

109TH CONGRESS
1ST SESSION

S. 2160

To amend the Higher Education Act of 1965 to authorize grants for institutions of higher education serving Asian Americans and Pacific Islanders.

IN THE SENATE OF THE UNITED STATES

DECEMBER 21, 2005

Mrs. BOXER (for herself and Mr. AKAKA) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to authorize grants for institutions of higher education serving Asian Americans and Pacific Islanders.

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 “Asian Americans and
5 Pacific Islanders Higher Education Enhancement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The population of Asian American and Pa-
9 cific Islanders (referred to in this section as

1 “AAPI”) is an exceptionally diverse population.
 2 Characteristics of the AAPI population vary accord-
 3 ing to ethnicity, immigration patterns, historical ex-
 4 periences, and social group issues.

5 (2) The diversity of the AAPI population in-
 6 cludes indigenous Pacific Islanders, well-established
 7 populations represented in the United States for sev-
 8 eral generations, and ethnic groups who may be re-
 9 cent immigrants or refugees, and were forced to
 10 leave their home countries.

11 (3) The diversity of the population is reflected
 12 in the Federal government’s categories for Asian
 13 Americans and Pacific Islanders. There are 17 eth-
 14 nic groups considered to be Asian and 4 ethnic
 15 groups considered to be Pacific Islander. Neither
 16 definition reflects AAPI individuals who may identify
 17 themselves as “more than one race”.

18 (4) The distinct cultural, linguistic, socio-
 19 economic, and historical experiences that affect edu-
 20 cational attainment of different AAPI sub-popu-
 21 lations are often overlooked because programs and
 22 policies are based on aggregated data and the as-
 23 sumption that AAPIs are a monolithic group. The
 24 “model minority myth” assumption adversely effects
 25 AAPI youth, who are perceived as being academi-

1 cally successful and not in need of outreach, aca-
2 demic support systems, or other support services.

3 (5) The “model minority myth” and lack of
4 disaggregated data may prevent student services of-
5 fices from conducting intentional outreach efforts,
6 such as through Federal TRIO programs including
7 Upward Bound and Talent Search, to AAPI stu-
8 dents, because they are perceived to not be in need
9 of support.

10 (6) Additionally, disaggregated data indicates
11 that 25.0 percent of Vietnamese Americans, 63.6
12 percent of Hmong Americans, 42.6 percent of Cam-
13 bodian Americans, 34.7 percent of Laotian Ameri-
14 cans, and 17.7 percent of Pacific Islanders live in
15 poverty. Such socioeconomic disparities within the
16 community are often overlooked, as only 12.6 per-
17 cent of the total AAPI population lives in poverty.

18 (7) While Asian Americans and Pacific Island-
19 ers overall have the highest college graduation rates
20 of any group (44 percent in 2000), certain sub-
21 groups have much lower rates of degree attainment.
22 Only 13.8 percent of Vietnamese Americans, 5.8
23 percent of Laotian Americans, 6.1 percent of Cam-
24 bodian Americans, and less than 5.1 percent of

1 Hmong Americans had college degrees. Only 13.8
 2 percent of Pacific Islanders had college degrees.

3 (8) Certain segments of the AAPI population
 4 face numerous barriers to accessing higher education
 5 and would benefit from grants and opportunities
 6 similar to those provided by other minority serving
 7 institutions. The designation of AAPI-serving insti-
 8 tutions would help institutions of higher education
 9 expand their capacity to identify and assist under-
 10 served AAPI students.

11 **SEC. 3. ASSISTANCE TO ASIAN AMERICAN AND PACIFIC IS-**
 12 **LANDER-SERVING INSTITUTIONS.**

13 (a) AMENDMENT.—Part A of title III of the Higher
 14 Education Act of 1965 is amended by inserting after sec-
 15 tion 317 (20 U.S.C. 1059d) the following:

16 **“SEC. 318. ASIAN AMERICAN AND PACIFIC ISLANDER-SERV-**
 17 **ING INSTITUTIONS.**

18 “(a) PROGRAM AUTHORIZED.—The Secretary shall
 19 provide grants and related assistance to Asian American
 20 and Pacific Islander-serving institutions to enable such in-
 21 stitutions to improve and expand their capacity to serve
 22 Asian Americans and Pacific Islanders.

23 “(b) DEFINITIONS.—For the purpose of this sec-
 24 tion—

1 “(1) the term ‘Asian American’ has the mean-
2 ing given the term ‘Asian’ in the Office of Manage-
3 ment and Budget’s Standards for Maintaining, Col-
4 lecting, and Presenting Federal Data on Race and
5 Ethnicity, as published in the Federal Register on
6 Thursday, October 30, 1997 (62 FR 58789);

7 “(2) the term ‘Pacific Islander’ has the mean-
8 ing given the term ‘Native Hawaiian or other Pacific
9 Islander’ in such Standards;

10 “(3) the term ‘Asian American and Pacific Is-
11 lander-serving institution’ means an institution of
12 higher education that—

13 “(A) is an eligible institution under section
14 312(b); and

15 “(B) at the time of application, has an en-
16 rollment of undergraduate students that is at
17 least 10 percent Asian American and Pacific Is-
18 lander students; and

19 “(4) the term ‘low-income individual’ means an
20 individual from a family whose taxable income for
21 the preceding year did not exceed 150 percent of an
22 amount equal to the poverty level determined by
23 using criteria of poverty established by the Bureau
24 of the Census.

25 “(c) AUTHORIZED ACTIVITIES.—

1 “(1) TYPES OF ACTIVITIES AUTHORIZED.—
 2 Grants awarded under this section shall be used by
 3 Asian American and Pacific Islander-serving institu-
 4 tions to assist such institutions to plan, develop, un-
 5 dertake, and carry out activities to improve and ex-
 6 pand such institutions’ capacity to serve Asian
 7 Americans and Pacific Islanders.

8 “(2) EXAMPLES OF AUTHORIZED ACTIVITIES.—
 9 Such activities may include—

10 “(A) purchase, rental, or lease of scientific
 11 or laboratory equipment for educational pur-
 12 poses, including instructional and research pur-
 13 poses;

14 “(B) renovation and improvement in class-
 15 room, library, laboratory, and other instruc-
 16 tional facilities;

17 “(C) support of faculty exchanges, and fac-
 18 ulty development and faculty fellowships to as-
 19 sist in attaining advanced degrees in the fac-
 20 ulty’s field of instruction;

21 “(D) curriculum development and aca-
 22 demic instruction;

23 “(E) purchase of library books, periodicals,
 24 microfilm, and other educational materials;

1 “(F) funds and administrative manage-
 2 ment, and acquisition of equipment for use in
 3 strengthening funds management;

4 “(G) joint use of facilities such as labora-
 5 tories and libraries;

6 “(H) academic tutoring and counseling
 7 programs and student support services;

8 “(I) establishing community outreach pro-
 9 grams that will encourage elementary school
 10 and secondary school students to develop the
 11 academic skills and the interest to pursue post-
 12 secondary education;

13 “(J) establishing or improving an endow-
 14 ment fund;

15 “(K) academic instruction in disciplines in
 16 which Asian Americans and Pacific Islanders
 17 are under-represented;

18 “(L) conducting research and data collec-
 19 tion for Asian American and Pacific Islander
 20 populations and sub-populations; and

21 “(M) establishing partnerships with com-
 22 munity based organizations serving Asian
 23 Americans and Pacific Islanders.

24 “(d) APPLICATION PROCESS.—

1 “(1) INSTITUTIONAL ELIGIBILITY.—Each Asian
 2 American and Pacific Islander-serving institution de-
 3 siring to receive assistance under this section shall
 4 submit to the Secretary such enrollment data as
 5 may be necessary to demonstrate that the institution
 6 is an Asian American and Pacific Islander-serving
 7 institution as defined in subsection (b), along with
 8 such other information and data as the Secretary
 9 may by regulation require.

10 “(2) APPLICATIONS.—Any institution which is
 11 determined by the Secretary to be an Asian Amer-
 12 ican and Pacific Islander-serving institution may
 13 submit an application for assistance under this sec-
 14 tion to the Secretary. Such application shall in-
 15 clude—

16 “(A) a 5-year plan for improving the as-
 17 sistance provided by the Asian American and
 18 Pacific Islander-serving institution to Asian
 19 American and Pacific Islander students; and

20 “(B) such other information and assur-
 21 ances as the Secretary may require.

22 “(3) SPECIAL RULES.—

23 “(A) ELIGIBILITY.—No Asian American
 24 and Pacific Islander-serving institution that re-
 25 ceives funds under this section shall concur-

rently receive funds under other provisions of
this part or part B.

“(B) EXEMPTION.—Section 313(d) shall
not apply to institutions that are eligible to re-
ceive funds under this section.

“(C) DISTRIBUTION.—In awarding grants
under this section, the Secretary shall—

“(i) to the extent possible and con-
sistent with the competitive process under
which such grants are awarded, ensure
maximum and equitable distribution
among all eligible institutions; and

“(ii) give priority consideration to in-
stitutions that serve a significant percent-
age of Asian American and Pacific Is-
lander students who are low-income indi-
viduals.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section
399(a)(1) of the Higher Education Act of 1965 (20 U.S.C.
1068h(a)(1)) is amended by adding at the end the fol-
lowing:

“(D) There are authorized to be appro-
priated to carry out section 318, \$30,000,000
for fiscal year 2006 and such sums as may be

1 necessary for each of the 4 succeeding fiscal
2 years.”.

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