

119TH CONGRESS  
1ST SESSION

# S. 3433

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

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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

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## 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-  
18acial 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.

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);

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.”;

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—

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—

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”;

1 (E) in paragraph (5), as so redesignated,  
2 by striking “minority institutions” and insert-  
3 ing “institutions that serve a substantial num-  
4 ber of students who receive a Federal Pell  
5 Grant”; and

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

8 (d) STRENGTHENING HISTORICALLY BLACK COL-  
9 LEGES AND UNIVERSITIES AND TRIBAL COLLEGES AND  
10 UNIVERSITIES.—Part F of title III of the Higher Edu-  
11 cation Act of 1965 (20 U.S.C. 1067q et seq.) is amend-  
12 ed—

17 (2) in section 371 (20 U.S.C. 1067q)—

18 (A) in the section heading, by striking  
19 “**AND OTHER MINORITY-SERVING INSTITU-**  
20 **TIONS**” and inserting “**AND TRIBAL COL-**  
21 **LEGES AND UNIVERSITIES**”;

22 (B) in subsection (a)—

23 (i) by striking paragraphs (2), (4),  
24 (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—

1                             “(i) activities described in paragraphs  
2                             (1), (2), (4), (5), and (10) of section  
3                             323(a); and  
4                             “(ii) other activities, consistent with  
5                             the institution’s comprehensive plan and  
6                             designed to increase the institution’s ca-  
7                             pacity to prepare students for careers in  
8                             the physical or natural sciences, mathe-  
9                             matics, computer science or information  
10                            technology or sciences, engineering, lan-  
11                            guage instruction in the less-commonly  
12                            taught languages or international affairs,  
13                            or nursing or allied health professions; and  
14                            “(B) \$30,000,000 for each fiscal year shall  
15                            be available for allocation to eligible institutions  
16                            described in subsection (a)(2) and shall be  
17                            made available as grants under section 316,  
18                            treating such amount, plus the amount appro-  
19                            priated for such fiscal year in a regular or sup-  
20                            plemental appropriation Act to carry out such  
21                            section, as the amount appropriated to carry  
22                            out section 316 and using such \$30,000,000 for  
23                            purposes described in subsection (c) of such  
24                            section.”; and  
25                            (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)—

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

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-  
0 leges and universities, tribally controlled col-  
1 leges or universities, and institutions of higher  
2 education with programs in training foreign  
3 service professionals”; and

14 (B) by striking subsection (c);

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

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

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

3 (B) in subsection (c)—

4 (i) in the subsection heading, by striking  
5 “INTERAGENCY COMMITTEE ON MI-  
6 NORITY CAREERS IN INTERNATIONAL AF-  
7 FAIRS” and inserting “INTERAGENCY COM-  
8 MITTEE ON EXPANDING CAREERS IN  
9 INTERNATIONAL AFFAIRS”; and

10 (ii) in paragraph (1), by striking  
11 “Interagency Committee on Minority Ca-  
12 reers in International Affairs” and insert-  
13 ing “Interagency Committee on Expanding  
14 Careers in International Affairs”.

15 (h) GRADUATE AND POSTSECONDARY IMPROVEMENT  
16 PROGRAMS.—Title VII of the Higher Education Act of  
17 1965 (20 U.S.C. 1133 et seq.) is amended—

18 (1) in section 712 (20 U.S.C. 1135a)—

19 (A) in subsection (a), by adding at the  
20 end: “No department, program, or unit shall be  
21 eligible for a grant if the program of  
22 postbaccalaureate study limits participation  
23 based on, maintains preferences or quotas re-  
24 garding, or otherwise discriminates based, on  
25 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

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).

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

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

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

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

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

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

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

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

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

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

10 (11) in section 723(e) (20 U.S.C. 1136a(e)), by 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.—

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

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,

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

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)—

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 (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 “individuals from underrepresented minority groups” and inserting “people of the United States from all backgrounds”;

5 (C) in paragraph (3)—

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

7 (ii) in subparagraph (B), by striking “, particularly for faculty from underrepresented minority groups,”; and

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

9 (D) in paragraph (4)—

10 (i) by striking “from underrepresented minority groups” each time the term appears; and

11 (ii) by adding at the end the following:

12 “(C) LIMITATIONS.—In making awards under this section, the Director of the Foundation—

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 inserting  
16 “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.—

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 Appropriations 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)—

7 (B) in paragraph (8)—

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

10 (ii) by striking subparagraph (C);

11 (iii) by redesignating subparagraph

12 (D) as subparagraph (C); and

13 (iv) in subparagraph (C), as so redesignated, by striking “a historically Black  
14 college or university, a Tribal College or  
15 University, or a Minority-serving institu-  
16 tion and that also includes—” and all that  
17 follows through “an organization” and in-  
18 serting the following: “a historically Black  
19 college or university or a Tribal College or  
20 University and that also includes an orga-  
21 nization”;  
22  
23 (C) by striking paragraphs (10) and (11);

23 (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-

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)—

(I) in the matter preceding clause (i), by striking “Connecting Minority Communities” and inserting “Connecting Communities to Opportunity”;

(II) in clause (i)—

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

(bb) by adding “or” at the end;

(III) by striking clause (ii);

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

(V) in clause (ii), as so redesignated, by striking “(a)(8)(D)(ii)” and inserting “(a)(8)(C)”; and

(ii) in subparagraph (B)—

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

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

(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.—

22 (2) REPEAL OF AGRICULTURE EDUCATION  
23 GRANTS PROGRAMS FOR HISPANIC-SERVING INSTITU-  
24 TIONS.—

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

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

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 (j) 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";

(B) by striking “historically” and all that follows through the period at the end and inserting “Historically Black Colleges and Universities defined as ‘part B institutions’ by section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061), Tribal Colleges and Universities (as defined in section 316(b) of such Act) (20 U.S.C. 1059c(b)), institutions of higher education that serve a substantial number of low-income students, and institutions of higher education that serve a substantial number of individuals who receive Federal Pell Grants under section 401 of such Act (20 U.S.C. 1070a), subject to subsection (b).”;

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 eligible  
13 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)

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 adminis-

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

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

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

8 “(i) consider the racial or ethnic com-  
9 position of a recipient; and

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

15 (F) in section 10318(b) (42 U.S.C.  
16 18997(b))—

17 (i) in paragraph (5), by striking “his-  
18 torically Black colleges and universities,  
19 Tribal Colleges or Universities, and minor-  
20 ity-serving institutions or that include  
21 partnerships with or among such institu-  
22 tions to increase the recruitment of stu-  
23 dents from groups historically underrep-  
24 resented in STEM” and inserting “histori-  
25 cally Black colleges and universities, Tribal

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-

<sup>12</sup> 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

18 (bb) in subparagraph

19 (F)(ii), by striking “historically

## 20 Black colleges and universities,

22 minority-serving institutions,”

23 and inserting “historically Black

24 colleges and universities, Tribal

## 25 Colleges and Universities, institu-

tions that serve a substantial number of Federal Pell Grant recipients,”; and

(cc) in subparagraph (G)(ii),

by striking “Historically black colleges and universities, Tribal Colleges or Universities, minority-serving institutions,” and inserting “historically Black colleges and universities, Tribal Colleges and Universities, institutions that serve a substantial number of Federal Pell Grant recipients,”; and

(II) by adding at the end the fol-

lowing:

“(4) LIMITATIONS.—In awarding funding and carrying out activities under this subsection, the Director—

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

“(B) shall ensure that funds under this subsection are not used for programs that discriminate based on race or ethnicity in admissions.”

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.

8 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:

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,  
0 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

(III) by redesignating subparagraph (E) as subparagraph (D);

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

(iii) in subsection (e)(1)(J), by striking “HBCUs, TCUs, and MSIs” and inserting “HBCUs, TCUs, or institutions that serve a substantial number of Federal Pell Grant recipients”;

(iv) in subsection (f)—

(I) in the subsection heading, by striking “MSI CENTERS OF INNOVATION” and inserting “CENTERS OF INNOVATION”;

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

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

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.”.

(2) CLERICAL AMENDMENTS.—Public Law 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—

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”;

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:

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 no-

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.—

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—

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.

○