

116TH CONGRESS  
1ST SESSION

# S. 2250

To amend the Higher Education Act of 1965 to establish State and Indian tribe grants for community colleges and grants for Historically Black Colleges and Universities, Tribal Colleges and Universities, and Minority-Serving Institutions, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 24, 2019

Ms. BALDWIN (for herself, Mr. LEAHY, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Higher Education Act of 1965 to establish State and Indian tribe grants for community colleges and grants for Historically Black Colleges and Universities, Tribal Colleges and Universities, and Minority-Serving Institutions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “America’s College  
5 Promise Act of 2019”.

1 **SEC. 2. PROGRAM AUTHORIZED.**

2 Title IV of the Higher Education Act of 1965 (20  
3 U.S.C. 1070 et seq.) is amended by adding at the end  
4 the following:

5 **“PART J—AMERICA’S COLLEGE PROMISE**

6 **FEDERAL-STATE PARTNERSHIP**

7 **“Subpart 1—State and Indian Tribe Grants for**  
8 **Community Colleges**

9 **“SEC. 499A. IN GENERAL.**

10 “From amounts appropriated under section 499G for  
11 any fiscal year, the Secretary shall award grants to eligible  
12 States and Indian tribes to pay the Federal share of ex-  
13 penditures needed to carry out the activities and services  
14 described in section 499E.

15 **“SEC. 499B. FEDERAL SHARE; NON-FEDERAL SHARE.**

16 “(a) FEDERAL SHARE.—

17 “(1) FORMULA.—Subject to paragraph (2), the  
18 Federal share of a grant under this subpart shall be  
19 based on a formula, determined by the Secretary,  
20 that—

21 “(A) accounts for the State or Indian  
22 tribe’s share of eligible students;

23 “(B) accounts for the ratio between a  
24 State or Indian tribe’s funding per full-time  
25 equivalent (FTE) student at public colleges and  
26 universities and the average net price at State

1 public four-year colleges and universities, in  
2 such a way as to reward States that keep net  
3 prices for students low while maintaining their  
4 investment in higher education; and

5 “(C) provides, for each eligible student in  
6 the State or Indian tribe, a per-student amount  
7 that is at least 75 percent of—

8 “(i) for the 2020–2021 award year,  
9 the average resident community college tui-  
10 tion and fees per student in all States for  
11 the most recent year for which data are  
12 available; and

13 “(ii) for each subsequent award year,  
14 the amount determined under this clause  
15 for the preceding award year, increased by  
16 the lesser of—

17 “(I) a percentage equal to the es-  
18 timated percentage increase in the  
19 Consumer Price Index (as determined  
20 by the Secretary) since the date of  
21 such determination; or

22 “(II) 3 percent.

23 “(2) EXCEPTION FOR CERTAIN INDIAN  
24 TRIBES.—In any case in which not less than 75 per-  
25 cent of the students at the community colleges oper-

1 ated or controlled by an Indian tribe are low-income  
2 students, the amount of the Federal share for such  
3 Indian tribe shall be not less than 95 percent of the  
4 total amount needed to waive tuition and fees for all  
5 eligible students enrolled in such community col-  
6 leges.

7 “(b) STATE OR TRIBAL SHARE.—

8 “(1) FORMULA.—

9 “(A) IN GENERAL.—The State or tribal  
10 share of a grant under this subpart for each fis-  
11 cal year shall be the amount needed to pay 25  
12 percent of the average community college resi-  
13 dent tuition and fees per student in all States  
14 in the 2020–2021 award year for all eligible  
15 students in the State or Indian tribe, respec-  
16 tively, for such fiscal year, except as provided in  
17 subparagraph (B).

18 “(B) EXCEPTION FOR CERTAIN INDIAN  
19 TRIBES.—In the case of an Indian tribe de-  
20 scribed in subsection (a)(2), the amount of such  
21 Indian tribe’s tribal share shall not exceed 5  
22 percent of the total amount needed to waive tui-  
23 tion and fees for all eligible students enrolled in  
24 such community colleges.

1           “(2) NEED-BASED AID.—A State or Indian  
2           tribe may include, as part of the State or tribal  
3           share, any need-based financial aid that—

4                   “(A) is provided from State or tribal funds  
5                   to an eligible student; and

6                   “(B) may be used by such student to pay  
7                   costs of attendance other than tuition and fees.

8           “(3) NO IN-KIND CONTRIBUTIONS.—A State or  
9           Indian tribe shall not include in-kind contributions  
10           for purposes of the State or tribal share described  
11           in paragraph (1).

12           “(c) DETERMINING NUMBER OF ELIGIBLE STU-  
13           DENTS.—

14                   “(1) IN GENERAL.—The Secretary of Education  
15                   shall develop and implement a process for accurately  
16                   estimating the number of eligible students in a State  
17                   or Indian tribe for purposes of subsection (a) and  
18                   (b).

19                   “(2) INITIAL DETERMINATION.—For the first  
20                   year for which grants are awarded under this sub-  
21                   part, the number of eligible students in a State or  
22                   Indian tribe shall be considered to be equal to the  
23                   number of eligible students that were in the State or  
24                   tribe for the 2020–2021 school year.

1       “(d) ADJUSTMENT OF GRANT AMOUNT.—Not later  
2 than 180 days after the date on which a State or Indian  
3 tribe receives a grant under this subpart, the Secretary  
4 shall—

5               “(1) in consultation with the State or tribe con-  
6 cerned, determine whether the actual number of eli-  
7 gible students in the State or Tribe for the year cov-  
8 ered by the grant is greater than the estimated num-  
9 ber of such students that was used to determine the  
10 amount of the grant; and

11               “(2) if it is determined under paragraph (1)  
12 that the actual number of eligible students in the  
13 State or Tribe is higher than such estimate, issue a  
14 supplementary grant payment to the State or tribe  
15 in an amount that ensures that the total amount of  
16 the grant funds received by the State or tribe under  
17 this subpart for the year covered by the grant accu-  
18 rately reflects the higher number of eligible students.

19 **“SEC. 499C. APPLICATIONS.**

20       “(a) SUBMISSION.—In order to receive a grant under  
21 this subpart, a State or tribe shall submit an application  
22 to the Secretary at such time, in such manner, and con-  
23 taining such information as the Secretary may require.

24       “(b) CONTENTS.—Each application under subsection  
25 (a) shall include, at a minimum—

1           “(1) an estimate of the number of eligible stu-  
2           dents in the State or Indian tribe and the cost of  
3           waiving community college resident tuition and fees  
4           for all eligible students for each fiscal year covered  
5           by the grant;

6           “(2) an assurance that all community colleges  
7           in the State or under the jurisdiction of the Indian  
8           tribe, respectively, will waive resident tuition and  
9           fees for eligible students in accordance with section  
10          499D(a);

11          “(3) a description of the promising and evi-  
12          dence-based institutional reforms and innovative  
13          practices to improve student outcomes, including  
14          completion or transfer rates, that have been or will  
15          be adopted by the participating community colleges,  
16          such as—

17                 “(A) providing comprehensive academic  
18                 and student support services, including men-  
19                 toring and advising, especially for low-income,  
20                 first-generation, adult, and other underrep-  
21                 resented students;

22                 “(B) the provision of direct support serv-  
23                 ices such as—

24                         “(i) childcare, transportation, emer-  
25                         gency financial assistance, and mental

1 health and substance use disorder treat-  
2 ment;

3 “(ii) assistance in obtaining health in-  
4 surance coverage;

5 “(iii) assistance securing affordable  
6 housing;

7 “(iv) efforts to address food insecurity  
8 and campus hunger; and

9 “(v) efforts to facilitate student par-  
10 ticipation in means-tested Federal benefit  
11 programs (as defined in section 479(d));

12 “(C) providing accelerated learning oppor-  
13 tunities, such as dual or concurrent enrollment  
14 programs, including early college high school  
15 programs;

16 “(D) strengthening remedial education, es-  
17 pecially for low-income, first-generation, adult  
18 and other underrepresented students;

19 “(E) implementing course redesigns of  
20 high-enrollment courses to improve student out-  
21 comes and reduce cost; or

22 “(F) utilizing career pathways or degree  
23 pathways;

24 “(4) a description of how the State or Indian  
25 tribe will ensure that programs leading to a recog-



1 nized postsecondary credential meet the quality cri-  
2 teria established by the State under section 123(a)  
3 of the Workforce Innovation and Opportunity Act  
4 (29 U.S.C. 3153(a)) or other quality criteria deter-  
5 mined appropriate by the State or Indian tribe;

6 “(5) an assurance that all participating commu-  
7 nity colleges in the State or under the authority of  
8 the Indian tribe have entered into program partici-  
9 pation agreements under section 487;

10 “(6) an assurance that the State or Indian tribe  
11 will, to the extent practicable, assist eligible students  
12 in obtaining information about and accessing means-  
13 tested Federal benefit programs (as defined in sec-  
14 tion 479(d)) for which such students may be eligible;

15 “(7) an assurance that, for each year of the  
16 grant, the State or Indian tribe will notify each eligi-  
17 ble student of the student’s remaining eligibility for  
18 assistance under this subpart; and

19 “(8) if the application is submitted by a  
20 State—

21 “(A) an assurance that the State will, to  
22 the extent practicable, consider changes to  
23 State law that will enable more community col-  
24 lege students to be eligible for means-tested

1 Federal benefit programs (as defined in section  
2 479(d));

3 “(B) an assurance that the State will meet  
4 the requirements of section 499D(b)(1) relating  
5 to the alignment of secondary and postsec-  
6 ondary education; and

7 “(C) an assurance that the State will meet  
8 the requirements of section 499D(b)(2) relating  
9 to the improvement of transfer pathways be-  
10 tween institutions of higher education.

11 **“SEC. 499D. PROGRAM REQUIREMENTS.**

12 “(a) GENERAL REQUIREMENTS FOR STATES AND IN-  
13 DIAN TRIBES.—As a condition of receiving a grant under  
14 this subpart a State or Indian tribe shall meet the fol-  
15 lowing requirements:

16 “(1) For each year of the grant the total  
17 amount of community college resident tuition and  
18 fees charged to an eligible student in the State or  
19 Indian tribe shall be \$0.

20 “(2) For each year of the grant no amount of  
21 financial assistance for which an eligible student  
22 qualifies may be applied to such tuition or fees.

23 “(b) STATE REQUIREMENTS.—As a condition of re-  
24 ceiving a grant under this subpart a State shall meet the  
25 following requirements:

1           “(1) ALIGNMENT OF K-12 AND HIGHER EDU-  
2           CATION.—

3           “(A) IN GENERAL.—The State shall—

4                   “(i) submit a plan to align the re-  
5                   quirements for receiving a regular high  
6                   school diploma from a public high school  
7                   with the requirements for entering credit-  
8                   bearing coursework at a participating com-  
9                   munity college; and

10                   “(ii) not later than three years after  
11                   the date on which the State first receives  
12                   a grant under this subpart, certify to the  
13                   Secretary that such alignment has been  
14                   achieved.

15           “(B) FAILURE TO CERTIFY.—If a State  
16           does not provide the certification required  
17           under subparagraph (A) by the date specified in  
18           such subparagraph, the State shall submit to  
19           the Secretary, at such time and in such manner  
20           as the Secretary may require—

21                   “(i) a written explanation for the  
22                   delay in making the certification; and

23                   “(ii) a plan that will enable the State  
24                   to make the certification by not later than

1           5 years after the date on which the State  
2           first received a grant under this subpart.

3           “(2) TRANSFER PATHWAYS.—

4           “(A) IN GENERAL.—Not later than 3 years  
5           after the date on which a State first receives a  
6           grant under this subpart, such State shall cer-  
7           tify to the Secretary that each public institution  
8           of higher education participating in any pro-  
9           gram under this title has entered into an ar-  
10          ticulation agreement (as defined in section  
11          486A(a)) held in common with the other public  
12          institutions of higher education located in such  
13          State that are participating in any such pro-  
14          gram. Such articulation agreement shall, at a  
15          minimum, include—

16                 “(i) a common general education core  
17                 curriculum consisting of not less than 30  
18                 credit hours or the equivalent coursework,  
19                 which are fully transferrable to any such  
20                 public institution of higher education in  
21                 the State toward meeting specific degree or  
22                 certificate requirements;

23                 “(ii) common course numbering for  
24                 substantially similar courses in such com-

1 mon general education core curriculum;  
2 and

3 “(iii) a guarantee that an associate  
4 degree in an academic major in the arts or  
5 sciences that is awarded by such a public  
6 institution of higher education in the State  
7 on or after the date that is not later than  
8 3 years after the date on which the State  
9 first receives a grant under this subpart  
10 shall be fully transferrable to, and credited  
11 as, the first 2 years of a related baccalaureate  
12 program at a public institution of  
13 higher education in such State.

14 “(B) FAILURE TO CERTIFY.—If a State  
15 does not provide the certification required  
16 under subparagraph (A) by the date specified in  
17 such subparagraph, the State shall submit to  
18 the Secretary, at such time and in such manner  
19 as the Secretary may require—

20 “(i) a written explanation for the  
21 delay in making the certification; and

22 “(ii) a plan that will enable the State  
23 to make the certification by not later than  
24 5 years after the date on which the State  
25 first received a grant under this subpart.

1           “(3) APPLICABILITY.—The Secretary may not  
2           apply the requirements under this subsection to an  
3           Indian tribe.

4   **“SEC. 499E. ALLOWABLE USES OF FUNDS.**

5           “(a) IN GENERAL.—Except as provided in subsection  
6 (b), a State or Indian tribe shall use a grant under this  
7 subpart only to provide funds to participating community  
8 colleges to enable such community colleges to waive resi-  
9 dent tuition and fees for eligible students as required  
10 under section 499D(a).

11          “(b) ADDITIONAL USES.—If a State or Indian tribe  
12 demonstrates to the Secretary that it has grant funds re-  
13 maining after meeting the demand for activities described  
14 in subsection (a), the State or Indian tribe may use those  
15 funds to carry out one or more of the following:

16           “(1) Expanding the scope and capacity of high-  
17 quality academic and occupational skills training  
18 programs at community colleges.

19           “(2) Improving postsecondary education readi-  
20 ness in the State or Indian tribe, through outreach  
21 and early intervention.

22           “(3) Expanding access to dual or concurrent  
23 enrollment programs, including early college high  
24 school programs.

1           “(4) Improving affordability at 4-year public in-  
2           stitutions of higher education.

3           “(c) USE OF FUNDS FOR ADMINISTRATIVE PUR-  
4           POSES.—A State or Indian tribe that receives a grant  
5           under this subpart may not use any funds provided under  
6           this subpart for administrative purposes relating to the  
7           grant under this subpart.

8           “(d) MAINTENANCE OF EFFORT.—A State or Indian  
9           tribe receiving a grant under this subpart is entitled to  
10          receive its full allotment of funds under this subpart for  
11          a fiscal year only if, for each year of the grant, the State  
12          or Indian tribe provides—

13                 “(1) financial support for public higher edu-  
14                 cation at a level equal to or exceeding the average  
15                 amount provided per full-time equivalent student for  
16                 public institutions of higher education for the three  
17                 consecutive preceding fiscal years. In making the  
18                 calculation under this subsection, the State or In-  
19                 dian tribe shall—

20                         “(A) exclude capital expenses and research  
21                         and development costs; and

22                         “(B) include need-based financial aid for  
23                         students who attend public institutions of high-  
24                         er education; and

1           “(2) financial support for operational expenses  
2           for public, four-year colleges and universities at a  
3           level equal to or exceeding the average amount pro-  
4           vided for the three consecutive preceding State or  
5           Indian tribe fiscal years.

6           “(e) ANNUAL REPORT.—A State or Indian tribe re-  
7           ceiving a grant under this subpart shall submit an annual  
8           report to the Secretary describing the uses of grant funds  
9           under this subpart, the progress made in fulfilling the re-  
10          quirements of the grant, and rates of graduation, transfer  
11          and attainment of recognized postsecondary credentials at  
12          participating community colleges, and including any other  
13          information as the Secretary may require.

14          “(f) REPORTING BY SECRETARY.—The Secretary an-  
15          nually shall—

16                 “(1) compile and analyze the information de-  
17                 scribed in subsection (e); and

18                 “(2) prepare and submit a report to the Com-  
19                 mittee on Health, Education, Labor, and Pensions  
20                 of the Senate and the Committee on Education and  
21                 Labor of the House of Representatives containing  
22                 the analysis described in paragraph (1) and an iden-  
23                 tification of State and Indian tribe best practices for  
24                 achieving the purpose of this subpart.



1       “(g) TECHNICAL ASSISTANCE.—The Secretary shall  
2 provide technical assistance to eligible States and Indian  
3 tribes concerning best practices regarding the promising  
4 and evidence-based institutional reforms and innovative  
5 practices to improve student outcomes and shall dissemi-  
6 nate such best practices among the States and Indian  
7 tribes.

8       “(h) CONTINUATION OF FUNDING.—

9           “(1) IN GENERAL.—A State or Indian tribe re-  
10 ceiving a grant under this subpart for a fiscal year  
11 may continue to receive funding under this subpart  
12 for future fiscal years conditioned on the availability  
13 of budget authority and on meeting the require-  
14 ments of the grant, as determined by the Secretary.

15           “(2) DISCONTINUATION.—The Secretary may  
16 discontinue funding of the Federal share of a grant  
17 under this subpart if the State or Indian tribe has  
18 violated the terms of the grant or is not making ade-  
19 quate progress in implementing the reforms de-  
20 scribed in the application submitted under section  
21 499C.

22 **“SEC. 499F. DEFINITIONS.**

23       “‘In this subpart:

24           “(1) CAREER PATHWAY.—The term ‘career  
25 pathway’ has the meaning given the term in section

1 3 of the Workforce Innovation and Opportunity Act  
2 (29 U.S.C. 3102).

3 “(2) COMMUNITY COLLEGE.—The term ‘com-  
4 munity college’ means a public institution of higher  
5 education at which the highest degree that is pre-  
6 dominantly awarded to students is an associate’s de-  
7 gree, including 2-year Tribal Colleges and Univer-  
8 sities under section 316 and public 2-year State in-  
9 stitutions of higher education.

10 “(3) DUAL OR CONCURRENT ENROLLMENT  
11 PROGRAM.—The term ‘dual or concurrent enrollment  
12 program’ has the meaning given the term in section  
13 8101 of the Elementary and Secondary Education  
14 Act of 1965 (20 U.S.C. 7801).

15 “(4) EARLY COLLEGE HIGH SCHOOL.—The  
16 term ‘early college high school’ has the meaning  
17 given the term in section 8101 of the Elementary  
18 and Secondary Education Act of 1965 (20 U.S.C.  
19 7801).

20 “(5) ELIGIBLE STUDENT.—

21 “(A) DEFINITION.—The term ‘eligible stu-  
22 dent’ means a student who—

23 “(i) attends the community college on  
24 not less than a half-time basis;

1           “(ii) is maintaining satisfactory  
2 progress (as defined in section 484(e)) in  
3 the student’s course of study;

4           “(iii) is enrolled in an eligible pro-  
5 gram (as defined in section 481(b)); and

6           “(iv) either—

7               “(I) qualifies for in-State resi-  
8 dent community college tuition, as de-  
9 termined by the State or Indian tribe;  
10 or

11               “(II) would qualify for such in-  
12 State resident community college tui-  
13 tion, but for the immigration status of  
14 such student.

15           “(B) SPECIAL RULE.—An otherwise eligi-  
16 ble student shall lose eligibility 3 calendar years  
17 after first receiving benefits under this subpart.

18           “(6) INDIAN TRIBE.—The term ‘Indian tribe’  
19 has the meaning given the term in section 102 of the  
20 Federally Recognized Indian Tribe List Act of 1994  
21 (25 U.S.C. 5130).

22           “(7) INSTITUTION OF HIGHER EDUCATION.—  
23 The term ‘institution of higher education’ has the  
24 meaning given the term in section 101.

1           “(8) RECOGNIZED POSTSECONDARY CREDEN-  
2           TIAL.—The term ‘recognized postsecondary creden-  
3           tial’ has the meaning as described in section 3 of the  
4           Workforce Innovation and Opportunity Act (29  
5           U.S.C. 3102).

6           “(9) STATE.—The term ‘State’ has the mean-  
7           ing given the term in section 103.

8           **“SEC. 499G. APPROPRIATIONS.**

9           “(a) AUTHORIZATION AND APPROPRIATIONS.—For  
10          the purpose of making grants under this subpart there are  
11          authorized to be appropriated, and there are appro-  
12          priated—

13               “(1) \$1,569,700,000 for fiscal year 2020;

14               “(2) \$3,472,880,000 for fiscal year 2021;

15               “(3) \$4,431,950,000 for fiscal year 2022;

16               “(4) \$6,204,030,000 for fiscal year 2023;

17               “(5) \$8,119,870,000 for fiscal year 2024;

18               “(6) \$9,297,430,000 for fiscal year 2025;

19               “(7) \$11,708,890,000 for fiscal year 2026;

20               “(8) \$14,971,330,000 for fiscal year 2027;

21               “(9) \$15,619,910,000 for fiscal year 2028; and

22               “(10) \$16,296,080,000 for fiscal year 2029 and  
23          each succeeding fiscal year.

1       “(b) AVAILABILITY.—Funds appropriated under sub-  
2 section (a) shall remain available to the Secretary until  
3 expended.

4       “(c) INSUFFICIENT FUNDS.—If the amount appro-  
5 priated under subsection (a) for a fiscal year is not suffi-  
6 cient to award each participating State and Indian tribe  
7 a grant under this subpart that is equal to the minimum  
8 amount of the Federal share described in section 499A,  
9 the Secretary may ratably reduce the amount of each such  
10 grant or take other actions necessary to ensure an equi-  
11 table distribution of such amount.”.

12 **SEC. 3. PATHWAYS TO STUDENT SUCCESS FOR HISTORI-**  
13 **CALLY BLACK COLLEGES AND UNIVERSITIES,**  
14 **TRIBAL COLLEGES AND UNIVERSITIES, AND**  
15 **MINORITY-SERVING INSTITUTIONS.**

16       Part J of title IV of the Higher Education Act of  
17 1965 (20 U.S.C. 1070 et seq.), as added by section 2,  
18 is further amended by adding at the end the following:

1 **“Subpart 2—Grants to Historically Black Colleges**  
 2 **and Universities, Tribal Colleges and Univer-**  
 3 **sities, and Minority-Serving Institutions**

4 **“SEC. 499H. PATHWAYS TO STUDENT SUCCESS FOR HIS-**  
 5 **TORICALLY BLACK COLLEGES AND UNIVER-**  
 6 **SITIES.**

7 “(a) IN GENERAL.—From amounts appropriated  
 8 under section 499L(a) for any fiscal year, the Secretary  
 9 shall award grants to participating 4-year historically  
 10 black colleges or universities that meet the requirements  
 11 of subsection (b) to—

12 “(1) encourage students to enroll and success-  
 13 fully complete a bachelor’s degree at participating  
 14 institutions;

15 “(2) provide incentives to community college  
 16 students to transfer to participating institutions  
 17 through strong transfer pathways to complete a  
 18 bachelor’s degree program; and

19 “(3) support participating institutions to better  
 20 serve new and existing students by engaging in re-  
 21 forms and innovations designed to improve comple-  
 22 tion rates and other student outcomes.

23 “(b) ELIGIBILITY.—To be eligible to receive a grant  
 24 under the program under this section, an institution shall  
 25 be a historically black college or university that—

1           “(1) has a student body of which not less than  
2           35 percent are low-income students;

3           “(2) commits to maintaining or adopting and  
4           implementing promising and evidence-based institu-  
5           tional reforms and innovative practices to improve  
6           the completion rates and other student outcomes,  
7           such as—

8                   “(A) providing comprehensive academic  
9                   and student support services, including men-  
10                  toring and advising, especially for low-income,  
11                  first-generation, adult, and other underrep-  
12                  resented students;

13                  “(B) providing direct support services such  
14                  as—

15                          “(i) childcare, transportation, emer-  
16                          gency financial assistance, and mental  
17                          health and substance use disorder treat-  
18                          ment;

19                          “(ii) assistance in obtaining health in-  
20                          surance coverage;

21                          “(iii) assistance securing affordable  
22                          housing;

23                          “(iv) efforts to address food insecurity  
24                          and campus hunger; and

1           “(v) efforts to facilitate student par-  
2           ticipation in means-tested Federal benefit  
3           programs (as defined in section 479(d));

4           “(C) providing accelerated learning oppor-  
5           tunities and degree pathways, such as dual en-  
6           rollment and pathways to graduate and profes-  
7           sional degree programs;

8           “(D) partnering with employers, industry,  
9           not-for-profit associations, and other groups to  
10          provide opportunities to advance learning out-  
11          side the classroom, including work-based learn-  
12          ing opportunities such as internships or appren-  
13          ticeships or programs designed to improve  
14          inter-cultural development and personal growth,  
15          such as foreign exchange and study abroad pro-  
16          grams;

17          “(E) strengthening remedial education, es-  
18          pecially for low-income students, first-genera-  
19          tion college students, adult students, and other  
20          underrepresented students; or

21          “(F) implementing course redesigns of  
22          high-enrollment courses to improve student out-  
23          comes and reduce cost;

24          “(3) sets performance goals for improving stu-  
25          dent outcomes for the duration of the grant; and



1           “(4) if receiving a grant for transfer students,  
2           has articulation agreements with community colleges  
3           at the national, State, or local level to ensure that  
4           community college credits can fully transfer to the  
5           participating institution.

6           “(c) GRANT AMOUNT.—

7           “(1) INITIAL AMOUNT.—For the first year that  
8           an eligible institution participates in the grant pro-  
9           gram under this section and subject to paragraph  
10          (3), such eligible institution shall receive a grant in  
11          an amount based on the product of—

12                   “(A) the actual cost of tuition and fees at  
13                   the eligible institution in such year (referred to  
14                   in this section as the per-student rebate); and

15                   “(B) the number of eligible students en-  
16                   rolled in the eligible institution for the pre-  
17                   ceding year.

18          “(2) SUBSEQUENT INCREASES.—For each suc-  
19          ceeding year after the first year of the grant pro-  
20          gram under this section, each participating eligible  
21          institution shall receive a grant in the amount deter-  
22          mined under paragraph (1) for such year, except  
23          that in no case shall the amount of the per-student  
24          rebate for an eligible institution increase by more

1 than 3 percent as compared to the amount of such  
2 rebate for the preceding year.

3 “(3) LIMITATIONS.—

4 “(A) MAXIMUM PER-STUDENT REBATE.—

5 No eligible institution participating in the grant  
6 program under this section shall receive a per-  
7 student rebate amount for any year that is  
8 greater than the national average of annual tui-  
9 tion and fees at public 4-year institutions of  
10 higher education for such year, as determined  
11 by the Secretary.

12 “(B) FIRST-YEAR TUITION AND FEES.—

13 During the first year of participation in the  
14 grant program under this section, no eligible in-  
15 stitution may increase tuition and fees at a rate  
16 greater than any annual increase at the eligible  
17 institution in the previous 5 years.

18 “(d) APPLICATION.—An eligible institution that de-  
19 sires a grant under this section shall submit an application  
20 to the Secretary at such time, in such manner, and con-  
21 taining such information as the Secretary may require.

22 “(e) USE OF FUNDS.—Funds awarded under this  
23 section to a participating eligible institution shall be used  
24 to waive or significantly reduce tuition and fees for eligible  
25 students in an amount of not more than up to the annual

1 per-student rebate amount for each student, for not more  
2 than the first 60 credits an eligible student enrolls in the  
3 participating eligible institution.

4 **“SEC. 499I. PATHWAYS TO STUDENT SUCCESS FOR TRIBAL**  
5 **COLLEGES AND UNIVERSITIES.**

6 “(a) IN GENERAL.—From amounts appropriated  
7 under section 499L(a) for any fiscal year, the Secretary  
8 shall award grants to participating 4-year Tribal Colleges  
9 or Universities that meet the requirements of subsection  
10 (b) to—

11 “(1) encourage students to enroll and success-  
12 fully complete a bachelor’s degree at participating  
13 institutions;

14 “(2) provide incentives to community college  
15 students to transfer to participating institutions  
16 through strong transfer pathways to complete a  
17 bachelor’s degree program; and

18 “(3) support participating institutions to better  
19 serve new and existing students by engaging in re-  
20 forms and innovations designed to improve comple-  
21 tion rates and other student outcomes.

22 “(b) ELIGIBILITY.—To be eligible to receive a grant  
23 under the program under this section, an institution shall  
24 be a Tribal College or University that—

1           “(1) has a student body of which not less than  
2           35 percent are low-income students;

3           “(2) commits to maintaining or adopting and  
4           implementing promising and evidence-based institu-  
5           tional reforms and innovative practices to improve  
6           the completion rates and other student outcomes,  
7           such as—

8                   “(A) providing comprehensive academic  
9                   and student support services, including men-  
10                  toring and advising, especially for low-income,  
11                  first-generation, adult, and other underrep-  
12                  resented students;

13                  “(B) providing direct support services such  
14                  as—

15                          “(i) childcare, transportation, emer-  
16                          gency financial assistance, and mental  
17                          health and substance use disorder treat-  
18                          ment;

19                          “(ii) assistance in obtaining health in-  
20                          surance coverage;

21                          “(iii) assistance securing affordable  
22                          housing;

23                          “(iv) efforts to address food insecurity  
24                          and campus hunger; and

1                   “(v) efforts to facilitate student par-  
2                   ticipation in means-tested Federal benefit  
3                   programs (as defined in section 479(d));

4                   “(C) providing accelerated learning oppor-  
5                   tunities and degree pathways, such as dual en-  
6                   rollment and pathways to graduate and profes-  
7                   sional degree programs;

8                   “(D) partnering with employers, industry,  
9                   not-for-profit associations, and other groups to  
10                  provide opportunities to advance learning out-  
11                  side the classroom, including work-based learn-  
12                  ing opportunities such as internships or appren-  
13                  ticeships or programs designed to improve  
14                  inter-cultural development and personal growth,  
15                  such as foreign exchange and study abroad pro-  
16                  grams;

17                  “(E) strengthening remedial education, es-  
18                  pecially for low-income students, first genera-  
19                  tion college students, adult students, and other  
20                  underrepresented students; or

21                  “(F) implementing course redesigns of  
22                  high-enrollment courses to improve student out-  
23                  comes and reduce cost;

24                  “(3) sets performance goals for improving stu-  
25                  dent outcomes for the duration of the grant; and

1           “(4) if receiving a grant for transfer students,  
2           has articulation agreements with community colleges  
3           at the national, State, or local level to ensure that  
4           community college credits can fully transfer to the  
5           participating institution.

6           “(c) GRANT AMOUNT.—

7           “(1) INITIAL AMOUNT.—For the first year that  
8           an eligible institution participates in the grant pro-  
9           gram under this section and subject to paragraph  
10          (3), such eligible institution shall receive a grant in  
11          an amount based on the product of—

12                   “(A) the actual cost of tuition and fees at  
13                   the eligible institution in such year (referred to  
14                   in this section as the per-student rebate); and

15                   “(B) the number of eligible students en-  
16                   rolled in the eligible institution for the pre-  
17                   ceding year.

18          “(2) SUBSEQUENT INCREASES.—For each suc-  
19          ceeding year after the first year of the grant pro-  
20          gram under this section, each participating eligible  
21          institution shall receive a grant in the amount deter-  
22          mined under paragraph (1) for such year, except  
23          that in no case shall the amount of the per-student  
24          rebate for an eligible institution increase by more

1 than 3 percent as compared to the amount of such  
2 rebate for the preceding year.

3 “(3) LIMITATIONS.—

4 “(A) MAXIMUM PER-STUDENT REBATE.—

5 No eligible institution participating in the grant  
6 program under this section shall receive a per-  
7 student rebate amount for any year that is  
8 greater than the national average of annual tui-  
9 tion and fees at public 4-year institutions of  
10 higher education for such year, as determined  
11 by the Secretary.

12 “(B) FIRST-YEAR TUITION AND FEES.—

13 During the first year of participation in the  
14 grant program under this section, no eligible in-  
15 stitution may increase tuition and fees at a rate  
16 greater than any annual increase at the eligible  
17 institution in the previous 5 years.

18 “(d) APPLICATION.—An eligible institution that de-  
19 sires a grant under this section shall submit an application  
20 to the Secretary at such time, in such manner, and con-  
21 taining such information as the Secretary may require.

22 “(e) USE OF FUNDS.—Funds awarded under this  
23 section to a participating eligible institution shall be used  
24 to waive or significantly reduce tuition and fees for eligible  
25 students in an amount of not more than up to the annual

1 per-student rebate amount for each student, for not more  
 2 than the first 60 credits an eligible student enrolls in the  
 3 participating eligible institution.

4 **“SEC. 499J. PATHWAYS TO STUDENT SUCCESS FOR HIS-**  
 5 **PANIC-SERVING INSTITUTIONS, ASIAN AMER-**  
 6 **ICAN AND NATIVE AMERICAN PACIFIC IS-**  
 7 **LANDER-SERVING INSTITUTIONS, ALASKA NA-**  
 8 **TIVE-SERVING INSTITUTIONS, NATIVE HAWAI-**  
 9 **IAN-SERVING INSTITUTIONS, PREDOMI-**  
 10 **NANTLY BLACK INSTITUTIONS, AND NATIVE**  
 11 **AMERICAN-SERVING NONTRIBAL INSTITU-**  
 12 **TIONS.**

13 “(a) IN GENERAL.—From amounts appropriated  
 14 under section 499L(a) for any fiscal year, the Secretary  
 15 shall award grants to participating 4-year minority-serving  
 16 institutions to—

17 “(1) encourage students to enroll and success-  
 18 fully complete a bachelor’s degree at participating  
 19 institutions;

20 “(2) provide incentives to community college  
 21 students to transfer to participating institutions  
 22 through strong transfer pathways to complete a  
 23 bachelor’s degree program; and

24 “(3) support participating institutions to better  
 25 serve new and existing students by engaging in re-



1 forms and innovations designed to improve comple-  
2 tion rates and other student outcomes.

3 “(b) INSTITUTIONAL ELIGIBILITY.—To be eligible to  
4 participate and receive a grant under this section, an insti-  
5 tution shall be a minority-serving institution that—

6 “(1) has a student body of which not less than  
7 35 percent are low-income students;

8 “(2) commits to maintaining or adopting and  
9 implementing promising and evidence-based institu-  
10 tional reforms and innovative practices to improve  
11 the completion rates and other student outcomes,  
12 such as—

13 “(A) providing comprehensive academic  
14 and student support services, including men-  
15 toring and advising, especially for low-income,  
16 first-generation, adult, and other underrep-  
17 resented students;

18 “(B) providing direct support services such  
19 as—

20 “(i) childcare, transportation, emer-  
21 gency financial assistance, and mental  
22 health and substance use disorder treat-  
23 ment;

24 “(ii) assistance in obtaining health in-  
25 surance coverage;

1                   “(iii) assistance securing affordable  
2                   housing;

3                   “(iv) efforts to address food insecurity  
4                   and campus hunger; and

5                   “(v) efforts to facilitate student par-  
6                   ticipation in means-tested Federal benefit  
7                   programs (as defined in section 479(d));

8                   “(C) providing accelerated learning oppor-  
9                   tunities and degree pathways, such as dual en-  
10                  rollment and pathways to graduate and profes-  
11                  sional degree programs;

12                  “(D) partnering with employers, industry,  
13                  not-for-profit associations, and other groups to  
14                  provide opportunities to advance learning out-  
15                  side the classroom, including work-based learn-  
16                  ing opportunities such as internships or appren-  
17                  ticeships or programs designed to improve  
18                  inter-cultural development and personal growth,  
19                  such as foreign exchange and study abroad pro-  
20                  grams;

21                  “(E) strengthening remedial education, es-  
22                  pecially for low-income students, first genera-  
23                  tion college students, adult students, and other  
24                  underrepresented students; and

1           “(F) implementing course redesigns of  
2           high-enrollment courses to improve student out-  
3           comes and reduce cost;

4           “(3) sets performance goals for improving stu-  
5           dent outcomes for the duration of the grant; and

6           “(4) if receiving a grant for transfer students,  
7           has articulation agreements with community colleges  
8           at the national, State, or local levels to ensure that  
9           community college credits can fully transfer to the  
10          participating institution.

11         “(c) GRANT AMOUNT.—

12           “(1) INITIAL AMOUNT.—For the first year that  
13           an eligible institution participates in the grant pro-  
14           gram under this section and subject to paragraph  
15           (3), such participating eligible institution shall re-  
16           ceive a grant in an amount based on the product  
17           of—

18           “(A) the actual cost of tuition and fees at  
19           the eligible institution in such year (referred to  
20           in this section as the per-student rebate); and

21           “(B) the number of eligible students en-  
22           rolled in the eligible institution for the pre-  
23           ceding year.

24           “(2) SUBSEQUENT INCREASES.—For each suc-  
25           ceeding year after the first year of the grant pro-

1 gram under this section, each participating eligible  
2 institution shall receive a grant in the amount deter-  
3 mined under paragraph (1) for such year, except  
4 that in no case shall the amount of the per-student  
5 rebate increase by more than 3 percent as compared  
6 to the amount of such rebate for the preceding year.

7 “(3) LIMITATIONS.—

8 “(A) MAXIMUM PER-STUDENT REBATE.—

9 No eligible institution participating in the grant  
10 program under this section shall receive a per-  
11 student rebate amount for a grant year greater  
12 than the national average of public four-year in-  
13 stitutional tuition and fees, as determined by  
14 the Secretary.

15 “(B) FIRST-YEAR TUITION AND FEES.—

16 During the first year of participation in the  
17 grant program under this section, no eligible in-  
18 stitution may increase tuition and fees at a rate  
19 greater than any annual increase made by the  
20 institution in the previous 5 years.

21 “(d) APPLICATION.—An eligible institution shall sub-

22 mit an application to the Secretary at such time, in such  
23 a manner, and containing such information as determined  
24 by the Secretary.

1       “(e) USE OF FUNDS.—Funds awarded under this  
2 section to a participating eligible institution shall be used  
3 to waive or significantly reduce tuition and fees for eligible  
4 students in an amount of not more than up to the annual  
5 per-student rebate amount for each student, for not more  
6 than the first 60 credits an eligible student enrolls in the  
7 participating eligible institution.

8 **“SEC. 499K. DEFINITIONS.**

9       “In this subpart:

10           “(1) ELIGIBLE STUDENT.—

11                   “(A) DEFINITION.—The term ‘eligible stu-  
12 dent’ means a student, regardless of age, who—

13                           “(i)(I) enrolls in a historically black  
14 college or university, Tribal College or Uni-  
15 versity, or minority-serving institution; or

16                           “(II) transfers from a community col-  
17 lege into a historically black college or uni-  
18 versity, Tribal College or University, or mi-  
19 nority-serving institution;

20                           “(ii) attends the historically black col-  
21 lege or university, Tribal College or Uni-  
22 versity, or minority-serving institution, on  
23 at least a half-time basis;

24                           “(iii) maintains satisfactory academic  
25 progress; and

1           “(iv) is a low-income student.

2           “(B) SPECIAL RULES.—

3           “(i) FIRST 3 YEARS.—An otherwise el-  
4           igible student shall lose eligibility 3 cal-  
5           endar years after first receiving benefits  
6           under this title.

7           “(ii) SPECIAL RULE FOR CERTAIN  
8           STUDENTS.—Notwithstanding subpara-  
9           graph (A)(i), an otherwise eligible student  
10          whose parent or guardian was denied a  
11          Federal Direct PLUS loan under part D  
12          after November 1, 2011, and before March  
13          29, 2015, and who subsequently withdrew  
14          from a historically black college or univer-  
15          sity, Tribal College or University, or mi-  
16          nority-serving institution, and has not yet  
17          completed a program of study at such his-  
18          torically black college or university or mi-  
19          nority-serving institution, shall be eligible  
20          to participate under sections 499H, 499I,  
21          or 499J in order to complete such program  
22          of study, subject to all other requirements  
23          of sections 499H, 499I, or 499J (as the  
24          case may be).

1           “(2) HISTORICALLY BLACK COLLEGE OR UNI-  
2           VERSITY.—The term ‘historically black college or  
3           university’ means a part B institution described in  
4           section 322(2).

5           “(3) LOW-INCOME STUDENT.—The term ‘low-  
6           income student’—

7                   “(A) shall include any student eligible for  
8                   a Federal Pell Grant under section 401; and

9                   “(B) may include a student ineligible for a  
10                  Federal Pell Grant under section 401 who is  
11                  determined by the institution to be a low-in-  
12                  come student based on an analysis of the stu-  
13                  dent’s ability to afford the cost of attendance at  
14                  the institution.

15           “(4) MINORITY-SERVING INSTITUTION.—The  
16           term ‘minority-serving institution’ means any public  
17           or nonprofit institution of higher education—

18                   “(A) described in paragraph (2), (4), (5),  
19                   (6), or (7) of section 371(a); and

20                   “(B) designated as a minority-serving in-  
21                   stitution by the Secretary.

22           “(5) TRIBAL COLLEGE OR UNIVERSITY.—The  
23           term ‘Tribal College or University’ has the meaning  
24           given the term in section 316.

1 **“SEC. 499L. APPROPRIATIONS.**

2 “(a) AUTHORIZATION AND APPROPRIATIONS FOR  
3 HBCU, TCU, AND MSI GRANTS.—For the purpose of  
4 carrying out sections 499H, 499I, and 499J there are au-  
5 thorized to be appropriated, and there are appropriated—

6 “(1) \$63,250,000 for fiscal year 2020;

7 “(2) \$206,990,000 for fiscal year 2021;

8 “(3) \$1,232,760,000 for fiscal year 2022;

9 “(4) \$1,282,210,000 for fiscal year 2023;

10 “(5) \$1,333,950,000 for fiscal year 2024;

11 “(6) \$1,386,850,000 for fiscal year 2025;

12 “(7) \$1,408,700,000 for fiscal year 2026;

13 “(8) \$1,501,850,000 for fiscal year 2027;

14 “(9) \$1,562,800,000 for fiscal year 2028; and

15 “(10) \$1,626,040,000 for fiscal year 2029 and

16 each succeeding fiscal year.

17 “(b) AVAILABILITY.—Funds appropriated under sub-  
18 section (a) are to remain available to the Secretary until  
19 expended.

20 “(c) INSUFFICIENT FUNDS.—If the amount appro-  
21 priated under subsection (a) for a fiscal year is not suffi-  
22 cient to award each participating institution in the grant  
23 programs under sections 499H, 499I, and 499J a grant  
24 under this part equal to 100 percent of the grant amount  
25 determined under section 499H(c), 499I(c), or 499J(c),  
26 as appropriate, the Secretary may ratably reduce the



- 1 amount of each such grant or take other actions necessary
- 2 to ensure an equitable distribution of such amount.”.

○