

119TH CONGRESS
1ST SESSION

S. 3433

To eliminate certain higher education funding to certain minority-serving institutions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 2025

Mr. BANKS introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To eliminate certain higher education funding to certain 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 “Promoting Equal
5 Learning and Liberty Act” or the “PELL Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The United States of America was founded
9 on the truth that all men are created equal. To se-
10 cure this promise, the Equal Protection Clause of

1 the 14th Amendment guarantees to every person
2 within the jurisdiction of a State—regardless of race
3 or color—the equal protection of its laws. The Fifth
4 Amendment extends that same principle with respect
5 to the Federal Government.

6 (2) The Supreme Court affirmed in *Students*
7 *for Fair Admissions v. President and Fellows of*
8 *Harvard College*, 600 U.S. 181 (2023), that colleges
9 and universities violate the guarantee of equal pro-
10 tection when they engage in race-based admissions
11 policies, including by maintaining racial quotas or
12 preferences for admission. The Court further held
13 that universities could not use facially neutral tools
14 to admit students based on race.

15 (3) The ruling in *Students for Fair Admissions*
16 *v. President and Fellows of Harvard College* re-
17 affirmed a core constitutional prohibition against ra-
18 cial quotas and preferences.

19 (4) Despite the clarity of the Constitution, Con-
20 gress has for decades funded a series of grant pro-
21 grams qualifying institutions of higher education
22 based on the certified racial or ethnic balance of
23 their student bodies. These Minority-Serving Institu-
24 tion programs include over \$350,000,000 in grant
25 money.

1 (5) These grant programs, many of which are
2 not open to Historically Black Colleges and Univer-
3 sities or Tribal Colleges and Universities, inten-
4 tionally treat colleges and universities differently
5 based on the racial demographics of their students.
6 Such programs condition hundreds of millions in
7 Federal funding on the maintenance of racial
8 quotas.

9 (6) The Minority-Serving Institution grant pro-
10 grams violate the Fifth Amendment to the Constitu-
11 tion of the United States by classifying and award-
12 ing money to institutions based on the race or eth-
13 nicity of their students.

14 (7) In addition, the Minority-Serving Institution
15 programs provide a financial incentive for colleges
16 and universities to discriminate on the basis of race
17 in admissions.

18 (8) Decades of Supreme Court precedents have
19 held that the spending power of Congress, although
20 broad, is not unlimited, and that it would exceed the
21 constitutional authority of Congress for Federal
22 funding to induce invidious discrimination.

23 (9) As constituted, these grant programs exceed
24 the spending power of Congress because they induce
25 invidious discrimination.

1 (10) The Minority-Serving Institution programs
2 also play a part in the immigration crisis in the
3 United States. The largest Minority-Serving Institu-
4 tion programs are the Hispanic-Serving Institution
5 programs. Those programs rely on purely ethnic cat-
6 egories without regard to whether the qualifying en-
7 rolled students are citizens of the United States. As
8 greater numbers of aliens have been waved across
9 the southern border, the programs induce colleges
10 and universities to discriminate against citizens of
11 the United States. A large and complex bureaucracy
12 has arisen to support illegal aliens at Minority-Serv-
13 ing Institutions.

14 (11) Race and ethnicity are arbitrary proxies
15 for need.

16 (12) Minority-Serving Institution programs si-
17 phon resources from constitutionally sound programs
18 that help people in the United States who are in
19 need. One-third of undergraduate students in the
20 United States receive funding through the Federal
21 Pell Grant program established in title IV of the
22 Higher Education Act of 1965 (20 U.S.C. 1070 et
23 seq.). The Pell Grant program makes college finan-
24 cially possible for students in the United States of
25 all races and ethnicities. Yet colleges that enroll

1 large numbers of Pell recipients are ineligible for
 2 hundreds of millions in Federal funding unless they
 3 maintain the appropriate racial balance. Meanwhile,
 4 rampant inflation in the cost of postsecondary edu-
 5 cation has diminished the impact of the grants avail-
 6 able to needy students in the United States.

7 (13) Increasing the funding available for the
 8 Federal Pell Grant program under title IV of the
 9 Higher Education Act of 1965 (20 U.S.C. 1070 et
 10 seq.) and the total maximum Federal Pell Grant
 11 award will constitutionally increase the educational
 12 opportunities available to all needy people in the
 13 United States regardless of race or ethnicity, includ-
 14 ing the educational opportunities of people in histori-
 15 cally disadvantaged communities.

16 **SEC. 3. ELIMINATING HIGHER EDUCATION FUNDING TO MI-**
 17 **NORITY-SERVING INSTITUTIONS.**

18 (a) HONORABLE AUGUSTUS F. HAWKINS CENTERS
 19 OF EXCELLENCE.—Section 241(1)(A) of the Higher Edu-
 20 cation Act of 1965 (20 U.S.C. 1033(1)(A)) is amended—

21 (1) by striking clauses (ii), (iv), (v), (vi), (vii),
 22 and (viii);

23 (2) in clause (i), by inserting “or” after the
 24 semicolon; and

25 (3) by redesignating clause (iii) as clause (ii).

1 (b) STRENGTHENING INSTITUTIONS.—Part A of title
 2 III of the Higher Education Act of 1965 (20 U.S.C. 1057
 3 et seq.) is amended—

4 (1) in section 312(b)(1)—

5 (A) in subparagraph (E), by striking
 6 “and” after the semicolon; and

7 (B) by adding at the end the following:

8 “(G) which does not discriminate based on
 9 race in admissions, including through the use of
 10 racial quotas or preferences; and”; and

11 (2) by repealing sections 317 (20 U.S.C.
 12 1059d), 318 (20 U.S.C. 1059e), 319 (20 U.S.C.
 13 1059f), and 320 (20 U.S.C. 1059g).

14 (c) SCIENCE AND ENGINEERING IMPROVEMENT PRO-
 15 GRAM.—Part E of title III of the Higher Education Act
 16 of 1965 (20 U.S.C. 1067 et seq.) is amended—

17 (1) in the part heading, by striking “**MINOR-**
 18 **ITY**”;

19 (2) in section 350 (20 U.S.C. 1067)—

20 (A) in paragraph (2)—

21 (i) in the first sentence, by striking
 22 “As the Nation’s population becomes more
 23 diverse, it is” and inserting “It is”; and

24 (ii) in the second sentence, by striking
 25 “Underrepresentation of minorities in

1 science and technological fields” and in-
 2 serting “Lack of opportunity for students
 3 in science and technological fields who re-
 4 ceive a Federal Pell Grant”;

5 (B) by striking paragraph (3);

6 (C) be redesignating paragraph (4) as
 7 paragraph (3); and

8 (D) in paragraph (3), as so redesignated,
 9 by striking “programs at minority institutions
 10 as such programs lag behind in program offer-
 11 ings and in student enrollment compared to
 12 such programs at other institutions of higher
 13 education” and inserting “opportunities for in-
 14 dividuals who receive a Federal Pell Grant, who
 15 may not otherwise get a chance to cultivate and
 16 hone their skills”;

17 (3) in section 351 (20 U.S.C. 1067a)—

18 (A) in subsection (a), by striking “Minority
 19 Institutions Science Improvement Program”
 20 and inserting “Science Opportunity Improve-
 21 ment Program”; and

22 (B) in subsection (b), by striking “at pre-
 23 dominantly minority institutions and to increase
 24 the participation of underrepresented ethnic mi-
 25 norities, particularly minority women, in sci-

1 entific and technological careers” and inserting
 2 “for individuals who receive a Federal Pell
 3 Grant and to increase the participation of those
 4 individuals in scientific and technological ca-
 5 reers”;

6 (4) in section 352(b) (20 U.S.C. 1067b(b)), by
 7 striking “applicants which have not previously re-
 8 ceived funding from the Minority Institutions
 9 Science Improvement Program and to previous
 10 grantees with a proven record of success” and in-
 11 serting “applicants that support the engagement of
 12 individuals who are recipients of a Federal Pell
 13 Grant in science, technology, engineering, and math-
 14 ematics”;

15 (5) in section 353(b)(4) (20 U.S.C.
 16 1067c(b)(4))—

17 (A) in subparagraph (G), by striking “mi-
 18 nority undergraduate students” and inserting
 19 “students who receive a Federal Pell Grant”;
 20 and

21 (B) in subparagraph (I), by striking “mi-
 22 norities” and inserting “individuals who receive
 23 a Federal Pell Grant”;

24 (6) in section 355(a) (20 U.S.C. 1067e(a))—

1 (A) by striking “underrepresented minority
2 youth and”; and

3 (B) by striking “underrepresented minority
4 youth or”;

5 (7) in section 356 (20 U.S.C. 1067e–1)—

6 (A) in subsection (b)—

7 (i) by striking paragraph (3);

8 (ii) in paragraph (2), by inserting
9 “and” after the semicolon; and

10 (iii) by redesignating paragraph (4) as
11 paragraph (3);

12 (B) by striking subsection (d) and insert-
13 ing the following:

14 “(d) PRIORITY.—Subject to the availability of appro-
15 priations, the campaign under this section shall hold as
16 a high priority making specific appeals to students who
17 receive a Federal Pell Grant.”; and

18 (C) by adding at the end the following:

19 “(g) PROHIBITION.—The campaign under this sec-
20 tion shall not—

21 “(1) provide special treatment to students or
22 programs based on race or ethnicity; and

23 “(2) consider the race or ethnicity of any stu-
24 dent, or the racial or ethnic balance of any institu-
25 tion that participates in a program.”;

1 (8) in section 357 (20 U.S.C. 1067e-2), by
 2 striking “underrepresented minority student enroll-
 3 ment” and inserting “the enrollment of students
 4 who receive a Federal Pell Grant, or would be eligi-
 5 ble to receive such a grant,”;

6 (9) by amending section 361 (20 U.S.C. 1067g)
 7 to read as follows:

8 **“SEC. 361. ELIGIBILITY FOR GRANTS.**

9 “(a) IN GENERAL.—Eligibility to receive grants
 10 under this part is limited to—

11 “(1) public and private nonprofit institutions of
 12 higher education that—

13 “(A) award baccalaureate degrees;

14 “(B) serve a substantial number of individ-
 15 uals who receive a Federal Pell Grant; and

16 “(C) do not discriminate based on race in
 17 admissions or hiring, including through the use
 18 of racial quotas or preferences;

19 “(2) public or private nonprofit institutions of
 20 higher education that—

21 “(A) award associate degrees;

22 “(B) serve a substantial number of individ-
 23 uals who receive a Federal Pell Grant;

24 “(C) are institutions that—

1 “(i) have a curriculum that includes
2 science or engineering subjects; and

3 “(ii) enter into a partnership with
4 public or private nonprofit institutions of
5 higher education that award baccalaureate
6 degrees in science and engineering; and

7 “(D) do not discriminate based on race in
8 admissions or hiring, including through the use
9 of racial quotas or preferences;

10 “(3) nonprofit science-oriented organizations or
11 professional scientific societies, that—

12 “(A) provide—

13 “(i) a needed service to individuals
14 who receive a Federal Pell Grant or insti-
15 tutions that serve a substantial number of
16 individuals who receive a Federal Pell
17 Grant; or

18 “(ii) in-service training for project di-
19 rectors, scientists, and engineers from in-
20 stitutions that serve a substantial number
21 of individuals who receive a Federal Pell
22 Grant; and

23 “(B) do not discriminate based on race in
24 admissions or hiring, including through the use
25 of racial quotas or preferences;

1 “(4) consortia of organizations, that—

2 “(A) ensure that neither the consortium
3 nor any of its members discriminate based on
4 race in admissions, hiring, or membership, in-
5 cluding through the use of racial quotas or
6 preference; and

7 “(B) provide needed services to one or
8 more institutions that serve a substantial num-
9 ber of individuals who receive a Federal Pell
10 Grant, the membership of which may include—

11 “(i) public and private nonprofit insti-
12 tutions of higher education that have a
13 curriculum in science or engineering;

14 “(ii) institutions of higher education
15 that have a graduate or professional pro-
16 gram in science or engineering;

17 “(iii) research laboratories of, or
18 under contract with, the Department of
19 Energy, the Department of Defense, or the
20 National Institutes of Health;

21 “(iv) relevant offices of the National
22 Aeronautics and Space Administration,
23 National Oceanic and Atmospheric Admin-
24 istration, National Science Foundation,

1 and National Institute of Standards and
2 Technology;

3 “(v) quasi-governmental entities that
4 have a significant scientific or engineering
5 mission; or

6 “(vi) institutions of higher education
7 that have State-sponsored centers for re-
8 search in science, technology, engineering,
9 and mathematics; or

10 “(5) only with respect to grants under subpart
11 2, partnerships of organizations, the membership of
12 which shall include—

13 “(A) at least one institution of higher edu-
14 cation eligible for assistance under this title;

15 “(B) at least one high-need local edu-
16 cational agency (as defined in section 200); and

17 “(C) at least two community organizations
18 or entities, such as businesses, professional as-
19 sociations, community-based organizations, phil-
20 anthropic organizations, or State agencies.

21 “(b) SPECIAL RULE.—Nothing in this part shall be
22 construed to prevent a part B institution or a Tribal Col-
23 lege or University from receiving a grant under this
24 part.”;

1 (10) in section 362(b) (20 U.S.C. 1067h(b)), by
2 inserting “, and that the grant recipient does not
3 discriminate based on race in admissions, including
4 through the use of racial quotas or preferences”
5 after “of this part”;

6 (11) in section 363 (20 U.S.C. 1067i), by strik-
7 ing “The Minority Science and Engineering Im-
8 provement Programs” and inserting “The Science
9 Opportunity Improvement Programs”;

10 (12) in section 364(b) (20 U.S.C. 1067j(b)), by
11 striking “the Minority Science and Engineering Im-
12 provement Programs” and inserting “the Science
13 Opportunity Improvement Programs”; and

14 (13) in section 365 (20 U.S.C. 1067k)—

15 (A) by striking paragraphs (2), (3), and
16 (5);

17 (B) by redesignating paragraph (4) as
18 paragraph (2);

19 (C) by redesignating paragraphs (6)
20 through (8) as paragraphs (3) through (5), re-
21 spectively;

22 (D) in paragraph (3), as so redesignated,
23 by striking “minority students” and inserting
24 “students, especially students who receive a
25 Federal Pell Grant”;

(E) in paragraph (5), as so redesignated, by striking “minority institutions” and inserting “institutions that serve a substantial number of students who receive a Federal Pell Grant”; and

(F) by redesignating paragraph (9) as paragraph (6).

(d) STRENGTHENING HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND TRIBAL COLLEGES AND UNIVERSITIES.—Part F of title III of the Higher Education Act of 1965 (20 U.S.C. 1067q et seq.) is amended—

(1) in the part heading, by striking “**AND OTHER MINORITY-SERVING INSTITUTIONS**” and inserting “**AND TRIBAL COLLEGES AND UNIVERSITIES**”; and

(2) in section 371 (20 U.S.C. 1067q)—

(A) in the section heading, by striking “**AND OTHER MINORITY-SERVING INSTITUTIONS**” and inserting “**AND TRIBAL COLLEGES AND UNIVERSITIES**”;

(B) in subsection (a)—

(i) by striking paragraphs (2), (4), (5), (6), and (7);

1 (ii) in paragraph (1), by inserting
 2 “or” after the semicolon; and

3 (iii) by redesignating paragraph (3) as
 4 paragraph (2);

5 (C) in subsection (b)—

6 (i) in paragraph (1)(A), by striking
 7 “\$255,000,000” and inserting
 8 “\$115,000,000”; and

9 (ii) by striking paragraph (2) and in-
 10 serting the following:

11 “(2) ALLOCATION AND ALLOTMENT.—Of the
 12 amount made available under paragraph (1)—

13 “(A) \$85,000,000 for each fiscal year shall
 14 be made available for allocation to eligible insti-
 15 tutions described in subsection (a)(1) and shall
 16 be made available as grants under section 323
 17 and allotted among such institutions under sec-
 18 tion 324, treating such amount, plus the
 19 amount appropriated for such fiscal year in a
 20 regular or supplemental appropriation Act to
 21 carry out part B of this title, as the amount ap-
 22 propriated to carry out part B of this title for
 23 purposes of allotments under section 324, for
 24 use by such institutions with a priority for—

“(i) activities described in paragraphs (1), (2), (4), (5), and (10) of section 323(a); and

“(ii) other activities, consistent with the institution’s comprehensive plan and designed to increase the institution’s capacity to prepare students for careers in the physical or natural sciences, mathematics, computer science or information technology or sciences, engineering, language instruction in the less-commonly taught languages or international affairs, or nursing or allied health professions; and

“(B) \$30,000,000 for each fiscal year shall be available for allocation to eligible institutions described in subsection (a)(2) and shall be made available as grants under section 316, treating such amount, plus the amount appropriated for such fiscal year in a regular or supplemental appropriation Act to carry out such section, as the amount appropriated to carry out section 316 and using such \$30,000,000 for purposes described in subsection (c) of such section.”; and

(D) by striking subsection (c).

1 (e) GENERAL PROVISIONS.—Part G of title III of the
 2 Higher Education Act of 1965 (20 U.S.C. 1068 et seq.)
 3 is amended—

4 (1) in section 392 (20 U.S.C. 1068a)—

5 (A) in subsection (a)—

6 (i) in paragraph (3), by striking “edu-
 7 cationally disadvantaged, underrep-
 8 resented, or minority students, who are”;

9 (ii) by striking paragraphs (5) and
 10 (7); and

11 (iii) by redesignating paragraph (6) as
 12 paragraph (5); and

13 (B) in subsection (b), by striking para-
 14 graphs (2) and (3);

15 (2) in section 393 (20 U.S.C. 1068b), by strik-
 16 ing paragraph (2);

17 (3) in section 396 (20 U.S.C. 1068e)—

18 (A) in paragraph (3), by striking “or”
 19 after the semicolon;

20 (B) in paragraph (4), by striking the pe-
 21 riod at the end and inserting “; or”; and

22 (C) by adding at the end the following:

23 “(5) for any activities that violate Federal civil
 24 rights laws”; and

25 (4) in section 399(a)(1)—

1 (A) in subparagraph (A), by striking
 2 “(other than sections 316 through 320)” and
 3 inserting “(other than section 316)”; and
 4 (B) by striking subparagraph (C) through
 5 (F).

6 (f) HISPANIC-SERVING INSTITUTIONS.—Title V of
 7 the Higher Education Act of 1965 (20 U.S.C. 1101 et
 8 seq.) is repealed.

9 (g) FOREIGN SERVICE DEVELOPMENT PROGRAM.—
 10 Part C of title VI of the Higher Education Act of 1965
 11 (20 U.S.C. 1131 et seq.) is amended—

12 (1) by striking the part heading and inserting
 13 **“FOREIGN SERVICE DEVELOPMENT PRO-**
 14 **GRAM”**;

15 (2) in section 621 (20 U.S.C. 1131)—

16 (A) in subsection (a), by striking “under-
 17 represented populations” and inserting “all peo-
 18 ple in the United States, especially individuals
 19 who receive a Federal Pell Grant”;

20 (B) in subsection (b)(1)—

21 (i) in subparagraph (B), by striking
 22 “or Alaska Native or Native Hawaiian-
 23 serving institution eligible for assistance
 24 under part A or B of title III, or an insti-
 25 tution eligible for assistance under title V”;

1 (ii) by striking subparagraph (C); and

2 (iii) redesignating subparagraph (D)

3 as subparagraph (C);

4 (3) in section 622 (20 U.S.C. 1131–1)—

5 (A) in subsection (a), by striking “to his-
6 torically Black colleges and universities, His-
7 panic-serving institutions, tribally controlled
8 colleges or universities, and minority institu-
9 tions,” and inserting “to historically Black col-
10 leges and universities, tribally controlled col-
11 leges or universities, and institutions of higher
12 education with programs in training foreign
13 service professionals”; and

14 (B) by striking subsection (c);

15 (4) in section 623(a) (20 U.S.C. 1131a(a)), by
16 striking “, Alaska Native-serving, Native Hawaiian-
17 serving, and Hispanic-serving institutions, and other
18 institutions of higher education with significant mi-
19 nority student populations” and inserting “, and in-
20 stitutions of higher education with programs in
21 training foreign service professionals”; and

22 (5) in section 625 (20 U.S.C. 1131e)—

23 (A) in subsection (a), by striking “Alaska
24 Native-serving, Native Hawaiian-serving, and
25 Hispanic-serving institutions, other institutions

of higher education with significant numbers of
minority students,”; and

(B) in subsection (c)—

(i) in the subsection heading, by striking “INTERAGENCY COMMITTEE ON MINORITY CAREERS IN INTERNATIONAL AFFAIRS” and inserting “INTERAGENCY COMMITTEE ON EXPANDING CAREERS IN INTERNATIONAL AFFAIRS”; and

(ii) in paragraph (1), by striking “Interagency Committee on Minority Careers in International Affairs” and inserting “Interagency Committee on Expanding Careers in International Affairs”.

(h) GRADUATE AND POSTSECONDARY IMPROVEMENT

PROGRAMS.—Title VII of the Higher Education Act of
1965 (20 U.S.C. 1133 et seq.) is amended—

(1) in section 712 (20 U.S.C. 1135a)—

(A) in subsection (a), by adding at the
end: “No department, program, or unit shall be
eligible for a grant if the program of
postbaccalaureate study limits participation
based on, maintains preferences or quotas re-
garding, or otherwise discriminates based, on
race or ethnicity.”; and

1 (B) by adding at the end the following:

2 “(c) SPECIAL RULE.—In making such designations
3 under subsection (b), the Secretary shall not consider the
4 racial or ethnic demographics of an area.”;

5 (2) by repealing section 724 (20 U.S.C. 1136b);

6 and

7 (3) in section 725 (20 U.S.C. 1136c)—

8 (A) by striking subsection (b); and

9 (B) by striking “(a)” and all that follows
10 through “There” and inserting “There”.

11 (i) ADDITIONAL PROGRAMS.—Title VIII of the High-
12 er Education Act of 1965 (20 U.S.C. 1161a et seq.) is
13 amended—

14 (1) in section 897 (20 U.S.C. 1161aa), by strik-
15 ing “sections 723 and 724” and inserting “section
16 723”; and

17 (2) by repealing section 898 (20 U.S.C.
18 1161aa–1).

19 (j) CONFORMING AMENDMENTS.—The Higher Edu-
20 cation Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

21 (1) in section 312(d) (20 U.S.C. 1058(d)), by
22 striking “Except as provided in section 318(b), for”
23 and inserting “For”;

1 (2) in section 316(d)(4)(A) (20 U.S.C.
2 1059c(d)(4)(A)), by striking “part, part B, or part
3 A of title V” and inserting “part or part B”;

4 (3) in section 326(h) (20 U.S.C. 1063b(h)), by
5 striking “512, 723, 724” and inserting “723”;

6 (4) in section 402D(d)(4) (20 U.S.C. 1070a–
7 14(d)(4)), by striking “or title V”;

8 (5) in section 402E(d)(2)(C) (20 U.S.C.
9 1070a–15(d)(5)(C)), by striking “as defined in sec-
10 tion 320” and inserting “meaning any descendant of
11 the aboriginal people of any island in the Pacific
12 Ocean that is a territory or possession of the United
13 States”;

14 (6) in section 435(a)(6)(A)(ii) (20 U.S.C.
15 1085(a)(6)(A)(ii)), by striking “section 317 or”;

16 (7) in section 604(a)(4)(A) (20 U.S.C.
17 1124(a)(4)(A)), by striking “or under title V”;

18 (8) in section 612(c)(2)(E) (20 U.S.C. 1130–
19 1(c)(2)(E)), by striking “or under title V”;

20 (9) in section 632(1) (20 U.S.C. 1132–1(1)), by
21 striking “or under title V”;

22 (10) in section 637(e)(1) (20 U.S.C. 1132–
23 6(e)(1)), by striking “or title V”;

24 (11) in section 723(e) (20 U.S.C. 1136a(e)), by
25 striking “, 512 or 724”; and

1 (12) in section 807(c)(4)(B) (20 U.S.C.
2 1161g(c)(4)(B)), by striking “or title V” each place
3 it appears.

4 **SEC. 4. ELIMINATING OTHER FUNDING PROVIDED TO IN-**
5 **STITUTIONS BASED ON THE RACIAL OR ETH-**
6 **NIC BALANCE OF STUDENTS.**

7 (a) AMERICA COMPETES ACT.—

8 (1) TERMINATION OF NATIONAL SCIENCE
9 FOUNDATION HISPANIC-SERVING INSTITUTIONS UN-
10 DERGRADUATE PROGRAM.—Title VII of the America
11 COMPETES Act (42 U.S.C. 1862o et seq.) is
12 amended—

13 (A) in section 7018 (42 U.S.C. 1862o–
14 5)—

15 (i) by redesignating subsection (c) as
16 subsection (d); and

17 (ii) by inserting after subsection (b)
18 the following:

19 “(d) NONDISCRIMINATION LIMITATION.—In award-
20 ing grants, the Director—

21 “(1) shall not consider the racial or ethnic com-
22 position of a grantee; and

23 “(2) shall ensure that awards are not made to
24 grantees that discriminate based on race or ethnicity

1 in admissions, including through the use of any ra-
2 cial or ethnic preference or quota.”;

3 (B) by striking section 7020 (42 U.S.C.
4 1862o-7);

5 (C) by striking section 7033 (42 U.S.C.
6 1862o-12); and

7 (D) by redesignating sections 7034
8 through 7037 through as sections 7033 through
9 7036, respectively.

10 (2) CLERICAL AND CONFORMING AMEND-
11 MENTS.—

12 (A) CLERICAL AMENDMENTS.—The table
13 of contents in section 2 of the America COM-
14 PETES Act (Public Law 110-69; 121 Stat.
15 572) is amended—

16 (i) by striking the item relating to sec-
17 tion 7020;

18 (ii) by striking the item relating to
19 section 7033; and

20 (iii) by redesignating the items relat-
21 ing to sections 7034 through 7037 as the
22 items relating to sections 7033 through
23 7036, respectively.

24 (B) CONFORMING AMENDMENTS.—Subtitle
25 B of title III of the Research and Development,

1 Competition, and Innovation Act (42 U.S.C.
2 18991 et seq.) is amended—

3 (i) in section 10318(a)(6)(F) (42
4 U.S.C. 18997(a)(6)(F)), by striking “sec-
5 tion 7036” and inserting “section 7035”;
6 and

7 (ii) in section 10320(a) (42 U.S.C.
8 18998(a)), by striking “section 7036(c)”
9 and inserting “section 7035(c)”.

10 (b) AMERICA COMPETES REAUTHORIZATION ACT
11 OF 2010.—The America COMPETES Reauthorization
12 Act of 2010 (42 U.S.C. 1862p et seq.) is amended—

13 (1) in section 101(d) (42 U.S.C. 6621(d))—

14 (A) in paragraph (8), by adding a semi-
15 colon at the end; and

16 (B) in paragraph (9)—

17 (i) by striking “in HBCUs, TCUs,
18 and MSIs” and inserting “in Historically
19 Black Colleges and Universities, Tribal
20 Colleges and Universities, and institutions
21 that serve a substantial number of individ-
22 uals who are receiving a Federal Pell
23 Grant under section 401 of the Higher
24 Education Act of 1965 (20 U.S.C.
25 1070a)”;

1 (ii) by striking “of HBCUs, TCUs,
 2 and MSIs” and inserting “of Historically
 3 Black Colleges and Universities, Tribal
 4 Colleges and Universities, and institutions
 5 that serve a substantial number of individ-
 6 uals who are receiving a Federal Pell
 7 Grant”;

8 (2) in section 508 (42 U.S.C. 1862p-2)—

9 (A) in subsection (b)(2)—

10 (i) by striking subparagraph (A); and

11 (ii) by redesignating subparagraphs
 12 (B) and (C) as subparagraphs (A) and
 13 (B), respectively; and

14 (B) in subsection (e)—

15 (i) by striking “LIMITATION.—No
 16 funds” and inserting the following: “LIMI-
 17 TATIONS.—

18 “(1) NO CONSTRUCTION OR RENOVATION.—No
 19 funds”; and

20 (ii) by adding at the end the fol-
 21 lowing:

22 “(2) NO FUNDS SUPPORTING DISCRIMINA-
 23 TION.—In awarding grants under this section, the
 24 Director—

1 “(A) shall not consider the racial or ethnic
2 composition of an institution of higher edu-
3 cation participating in a partnership; and

4 “(B) shall ensure that grants are not
5 awarded under this section to any institution of
6 higher education, that is, or that includes in the
7 partnership described in subsection (b)(1), an
8 institution of higher education that discrimi-
9 nates based on race or ethnicity in admissions,
10 including through the use of any racial or eth-
11 nic preference or quota.”; and

12 (3) by striking section 512 (42 U.S.C. 1862p-
13 4) and inserting the following:

14 **“SEC. 512. UNDERGRADUATE BROADENING PARTICIPATION**
15 **PROGRAM.**

16 “(a) IN GENERAL.—The Foundation shall continue
17 to support the Historically Black Colleges and Universities
18 Undergraduate Program and the Tribal Colleges and Uni-
19 versities Program.

20 “(b) INSTRUMENTATION RULE FOR UNDER-
21 GRADUATE HBCU FUNDING.—Notwithstanding any pro-
22 vision of this Act or any other law, funding for instrumen-
23 tation is an allowed use of grants awarded under grants
24 provided under the Historically Black Colleges and Uni-
25 versities Undergraduate Program.”.

1 (c) AMERICAN INNOVATION AND COMPETITIVENESS

2 ACT.—Section 305 of the American Innovation and Com-
3 petitiveness Act (42 U.S.C. 1862s–5) is amended—

4 (1) by striking subsections (a) through (c);

5 (2) by redesignating subsections (d) through (h)
6 as subsections (a) though (e), respectively;

7 (3) in subsection (a), as so redesignated—

8 (A) in paragraph (1), by striking “under-
9 represented populations” and all that follows
10 through the period at the end and inserting
11 “people of the United States, including individ-
12 uals receiving Federal Pell Grants under section
13 401 of the Higher Education Act of 1965 (20
14 U.S.C. 1070a) (referred to in this section as
15 ‘Federal Pell Grant recipients’) and low-income
16 individuals, in STEM fields.”; and

17 (B) in paragraph (2)—

18 (i) in subparagraph (A), by striking
19 “underrepresented populations” and in-
20 serting “people of the United States, in-
21 cluding Federal Pell Grant recipients and
22 low-income individuals,”; and

23 (ii) in subparagraph (B), by replacing
24 “promote diversity” with “promote partici-
25 pation”;

1 (4) in subsection (b), as so redesignated—

2 (A) in the subsection heading, by striking
3 “DIVERSITY AMONG”;

4 (B) in paragraph (1), by striking “individ-
5 uals from underrepresented minority groups”
6 and inserting “people of the United States from
7 all backgrounds”;

8 (C) in paragraph (3)—

9 (i) in subparagraph (A), by striking
10 “from underrepresented minority groups”;

11 (ii) in subparagraph (B), by striking
12 “, particularly for faculty from underrep-
13 resented minority groups,”; and

14 (iii) in each of subparagraphs (C),
15 (D), (E), (F), and (G), by striking “from
16 underrepresented minority groups”; and

17 (D) in paragraph (4)—

18 (i) by striking “from underrepresented
19 minority groups” each time the term ap-
20 pears; and

21 (ii) by adding at the end the fol-
22 lowing:

23 “(C) LIMITATIONS.—In making awards
24 under this section, the Director of the Founda-
25 tion—

1 “(i) shall not consider the racial or
 2 ethnic composition of an institution of
 3 higher education or consortium; and

4 “(ii) shall ensure that awards are not
 5 made to recipients who discriminate based
 6 on race or ethnicity in admissions, includ-
 7 ing through the use of any racial or ethnic
 8 preference or quota.”;

9 (5) in subsection (c), as so redesignated—

10 (A) in paragraph (1), by striking “from
 11 minority groups who are underrepresented in
 12 STEM fields” and inserting “of all back-
 13 grounds”;

14 (B) in paragraph (3)—

15 (i) by striking “from underrepresented
 16 minority groups” each time the term ap-
 17 pears;

18 (ii) in subparagraph (A), by striking
 19 “of underrepresented minority groups”;

20 (iii) in subparagraph (I), by striking
 21 “, Tribal Colleges or Universities, and mi-
 22 nority serving institutions” and inserting
 23 “and Tribal Colleges and Universities”;
 24 and

1 (iv) in subparagraph (J), by striking
 2 “undergraduate historically Black colleges
 3 and universities, Tribal Colleges or Univer-
 4 sities, and minority serving institutions”
 5 and inserting “undergraduate Historically
 6 Black Colleges and Universities, Tribal
 7 Colleges and Universities, institutions that
 8 serve a substantial number of Federal Pell
 9 Grant recipients”;

10 (C) in paragraph (4)—

11 (i) in subparagraph (A), by striking
 12 “from underrepresented minority groups”
 13 each time the term appears;

14 (ii) in subparagraph (B), by striking
 15 “minority serving institutions,” and insert-
 16 ing “institutions that serve a substantial
 17 number of Federal Pell Grant recipients,”;
 18 and

19 (iii) by adding at the end the fol-
 20 lowing:

21 “(C) NO FUNDS SUPPORTING DISCRIMINA-
 22 TION.—

23 “(i) NO CONSIDERATION OF RACE OR
 24 ETHNICITY.—In making awards under this
 25 section, the Director of the Foundation

1 shall not consider the racial or ethnic com-
 2 position of an institution of higher edu-
 3 cation.

4 “(ii) NO AWARDS TO INSTITUTIONS
 5 THAT DISCRIMINATE.—The Director shall
 6 not make an award under this section to
 7 any institution of higher education, that
 8 discriminates based on race or ethnicity,
 9 including through the use of any racial or
 10 ethnic preference or quota.”; and

11 (D) in paragraph (5)(A), by striking “from
 12 underrepresented minority groups”; and

13 (6) in subsection (d)(1)(B)(ii), as so redesign-
 14 nated—

15 (A) by striking “subsection (e)” and in-
 16 serting “subsection (b)”; and

17 (B) by striking “underrepresented”.

18 (d) CONSOLIDATION APPROPRIATIONS ACT, 2021.—
 19 Section 902 of division N of the Consolidated Appropria-
 20 tions Act, 2021 (47 U.S.C. 1306) is amended—

21 (1) in the section heading, by striking “**CON-**
 22 **NECTING MINORITY COMMUNITIES**” and insert-
 23 ing “**CONNECTING COMMUNITIES TO OPPOR-**
 24 **TUNITY**”;

25 (2) in subsection (a)—

(A) in paragraph (1)(A)(i), by striking “a historically Black college or university, a Tribal College or University, or a Minority-serving institution” and inserting “a historically Black college or university or a Tribal College or University”;

(B) in paragraph (8)—

(i) in subparagraph (B), by adding “or” at the end;

(ii) by striking subparagraph (C);

(iii) by redesignating subparagraph (D) as subparagraph (C); and

(iv) in subparagraph (C), as so redesignated, by striking “a historically Black college or university, a Tribal College or University, or a Minority-serving institution and that also includes—” and all that follows through “an organization” and inserting the following: “a historically Black college or university or a Tribal College or University and that also includes an organization”;

(C) by striking paragraphs (10) and (11);

1 (D) by redesignating paragraphs (12)
 2 through (16) as paragraphs (10) through (14),
 3 respectively;

4 (E) in paragraph (10), as so redesignated,
 5 by striking “Minority” and inserting “Commu-
 6 nity”; and

7 (F) in paragraph (11), as so redesignated,
 8 by striking “Connecting Minority Communities”
 9 and inserting “Connecting Communities to Op-
 10 portunity”;

11 (3) in subsection (b)—

12 (A) in the subsection heading, by striking
 13 “MINORITY” and inserting “COMMUNITY”;

14 (B) in paragraph (2), by striking “Minor-
 15 ity” and inserting “Community”;

16 (C) in paragraph (3)(B)—

17 (i) in the matter preceding clause (i),
 18 by striking “Minority-serving institu-
 19 tions,”;

20 (ii) in clause (ii)—

21 (I) in the matter preceding sub-
 22 clause (I), by striking “Minority-serv-
 23 ing institutions,”; and

24 (II) in subclause (I), by striking
 25 “historically Black colleges or univer-

1 sities, Tribal Colleges or Universities,
 2 and Minority-serving institutions” and
 3 inserting “historically Black colleges
 4 and universities and Tribal Colleges
 5 and Universities”;

6 (iii) in clause (iii)(I), by striking “his-
 7 torically Black colleges or universities,
 8 Tribal Colleges or Universities, and Minor-
 9 ity-serving institutions” and inserting “his-
 10 torically Black colleges and universities
 11 and Tribal Colleges and Universities”;

12 (iv) in clause (iv), by striking “Minor-
 13 ity-serving institutions,”;

14 (v) in clause (vi), by striking “histori-
 15 cally Black colleges or universities, Tribal
 16 Colleges or Universities, and Minority-serv-
 17 ing institutions” each place that term ap-
 18 pears and inserting “historically Black col-
 19 leges and universities and Tribal Colleges
 20 and Universities”; and

21 (vi) in clause (vii)(I), by striking “his-
 22 torically Black colleges or universities,
 23 Tribal Colleges or Universities, and Minor-
 24 ity-serving institutions” and inserting “his-

1 torically Black colleges and universities
 2 and Tribal Colleges and Universities”; and
 3 (D) in paragraph (4)(A)—

4 (i) in clause (i)(I), by striking “his-
 5 torically Black colleges or universities,
 6 Tribal Colleges or Universities, and Minor-
 7 ity-serving institutions” each place that
 8 term appears and inserting “historically
 9 Black colleges or universities and Tribal
 10 Colleges or Universities”; and

11 (ii) in clause (ii)(I), by striking “his-
 12 torically Black colleges or universities,
 13 Tribal Colleges or Universities, and Minor-
 14 ity-serving institutions” each place that
 15 term appears and inserting “historically
 16 Black colleges or universities and Tribal
 17 Colleges or Universities”; and

18 (4) in subsection (c)—

19 (A) in the subsection heading, by striking
 20 “CONNECTING MINORITY COMMUNITIES” and
 21 inserting “CONNECTING COMMUNITIES TO OP-
 22 PORTUNITY”;

23 (B) in paragraph (1)—

24 (i) in subparagraph (A)—

1 (I) in the matter preceding clause
 2 (i), by striking “Connecting Minority
 3 Communities” and inserting “Con-
 4 necting Communities to Opportunity”;

5 (II) in clause (i)—

6 (aa) by striking “(A), (B),
 7 or (C)” and inserting “(A) or
 8 (B)”; and

9 (bb) by adding “or” at the
 10 end;

11 (III) by striking clause (ii);

12 (IV) by redesignating clause (iii)
 13 as clause (ii); and

14 (V) in clause (ii), as so redesign-
 15 ated, by striking “(a)(8)(D)(ii)” and
 16 inserting “(a)(8)(C)”; and

17 (ii) in subparagraph (B)—

18 (I) in clause (iii), in the matter
 19 preceding clause (I), by striking “(A),
 20 (B), or (C)” and inserting “(A) or
 21 (B)”; and

22 (II) in clause (vii), by striking
 23 “(A), (B), and (C)” and inserting
 24 “(A) and (B)”; and

25 (C) in paragraph (2)—

1 (i) in subparagraph (A), by striking
 2 “Connecting Minority Communities” and
 3 inserting “Connecting Communities to Op-
 4 portunity”; and

5 (ii) in subparagraph (B), by striking
 6 “Connecting Minority Communities” and
 7 inserting “Connecting Communities to Op-
 8 portunity”; and

9 (D) in paragraph (5), by striking “Con-
 10 necting Minority Communities” and inserting
 11 “Connecting Communities to Opportunity”.

12 (e) ENERGY POLICY ACT OF 2004.—Section 931(d)
 13 of the Energy Policy Act of 2004 (42 U.S.C. 16231(d))
 14 is amended—

15 (1) in paragraph (1), by adding “and” at the
 16 end;

17 (2) in paragraph (2), by striking “; and” and
 18 inserting a period; and

19 (3) by striking paragraph (3).

20 (f) JAMES M. INHOFE NATIONAL DEFENSE AUTHOR-
 21 IZATION ACT FOR FISCAL YEAR 2023.—Section 5913 of
 22 the James M. Inhofe National Defense Authorization Act
 23 for Fiscal Year 2023 (42 U.S.C. 19222) is amended—

24 (1) in subsection (b)(2)(A)(ii), by striking “, in-
 25 cluding minority-serving institutions”; and

1 (2) in subsection (c)—

2 (A) in the matter preceding subparagraph

3 (A), by striking “, including minority serving

4 institutions,”; and

5 (B) by adding at the end the following:

6 “(5) LIMITATIONS.—In making awards under

7 this section, the Director—

8 “(A) shall not consider the racial or ethnic

9 composition of a recipient; and

10 “(B) shall ensure that funds under this

11 section are not used for programs that discrimi-

12 nate based on race or ethnicity in admissions,

13 including through the use of any racial or eth-

14 nic preference or quota.”.

15 (g) NATIONAL AGRICULTURAL RESEARCH, EXTEN-

16 SION, AND TEACHING POLICY ACT OF 1977.—

17 (1) EDUCATION GRANTS TO ALASKA NATIVE

18 SERVING INSTITUTIONS AND NATIVE HAWAIIAN

19 SERVING INSTITUTIONS.—Section 1419B of the Na-

20 tional Agricultural Research, Extension, and Teach-

21 ing Policy Act of 1977 (7 U.S.C. 3156) is repealed.

22 (2) REPEAL OF AGRICULTURE EDUCATION

23 GRANTS PROGRAMS FOR HISPANIC-SERVING INSTITU-

24 TIONS.—

1 (A) IN GENERAL.—Section 1455 of the
 2 National Agricultural Research, Extension, and
 3 Teaching Policy Act of 1977 (7 U.S.C. 3241)
 4 is repealed.

5 (B) CONFORMING AMENDMENTS.—

6 (i) Section 251(f)(1)(D) of the De-
 7 partment of Agriculture Reorganization
 8 Act of 1994 (7 U.S.C. 6971(f)(1)(D)) is
 9 amended—

10 (I) by striking clause (vi); and

11 (II) by redesignating clauses (vii)
 12 through (xii) as clauses (vi) through
 13 (xi), respectively.

14 (ii) Section 1006(d) of the American
 15 Rescue Plan Act of 2021 (7 U.S.C. 2279
 16 note; Public Law 117–2) is amended by
 17 striking “, Hispanic-serving institutions el-
 18 igible to receive grants under section 1455
 19 of the National Agricultural Research, Ex-
 20 tension, and Teaching Policy Act of 1977
 21 (7 U.S.C. 3241)”.

22 (3) TERMINATION OF SUPPORT FOR HISPANIC-
 23 SERVING AGRICULTURAL COLLEGES AND UNIVER-
 24 SITIES.—

1 (A) IN GENERAL.—Section 1456 of the
 2 National Agricultural Research, Extension, and
 3 Teaching Policy Act of 1977 (7 U.S.C. 3243)
 4 is repealed.

5 (B) CONFORMING AMENDMENTS.—Section
 6 251(f)(1)(C) of the Department of Agriculture
 7 Reorganization Act of 1994 (7 U.S.C.
 8 6971(f)(1)(C)) is amended—

9 (i) by striking clause (xiv); and

10 (ii) by redesignating clauses (xv) and
 11 (xvi) as clauses (xiv) and (xv), respectively.

12 (h) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
 13 TION ACT OF 1988.—Title II of the National Science
 14 Foundation Authorization Act of 1988 (42 U.S.C. 1862a
 15 et seq.) is amended—

16 (1) in section 204 (42 U.S.C. 1862c)—

17 (A) in subsection (a)(2)—

18 (i) by striking subparagraph (B); and

19 (ii) by redesignating subparagraphs
 20 (C) and (D) as subparagraphs (B) and
 21 (C), respectively; and

22 (B) in subsection (d)(4)—

23 (i) by striking subparagraph (A); and

1 (ii) by redesignating subparagraphs
 2 (B) through (D) as subparagraphs (A)
 3 through (C), respectively; and
 4 (2) in section 205 (42 U.S.C. 1862d)—

5 (A) by striking “Of the amounts” and in-
 6 serting the following:

7 “(a) IN GENERAL.—Of the amounts”;

8 (B) by striking “historically” and all that
 9 follows through the period at the end and in-
 10 serting “Historically Black Colleges and Uni-
 11 versities defined as ‘part B institutions’ by sec-
 12 tion 322 of the Higher Education Act of 1965
 13 (20 U.S.C. 1061), Tribal Colleges and Univer-
 14 sities (as defined in section 316(b) of such Act)
 15 (20 U.S.C. 1059c(b)), institutions of higher
 16 education that serve a substantial number of
 17 low-income students, and institutions of higher
 18 education that serve a substantial number of in-
 19 dividuals who receive Federal Pell Grants under
 20 section 401 of such Act (20 U.S.C. 1070a),
 21 subject to subsection (b).”; and

22 (C) by adding at the end the following:

23 “(b) PROHIBITION.—Amounts reserved under sub-
 24 section (a) shall not be provided to any institution of high-
 25 er education that discriminates based on race or ethnicity

1 in hiring, including through the use of any racial or ethnic
 2 preference or quota.”.

3 (i) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
 4 TION ACT OF 2002.—The National Science Foundation
 5 Authorization Act of 2002 (42 U.S.C. 1862n et seq.) is
 6 amended—

7 (1) in section 10 (42 U.S.C. 1862n–1)—

8 (A) in subsection (a)(5)—

9 (i) in subparagraph (A)—

10 (I) by inserting “(i)” before “his-
 11 torically”;

12 (II) by inserting “and” after the
 13 semicolon; and

14 (III) by adding at the end the
 15 following:

16 “(ii) Tribal Colleges and Universities, as
 17 defined in section 316(b) of such Act (20
 18 U.S.C. 1059c(b));”; and

19 (ii) by striking subparagraph (B) and
 20 inserting the following:

21 “(B)(i) institutions that serve a substantial
 22 number of low-income students; and

23 “(ii) institutions that serve a substantial
 24 number of students who receive Federal Pell

1 Grants under section 401 of such Act (20
2 U.S.C. 1070a); and”; and

3 (B) in subsection (b), by adding at the end
4 the following:

5 “(3) LIMITATIONS.—The Secretary—

6 “(A) shall not consider the racial or ethnic
7 demographics of any eligible entity (including
8 any consortium represented by an eligible enti-
9 ty) when awarding grants under this section;
10 and

11 “(B) shall ensure that funds available
12 under this section are not awarded to any eligi-
13 ble entity that discriminates on the basis of
14 race or ethnicity in postsecondary education ad-
15 missions, including any racial or ethnic quota or
16 preference.”;

17 (2) in section 18 (42 U.S.C. 1862n-7)—

18 (A) in subsection (a), by striking “on mi-
19 nority-serving institutions and”; and

20 (B) by striking subsection (e) and insert-
21 ing the following:

22 “(e) ANNUAL CERTIFICATION.—The Director shall
23 annually certify to the Committee on Science, Space, and
24 Technology of the House of Representatives, the Com-
25 mittee on Commerce, Science, and Transportation of the

1 Senate, and the Committee on Health, Education, Labor,
2 and Pensions of the Senate that the Foundation—

3 “(1) has awarded no funds based on the racial
4 or ethnic composition of applicants;

5 “(2) has not considered applicants’ racial or
6 ethnic composition in awarding funds; and

7 “(3) has not awarded funds to institutions that
8 discriminate based on race or ethnicity, including
9 through the use of any racial or ethnic preference or
10 quota.”;

11 (3) by striking sections 24 and 25 (42 U.S.C.
12 1862n–10, 1864 note); and

13 (4) by redesignating section 26 as section 24.

14 (j) NATIONAL SECURITY ACT OF 1947.—Section
15 1024 of the National Security Act of 1947 (50 U.S.C.
16 3224) is amended—

17 (1) in subsection (c)(1), by striking “, Predomi-
18 nantly Black Institutions, Hispanic-serving institu-
19 tions, and Asian American and Native American Pa-
20 cific Islander-serving institutions” and inserting
21 “and Tribal Colleges and Universities”; and

22 (2) in subsection (g)—

23 (A) by striking paragraphs (4), (5), and
24 (6);

1 (B) by redesignating paragraph (7) as
2 paragraph (4); and

3 (C) by adding at the end the following:

4 “(5) TRIBAL COLLEGE OR UNIVERSITY.—The
5 term ‘Tribal College or University’ has the meaning
6 given the term in section 316(b) of the Higher Edu-
7 cation Act of 1965 (20 U.S.C. 1059c(b)).”.

8 (k) RESEARCH AND DEVELOPMENT, COMPETITION,
9 AND INNOVATION ACT.—

10 (1) IN GENERAL.—The Research and Develop-
11 ment, Competition, and Innovation Act (42 U.S.C.
12 18901 et seq.) is amended—

13 (A) in section 10002 (42 U.S.C. 18901)—

14 (i) by striking paragraph (19);

15 (ii) by redesignating paragraphs (10)
16 through (18) as paragraphs (11) through
17 (19), respectively; and

18 (iii) by inserting after paragraph (9)
19 the following:

20 “(10) FEDERAL PELL GRANT RECIPIENT.—The
21 term ‘Federal Pell Grant recipient’ means an indi-
22 vidual receiving a Federal Pell Grant under section
23 401 of the Higher Education Act of 1965 (20
24 U.S.C. 1070a).”;

1 (B) in section 10235(a) (42 U.S.C.
2 18940(a))—

3 (i) in paragraph (1), by striking “his-
4 torically Black colleges and universities,
5 Tribal Colleges and Universities, and mi-
6 nority-serving institutions,” and inserting
7 “historically Black colleges and universities
8 and Tribal Colleges and Universities,” each
9 place the term appears;

10 (ii) by striking paragraph (2); and

11 (iii) by redesignating paragraphs (3)
12 and (4) as paragraphs (2) and (3), respec-
13 tively;

14 (C) in section 10262(b) (42 U.S.C.
15 18971(b))—

16 (i) by striking paragraphs (3) and (4);

17 (ii) by inserting after paragraph (2)
18 the following:

19 “(3) an institution that serves a substantial
20 number of Federal Pell Grant recipients; and”; and

21 (iii) by redesignating paragraph (5) as
22 paragraph (4);

23 (D) in section 10312(e) (42 U.S.C.
24 18992(e))—

1 (i) in paragraph (2)(B), by striking
 2 “historically Black colleges and univer-
 3 sities, Tribal Colleges or Universities, mi-
 4 nority serving institutions and community
 5 colleges” and inserting “historically Black
 6 colleges and universities, Tribal Colleges
 7 and Universities, institutions that serve a
 8 substantial number of low-income stu-
 9 dents,”;

10 (ii) in paragraph (3), by striking “mi-
 11 nority-serving institutions,” and inserting
 12 “institutions that serve a substantial num-
 13 ber of Federal Pell Grant recipients,”;

14 (iii) by redesignating paragraph (4) as
 15 paragraph (5); and

16 (iv) by inserting after paragraph (3)
 17 the following:

18 “(4) LIMITATIONS.—In making awards under
 19 this subsection, the Director—

20 “(A) shall not consider the racial or ethnic
 21 composition of a recipient; and

22 “(B) shall ensure that funds under this
 23 subsection are not used for programs that dis-
 24 criminate based on race or ethnicity in admis-

sions, including through the use of any racial or ethnic preference or quota.”;

(E) in section 10313(d)(4) (42 U.S.C. 18993(d)(4)), by striking subparagraph (B) and inserting the following:

“(B) a requirement that the institution shall not—

“(i) consider the racial or ethnic composition of a recipient; and

“(ii) use funds under this section for programs that discriminate based on race or ethnicity in admissions, including through the use of any racial or ethnic preference or quota.”;

(F) in section 10318(b) (42 U.S.C. 18997(b))—

(i) in paragraph (5), by striking “historically Black colleges and universities, Tribal Colleges or Universities, and minority-serving institutions or that include partnerships with or among such institutions to increase the recruitment of students from groups historically underrepresented in STEM” and inserting “historically Black colleges and universities, Tribal

1 Colleges and Universities, and institutions
 2 that serve a substantial number of Federal
 3 Pell Grant recipients or that include part-
 4 nerships with or among such institutions”;
 5 and

6 (ii) by striking paragraph (6) and in-
 7 serting the following:

8 “(6) LIMITATIONS.—In making awards under
 9 this section, the Director—

10 “(A) shall not consider the racial or ethnic
 11 composition of a recipient; and

12 “(B) shall ensure that funds are not used
 13 for programs that discriminate based on race or
 14 ethnicity in admissions, including through the
 15 use of any racial or ethnic preference or
 16 quota.”;

17 (G) in section 10322 (42 U.S.C. 19011)—

18 (i) by striking paragraph (3) of sub-
 19 section (b) and inserting the following:

20 “(3) institutions that serve a substantial num-
 21 ber of Federal Pell Grant recipients;”; and

22 (ii) by adding at the end the fol-
 23 lowing:

1 “(c) LIMITATIONS.—In conducting outreach under
 2 this section, the Director shall not consider the racial or
 3 ethnic composition of institutions or other entities.”;

4 (H) in section 10325 (42 U.S.C. 19014)—

5 (i) in subsection (a)—

6 (I) in paragraph (3)—

7 (aa) in subparagraph
 8 (C)(iv), by striking “historically
 9 Black colleges and universities,
 10 Tribal Colleges or Universities,
 11 and minority serving institu-
 12 tions,” and inserting “historically
 13 Black colleges and universities,
 14 Tribal Colleges and Universities,
 15 and institutions that serve a sub-
 16 stantial number of Federal Pell
 17 Grant recipients,”;

18 (bb) in subparagraph
 19 (F)(ii), by striking “historically
 20 Black colleges and universities,
 21 Tribal Colleges or Universities,
 22 minority-serving institutions,”
 23 and inserting “historically Black
 24 colleges and universities, Tribal
 25 Colleges and Universities, institu-

1 tions that serve a substantial
2 number of Federal Pell Grant re-
3 cipients,”; and

4 (cc) in subparagraph (G)(ii),
5 by striking “Historically black
6 colleges and universities, Tribal
7 Colleges or Universities, minor-
8 ity-serving institutions,” and in-
9 serting “historically Black col-
10 leges and universities, Tribal Col-
11 leges and Universities, institu-
12 tions that serve a substantial
13 number of Federal Pell Grant re-
14 cipients,”; and

15 (II) by adding at the end the fol-
16 lowing:

17 “(4) LIMITATIONS.—In awarding funding and
18 carrying out activities under this subsection, the Di-
19 rector—

20 “(A) shall not consider the racial or ethnic
21 composition of a recipient; and

22 “(B) shall ensure that funds under this
23 subsection are not used for programs that dis-
24 criminate based on race or ethnicity in admis-

sions, including through the use of any racial or ethnic preference or quota.”; and

(ii) in subsection (b)(1), by striking “and diverse backgrounds”;

(I) by repealing section 10326 (42 U.S.C. 19015);

(J) by repealing section 10327 (42 U.S.C. 19016);

(K) by repealing section 10328 (42 U.S.C. 19017);

(L) in section 10330 (42 U.S.C. 19018)—

(i) in subsection (b)(3), by striking “a historically Black college or university, a Tribal college or university, or a minority-serving institution (including a Hispanic-serving institution or an institution of higher education with an established STEM capacity building program focused on Native Hawaiians or Alaska Natives)” and inserting “a historically Black college or university, a Tribal college or university, or an institution of higher education that serves a substantial number of Federal Pell Grant recipients”;

1 (ii) by redesignating subsection (d) as
 2 subsection (e); and

3 (iii) by inserting after subsection (c)
 4 the following:

5 “(d) LIMITATIONS.—In conducting such pilot pro-
 6 grams, the Director—

7 “(1) shall not consider the racial or ethnic com-
 8 position of any entity; and

9 “(2) shall ensure that pilot program participant
 10 or recipient entities do not discriminate based on
 11 race or ethnicity in admissions, including through
 12 the use of any racial or ethnic preference or quota.”;

13 (M) in section 10383(3) (42 U.S.C.
 14 19103(3)), by striking “minority-serving insti-
 15 tutions” and inserting “institutions that serve a
 16 substantial number of Federal Pell Grant re-
 17 cipients”;

18 (N) in section 10388(e) (42 U.S.C.
 19 19108(e))—

20 (i) in paragraph (2), by striking
 21 clause (iii) and inserting the following:

22 “(iii) an institution that serves a sub-
 23 stantial number of Federal Pell Grant re-
 24 cipients;”; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(6) LIMITATIONS.—In making awards under
4 this section, the Director—

5 “(A) shall not consider the racial or ethnic
6 composition of a recipient; and

7 “(B) shall ensure that funds under this
8 section are not used for programs that discrimi-
9 nate based on race or ethnicity in admissions,
10 including through the use of any racial or eth-
11 nic preference or quota.”;

12 (O) in section 10393 (42 U.S.C. 19113),
13 by striking subsection (c) and inserting the fol-
14 lowing:

15 “(c) LIMITATIONS.—In making awards under this
16 section, the Director—

17 “(1) shall not consider the racial or ethnic com-
18 position of an institutional recipient (including a
19 consortium) or the race or ethnicity of an individual
20 recipient; and

21 “(2) shall ensure that funds awarded under this
22 section to an institution or a consortium are not
23 used for programs that discriminate based on race
24 or ethnicity in admissions, including through the use
25 of any racial or ethnic preference or quota.”;

1 (P) in section 10402 (42 U.S.C. 19132),
 2 by striking subsection (c) and inserting the fol-
 3 lowing:

4 “(c) EXPANDING PARTICIPATION.—The Initiative
 5 shall include outreach to primarily undergraduate and his-
 6 torically Black colleges and universities, Tribal Colleges
 7 and Universities, and institutions that serve a substantial
 8 number of Federal Pell Grant recipients about Initiative
 9 opportunities, and shall encourage the development of re-
 10 search collaborations between research-intensive univer-
 11 sities and primarily undergraduate and historically Black
 12 colleges and universities, Tribal Colleges and Universities,
 13 and institutions that serve a substantial number of Fed-
 14 eral Pell Grant recipients, provided that the Initiative shall
 15 not make outreach decisions based on the racial or ethnic
 16 composition of an institution.”;

17 (Q) in section 10522 (42 U.S.C. 19181)—
 18 (i) in each of subsections (a) through
 19 (c), by striking “HBCUs, TCUs, and
 20 MSIs” each place the term appears and in-
 21 serting “HBCUs, TCUs, and institutions
 22 that serve a substantial number of Federal
 23 Pell Grant recipients”;

1 (ii) by redesignating subsections (d)
 2 and (e) as subsections (e) and (f), respec-
 3 tively; and

4 (iii) by inserting after subsection (c)
 5 the following:

6 “(d) LIMITATION.—No policy guidelines developed
 7 under this section shall require or authorize Federal re-
 8 search agencies to in any way consider the racial or ethnic
 9 composition of any institution, including for outreach,
 10 funding, or any other purpose.”;

11 (R) in section 10523 (42 U.S.C. 19182)—

12 (i) by striking “HBCUs, TCUs, and
 13 MSIs” each place the term appears and in-
 14 serting “HBCUs, TCUs, and institutions
 15 that serve a substantial number of Federal
 16 Pell Grant recipients”;

17 (ii) by striking “underrepresented mi-
 18 nority” each place the term appears;

19 (iii) in subsection (a)(2), by striking
 20 “minority students pursuing STEM stud-
 21 ies and careers in which such students are
 22 underrepresented” and inserting “Federal
 23 Pell Grant recipients pursuing STEM
 24 studies and careers in which such recipi-
 25 ents are underrepresented”;

1 (iv) in subsection (c), by striking
 2 “HBCUs, TCUs, or MSIs” and inserting
 3 “HBCUs, TCUs, or institutions that serve
 4 a substantial number of Federal Pell
 5 Grant recipients”; and

6 (v) by adding at the end the following:

7 “(d) LIMITATIONS.—In making awards under this
 8 section, the Director—

9 “(1) shall not consider the racial or ethnic com-
 10 position of a recipient; and

11 “(2) shall ensure that funds under this section
 12 are not used for programs that discriminate based
 13 on race or ethnicity in admissions, including through
 14 the use of any racial or ethnic preference or quota.”;

15 (S) in section 10524 (42 U.S.C. 19183)—

16 (i) in subsection (b)(1)—

17 (I) in subparagraph (B), by in-
 18 serting “or” after the semicolon;

19 (II) by striking subparagraphs
 20 (C) and (D) and inserting the fol-
 21 lowing:

22 “(C) an institution that serves a substan-
 23 tial number of Federal Pell Grant recipients;
 24 or”; and

1 (III) by redesignating subpara-
 2 graph (E) as subparagraph (D);

3 (ii) in subsection (c)(3), by striking
 4 “HBCUs, TCUs, or MSIs” and inserting
 5 “HBCUs, TCUs, or institutions that serve
 6 a substantial number of Federal Pell
 7 Grant recipients”;

8 (iii) in subsection (e)(1)(J), by strik-
 9 ing “HBCUs, TCUs, and MSIs” and in-
 10 serting “HBCUs, TCUs, or institutions
 11 that serve a substantial number of Federal
 12 Pell Grant recipients”;

13 (iv) in subsection (f)—

14 (I) in the subsection heading, by
 15 striking “MSI CENTERS OF INNOVA-
 16 TION” and inserting “CENTERS OF
 17 INNOVATION”;

18 (II) by striking “MSI Centers of
 19 Innovation” and inserting “Centers of
 20 Innovation”;

21 (III) by striking “HBCUs,
 22 TCUs, and MSIs” each place the
 23 term appears and inserting “HBCUs,
 24 TCUs, and institutions that serve a

1 substantial number of Federal Pell
2 Grant recipients”; and

3 (IV) by striking “HBCUs, TCUs,
4 or MSIs” each place the term appears
5 and inserting “HBCUs, TCUs, or in-
6 stitutions that serve a substantial
7 number of Federal Pell Grant recipi-
8 ents”;

9 (v) by redesignating subsections (g)
10 through (i) as subsections (h) through (j),
11 respectively; and

12 (vi) by inserting after subsection (f)
13 the following:

14 “(g) LIMITATIONS.—In making awards under this
15 section, the Director—

16 “(1) shall not consider the racial or ethnic com-
17 position of a recipient; and

18 “(2) shall ensure that funds under this section
19 are not used for programs that discriminate based
20 on race or ethnicity in admissions, including by the
21 use of racial or ethnic preferences.”;

22 (T) in section 10526 (42 U.S.C. 19184)—

23 (i) by striking paragraph (3); and

24 (ii) by redesignating paragraph (4) as
25 paragraph (3); and

1 (U) in section 10601 (42 U.S.C. 19211)—

2 (i) in subsection (c)(3), by striking
3 subparagraph (C) and inserting the fol-
4 lowing:

5 “(C) institutions that serve a substantial
6 number of Federal Pell Grant recipients;”; and

7 (ii) by striking subsection (d) and in-
8 serting the following:

9 “(d) SPECIAL CONSIDERATION.—The Director of the
10 National Science Foundation shall give special consider-
11 ation and priority to an application from an individual who
12 graduated from or is intending to carry out research at
13 an institution of the type specified in subsection (c)(3),
14 provided that the Director does not—

15 “(1) in any way consider the race or ethnicity
16 of any applicant or the racial or ethnic composition
17 of the institution from which the individual grad-
18 uated or intends to carry out research; or

19 “(2) maintain racial or ethnic quotas or pref-
20 erences for applicants.”.

21 (2) CLERICAL AMENDMENTS.—Public Law
22 117–167 (136 Stat. 1366) is amended—

23 (A) in the table of contents in section 1, by
24 striking the items relating to sections 10326,
25 10327, and 10328; and

1 (B) in the table of contents in section
 2 10000, by striking the items relating to sections
 3 10326, 10327, and 10328.

4 (l) STEVENSON-WYDLER TECHNOLOGY INNOVATION
 5 ACT OF 1980.—Section 5(c) of the Stevenson-Wydler
 6 Technology Innovation Act of 1980 (15 U.S.C. 3704(c))
 7 is amended—

8 (1) in the subsection heading, by striking “MI-
 9 NORITY SERVING INSTITUTION”;

10 (2) in paragraph (1), by striking “Minority
 11 Serving Institution”;

12 (3) in paragraph (2)—

13 (A) in subparagraph (B), by striking “mi-
 14 nority”; and

15 (B) in subparagraph (C), by striking “mi-
 16 nority serving”;

17 (4) in paragraph (3)(B), by striking “, includ-
 18 ing minority businesses”; and

19 (5) in paragraph (8)—

20 (A) in subparagraph (B)—

21 (i) by striking clauses (ii), (iv), (v),
 22 (vi), (vii), (viii), and (ix);

23 (ii) in clause (i), by striking the semi-
 24 colon and inserting “; or”;

1 (iii) by redesignating clause (iii) as
 2 clause (ii); and

3 (iv) in clause (ii), as redesignated by
 4 clause (iii), by striking the semicolon at
 5 the end and inserting a period;

6 (B) by striking subparagraphs (E) and
 7 (F); and

8 (C) by redesignating subparagraphs (G)
 9 and (H) as subparagraphs (E) and (F), respec-
 10 tively.

11 **SEC. 5. INCREASING FUNDING FOR FEDERAL PELL**
 12 **GRANTS.**

13 Section 401(b) of the Higher Education Act of 1965
 14 (20 U.S.C. 1070a(b)) is amended—

15 (1) in paragraph (5)(A)—

16 (A) in clause (i), by striking “and”;

17 (B) in clause (ii), by striking the period
 18 and inserting “; and”; and

19 (C) by adding at the end the following:

20 “(iii) beginning in award year 2028—
 21 2029 and for each subsequent award year,
 22 an additional amount equal to the quotient
 23 of—

24 “(I) the amount of the appropria-
 25 tion under paragraph (7)(A)(v) for

1 the fiscal year that includes the first
 2 day of the award year; divided by
 3 “(II) the number of students ex-
 4 pected to be eligible for Federal Pell
 5 Grants for such award year, as deter-
 6 mined by the Secretary.”; and

7 (2) in paragraph (7)—

8 (A) in subparagraph (A)—

9 (i) in clause (iii), by striking “and”
 10 after the semicolon;

11 (ii) in clause (iv), by striking the pe-
 12 riod and inserting “; and”; and

13 (iii) by adding at the end the fol-
 14 lowing:

15 “(v) the amount determined under
 16 subparagraph (C) for fiscal year 2028 and
 17 each succeeding fiscal year.”;

18 (B) by redesignating subparagraph (C) as
 19 subparagraph (D); and

20 (C) by inserting after subparagraph (B)
 21 the following:

22 “(C) AMOUNT OF ADDITIONAL APPROPRIA-
 23 TIONS.—

24 “(i) FIRST-YEAR RULE.—For fiscal
 25 year 2028, the amount determined under

1 this subparagraph shall be the amount of
2 savings to the Federal Government gen-
3 erated by the amendments made by sec-
4 tions 3 and 4 of the PELL Act of 2025 for
5 the first full fiscal year following the date
6 of enactment of such Act—

7 “(I) as compared to the full fiscal
8 year immediately preceding such Act;
9 and

10 “(II) as determined by the Direc-
11 tor of the Office of Management and
12 Budget.

13 “(ii) INFLATION ADJUSTMENTS.—For
14 fiscal year 2029 and each subsequent fiscal
15 year, the amount determined under this
16 subparagraph shall be the amount deter-
17 mined under this subparagraph for the
18 preceding fiscal year, increased by the per-
19 centage increase, if any, in the Chained
20 Consumer Price Index for All Urban Con-
21 sumers for the most recent full calendar
22 year.

23 “(iii) TWO-YEAR AVAILABILITY.—The
24 amount appropriated for a fiscal year, as
25 determined in accordance with this sub-

1 paragraph, shall remain available until the
2 last day of the fiscal year following the fis-
3 cal year for which the determination is
4 made.”.

5 **SEC. 6. IDENTIFICATION OF PROVISIONS RELATING TO MI-**
6 **NORITY-SERVING INSTITUTIONS; PROHIBI-**
7 **TION.**

8 (a) MINORITY-SERVING INSTITUTION.—In this sec-
9 tion, the term “minority-serving institution” means—

10 (1) a Hispanic-serving institution, as defined in
11 section 502 of the Higher Education Act of 1965
12 (20 U.S.C. 1101a);

13 (2) a Predominantly Black Institution, as de-
14 fined in section 318 of the Higher Education Act of
15 1965 (20 U.S.C. 1059e);

16 (3) an Asian American and Native American
17 Pacific Islander-serving institution, as defined in
18 section 320(b) of the Higher Education Act of 1965
19 (20 U.S.C. 1059g(b));

20 (4) an Alaska Native-serving institution, as de-
21 fined in section 317(b) of the Higher Education Act
22 of 1965 (20 U.S.C. 1059d(b)); or

23 (5) a Native Hawaiian-serving institution, as
24 defined in section 317(b) of the Higher Education
25 Act of 1965 (20 U.S.C. 1059d(b)).

1 (b) IDENTIFICATION OF PROVISIONS RELATING TO
 2 MINORITY-SERVING INSTITUTIONS.—Not later than 1
 3 year after the date of enactment of this Act, the head of
 4 each Federal agency shall—

5 (1) conduct a review of the Federal laws carried
 6 out by that Federal agency and identify each provi-
 7 sion in such Federal laws (including those described
 8 in this Act and those not described in this Act)
 9 that—

10 (A) include the term “minority-serving in-
 11 stitution” or include any of the terms described
 12 in paragraphs (1) through (5) of subsection (a);
 13 or

14 (B) include provisions—

15 (i) allocating funding only to a minor-
 16 ity-serving institution; or

17 (ii) authorizing or requiring a pref-
 18 erence for a minority-serving institution
 19 with respect to Federal financial assist-
 20 ance; and

21 (2) provide Congress with a full list of the pro-
 22 visions identified under paragraph (1).

23 (c) PROHIBITION.—In making an award of Federal
 24 financial assistance to an institution of higher education
 25 (as defined in section 102 of the Higher Education Act

1 of 1965 (20 U.S.C. 1002)) or another postsecondary edu-
2 cational institution, the Federal Government shall not—

3 (1) consider the racial or ethnic makeup of a
4 recipient institution; or

5 (2) award funds to a recipient institution that
6 discriminates based on race or ethnicity, including
7 through the use of quotas or preferences.

○