

116TH CONGRESS
1ST SESSION

S. 461

To strengthen the capacity and competitiveness of historically Black colleges and universities through robust public-sector, private-sector, and community partnerships and engagement, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2019

Mr. SCOTT of South Carolina (for himself, Mr. COONS, Mr. PERDUE, Mr. JONES, Mr. WICKER, Ms. HARRIS, Mrs. BLACKBURN, Mr. KAINÉ, Mrs. HYDE-SMITH, Mr. VAN HOLLEN, Mr. TILLIS, Mr. BOOKER, Ms. KLOBUCHAR, Ms. WARREN, Mr. SANDERS, and Mr. BRAUN) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To strengthen the capacity and competitiveness of historically Black colleges and universities through robust public-sector, private-sector, and community partnerships and engagement, 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 “HBCU Propelling
5 Agency Relationships Towards a New Era of Results for
6 Students Act” or the “HBCU PARTNERS Act”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) As many colleges and universities across the
4 country kept their doors closed to African American
5 applicants, historically Black colleges and univer-
6 sities (referred to in this section as “HBCUs”)
7 played a central role in ensuring that African Ameri-
8 cans could attain an excellent education.

9 (2) Today, HBCUs continue to play a critical
10 role in ensuring that African Americans, and those
11 of all races, can access high-quality educational op-
12 portunities.

13 (3) HBCUs enroll nearly 300,000 students, an
14 estimated 70 percent of whom come from low-income
15 backgrounds and 80 percent of whom are African
16 American.

17 (4) According to the National Association For
18 Equal Opportunity In Higher Education, HBCUs
19 make up just 3 percent of American institutions of
20 higher education but serve more than a fifth of Afri-
21 can American college students.

22 (5) A March 2017 report from the Education
23 Trust concluded that HBCUs have higher comple-
24 tion rates for African American students than other
25 institutions serving similar student populations.

1 (6) In 2014, HBCUs generated a total direct
2 economic impact of \$14,800,000,000 and created
3 more than 134,000 jobs, according to a study com-
4 missioned by the United Negro College Fund (re-
5 ferred to in this section as “UNCF”).

6 (7) According to the Thurgood Marshall College
7 Fund (referred to in this section as “TMCF”), 40
8 percent of African American Members of Congress,
9 50 percent of African American lawyers, and 80 per-
10 cent of African American judges are graduates of
11 HBCUs.

12 (8) According to UNCF, in 2013, HBCUs
13 awarded a quarter of all science, technology, engi-
14 neering, and mathematics bachelor’s degrees award-
15 ed to African Americans.

16 (9) According to TMCF, approximately 9 per-
17 cent of all African American college students attend
18 HBCUs.

19 (10) According to UNCF, African American
20 graduates of HBCUs are almost twice as likely as
21 African Americans who graduated from other insti-
22 tutions to report that their university prepared them
23 well for life.

24 (b) PURPOSES.—The purposes of this Act are—

1 (1) to strengthen the capacity and competitive-
2 ness of HBCUs to fulfill their principal mission of
3 equalizing educational opportunity, as described in
4 section 301(b) of the Higher Education Act of 1965
5 (20 U.S.C. 1051(b));

6 (2) to align HBCUs with the educational and
7 economic competitiveness priorities of the United
8 States;

9 (3) to provide students enrolled at HBCUs with
10 the highest quality educational and economic oppor-
11 tunities;

12 (4) to bolster and facilitate productive inter-
13 actions between HBCUs and Federal agencies; and

14 (5) to encourage HBCU participation in and
15 benefit from Federal programs, grants, contracts,
16 and cooperative agreements.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

19 (1) **APPLICABLE AGENCY.**—The term “applica-
20 ble agency” means any Federal agency designated
21 by the Secretary, in accordance with section 4.

22 (2) **EXECUTIVE DIRECTOR.**—The term “Execu-
23 tive Director” means—

24 (A) the Executive Director of the White
25 House Initiative on Historically Black Colleges

1 and Universities, as designated by the Presi-
2 dent; or

3 (B) if no such Executive Director is des-
4 igned, such person as the President may des-
5 ignate to lead the White House Initiative on
6 Historically Black Colleges and Universities.

7 (3) HBCU.—The term “HBCU” means a his-
8 torically Black college or university.

9 (4) HISTORICALLY BLACK COLLEGE OR UNI-
10 VERSITY.—The term “historically Black college or
11 university” has the meaning given the term “part B
12 institution” under section 322 of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1061).

14 (5) PRESIDENT’S BOARD OF ADVISORS.—The
15 term “President’s Board of Advisors” means the
16 President’s Board of Advisors on historically Black
17 colleges and universities.

18 (6) SECRETARY.—Except as otherwise provided,
19 the term “Secretary” means the Secretary of Edu-
20 cation.

21 (7) WHITE HOUSE INITIATIVE.—The term
22 “White House Initiative” means the White House
23 Initiative on historically Black colleges and univer-
24 sities.

1 **SEC. 4. STRENGTHENING HBCUS THROUGH FEDERAL**
2 **AGENCY PLANS.**

3 (a) DESIGNATING APPLICABLE AGENCIES.—The
4 Secretary, in consultation with the Executive Director,
5 shall identify those Federal agencies that regularly inter-
6 act with HBCUs and designate them as applicable agen-
7 cies.

8 (b) SUBMITTING AGENCY PLANS.—Not later than
9 February 1 of each year, the head of each applicable agen-
10 cy shall submit to the Secretary and the Executive Direc-
11 tor an annual Agency Plan describing efforts to strength-
12 en the capacity of HBCUs to participate in relevant Fed-
13 eral programs and initiatives under the jurisdiction of the
14 applicable agency.

15 (c) FURTHER REQUIREMENTS FOR SUBMISSION AND
16 ACCESSIBILITY.—The head of each applicable agency shall
17 submit each annual Agency Plan described in subsection
18 (b) to the Committee on Health, Education, Labor, and
19 Pensions of the Senate and the Committee on Education
20 and Labor of the House of Representatives.

21 (d) AGENCY PLAN CONTENT.—Where appropriate,
22 each Agency Plan shall, among other things—

23 (1) establish how the applicable agency intends
24 to increase the capacity of HBCUs to compete effec-
25 tively for grants, contracts, or cooperative agree-
26 ments;

1 (2) identify Federal programs and initiatives
2 under the jurisdiction of the applicable agency where
3 HBCUs are not well-represented;

4 (3) outline proposed efforts to improve HBCUs'
5 participation in such programs and initiatives in
6 which they are underrepresented;

7 (4) describe any progress made towards advanc-
8 ing or achieving goals and efforts from previous
9 Agency Plans;

10 (5) encourage public-sector, private-sector, and
11 community involvement in improving the capacity of
12 HBCUs; and

13 (6) meet, where relevant, any additional criteria
14 established by the Secretary or the White House Ini-
15 tiative.

16 (e) AGENCY ENGAGEMENT.—To help fulfill the objec-
17 tives of the Agency Plans, the head of each applicable
18 agency—

19 (1) may provide, as appropriate, technical as-
20 sistance and information to the Executive Director
21 to enhance communication with HBCUs concerning
22 the applicable agency's program activities and the
23 preparation of applications or proposals for grants,
24 contracts, or cooperative agreements; and

1 (2) shall appoint a senior official to report di-
2 rectly to the agency head on the applicable agency's
3 progress under this section.

4 **SEC. 5. PRESIDENT'S BOARD OF ADVISORS ON HBCUS.**

5 (a) ADMINISTRATION.—

6 (1) IN GENERAL.—There is established the
7 President's Board of Advisors on historically Black
8 colleges and universities in the Department of Edu-
9 cation or, if the President so elects, within the Exec-
10 utive Office of the President.

11 (2) FUNDING FROM ED.—Except as provided in
12 paragraph (3), the Secretary shall provide funding
13 and administrative support for the President's
14 Board of Advisors, subject to the availability of ap-
15 propriations.

16 (3) FUNDING FROM THE EXECUTIVE OFFICE OF
17 THE PRESIDENT.—If the President elects to locate
18 the President's Board of Advisors within the Execu-
19 tive Office of the President, the Executive Office of
20 the President shall provide funding and administra-
21 tive support for the President's Board of Advisors,
22 subject to the availability of appropriations.

23 (b) MEMBERSHIP.—The President shall appoint not
24 more than 23 members to the President's Board of Advi-
25 sors, and the Secretary and Executive Director or their

1 designees shall serve as ex officio members. The President
2 shall designate one member of the President's Board of
3 Advisors to serve as its Chair, who shall help direct the
4 Board's work in coordination with the Secretary and in
5 consultation with the Executive Director. The Chair shall
6 also consult with the Executive Director regarding the
7 time and location of meetings of the President's Board
8 of Advisors, which shall take place not less frequently than
9 once every 6 months. Members of the President's Board
10 of Advisors shall serve without compensation, but shall be
11 reimbursed for travel expenses, including per diem in lieu
12 of subsistence, as authorized by law. Insofar as the Fed-
13 eral Advisory Committee Act (5 U.S.C. App.) may apply
14 to the Board, any functions of the President under such
15 Act, except for those of reporting to the Congress, shall
16 be performed by the Chair, in accordance with guidelines
17 issued by the Administrator of General Services.

18 (c) MISSION AND FUNCTIONS.—The President's
19 Board of Advisors shall advise the President, through the
20 White House Initiative, on all matters pertaining to
21 strengthening the educational capacity of HBCUs. In par-
22 ticular, the President's Board of Advisors shall advise the
23 President in the following areas:

24 (1) Improving the identity, visibility, distinctive
25 capabilities, and overall competitiveness of HBCUs.

1 (2) Engaging the philanthropic, business, gov-
2 ernment, military, homeland-security, and education
3 communities in a national dialogue regarding new
4 HBCU programs and initiatives.

5 (3) Improving the ability of HBCUs to remain
6 fiscally secure institutions that can assist the Nation
7 in achieving its educational goals and in advancing
8 the interests of all Americans.

9 (4) Elevating the public awareness of, and fos-
10 tering appreciation of, HBCUs.

11 (5) Encouraging public-private investments in
12 HBCUs.

13 (6) Improving government-wide strategic plan-
14 ning related to HBCU competitiveness to align Fed-
15 eral resources and provide the context for decisions
16 about HBCU partnerships, investments, perform-
17 ance goals, priorities, human capital development
18 and budget planning.

19 (d) REPORT.—The President’s Board of Advisors
20 shall report annually to the President on the Board’s
21 progress in carrying out its duties under this section.

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