(C) Three members who are presidents of public historically Black colleges or universities.

(D) The president of the United Negro College Fund, Inc., or the president's designee.

(E) The president of the National Association for Equal Opportunity in Higher Education, or the designee of the Association.

(F) The executive director of the White House Initiative on historically Black colleges and universities.

(G) The president of the Thurgood Marshall College Fund, or the designee of the president.

**(2) Terms**

The term of office of each member appointed under paragraphs (1)(B) and (1)(C) shall be 3 years, except that—

(A) of the members first appointed pursuant to paragraphs (1)(B) and (1)(C), 2 shall be appointed for terms of 1 year, and 3 shall be appointed for terms of 2 years;

(B) members appointed to fill a vacancy occurring before the expiration of a term of a member shall be appointed to serve the remainder of that term; and

(C) a member may continue to serve after the expiration of a term until a successor is appointed.

**(c) Additional recommendations from Advisory Board**

**(1) In general**

In addition to the responsibilities of the Advisory Board described in subsection (a), the Advisory Board shall advise the Secretary and the authorizing committees regarding—

(A) the fiscal status and strategic financial condition of not less than ten historically Black colleges and universities that have—

(i) obtained construction financing through the program under this part and seek additional financing or refinancing under such program; or

(ii) applied for construction financing through the program under this part but have not received financing under such program; and

(B) the feasibility of reducing borrowing costs associated with the program under this part, including reducing interest rates.

**(2) Report**

Not later than six months after August 14, 2008, the Advisory Board shall prepare and submit 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 sec-

tion 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) 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; Pub. L. 111–39, title III, § 301(5), July 1, 2009, 123 Stat. 1937.)

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

2009—Subsec. (a). Pub. L. 111–39 made technical amendment to reference in original act which appears in text as reference to section 3444(a)(1) of this title.

1992—Subsec. (b). Pub. L. 102–325 inserted '', particularly minority women,'' after ''ethnic minorities''.

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 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