creased on the same basis as they were reduced (until the amount allotted equals the minimum allotment required by paragraph (1)).''

Subsec. (h). Pub. L. 110–315, § 310(b), added subsec. (h).

1997—Subsec. (g). Pub. L. 105–33 substituted ''District of Columbia Home Rule Act'' for ''District of Columbia Self-Government and Governmental Reorganization Act''.

1992—Subsec. (c). Pub. L. 102–325, § 303(c), inserted '', within 5 years of graduation with a baccalaureate degree,'' after ''in attendance at''.

Subsec. (d)(1). Pub. L. 102–325, § 303(d), substituted ''$500,000'' for ''$350,000''.

1986—Subsec. (c). Pub. L. 99–509, § 7007(4), amended subsec. generally, substituting ''percentage of graduates per institution'' for ''number of graduates'' and ''percentage of such graduates per institution'' for ''number of such graduates''.

Subsec. (d). Pub. L. 99–509, § 7007(1), (2), added subsec. (d). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 99–509, § 7007(1), (3), redesignated former subsec. (d) as (e), and substituted ''subsection (a), (b), (c), or (d) of this section'' for ''subsection (a), (b), or (c) of this section''. Former subsec. (e) redesignated (f).

Subsecs. (f), (g). Pub. L. 99–509, § 7007(1), redesignated subsecs. (e) and (f) as (f) and (g), respectively.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111–39 effective as if enacted on the date of enactment of Pub. L. 110–315 (Aug. 14, 2008), see section 3 of Pub. L. 111–39, set out as a note under section 1001 of this title.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105–33 effective Oct. 1, 1997, except as otherwise provided in title XI of Pub. L. 105–33, see section 11721 of Pub. L. 105–33, set out as a note under section 4246 of Title 18, Crimes and Criminal Procedure.

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.

§ 1063a. Applications

(a) Contents

No part B institution shall be entitled to its allotment of Federal funds for any grant under section 1063 of this title for any period unless that institution meets the requirements of subparagraphs (C), (D), and (E)[1] of section 1058(b)(1) of this title and submits an application to the Secretary at such time, in such manner, and containing or accompanied by such information, as the Secretary may reasonably require. Each such application shall—

(1) provide that the payments under this chapter and part C of subchapter I of chapter 34 of title 42 will be used for the purposes set forth in section 1062 of this title; and

(2) provide for making an annual report to the Secretary and provide for—

(A) conducting, except as provided in subparagraph (B), a financial and compliance audit of an eligible institution, with regard to any funds obtained by it under this subchapter at least once every 2 years and covering the period since the most recent audit, conducted by a qualified, independent organization or person in accordance with standards established by the Comptroller General for the audit of governmental organizations, programs, and functions, and as prescribed in regulations of the Secretary, the results of which shall be submitted to the Secretary; or

(B) with regard to an eligible institution which is audited under chapter 75 of title 31 deeming such audit to satisfy the requirements of subparagraph (A) for the period covered by such audit.

(b) Approval

The Secretary shall approve any application which meets the requirements of subsection (a) of this section and shall not disapprove any application submitted under this part, or any modification thereof, without first affording such institution reasonable notice and opportunity for a hearing.

(c) Goals for financial management and academic programs

Any application for a grant under this part shall describe measurable goals for the institution's financial management and academic programs and include a plan of how the applicant intends to achieve those goals.

(Pub. L. 89–329, title III, § 325, as added Pub. L. 99–498, title III, § 301(a), Oct. 17, 1986, 100 Stat. 1296; amended Pub. L. 100–50, § 2(a)(8), June 3, 1987, 101 Stat. 335; Pub. L. 102–325, title III, § 303(e), July 23, 1992, 106 Stat. 475.)

REFERENCES IN TEXT

Section 1058(b)(1)(E) of this title, referred to in subsec. (a), was repealed and section 1058(b)(1)(F) was redesignated section 1058(b)(1)(E) by Pub. L. 102–325, title III, § 302(a)(1)(B), (C), July 23, 1992, 106 Stat. 472.

AMENDMENTS

1992—Subsec. (c). Pub. L. 102–325 added subsec. (c).

1987—Subsec. (a)(1). Pub. L. 100–50 substituted ''section 1062 of this title'' for ''section 1061 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.

§ 1063b. Professional or graduate institutions

(a) General authorization

(1) Subject to the availability of funds appropriated to carry out this section, the Secretary shall award program grants to each of the postgraduate institutions listed in subsection (e) of this section that is determined by the Secretary to be making a substantial contribution to the legal, medical, dental, veterinary, or other graduate education opportunities in mathematics, engineering, or the physical or natural sciences for Black Americans.

(2) No grant in excess of $1,000,000 may be made under this section unless the postgraduate institution provides assurances that 50 percent of the cost of the purposes for which the grant is made will be paid from non-Federal sources,

[1] See References in Text note below.

except that no institution shall be required to match any portion of the first $1,000,000 of the institution's award from the Secretary. After funds are made available to each eligible institution under the funding rules described in subsection (f) of this section, the Secretary shall distribute, on a pro rata basis, any amounts which were not so made available (by reason of the failure of an institution to comply with the matching requirements of this paragraph) among the institutions that have complied with such matching requirement.

(b) Duration

Grants shall be made for a period not to exceed 5 years. Any funds awarded for such five-year grant period that are obligated during such five-year period may be expended during the 10-year period beginning on the first day of such five-year period.

(c) Uses of funds

A grant under this section may be used for—

(1) purchase, rental or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes;

(2) construction, maintenance, renovation, and improvement in classroom, library, laboratory, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services;

(3) purchase of library books, periodicals, technical and other scientific journals, microfilm, microfiche, and other educational materials, including telecommunications program materials;

(4) scholarships, fellowships, and other financial assistance for needy graduate and professional students to permit the enrollment of the students in and completion of the doctoral degree in medicine, dentistry, pharmacy, veterinary medicine, law, and the doctorate degree in the physical or natural sciences, engineering, mathematics, or other scientific disciplines in which African Americans are underrepresented;

(5) establishing or improving a development office to strengthen and increase contributions from alumni and the private sector;

(6) assisting in the establishment or maintenance of an institutional endowment to facilitate financial independence pursuant to section 1065 of this title;

(7) funds and administrative management, and the acquisition of equipment, including software, for use in strengthening funds management and management information systems;

(8) acquisition of real property that is adjacent to the campus in connection with the construction, renovation, or addition to or improvement of campus facilities;

(9) education or financial information designed to improve the financial literacy and economic literacy of students or the students' families, especially with regard to student indebtedness and student assistance programs under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42;

(10) services necessary for the implementation of projects or activities that are described in the grant application and that are approved, in advance, by the Secretary, except that not more than two percent of the grant amount may be used for this purpose;

(11) tutoring, counseling, and student service programs designed to improve academic success; and

(12) other activities proposed in the application submitted under subsection (d) that—

(A) contribute to carrying out the purposes of this part; and

(B) are approved by the Secretary as part of the review and acceptance of such application.

(d) Application

Any institution eligible for a grant under this section shall submit an application which—

(1) demonstrates how the grant funds will be used to improve graduate educational opportunities for Black and low-income students, and lead to greater financial independence; and

(2) provides, in the case of applications for grants in excess of $1,000,000, the assurances required by subsection (a)(2) of this section and specifies the manner in which the eligible institution is going to pay the non-Federal share of the cost of the application.

(e) Eligibility

(1) In general

Independent professional or graduate institutions and programs eligible for grants under subsection (a) of this section are the following:

(A) Morehouse School of Medicine;

(B) Meharry Medical School;

(C) Charles R. Drew Postgraduate Medical School;

(D) Clark-Atlanta University;

(E) Tuskegee University School of Veterinary Medicine and other qualified graduate programs;

(F) Xavier University School of Pharmacy and other qualified graduate programs;

(G) Southern University School of Law and other qualified graduate programs;

(H) Texas Southern University School of Law and School of Pharmacy and other qualified graduate programs;

(I) Florida A&M University School of Pharmaceutical Sciences and other qualified graduate programs;

(J) North Carolina Central University School of Law and other qualified graduate programs;

(K) Morgan State University qualified graduate program;

(L) Hampton University qualified graduate program;

(M) Alabama A&M qualified graduate program;

(N) North Carolina A&T State University qualified graduate program;

(O) University of Maryland Eastern Shore qualified graduate program;

(P) Jackson State University qualified graduate program;

(Q) Norfolk State University qualified graduate programs;

(R) Tennessee State University qualified graduate programs;

(S) Alabama State University qualified graduate programs;

(T) Prairie View A&M University qualified graduate programs;

(U) Delaware State University qualified graduate programs;

(V) Langston University qualified graduate programs;

(W) Bowie State University qualified graduate programs; and

(X) University of the District of Columbia David A. Clarke School of Law.

(2) Qualified graduate program

(A) For the purposes of this section, the term ''qualified graduate program'' means a graduate or professional program that provides a program of instruction in law or in the physical or natural sciences, engineering, mathematics, psychometrics, or other scientific discipline in which African Americans are underrepresented and has students enrolled in such program at the time of application for a grant under this section.

(B) Notwithstanding the enrollment requirement contained in subparagraph (A), an institution may use an amount equal to not more than 10 percent of the institution's grant under this section for the development of a new qualified graduate program.

(3) Special rule

Institutions that were awarded grants under this section prior to October 1, 2008, shall continue to receive such grants, subject to the availability of appropriated funds, regardless of the eligibility of the institutions described in subparagraphs (S) through (X) of paragraph (1).

(4) One grant per institution

The Secretary shall not award more than 1 grant under this section in any fiscal year to any institution of higher education.

(5) Institutional choice

The president or chancellor of the institution may decide which graduate or professional school or qualified graduate program will receive funds under the grant in any 1 fiscal year, if the allocation of funds among the schools or programs is delineated in the application for funds submitted to the Secretary under this section.

(f) Funding rule

Subject to subsection (g) of this section, of the amount appropriated to carry out this section for any fiscal year—

(1) the first $56,900,000 (or any lesser amount appropriated) shall be available only for the purposes of making grants to institutions or programs described in subparagraphs (A) through (R) of subsection (e)(1) of this section;

(2) any amount in excess of $56,900,000, but not in excess of $62,900,000, shall be available for the purpose of making grants to institutions or programs described in subparagraphs (S) through (X) of subsection (e)(1) of this section; and

(3) any amount in excess of $62,900,000, shall be made available to each of the institutions or programs identified in subparagraphs (A) through (X)[1] pursuant to a formula developed by the Secretary that uses the following elements:

(A) The ability of the institution to match Federal funds with non-Federal funds.

(B) The number of students enrolled in the programs for which the eligible institution received funding under this section in the previous year.

(C) The average cost of education per student, for all full-time graduate or professional students (or the equivalent) enrolled in the eligible professional or graduate school, or for doctoral students enrolled in the qualified graduate programs.

(D) The number of students in the previous year who received their first professional or doctoral degree from the programs for which the eligible institution received funding under this section in the previous year.

(E) The contribution, on a percent basis, of the programs for which the institution is eligible to receive funds under this section to the total number of African Americans receiving graduate or professional degrees in the professions or disciplines related to the programs for the previous year.

(g) Hold harmless rule

Notwithstanding paragraphs (2) and (3) of subsection (f) of this section, no institution or qualified program identified in subsection (e)(1) of this section that received a grant for fiscal year 2008 and that is eligible to receive a grant in a subsequent fiscal year shall receive a grant amount in any such subsequent fiscal year that is less than the grant amount received for fiscal year 2008, unless the amount appropriated is not sufficient to provide such grant amounts to all such institutions and programs, or the institution cannot provide sufficient matching funds to meet the requirements of this section.

(h) Interaction with other grant programs

No institution that is eligible for and receives an award under section 1102a, 1136a, or 1136b of this title for a fiscal year shall be eligible to apply for a grant, or receive grant funds, under this section for the same fiscal year.

(Pub. L. 89–329, title III, § 326, as added Pub. L. 99–498, title III, § 301(a), Oct. 17, 1986, 100 Stat. 1297; amended Pub. L. 100–50, § 2(a)(9), (10), June 3, 1987, 101 Stat. 335; Pub. L. 102–325, title III, § 303(f)(1), (g), July 23, 1992, 106 Stat. 475, 476; Pub. L. 103–208, § 2(a)(9), Dec. 20, 1993, 107 Stat. 2457; Pub. L. 104–141, § 2, May 6, 1996, 110 Stat. 1328; Pub. L. 105–244, title III, § 304(b), Oct. 7, 1998, 112 Stat. 1643; Pub. L. 110–315, title III, § 311, Aug. 14, 2008, 122 Stat. 3178.)

AMENDMENTS

2008—Subsec. (b). Pub. L. 110–315, § 311(a), inserted at end ''Any funds awarded for such five-year grant period that are obligated during such five-year period may be expended during the 10-year period beginning on the first day of such five-year period.''

Subsec. (c)(5). Pub. L. 110–315, § 311(b)(1), substituted ''establishing or improving'' for ''establish or improve''.

[1] So in original. Probably should be ''subparagraphs (A) to (X) of subsection (e)(1) of this section''.

Subsec. (c)(6). Pub. L. 110–315, § 311(b)(2), substituted ''assisting'' for ''assist'' and struck out ''and'' after semicolon.

Subsec. (c)(8) to (12). Pub. L. 110–315, § 311(b)(3), (4), added pars. (8) to (12).

Subsec. (e)(1). Pub. L. 110–315, § 311(c)(1)(A), inserted a colon after ''the following'' in introductory provisions.

Subsec. (e)(1)(S) to (X). Pub. L. 110–315, § 311(c)(1)(B)–(D), added subpars. (S) to (X).

Subsec. (e)(2)(A). Pub. L. 110–315, § 311(c)(3), inserted ''in law or'' after ''instruction'' and substituted ''mathematics, psychometrics, or'' for ''mathematics, or''.

Subsec. (e)(3). Pub. L. 110–315, § 311(c)(2), substituted ''2008'' for ''1998'' and ''subparagraphs (S) through (X)'' for ''subparagraphs (Q) and (R)''.

Subsec. (e)(4). Pub. L. 110–315, § 311(c)(4), struck out ''or university system'' after ''higher education''.

Subsec. (f)(1). Pub. L. 110–315, § 311(d)(1), substituted ''$56,900,000'' for ''$26,600,000'' and ''through (R)'' for ''through (P)''.

Subsec. (f)(2). Pub. L. 110–315, § 311(d)(2), substituted ''$56,900,000, but not in excess of $62,900,000'' for ''$26,600,000, but not in excess of $28,600,000'' and ''subparagraphs (S) through (X)'' for ''subparagraphs (Q) and (R)''.

Subsec. (f)(3). Pub. L. 110–315, § 311(d)(3), in introductory provisions, substituted ''$62,900,000'' for ''$28,600,000'' and ''through (X)'' for ''through (R)''.

Subsec. (g). Pub. L. 110–315, § 311(e), substituted ''2008'' for ''1998'' in two places.

Subsec. (h). Pub. L. 110–315, § 311(f), added subsec. (h).

1998—Subsec. (a)(1). Pub. L. 105–244, § 304(b)(1)(A)(i), inserted ''in mathematics, engineering, or the physical or natural sciences'' after ''graduate education opportunities''.

Subsec. (a)(2). Pub. L. 105–244, § 304(b)(1)(A)(ii), substituted ''$1,000,000 may'' for ''$500,000 may'' and '', except that no institution shall be required to match any portion of the first $1,000,000 of the institution's award from the Secretary. After funds are made available to each eligible institution under the funding rules described in subsection (f) of this section, the Secretary shall distribute, on a pro rata basis, any amounts which were not so made available (by reason of the failure of an institution to comply with the matching requirements of this paragraph) among the institutions that have complied with such matching requirement.'' for ''except that the Morehouse School of Medicine shall receive at least $3,000,000.''

Subsec. (c). Pub. L. 105–244, § 304(b)(2), added pars. (1) to (7) and struck out former pars. (1) to (3) which read as follows:

''(1) any of the purposes enumerated under section 1062 of this title;

''(2) to establish or improve a development office to strengthen and increase contributions from alumni and the private sector; and

''(3) to assist in the establishment or maintenance of an institutional endowment to facilitate financial independence pursuant to section 1065 of this title.''

Subsec. (d)(2). Pub. L. 105–244, § 304(b)(1)(B), substituted ''$1,000,000'' for ''$500,000''.

Subsec. (e)(1). Pub. L. 105–244, § 304(b)(3)(A)(i), substituted ''are the following'' for ''include—'' in introductory provisions.

Subsec. (e)(1)(E) to (J). Pub. L. 105–244, § 304(b)(3)(A)(ii), inserted ''and other qualified graduate programs'' before semicolon at end.

Subsec. (e)(1)(P). Pub. L. 105–244, § 304(b)(3)(A)(iv)(I), inserted ''University'' after ''State''.

Subsec. (e)(1)(Q), (R). Pub. L. 105–244, § 304(b)(3)(A)(iii), (iv)(II), (III), added subpars. (Q) and (R).

Subsec. (e)(2). Pub. L. 105–244, § 304(b)(3)(B), added par. (2) and struck out heading and text of former par. (2). Text read as follows: ''For the purposes of this section, the term 'qualified graduate program' means a graduate or professional program that—

''(A) provides a program of instruction in the physical or natural sciences, engineering, mathematics, or other scientific discipline in which African Americans are underrepresented; and

''(B) has students enrolled in such program at the time of application for a grant under this section.''

Subsec. (e)(3). Pub. L. 105–244, § 304(b)(3)(B), added par. (3) and struck out heading and text of former par. (3). Text read as follows: ''Graduate institutions that were awarded grants under this section prior to October 1, 1992 shall continue to receive such grant payments, regardless of the eligibility of the graduate institutions described in subparagraphs (F) through (P), until such grant period has expired or September 30, 1993, whichever is later.''

Subsec. (e)(5). Pub. L. 105–244, § 304(b)(3)(C), added par. (5).

Subsec. (f). Pub. L. 105–244, § 304(b)(4)(A), substituted ''Subject to subsection (g), of the amount appropriated'' for ''Of the amount appropriated'' in introductory provisions.

Subsec. (f)(1). Pub. L. 105–244, § 304(b)(4)(B), substituted ''$26,600,000'' for ''$12,000,000'' and ''(A) through (P)'' for ''(A) through (E)''.

Subsec. (f)(2), (3). Pub. L. 105–244, § 304(b)(4)(C), added pars. (2) and (3) and struck out former par. (2) which read as follows: ''any amount appropriated in excess of $12,000,000 shall be available—

''(A) for the purposes of making grants, in equal amounts not to exceed $500,000, to institutions or programs described in subparagraphs (F) through (P) of subsection (e)(1) of this section; and

''(B) secondly for the purposes of making grants to institutions or programs described in subparagraphs (A) through (P) of subsection (e)(1) of this section.''

Subsec. (g). Pub. L. 105–244, § 304(b)(5), added subsec. (g).

1996—Subsec. (b). Pub. L. 104–141 struck out at end ''No more than two 5-year grants (for a period of not more than 10 years) may be made to any one undergraduate or postgraduate institution.''

1993—Subsec. (e)(2). Pub. L. 103–208 redesignated subpar. (C) as (B) and struck out former subpar. (B) which read as follows: ''has been accredited by a nationally recognized accrediting agency or association or has been approved by a nationally recognized approving agency; and''.

1992—Subsec. (e). Pub. L. 102–325, § 303(f)(1), substituted ''Eligibility'' for ''Eligible professional or graduate institutions'' in heading and amended text generally. Prior to amendment, text read as follows: ''Independent professional or graduate institutions eligible for grants under subsection (a) of this section include—

''(1) Morehouse School of Medicine;

''(2) Meharry Medical School;

''(3) Charles R. Drew Postgraduate Medical School;

''(4) Atlanta University; and

''(5) Tuskegee Institute School of Veterinary Medicine.''

Subsec. (f). Pub. L. 102–325, § 303(g), added subsec. (f).

1987—Subsec. (a)(2). Pub. L. 100–50, § 2(a)(9), inserted ''except that the Morehouse School of Medicine shall receive at least $3,000,000''.

Subsec. (c)(3). Pub. L. 100–50, § 2(a)(10), made technical amendment to reference to section 1065 of this title to correct reference to corresponding section of original act.

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

Section 1 of Pub. L. 104–141 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.)

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.

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.

PART C—ENDOWMENT CHALLENGE GRANTS FOR INSTITUTIONS ELIGIBLE FOR ASSISTANCE UNDER PART A OR PART B

§ 1064. Repealed. Pub. L. 102–325, title III, § 304(a)(2), July 23, 1992, 106 Stat. 476

Section, Pub. L. 89–329, title III, § 331, as added Pub. L. 99–498, title III, § 301(a), Oct. 17, 1986, 100 Stat. 1298, related to establishment of challenge grant program.

A prior section 1064, Pub. L. 89–329, title III, § 331, as added Pub. L. 96–374, title III, § 301, Oct. 3, 1980, 94 Stat. 1395; amended Pub. L. 97–35, title V, § 516(c)(2), Aug. 13, 1981, 95 Stat. 447, established a challenge grant program, prior to the general revision of this subchapter by Pub. L. 99–498.

Another prior section 1064, Pub. L. 89–329, title IV, § 404, Nov. 8, 1965, 79 Stat. 1233, related to time and manner of making application for grant, selection of recipients and conditions precedent to award, prior to the general revision 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 OF REPEAL

Repeal effective Oct. 1, 1992, see section 2 of Pub. L. 102–325, set out as an Effective Date of 1992 Amendment note under section 1001 of this title.

§ 1065. Endowment challenge grants

(a) Purpose; definitions

(1) The purpose of this section is to establish a program to provide matching grants to eligible institutions in order to establish or increase endowment funds at such institutions, to provide additional incentives to promote fund raising activities by such institutions, and to foster increased independence and self-sufficiency at such institutions.

(2) For the purpose of this section:

(A) The term ''endowment fund'' means a fund established by State law, by an institution of higher education, or by a foundation which is exempt from taxation and is maintained for the purpose of generating income for the support of the institution, but which shall not include real estate.

(B) The term ''endowment fund corpus'' means an amount equal to the grant or grants awarded under this section plus an amount equal to such grant or grants provided by the institution.

(C) The term ''endowment fund income'' means an amount equal to the total value of the endowment fund established under this section minus the endowment fund corpus.

(D)(i) The term ''eligible institution'' means an institution that is an—

(I) eligible institution under part A of this subchapter or would be considered to be such an institution if section 1058(b)(1)(C) of this title referred to a postgraduate degree rather than a bachelor's degree;

(II) institution eligible for assistance under part B of this subchapter or would be considered to be such an institution if section 1063 of this title referred to a postgraduate degree rather than a baccalaureate degree; or

(III) institution of higher education that makes a substantial contribution to post-