

108TH CONGRESS  
1ST SESSION

# S. 1190

To expand and enhance postbaccalaureate opportunities at Hispanic-serving institutions, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 5, 2003

Mr. BINGAMAN (for himself and Mrs. HUTCHISON) 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 expand and enhance postbaccalaureate opportunities at Hispanic-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 “Next Generation His-  
5 panic Serving Institutions Act”.

1 **TITLE I—GRADUATE OPPORTU-**  
2 **NITIES AT HISPANIC-SERVING**  
3 **INSTITUTIONS**

4 **SEC. 101. POSTBACCALAUREATE OPPORTUNITIES FOR HIS-**  
5 **PANIC AMERICANS.**

6 (a) ESTABLISHMENT OF PROGRAM.—Title V of the  
7 Higher Education Act of 1965 (20 U.S.C. 1101 et seq.)  
8 is amended—

9 (1) by redesignating part B as part C;

10 (2) by redesignating sections 511 through 518  
11 as sections 521 through 528, respectively; and

12 (3) by inserting after section 505 the following:

13 **“PART B—PROMOTING POSTBACCALAUREATE**  
14 **OPPORTUNITIES FOR HISPANIC AMERICANS**

15 **“SEC. 511. FINDINGS AND PURPOSES.**

16 “(a) FINDINGS.—Congress finds the following:

17 “(1) According to the United States Census, by  
18 the year 2050, 1 in 4 Americans will be of Hispanic  
19 origin.

20 “(2) Despite the dramatic increase in the His-  
21 panic population in the United States, the National  
22 Center for Education Statistics reported that in  
23 1999, Hispanics accounted for only 4 percent of the  
24 master’s degrees, 3 percent of the doctor’s degrees,

1 and 5 percent of first-professional degrees awarded  
2 in the United States.

3 “(3) Although Hispanics constitute 10 percent  
4 of the college enrollment in the United States, they  
5 comprise only 3 percent of instructional faculty in  
6 college and universities.

7 “(4) The future capacity for research and ad-  
8 vanced study in the United States will require in-  
9 creasing the number of Hispanics pursuing  
10 postbaccalaureate studies.

11 “(5) Hispanic-serving institutions are leading  
12 the Nation in increasing the number of Hispanics  
13 attaining graduate and professional degrees.

14 “(6) Among Hispanics who received master’s  
15 degrees in 1999–2000, 25 percent earned them at  
16 Hispanic-serving institutions.

17 “(7) Between 1991 and 2000, the number of  
18 Hispanic students earning master’s degrees at His-  
19 panic-serving institutions grew 136 percent, the  
20 number receiving doctor’s degrees grew by 85 per-  
21 cent, and the number earning first-professional de-  
22 grees grew by 47 percent.

23 “(8) It is in the National interest to expand the  
24 capacity of Hispanic-serving institutions to offer  
25 graduate and professional degree programs.

1           “(9) Research is a key element in graduate edu-  
2           cation and undergraduate preparation, particularly  
3           in science and technology, and Congress desires to  
4           strengthen the role of research at Hispanic serving-  
5           institutions. University research, whether performed  
6           directly or through a university’s nonprofit research  
7           institute or foundation, is considered an integral  
8           part of the institution and mission of the university.

9           “(b) PURPOSES.—The purposes of this part are—

10           “(1) to expand postbaccalaureate educational  
11           opportunities for, and improve the academic attain-  
12           ment of, Hispanic students; and

13           “(2) to expand and enhance the  
14           postbaccalaureate academic offerings of high quality  
15           that are educating the majority of Hispanic college  
16           students and helping large numbers of Hispanic stu-  
17           dents and low-income individuals complete postsec-  
18           ondary degrees.

19           **“SEC. 512. PROGRAM AUTHORITY AND ELIGIBILITY.**

20           “(a) PROGRAM AUTHORIZED.—Subject to the avail-  
21           ability of funds appropriated to carry out this part, the  
22           Secretary shall award competitive grants to eligible insti-  
23           tutions.

1 “(b) ELIGIBILITY.—For the purposes of this part, an  
2 ‘eligible institution’ means an institution of higher edu-  
3 cation that—

4 “(1) is a Hispanic-serving institution (as de-  
5 fined under section 502); and

6 “(2) offers a postbaccalaureate certificate or de-  
7 gree granting program.

8 **“SEC. 513. AUTHORIZED ACTIVITIES.**

9 “Grants awarded under this part shall be used for  
10 1 or more of the following activities:

11 “(1) Purchase, rental, or lease of scientific or  
12 laboratory equipment for educational purposes, in-  
13 cluding instructional and research purposes.

14 “(2) Construction, maintenance, renovation,  
15 and improvement in classroom, library, laboratory,  
16 and other instructional facilities, including purchase  
17 or rental of telecommunications technology equip-  
18 ment or services.

19 “(3) Purchase of library books, periodicals,  
20 technical and other scientific journals, microfilm,  
21 microfiche, and other educational materials, includ-  
22 ing telecommunications program materials.

23 “(4) Support for needy postbaccalaureate stu-  
24 dents including outreach, academic support services,  
25 mentoring, scholarships, fellowships, and other fi-

1 nancial assistance to permit the enrollment of such  
2 students in postbaccalaureate certificate and degree  
3 granting programs.

4 “(5) Support of faculty exchanges, faculty de-  
5 velopment, faculty research, curriculum development,  
6 and academic instruction.

7 “(6) Creating or improving facilities for Inter-  
8 net or other distance learning academic instruction  
9 capabilities, including purchase or rental of tele-  
10 communications technology equipment or services.

11 “(7) Collaboration with other institutions of  
12 higher education to expand postbaccalaureate certifi-  
13 cate and degree offerings.

14 “(8) Other activities proposed in the application  
15 submitted pursuant to section 514 that—

16 “(A) contribute to carrying out the pur-  
17 poses of this part; and

18 “(B) are approved by the Secretary as part  
19 of the review and acceptance of such applica-  
20 tion.

21 **“SEC. 514. APPLICATION AND DURATION.**

22 “(a) APPLICATION.—Any eligible institution may  
23 apply for a grant under this part by submitting an applica-  
24 tion to the Secretary at such time and in such manner  
25 as determined by the Secretary. Such application shall

1 demonstrate how the grant funds will be used to improve  
2 postbaccalaureate education opportunities for Hispanic  
3 and low-income students and will lead to such students'  
4 greater financial independence.

5       “(b) DURATION.—Grants under this part shall be  
6 awarded for a period not to exceed 5 years.

7       “(c) LIMITATION.—The Secretary shall not award  
8 more than 1 grant under this part in any fiscal year to  
9 any Hispanic-serving institution.”.

10       (b) COOPERATIVE ARRANGEMENTS.—Section 524 of  
11 the Higher Education Act of 1965 (as redesignated by  
12 subsection (a)(2)) is amended by inserting “and section  
13 513” after “section 503”.

14       (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
15 528(a) of the Higher Education Act of 1965 (as redesi-  
16 gnated by subsection (a)(2)) is amended to read as follows:

17       “(a) AUTHORIZATIONS.—

18               “(1) PART A.—There are authorized to be ap-  
19 propriated to carry out part A of this title  
20 \$175,000,000 for fiscal year 2005 and such sums as  
21 may be necessary for each of the 4 succeeding fiscal  
22 years.

23               “(2) PART B.—There are authorized to be ap-  
24 propriated to carry out part B of this title  
25 \$125,000,000 for fiscal year 2005 and such sums as

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

3       (d) CONFORMING AMENDMENTS.—Title V of the  
4       Higher Education Act of 1965 (20 U.S.C. 1101 et seq.)  
5       is amended—

6               (1) in section 502—

7                       (A) in subsection (a)(2)(A)(ii), by striking  
8               “section 512(b)” and inserting “section  
9               522(b)”;

10                      (B) in subsection (b)(2), by striking “sec-  
11               tion 512(a)” and inserting “section 522(a)”;

12               (2) in section 521(e)(6) (as redesignated by  
13       subsection (a)(2)), by striking “section 516” and in-  
14       serting “section 526”;

15               (3) in section 526 (as redesignated by sub-  
16       section (a)(2)), by striking “section 518” and insert-  
17       ing “section 528”.

18       **TITLE II—REDUCING REGULATORY BARRIERS FOR HIS-**  
19       **PANIC-SERVING INSTITUTIONS**

22       **SEC. 201. DEFINITIONS.**

23       Section 502(a) of the Higher Education Act of 1965  
24       (20 U.S.C. 1101a(a)) is amended—

25               (1) in paragraph (5)—

1 (A) in subparagraph (A), by inserting  
2 “and” after the semicolon;

3 (B) in subparagraph (B), by striking “;  
4 and” and inserting a period; and

5 (C) by striking subparagraph (C); and  
6 (2) by striking paragraph (7).

7 **SEC. 202. AUTHORIZED ACTIVITIES.**

8 Section 503(b)(7) of the Higher Education Act of  
9 1965 (20 U.S.C. 1101b(b)(7)) is amended to read as fol-  
10 lows:

11 “(7) Articulation agreements and student sup-  
12 port programs designed to facilitate the transfer  
13 from 2-year to 4-year institutions.”.

14 **SEC. 203. ELIMINATION OF WAIT-OUT PERIOD.**

15 Section 504(a) of the Higher Education Act of 1965  
16 (20 U.S.C. 1101c(a)) is amended to read as follows:

17 “(a) AWARD PERIOD.—The Secretary may award a  
18 grant to a Hispanic-serving institution under this title for  
19 5 years.”.

20 **SEC. 204. APPLICATION PRIORITY.**

21 Section 521(d) of the Higher Education Act of 1965  
22 (as redesignated by section 101(a)(2)) is amended by  
23 striking “(from funds other than funds provided under  
24 this title)”.