

§ 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.

Statutory Notes and Related Subsidiaries**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 applicable agency in which HBCUs are underrepresented;
- (3) an outline of proposed efforts to improve HBCUs' participation in such programs and initiatives;
- (4) a description of any progress made towards advancing or achieving goals and efforts from previous Agency Plans submitted under this section by such applicable agency;
- (5) a description of how the applicable agency plans to encourage public-sector, private-sector, and community involvement to improve the capacity of HBCUs to compete effectively for grants, contracts, or cooperative agreements, and to participate in programs and initiatives under the jurisdiction of such agency;
- (6) an identification of programs and initiatives not listed in a previous Agency Plan in which an HBCU may participate;
- (7) any other information the applicable agency determines is relevant to promoting opportunities to fund, partner, contract, or otherwise interact with HBCUs; and
- (8) any additional criteria established by the Secretary or the White House Initiative.

(e) Agency engagement

To help fulfill the objectives of the Agency Plans, the head of each applicable agency—

- (1) shall provide, as appropriate, technical assistance and information to the Executive Director to enhance communication with HBCUs concerning the applicable agency's—
 - (A) programs and initiatives described in subsection (d)(2); and
 - (B) the preparation of applications or proposals for grants, contracts, or cooperative agreements; and
- (2) shall appoint a senior official to report directly to the agency head on the applicable agency's progress under this section.

(Pub. L. 116-270, §4, Dec. 31, 2020, 134 Stat. 3327.)