needed to improve and expand such capacity.

(2) As the Nation’s population becomes more diverse, it is important that the educational and training needs of all Americans are met. Underrepresentation of minorities in science and technological fields diminishes our Nation’s competitiveness by impairing the quantity of well prepared scientists, engineers, and technical experts in these fields.

(3) Despite significant limitations in resources, minority institutions provide an important educational opportunity for minority students, particularly in science and engineering fields. Aid to minority institutions is a good way to address the underrepresentation of minorities in science and technological fields.

(4) There is a strong Federal interest in improving science and engineering programs at minority institutions as such programs lag behind in program offerings and in student enrollment compared to such programs at other institutions of higher education.

(Pub. L. 89-329, title III, §350, as added Pub. L. 105-244, title III, §307(a), Oct. 7, 1998, 112 Stat. 1647.)

PRIOR PROVISIONS

A prior section 1067, Pub. L. 89-329, title III, §352, as added Pub. L. 99-498, title III, §301(a), Oct. 17, 1986, 100

Stat. 1304, and amended, which related to waiver authority and reporting requirement, was renumbered section 392 of Pub. L. 89-329 by Pub. L. 105-244, title III, §301(a)(2), Oct. 7, 1998, 112 Stat. 1636, and transferred to section 1068a of this title.

Another prior section 1067, Pub. L. 89-329, title III, §342, as added Pub. L. 96-374, title III, §301, Oct. 3, 1980, 94 Stat. 1398, set waiver authority and reporting requirements for this part, prior to the general amendment of this subchapter by Pub. L. 99-498.

Another prior section 1067, Pub. L. 89-329, title IV, §407, Nov. 8, 1965, 79 Stat. 1234; Pub. L. 90-575, title I, §§101(b)(2), 103, 104, Oct. 16, 1968, 82 Stat. 1017, 1018, related to agreements with institutions, required provisions and use of funds as additional Federal capital contribution for student loan fund, prior to the general amendment of part A of subchapter IV of this chapter by Pub. L. 92-318, title I, §131(b)(1), June 23, 1972, 86 Stat. 247.

EFFECTIVE DATE

Section effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as an Effective Date of 1998 Amendment note under section 1001 of this title.

§ 1067a. Purpose; authority

(a) Congressional declaration of purpose

It is the purpose of this subpart to continue the authority of the Department to operate the Minority Institutions Science Improvement Program created under section 1862(a)(1) of title 42 and transferred to the Department by section 3444(a)(1)¹ of this title.

(b) Grant authority

The Secretary shall, in accordance with the provisions of this subpart, carry out a program of making grants to institutions of higher education that are designed to effect long-range improvement in science and engineering education at predominantly minority institutions and to increase the participation of underrepresented ethnic minorities, particularly minority women, in scientific and technological careers.

(Pub. L. 89-329, title III, §351, formerly title X, §1021, as added Pub. L. 99-498, title X, §1002, Oct. 17, 1986, 100 Stat. 1561; amended Pub. L. 102-325, title X, §1002(a), July 23, 1992, 106 Stat. 780; renumbered title III, §351, Pub. L. 105-244, title III, §301(a)(5), (7), Oct. 7, 1998, 112 Stat. 1636.)

REFERENCES IN TEXT

Section 3444(a)(1) of this title, referred to in subsec. (a), was in the original a reference to section 304(a)(1) of the Department of Education Organization Act of 1979. Sections 304 and 305 of that Act were renumbered as sections 303 and 304, respectively, by Pub. L. 103-382, title II, §271(a)(2), Oct. 20, 1994, 108 Stat. 3929, and are classified to sections 3444 and 3445, respectively, of this title.

CODIFICATION

Section was formerly classified to section 1135b of this title prior to renumbering by Pub. L. 105-244.

PRIOR PROVISIONS

A prior section 351 of Pub. L. 89-329 was renumbered section 391 and is classified to section 1068 of this title.

AMENDMENTS

1992—Subsec. (b). Pub. L. 102-325 inserted “, particularly minority women,” after “ethnic minorities”.

¹ See References in Text note below.

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.

§ 1067b. Grant recipient selection

(a) Establishment of criteria

Grants under this subpart shall be awarded on the basis of criteria established by the Secretary by regulations.

(b) Priorities to be given in criteria

In establishing criteria under subsection (a) of this section, the Secretary shall give priority to applicants which have not previously received funding from the Minority Institutions Science Improvement Program and to previous grantees with a proven record of success, as well as to applications that contribute to achieving balance among projects with respect to geographic region, academic discipline, and project type.

(c) Required criteria

In establishing criteria under subsection (a) of this section, the Secretary may consider the following selection criteria in making grants:

- (1) plan of operation;
- (2) quality of key personnel;
- (3) budget and cost effectiveness;
- (4) evaluation plan;
- (5) adequacy of resources;
- (6) identification of need for the project;
- (7) potential institutional impact of the project;
- (8) institutional commitment to the project;
- (9) expected outcomes; and
- (10) scientific and educational value of the proposed project.

(Pub. L. 89-329, title III, §352, formerly title X, §1022, as added Pub. L. 99-498, title X, §1002, Oct. 17, 1986, 100 Stat. 1561; renumbered title III, §352, Pub. L. 105-244, title III, §301(a)(5), (7), Oct. 7, 1998, 112 Stat. 1636.)

CODIFICATION

Section was formerly classified to section 1135b-1 of this title prior to renumbering by Pub. L. 105-244.

PRIOR PROVISIONS

A prior section 352 of Pub. L. 89-329 was renumbered section 392 and is classified to section 1068a of this title.

§ 1067c. Use of funds

(a) Types of grants

Funds appropriated to carry out this subpart may be made available as—

- (1) institutional grants (as defined in section 1067k(6) of this title);
- (2) cooperative grants (as defined in section 1067k(7) of this title);
- (3) design projects (as defined in section 1067k(8) of this title); or
- (4) special projects (as defined in section 1067k(9) of this title).

(b) Authorized uses for each type of grant

(1) The authorized uses of funds made available as institutional grants include (but are not limited to)—

- (A) faculty development programs; or