

114TH CONGRESS
1ST SESSION

H. R. 4098

To amend title III of the Higher Education Act of 1965 to strengthen
minority-serving institutions.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2015

Ms. JUDY CHU of California (for herself and Mr. ROYCE) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend title III of the Higher Education Act of 1965
to strengthen minority-serving institutions.

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 “Minority-Serving Insti-
5 tution Fairness Act”.

6 **SEC. 2. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING**
7 **INSTITUTIONS.**

8 Section 317(d)(3) of the Higher Education Act of
9 1965 (20 U.S.C. 1059d(d)(3)) is amended by striking sub-
10 paragraph (A) and inserting the following:

1 “(A) CONCURRENT FUNDING.—No Alas-
2 kan Native-serving institution or Native Hawai-
3 ian-serving institution that receives funds under
4 this section shall concurrently receive funds
5 under section 316 or 318, or part B.”.

6 **SEC. 3. NATIVE AMERICAN-SERVING, NONTRIBAL INSTITU-**
7 **TIONS.**

8 Section 319(d)(3) of the Higher Education Act of
9 1965 (20 U.S.C. 1059f(d)(3)) is amended by striking sub-
10 paragraph (A) and inserting the following:

11 “(A) CONCURRENT FUNDING.—No Native
12 American-serving, nontribal institution that re-
13 ceives funds under this section shall concur-
14 rently receive funds under section 316 or 318,
15 or part B.”.

16 **SEC. 4. ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC**
17 **ISLANDER-SERVING INSTITUTIONS.**

18 Section 320(d)(3) of the Higher Education Act of
19 1965 (20 U.S.C. 1059g(d)(3)) is amended by striking sub-
20 paragraph (A) and inserting the following:

21 “(A) CONCURRENT FUNDING.—No Asian
22 American and Native American Pacific Is-
23 lander-serving institution that receives funds
24 under this section shall concurrently receive
25 funds under section 316 or 318, or part B.”.

1 **SEC. 5. HISPANIC-SERVING INSTITUTIONS.**

2 Section 505 of the Higher Education Act of 1965 (20
3 U.S.C. 1101d) is amended by striking “part A” and in-
4 serting “section 316, section 318,”.

5 **SEC. 6. LIMITATIONS ON CONCURRENT RECEIPT OF PRO-**
6 **GRAM FUNDS.**

7 (a) LIMITATIONS ON CONCURRENT RECEIPT OF PRO-
8 GRAM FUNDS.—Part A of title III of the Higher Edu-
9 cation Act of 1965 (20 U.S.C. 1057 et seq.) is amended
10 by adding at the end the following:

11 **“SEC. 321. LIMITATION ON CONCURRENT RECEIPT OF PRO-**
12 **GRAM FUNDS.**

13 “Subject to the availability of applications, not less
14 than 35 percent of the funding awarded under each of sec-
15 tion 317, 319, or 320, or part A of title V, for a fiscal
16 year, shall be awarded to institutions that are not eligible
17 for funds concurrently under more than one program
18 under section 317, 319, or 320, or part A of title V, for
19 such fiscal year.”.

20 (b) INVESTMENT IN HISTORICALLY BLACK COL-
21 LEGES AND UNIVERSITIES AND OTHER MINORITY-SERV-
22 ING INSTITUTIONS.—Section 371 of the Higher Education
23 Act of 1965 (20 U.S.C. 1067q) is amended by adding at
24 the end the following:

25 “(d) LIMITATIONS ON CONCURRENT RECEIPT OF
26 PROGRAM FUNDS.—An eligible institution described in

1 paragraph (2), (4), (6), or (7) of subsection (a) may re-
2 ceive more than one grant under this section for a fiscal
3 year, if, subject to availability of applications, not less
4 than 35 percent of the funding awarded under this section
5 to institutions described in each of such paragraphs is
6 awarded to institutions that are not eligible for funds con-
7 currently under more than one program under this section
8 for such fiscal year.”.

9 (c) DURATION OF GRANT.—Section 313(b) of the
10 Higher Education Act of 1965 (20 U.S.C. 1059(b)) is
11 amended—

12 (1) by inserting “a section under” after
13 “awarding grants under”; and

14 (2) by inserting “the same section under” after
15 “receiving a grant under”.

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