

117TH CONGRESS  
2D SESSION

# H. R. 8803

To provide for the long-term improvement of minority-serving institutions,  
and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2022

Ms. ADAMS introduced the following bill; which was referred to the Committee  
on Education and Labor

---

## A BILL

To provide for the long-term improvement of 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 “IGNITE HBCU, TCU,  
5       and MSI Excellence Act”.

6       **SEC. 2. GRANTS FOR THE LONG-TERM IMPROVEMENT OF**  
7       **MSIS.**

8       (a) IN GENERAL.—The Secretary shall award grants  
9       to eligible entities, on a competitive basis, to support long-

1 term improvements to the facilities of such entities in ac-  
2 cordance with this Act.

3 (b) APPLICATION.—To be considered for a grant  
4 under this section, an eligible entity shall submit an appli-  
5 cation to the Secretary at such time, in such manner, and  
6 containing such information as the Secretary may require,  
7 including—

8 (1) to the extent possible, the information nec-  
9 essary for the Secretary to make the determinations  
10 under subsection (c);

11 (2) a description of the projects that such eligi-  
12 ble entity plans to carry out with the grant, and how  
13 such projects will advance the long-term goals of the  
14 entity; and

15 (3) an explanation of how such projects will re-  
16 duce risks to the health, welfare, and safety of stu-  
17 dents, staff, administrators, faculty, researchers, and  
18 guests at such eligible entity.

19 (c) PRIORITY.—In awarding grants under this sec-  
20 tion, the Secretary—

21 (1) shall give priority to eligible entities that—

22 (A) demonstrate the greatest need to im-  
23 prove campus facilities, as determined by a  
24 comparison of factors identified by the Sec-  
25 retary, which may include—

1 (i) consideration of threats posed by  
2 the proximity of such facilities to toxic  
3 sites;

4 (ii) the vulnerability of such facilities  
5 to natural disasters and environmental  
6 risks;

7 (iii) the median age of such facilities,  
8 including the facilities that such eligible  
9 entities will use grant funds to improve;

10 (iv) the extent to which student en-  
11 rollment exceeds physical and instructional  
12 capacity;

13 (v) the condition of major systems in  
14 such facilities such as heating, ventilation,  
15 air conditioning, electrical, water, and  
16 sewer systems;

17 (vi) the condition of roofs, windows,  
18 and doors of such facilities;

19 (vii) other critical health and safety  
20 conditions;

21 (viii) the number and condition of fa-  
22 cilities in significant disrepair; and

23 (ix) the total amount of deferred  
24 maintenance of such facilities;

1 (B) demonstrate the most limited capacity  
2 to raise funds for the long-term improvement of  
3 campus facilities, as determined by an assess-  
4 ment of—

5 (i) the current and historic ability of  
6 the eligible entity to raise funds for con-  
7 struction, renovation, modernization, and  
8 major repair projects for campus;

9 (ii) whether the eligible entity has  
10 been able to issue bonds or receive other  
11 funds to support school construction  
12 projects; and

13 (iii) the bond rating of the eligible en-  
14 tity;

15 (C) enroll the highest percentages of stu-  
16 dents who are eligible to receive a Federal Pell  
17 Grant under subpart 1 of part A of title IV of  
18 the Higher Education Act of 1965 (20 U.S.C.  
19 1070a et seq.), and whose families qualify for  
20 other Federal need-based aid;

21 (D) are public institutions facing declining  
22 State support or investment; or

23 (E) demonstrate an effort to seek support  
24 from public and private entities for projects

1 carried out with a grant awarded under this  
2 Act; and

3 (2) may give priority to eligible entities—

4 (A) that lack access to high-speed  
5 broadband and will use the grant funds to im-  
6 prove access to high-speed broadband sufficient  
7 to support digital learning in accordance with  
8 section 3(a)(9); or

9 (B) at which the highest degree that is  
10 predominantly awarded to students is an associ-  
11 ate's degree.

12 (d) GEOGRAPHIC DISTRIBUTION.—The Secretary  
13 shall ensure that grants under this section are awarded  
14 to eligible entities in a manner that reflects the geographic  
15 distribution of such entities in the United States.

16 (e) TECHNICAL ASSISTANCE.—The Secretary, di-  
17 rectly or by grant or contract, may provide technical as-  
18 sistance to eligible entities to prepare the entities to qual-  
19 ify, apply for, and maintain a grant, under this Act.

20 (f) RELATIONSHIP TO HBCU CAPITAL FINANCING  
21 PROGRAM.—

22 (1) IN GENERAL.—The Secretary may take into  
23 consideration whether an eligible entity has received  
24 a loan under a loan agreement made under part D

1 of title III of the Higher Education Act of 1965 (20  
2 U.S.C. 1066 et seq.) when—

3 (A) reviewing grant applications under this  
4 section;

5 (B) determining priority under subsection  
6 (c); and

7 (C) determining the amount awarded for a  
8 grant under this Act.

9 (2) PRIORITY.—With respect to paragraph  
10 (1)(B), the Secretary may—

11 (A) determine that an eligible entity should  
12 not receive priority under subsection (c) if such  
13 entity has received a loan under a loan agree-  
14 ment made under part D of title III of the  
15 Higher Education Act of 1965 (20 U.S.C. 1066  
16 et seq.); and

17 (B) determine that an eligible entity  
18 should receive higher priority under subsection  
19 (c) if such entity has not received a loan under  
20 a loan agreement made under part D of title III  
21 of the Higher Education Act of 1965 (20  
22 U.S.C. 1066 et seq.).

23 **SEC. 3. GRANT USES.**

24 (a) PERMITTED USES.—Except as provided in sub-  
25 section (b), an eligible entity that receives a grant under

1 this Act shall use such grant funds to carry out at least  
2 one of the following activities:

3 (1) Construct, modernize, renovate, or retrofit  
4 the campus facilities of such entity, which may in-  
5 clude—

6 (A) providing for the improvement of exist-  
7 ing, or the establishment of new, instructional  
8 program spaces, laboratories, or research facili-  
9 ties relating to fields of science, technology, en-  
10 gineering, the arts, mathematics, health, agri-  
11 culture, education, medicine, law, and other dis-  
12 ciplines;

13 (B) constructing or improving roads or  
14 other transportation infrastructure on campus,  
15 for which the eligible entity is responsible;

16 (C) establishing or improving the use of  
17 campus facilities for the purpose of community-  
18 based partnerships that provide students and  
19 community members with academic, health, ca-  
20 reer, and social services; and

21 (D) preserving facilities with historic sig-  
22 nificance, and facilities that house historic or  
23 cultural artifacts.

24 (2) Purchase or modernize vehicle fleets owned  
25 and operated by such entity that are used primarily

1 for the purpose of facilitating campus accessibility  
2 and student academic activities.

3 (3) Carry out major repairs to the facilities or  
4 other physical plants of such entity, including de-  
5 ferred maintenance projects.

6 (4) Acquire and install academic and residential  
7 furniture, fixtures, and instructional research-related  
8 equipment and technology in the campus facilities of  
9 such entity.

10 (5) For the purpose of facilitating the construc-  
11 tion of new campus facilities funded with a grant  
12 under this Act—

13 (A) purchase or otherwise acquire title to  
14 land to serve as a permanent site for such fa-  
15 cilities; and

16 (B) to the extent that other public or pri-  
17 vate funds are insufficient—

18 (i) prepare land for the construction  
19 of such facilities; and

20 (ii) pay other preconstruction costs re-  
21 lating to the development of such facilities.

22 (6) Install or extend the life and usability of  
23 basic systems and components of campus facilities,  
24 which may include—



1 (A) high-speed broadband internet infra-  
2 structure sufficient to support digital and tech-  
3 nology-based learning;

4 (B) high-capacity, middle-mile broadband  
5 networks, and campus-wide broadband net-  
6 works, including 5G and future network genera-  
7 tions;

8 (C) fiber, cyber, and telecommunications  
9 infrastructure, including small cells;

10 (D) heating, ventilation, and air condi-  
11 tioning (HVAC) or other indoor air quality sys-  
12 tems;

13 (E) support for last-mile service for rural  
14 campuses when other means of providing this  
15 support is unavailable; and

16 (F) other infrastructure to support the  
17 success of operations and other digital and  
18 technology needs.

19 (7) Strengthen the safety and security of the  
20 campus of such entity by improving or utilizing de-  
21 sign elements, principles, and technology that—

22 (A) guarantee layers of security through-  
23 out the such campus; and

24 (B) uphold the function of such campus as  
25 a learning and teaching environment.

1           (8) Reduce current or anticipated overcrowding  
2       in the campus facilities.

3           (9) Ensure that the building envelopes of the  
4       campus facilities—

5                 (A) protect occupants and interiors of such  
6       facilities from natural elements; and

7                 (B) are structurally sound and secure.

8           (10) Improve energy and water efficiency to  
9       lower the costs of energy and water consumption in  
10      campus facilities.

11          (11) With respect to campus facilities, reduce  
12      or eliminate the presence of—

13                 (A) toxins and chemicals, including mer-  
14      cury, radon, polychlorinated biphenyls, lead,  
15      and asbestos;

16                 (B) mold and mildew;

17                 (C) rodents and pests; or

18                 (D) biological, radiological, and other  
19      waste related to research.

20          (12) Ensure the safety of drinking water at the  
21      tap and water used for meal preparation in campus  
22      facilities, which may include testing of the potability  
23      of water at the tap for the presence of lead and  
24      other contaminants.

1           (13) Bring campus facilities into compliance  
2           with applicable fire, health, and safety codes and  
3           regulations.

4           (14) Make existing campus facilities accessible  
5           to individuals with disabilities through compliance  
6           with—

7                     (A) the Americans with Disabilities Act of  
8                     1990 (42 U.S.C. 12101 et seq.); and

9                     (B) section 504 of the Rehabilitation Act  
10            of 1973 (29 U.S.C. 794).

11       (b) PROHIBITED USES.—An eligible entity that re-  
12       ceives a grant under this Act may not use such grant  
13       funds for—

14           (1) payment of routine and predictable mainte-  
15       nance costs, minor repairs, and utility bills; or

16           (2) any facility that is—

17                     (A) primarily used for athletic contests or  
18                     exhibitions or other events for which admission  
19                     is charged to the general public; or

20                     (B) primarily used for or associated with  
21                     sectarian instruction or religious worship; or

22           (3) the purchase or support of any communica-  
23       tions equipment or service (as defined in section 9  
24       of the Secure and Trusted Networks Act of 2019

1 (47 U.S.C. 1608)) that poses a risk to national secu-  
2 rity.

3 (c) SUPPLEMENT NOT SUPPLANT.—An eligible enti-  
4 ty shall use a grant received under this Act only to supple-  
5 ment the level of Federal, State, and local public funds  
6 that would, in the absence of such grant, be made avail-  
7 able for the activities supported by the grant, and not to  
8 supplant such funds.

9 (d) ENCOURAGING PARTNERSHIPS.—The Secretary  
10 shall encourage partnerships between eligible entities and  
11 public and private entities to—

12 (1) provide additional funding; and

13 (2) assist in carrying out the activities under  
14 this Act.

15 **SEC. 4. REQUIREMENTS FOR HAZARD-RESISTANCE AND EN-**  
16 **ERGY AND WATER CONSERVATION.**

17 An eligible entity that receives a grant under this Act  
18 shall ensure that any new construction, modernization, or  
19 renovation project carried out with such grant funds meets  
20 or exceeds the following requirements:

21 (1) Requirements for such projects set forth in  
22 the most recent published edition of a nationally rec-  
23 ognized, consensus-based model building code.

24 (2) Requirements for such projects set forth in  
25 the most recent published edition of a nationally rec-

1       ognized, consensus-based model energy conservation  
2       code.

3           (3) Performance criteria under the WaterSense  
4       program, established under section 324B of the of  
5       the Energy Policy and Conservation Act (42 U.S.C.  
6       6294b), applicable to such projects within a nation-  
7       ally recognized, consensus-based model code.

8       **SEC. 5. USE OF SMALL BUSINESS CONCERNS.**

9       In carrying out projects funded with a grant under  
10      this Act, an eligible entity shall seek to procure contracts  
11      from small business concerns owned and controlled by vet-  
12      erans (including service-disabled veterans), qualified  
13      HUBZone small business concerns, small business con-  
14      cerns owned and controlled by socially and economically  
15      disadvantaged individuals, and small business concerns  
16      owned and controlled by women.

17      **SEC. 6. RESERVATION FOR ADMINISTRATIVE AND OTHER**  
18                                   **ACTIVITIES.**

19           (a) RESERVATION.—An eligible entity that receives  
20      a grant under this Act may reserve a total of not more  
21      than five percent of the amount of such grant to—

22                   (1) develop the facilities master plan required  
23      under subsection (b);

24                   (2) carry out activities to—

1 (A) protect the health of students, staff,  
2 administrators, faculty, researchers, and guests  
3 during the construction or modernization of the  
4 campus facilities of such entity; and

5 (B) mitigate excessive noise caused by ac-  
6 tivities carried out under this Act;

7 (3) pay personnel to carry out administrative  
8 work relating to the grant program; and

9 (4) pay other reasonable administrative costs  
10 associated with the grant program.

11 (b) FACILITIES MASTER PLAN.—

12 (1) IN GENERAL.—Not later than 180 days  
13 after receiving a grant under this Act, an eligible en-  
14 tity shall submit to the Secretary a comprehensive  
15 10-year facilities master plan.

16 (2) ELEMENTS.—The facilities master plan re-  
17 quired under paragraph (1) shall include, with re-  
18 spect to the eligible entity submitting such plan, a  
19 description of—

20 (A) the extent to which the campus facili-  
21 ties—

22 (i) meet the educational needs of stu-  
23 dents; and

24 (ii) support the educational mission  
25 and vision of such entity;

1 (B) the physical condition of the campus  
2 facilities;

3 (C) the current health, safety, and environ-  
4 mental conditions of the campus facilities, in-  
5 cluding—

6 (i) indoor air quality;

7 (ii) the presence of hazardous and  
8 toxic substances and chemicals on or near  
9 such facilities;

10 (iii) the safety of drinking water at  
11 the tap and water used for meal prepara-  
12 tion, including the level of lead and other  
13 contaminants in such water;

14 (iv) energy and water efficiency;

15 (v) excessive noise in academic spaces;

16 and

17 (vi) other health, safety, and environ-  
18 mental conditions that would impact the  
19 health, safety, and learning ability of stu-  
20 dents;

21 (D) the actual and anticipated impact of  
22 current and future student enrollment levels (as  
23 of the date of application) on the design of cur-  
24 rent and future campus facilities, as well as the  
25 financial implications of such enrollment levels;

1 (E) the dollar amount and percentage of  
2 funds such entity will dedicate to capital con-  
3 struction projects, including—

4 (i) any funds in the budget of such  
5 entity that will be dedicated to such  
6 projects; and

7 (ii) any funds not in such budget that  
8 will be dedicated to such projects, includ-  
9 ing any funds available to the eligibility en-  
10 tity as the result of a bond issue or the  
11 Historically Black College and University  
12 Capital Financing Program under part D  
13 of title III of the Higher Education Act of  
14 1965 (20 U.S.C. 1066 et seq.); and

15 (F) the dollar amount and percentage of  
16 funds such entity will dedicate to the mainte-  
17 nance and operation of campus facilities, in-  
18 cluding—

19 (i) any funds in the budget of such  
20 entity that will be dedicated to the mainte-  
21 nance and operation of such facilities; and

22 (ii) any funds not in the budget of  
23 such entity that will be dedicated to the  
24 maintenance and operation of such facili-  
25 ties.



1           (3) CONSULTATION.—In developing the facili-  
 2           ties master plan, the eligible entity demonstrate that  
 3           it conducted meaningful consultation with diverse  
 4           stakeholders, which may include—

- 5                   (A) staff and other institutional leaders;
- 6                   (B) custodial and maintenance staff;
- 7                   (C) emergency first responders;
- 8                   (D) campus facilities directors;
- 9                   (E) students and families;
- 10                  (F) community residents, including those  
 11                  directly affected by actions undertaken as a re-  
 12                  sult of utilizing grant funds;
- 13                  (G) government entities;
- 14                  (H) local charitable foundations;
- 15                  (I) local employers;
- 16                  (J) Indian Tribes, as applicable; and
- 17                  (K) other such individuals and entities.

18 **SEC. 7. HBCU CAPITAL FINANCING LOAN DISBURSEMENT**  
 19 **AND FORGIVENESS.**

20           (a) IN GENERAL.—Each time an institution of higher  
 21           education receives a disbursement of a loan amount under  
 22           a covered closed loan agreement, the Secretary shall  
 23           repay—

- 24                   (1) the outstanding balance of principal, inter-  
 25                  est, fees, and costs on such loan amount (as of the

1 date of such disbursement) under the covered closed  
2 loan agreement; and

3 (2) any reimbursement (including reimburse-  
4 ments of escrow and return of fees and deposits) re-  
5 lating to the covered closed loan agreement that are  
6 usual and customary when the loan is paid off by  
7 the institution.

8 (b) COVERED CLOSED LOAN AGREEMENT.—In this  
9 section, the term “covered closed loan agreement” means  
10 each of the following:

11 (1) A closed loan agreement—

12 (A) executed before the date of enactment  
13 of the Consolidated Appropriations Act, 2021  
14 (Public Law 116–260);

15 (B) made under part D of title III of the  
16 Higher Education Act of 1965 (20 U.S.C. 1066  
17 et seq.); and

18 (C) that provides for loan amounts that  
19 have not been disbursed as of the date of enact-  
20 ment of the Consolidated Appropriations Act,  
21 2021 (Public Law 116–260).

22 (2) A closed loan agreement—

23 (A) authorized under section 3512 of the  
24 CARES Act (20 U.S.C. 1001 note); and

1 (B) made for the deferment of balances  
2 that have not been disbursed as of the date of  
3 enactment of the Consolidated Appropriations  
4 Act, 2021 (Public Law 116–260).

5 **SEC. 8. REPORTS.**

6 (a) DEPARTMENT OF EDUCATION REPORT.—

7 (1) IN GENERAL.—Not later than 2 years after  
8 the date of the enactment of this Act, and annually  
9 thereafter, the Secretary shall submit to the appro-  
10 priate congressional committees a report on the  
11 projects carried out with grant funds awarded under  
12 this Act.

13 (2) ELEMENTS.—The report required under  
14 paragraph (1) shall include—

15 (A) with respect to projects carried out by  
16 eligible entities with grant funds awarded under  
17 this Act, an assessment of—

18 (i) the types of such projects;

19 (ii) the square footage of the improve-  
20 ments made by such projects,  
21 disaggregated by—

22 (I) total square footage; and

23 (II) square footage per each eligi-  
24 ble entity;

1 (iii) the total cost of each such  
2 project; and

3 (iv) the cost described in clause (iii),  
4 disaggregated by the cost of—

5 (I) planning;

6 (II) design;

7 (III) construction;

8 (IV) site purchase; and

9 (V) improvements;

10 (v) the geographic distribution of such  
11 projects; and

12 (vi) the demographic composition of  
13 the student population served by such  
14 projects, disaggregated by—

15 (I) race and ethnicity; and

16 (II) the number and percentage  
17 of students enrolled at such entities  
18 who are eligible to receive a Federal  
19 Pell Grant under subpart 1 of part A  
20 of title IV of the Higher Education  
21 Act of 1965 (20 U.S.C. 1070a et  
22 seq.);

23 (B) an evaluation of a sample of grant re-  
24 cipients, selected by the Secretary taking into  
25 account size and geographic location of each

1 grantee, to determine how such recipients are  
2 using the grant and the effectiveness of the ac-  
3 tivities carried out with the grant; and

4 (C) an analysis of compliance with the re-  
5 quirement in section 3(c).

6 (b) COMPTROLLER GENERAL STUDY REPORT.—

7 (1) STUDY REQUIRED.—Not later than 4 years  
8 after the date of the enactment of this Act, the  
9 Comptroller General of the United States shall con-  
10 duct a study on the implementation of the grant  
11 program under this Act.

12 (2) ELEMENTS.—The study conducted under  
13 paragraph (1) shall include—

14 (A) an examination of program implemen-  
15 tation challenges; and

16 (B) an assessment of whether any changes  
17 are needed to make grants under this Act more  
18 accessible to eligible entities with fiscal chal-  
19 lenges to help them raise capital for infrastruc-  
20 ture projects.

21 (3) REPORT.—After the completion of the study  
22 under paragraph (1), the Comptroller General shall  
23 submit to the appropriate congressional committees  
24 a report on the results of the study, including any  
25 recommendations to the Secretary for improvements

1 to the implementation of the grant program under  
2 this Act.

3 **SEC. 9. DEFINITIONS.**

4 In this Act:

5 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
6 ty” means—

7 (A) a part B institution (as defined in sec-  
8 tion 322 of the Higher Education Act of 1965  
9 (20 U.S.C. 1061));

10 (B) a Historically Black Graduate Profes-  
11 sional School (as identified in section 326(e) of  
12 such Act (20 U.S.C. 1063b(e)));

13 (C) a Hispanic-serving institution (as de-  
14 fined in section 502 of such Act (20 U.S.C.  
15 1101a));

16 (D) a Tribal College or University (as de-  
17 fined in section 316 of such Act (20 U.S.C.  
18 1059c));

19 (E) an Alaska Native-serving institution or  
20 a Native Hawaiian-serving institution (as de-  
21 fined in section 317(b) of such Act (20 U.S.C.  
22 1059d(b)));

23 (F) a Predominantly Black Institution (as  
24 defined in section 371(c) of such Act (20  
25 U.S.C. 1067q(c)));

1 (G) an Asian American and Native Amer-  
 2 ican Pacific Islander-serving institution (as de-  
 3 fined in section 371(c) of such Act (20 U.S.C.  
 4 1067q(c))); and

5 (H) a Native American-serving nontribal  
 6 institution (as defined in section 371(c) of such  
 7 Act (20 U.S.C. 1067q(c))).

8 (2) SECRETARY.—The term “Secretary” means  
 9 the Secretary of Education.

10 (3) STATE.—The term “State” has the mean-  
 11 ing given such term in section 103 of the Higher  
 12 Education Act of 1965 (20 U.S.C. 1003).

13 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There are authorized to be appro-  
 15 priated such sums as may be necessary to carry out this  
 16 Act for each of fiscal years 2023 through 2028.

17 (b) ALLOCATION OF FUNDS.—Of the amounts appro-  
 18 priated under subsection (a) for each fiscal year—

19 (1) 33.5 percent shall be available to award  
 20 grants to eligible entities that are—

21 (A) part B institutions; and

22 (B) Historically Black Graduate Profes-  
 23 sional Schools;

1           (2) 39 percent shall be available to award  
2           grants to eligible entities that are Hispanic-serving  
3           institutions;

4           (3) 10 percent shall be available to award  
5           grants to eligible entities that are Tribal Colleges or  
6           Universities;

7           (4) 6 percent shall be available to award grants  
8           to eligible entities that are Predominantly Black In-  
9           stitutions;

10          (5) 9 percent shall be available to award grants  
11          to eligible entities that are Asian American and Na-  
12          tive American Pacific Islander-serving institutions;  
13          and

14          (6) 2.5 percent shall be available to award  
15          grants to eligible entities that are—

16                (A) Native American-serving nontribal in-  
17                stitutions; and

18                (B) Alaska Native-serving institutions or  
19                Native Hawaiian-serving institutions.

○