

# ***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           (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.*

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 461**

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**AMENDMENT**