

In the House of Representatives, U. S.,

December 7, 2020.

Resolved, That the bill from the Senate (S. 461) entitled “An Act 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.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “HBCU Propelling Agen-*
3 *cy Relationships Towards a New Era of Results for Stu-*
4 *dents Act” or the “HBCU PARTNERS Act”.*

5 ***SEC. 2. FINDINGS AND PURPOSES.***

6 *(a) FINDINGS.—Congress finds the following:*

7 *(1) As many colleges and universities across the*
8 *country kept their doors closed to African American*
9 *applicants, historically Black colleges and universities*
10 *(referred to in this section as “HBCUs”) played a*
11 *central role in ensuring that African Americans could*
12 *attain an excellent education.*

13 *(2) Today, HBCUs continue to play a critical*
14 *role in ensuring that African Americans, and those of*

1 *all races, can access high-quality educational opportu-*
2 *nities.*

3 (3) *HBCUs enroll nearly 300,000 students, an*
4 *estimated 70 percent of whom come from low-income*
5 *backgrounds and 80 percent of whom are African*
6 *American.*

7 (4) *According to the National Association For*
8 *Equal Opportunity In Higher Education (referred to*
9 *in this section as “NAFEO”), HBCUs make up just*
10 *3 percent of American institutions of higher education*
11 *but serve more than a fifth of African American col-*
12 *lege students.*

13 (5) *According to the Thurgood Marshall College*
14 *Fund (referred to in this section as “TMCF”), ap-*
15 *proximately 9 percent of all African American college*
16 *students attend HBCUs.*

17 (6) *A March 2017 report from the Education*
18 *Trust concluded that HBCUs have higher completion*
19 *rates for African American students than other insti-*
20 *tutions serving similar student populations.*

21 (7) *According to TMCF, 40 percent of African*
22 *American Members of Congress, 50 percent of African*
23 *American lawyers, and 80 percent of African Amer-*
24 *ican judges are graduates of HBCUs.*

1 (8) *According to NAFEO, HBCUs graduate ap-*
2 *proximately 50 percent of African American public*
3 *school teaching professionals.*

4 (9) *According to the United Negro College Fund*
5 *(referred to in this section as “UNCF”), African*
6 *American graduates of HBCUs are almost twice as*
7 *likely as African Americans who graduated from*
8 *other institutions to report that their university pre-*
9 *pared them well for life.*

10 (10) *According to a study commissioned by*
11 *UNCF, in 2014, HBCUs generated a total direct eco-*
12 *nomical impact of \$14,800,000,000 and created more*
13 *than 134,000 jobs.*

14 (11) *According to a 2019 report produced by the*
15 *American Council on Education and UNCF, despite*
16 *efforts to counter a historical legacy of inequitable*
17 *funding and notable investments by the Federal Gov-*
18 *ernment and many State governments, resource in-*
19 *equities continue to plague HBCUs.*

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

21 (1) *to strengthen the capacity and competitive-*
22 *ness of HBCUs to fulfill their principal mission of*
23 *equalizing educational opportunity, as described in*
24 *section 301(b) of the Higher Education Act of 1965*
25 *(20 U.S.C. 1051(b));*

1 (2) to align HBCUs with the educational and
2 economic competitiveness priorities of the United
3 States;

4 (3) to provide students enrolled at HBCUs with
5 the highest quality educational and economic oppor-
6 tunities;

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

9 (5) to encourage HBCU participation in and
10 benefit from Federal programs, grants, contracts, and
11 cooperative agreements.

12 **SEC. 3. DEFINITIONS.**

13 *In this Act:*

14 (1) *APPLICABLE AGENCY.*—The term “applicable
15 agency” means—

16 (A) the Department of Agriculture;

17 (B) the Department of Commerce;

18 (C) the Department of Defense;

19 (D) the Department of Education;

20 (E) the Department of Energy;

21 (F) the Department of Health and Human
22 Services;

23 (G) the Department of Homeland Security;

24 (H) the Department of Housing and Urban
25 Development;

- 1 *(I) the Department of the Interior;*
2 *(J) the Department of Justice;*
3 *(K) the Department of Labor;*
4 *(L) the Department of State;*
5 *(M) the Department of Transportation;*
6 *(N) the Department of Treasury;*
7 *(O) the Department of Veterans Affairs;*
8 *(P) the National Aeronautics and Space*
9 *Administration;*
10 *(Q) the National Oceanic and Atmospheric*
11 *Administration;*
12 *(R) the National Science Foundation;*
13 *(S) the Small Business Administration; and*
14 *(T) any other Federal agency designated as*
15 *an applicable agency under section 4.*

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

- 18 *(A) the Executive Director of the White*
19 *House Initiative on Historically Black Colleges*
20 *and Universities, as designated by the President;*
21 *or*
22 *(B) if no such Executive Director is des-*
23 *ignated, such person as the President may des-*
24 *ignate to lead the White House Initiative on*
25 *Historically Black Colleges and Universities.*

1 (3) *HBCU*.—The term “HBCU” means a his-
2 torically Black college or university.

3 (4) *HISTORICALLY BLACK COLLEGE OR UNIVER-*
4 *SITY*.—The term “historically Black college or univer-
5 sity” has the meaning given the term “part B institu-
6 tion” under section 322 of the Higher Education Act
7 of 1965 (20 U.S.C. 1061).

8 (5) *PRESIDENT’S BOARD OF ADVISORS*.—The
9 term “President’s Board of Advisors” means the
10 President’s Board of Advisors on historically Black
11 colleges and universities.

12 (6) *SECRETARY*.—Except as otherwise provided,
13 the term “Secretary” means the Secretary of Edu-
14 cation.

15 (7) *WHITE HOUSE INITIATIVE*.—The term
16 “White House Initiative” means the White House Ini-
17 tiative on historically Black colleges and universities.

18 **SEC. 4. STRENGTHENING HBCUS THROUGH FEDERAL**

19 **AGENCY PLANS.**

20 (a) *DESIGNATING APPLICABLE AGENCIES*.—The Sec-
21 retary, in consultation with the Executive Director, shall—

22 (1) identify each Federal agency with which an
23 HBCU—

24 (A) has entered into a grant, contract, or
25 cooperative agreement; or

1 (B) is eligible to participate in the pro-
2 grams and initiatives under the jurisdiction of
3 such Federal agency; and

4 (2) designate each Federal agency so identified
5 as an applicable agency.

6 (b) *SUBMITTING AGENCY PLANS.*—Not later than Feb-
7 ruary 1 of each year, the head of each applicable agency
8 shall submit to the Secretary, the Executive Director, the
9 Committee on Health, Education, Labor, and Pensions of
10 the Senate, the Committee on Education and Labor of the
11 House of Representatives, and the President’s Board of Ad-
12 visors an annual Agency Plan describing efforts to strength-
13 en the capacity of HBCUs to participate or be eligible to
14 participate in the programs and initiatives under the juris-
15 diction of such applicable agency as described in subsection
16 (a)(1)(B).

17 (c) *FURTHER REQUIREMENTS FOR SUBMISSION AND*
18 *ACCESSIBILITY.*—The Executive Director shall make all an-
19 nual Agency Plan submissions publicly available online in
20 a user-friendly format.

21 (d) *AGENCY PLAN CONTENT.*—Where appropriate,
22 each Agency Plan shall include—

23 (1) a description of how the applicable agency
24 intends to increase the capacity of HBCUs to compete

1 *effectively for grants, contracts, or cooperative agree-*
2 *ments;*

3 *(2) an identification of Federal programs and*
4 *initiatives under the jurisdiction of the applicable*
5 *agency in which HBCUs are underrepresented;*

6 *(3) an outline of proposed efforts to improve*
7 *HBCUs' participation in such programs and initia-*
8 *tives;*

9 *(4) a description of any progress made towards*
10 *advancing or achieving goals and efforts from pre-*
11 *vious Agency Plans submitted under this section by*
12 *such applicable agency;*

13 *(5) a description of how the applicable agency*
14 *plans to encourage public-sector, private-sector, and*
15 *community involvement to improve the capacity of*
16 *HBCUs to compete effectively for grants, contracts, or*
17 *cooperative agreements, and to participate in pro-*
18 *grams and initiatives under the jurisdiction of such*
19 *agency;*

20 *(6) an identification of programs and initiatives*
21 *not listed in a previous Agency Plan in which an*
22 *HBCU may participate;*

23 *(7) any other information the applicable agency*
24 *determines is relevant to promoting opportunities to*

1 *fund, partner, contract, or otherwise interact with*
 2 *HBCUs; and*

3 *(8) any additional criteria established by the*
 4 *Secretary or the White House Initiative.*

5 *(e) AGENCY ENGAGEMENT.—To help fulfill the objec-*
 6 *tives of the Agency Plans, the head of each applicable agen-*
 7 *cy—*

8 *(1) shall provide, as appropriate, technical as-*
 9 *sistance and information to the Executive Director to*
 10 *enhance communication with HBCUs concerning the*
 11 *applicable agency's—*

12 *(A) programs and initiatives described in*
 13 *subsection (d)(2); and*

14 *(B) the preparation of applications or pro-*
 15 *posals for grants, contracts, or cooperative agree-*
 16 *ments; and*

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

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

21 *(a) ADMINISTRATION.—*

22 *(1) IN GENERAL.—There is established the Presi-*
 23 *dent's Board of Advisors on historically Black colleges*
 24 *and universities in the Department of Education or,*

1 *if the President so elects, within the Executive Office*
2 *of the President.*

3 (2) *FUNDING FROM ED.*—*Except as provided in*
4 *paragraph (3), the Secretary shall provide funding*
5 *and administrative support for the President’s Board*
6 *of Advisors, subject to the availability of appropri-*
7 *ations.*

8 (3) *FUNDING FROM THE EXECUTIVE OFFICE OF*
9 *THE PRESIDENT.*—*If the President elects to locate the*
10 *President’s Board of Advisors within the Executive*
11 *Office of the President, the Executive Office of the*
12 *President shall provide funding and administrative*
13 *support for the President’s Board of Advisors, subject*
14 *to the availability of appropriations.*

15 (b) *MEMBERSHIP.*—

16 (1) *IN GENERAL.*—*The President shall appoint*
17 *not more than 23 members to the President’s Board*
18 *of Advisors, and the Secretary and Executive Director*
19 *or their designees shall serve as ex officio members.*

20 (2) *CHAIR.*—

21 (A) *DESIGNATION.*—*The President shall*
22 *designate one member of the President’s Board of*
23 *Advisors to serve as its Chair, who shall help di-*
24 *rect the Board’s work in coordination with the*

1 *Secretary and in consultation with the Executive*
2 *Director.*

3 (B) *CONSULTATION.*—*The Chair shall also*
4 *consult with the Executive Director regarding the*
5 *time and location of meetings of the President’s*
6 *Board of Advisors, which shall take place not less*
7 *frequently than once every 6 months.*

8 (C) *PERFORMANCE.*—*Insofar as the Federal*
9 *Advisory Committee Act (5 U.S.C. App.) may*
10 *apply to the President’s Board of Advisors, any*
11 *functions of the President under such Act, except*
12 *for those of reporting to the Congress, shall be*
13 *performed by the Chair, in accordance with*
14 *guidelines issued by the Administrator of Gen-*
15 *eral Services.*

16 (3) *COMPENSATION.*—*Members of the President’s*
17 *Board of Advisors shall serve without compensation,*
18 *but shall be reimbursed for travel expenses, including*
19 *per diem in lieu of subsistence, as authorized by law.*

20 (c) *MISSION AND FUNCTIONS.*—*The President’s Board*
21 *of Advisors shall advise the President, through the White*
22 *House Initiative, on all matters pertaining to strengthening*
23 *the educational capacity of HBCUs, which shall include the*
24 *following:*

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

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

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

11 (4) *Elevating the public awareness of, and fos-*
12 *tering appreciation of, HBCUs.*

13 (5) *Encouraging public-private investments in*
14 *HBCUs.*

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

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

Attest:

Clerk.

116TH CONGRESS
2^D SESSION

S. 461

AMENDMENT