

HISTORICALLY BLACK COLLEGES AND UNIVERSITIES
(HBCUS) HOMELAND SECURITY PARTNERSHIPS ACT

FEBRUARY 6, 2020.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland
Security, submitted the following

R E P O R T

[To accompany H.R. 1494]

The Committee on Homeland Security, to whom was referred the bill (H.R. 1494) to strengthen partnerships between historically Black colleges and universities and minority-serving institutions and the Department of Homeland Security, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Historically Black Colleges and Universities (HBCUs) Homeland Security Partnerships Act”.

SEC. 2. DEPARTMENT-WIDE STRATEGY FOR ENHANCED PARTNERSHIPS WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary, acting through the Under Secretary for Strategy, Policy, and Plans of the Department, shall—

- (1) issue a Department-wide strategy to enhance partnerships with historically Black colleges and universities and minority-serving institutions that includes yearly goals, including goals related to improving recruitment and hiring, research and development, and acquisition opportunities at such institutions, through fiscal year 2025; and
- (2) require the head of each component of the Department to—
 - (A) not later than 150 days after the date of the issuance under paragraph (1) of the Department-wide strategy, develop a component-specific action plan to implement such strategy;
 - (B) monitor progress on such implementation; and
 - (C) not later than one year after the date of such issuance, report to the Secretary regarding progress on such implementation.

SEC. 3. ENHANCEMENT OF RESEARCH AND DEVELOPMENT PARTNERSHIPS.

The Secretary shall seek to enhance partnerships with historically Black colleges and universities and minority-serving institutions with respect to administering the research and development activities of the Department by, among other things—

- (1) encouraging the participation of such colleges, universities, and institutions in the research, development, testing, and evaluation programs and activities of the Department;
- (2) facilitating partnerships between such colleges, universities, and institutions and private sector stakeholders, national laboratories, and other academic institutions in areas important to homeland security, including cybersecurity, emergency management, and counterterrorism; and
- (3) distributing funds through Science and Technology Directorate grants, cooperative agreements, and contracts to such colleges, universities, and institutions for enhancements in areas important to homeland security, including cybersecurity, emergency management, and counterterrorism.

SEC. 4. CAREER OPPORTUNITIES PARTNERSHIPS.

Not later than 120 days after the date of the enactment of this Act, the Secretary, acting through the Chief Human Capital Officer of the Department, shall make available to historically Black colleges and universities and minority-serving institutions a current list of internship, fellowship, scholarship, and recruitment opportunities within the Department for students and recent graduates of such colleges, universities, and institutions.

SEC. 5. OPPORTUNITIES FOR 8(A) PROGRAM PARTNERSHIPS.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Small Business Administration shall publish eligibility criteria on how historically Black colleges and universities and minority-serving institutions may qualify to participate in Federal acquisitions authorized pursuant to section 8(a) of the Small Business Act (15 U.S.C. 637(a); Public Law 85–536).

(b) **DEPARTMENT ACTIONS.**—Upon publication of eligibility criteria in accordance with subsection (a), the Secretary shall disseminate information to historically Black colleges and universities and minority-serving institutions regarding—

- (1) how to establish such eligibility; and
- (2) current and future opportunities to participate in Federal acquisitions authorized pursuant to section 8(a) of the Small Business Act.

SEC. 6. ANNUAL REPORT.

(a) **ANNUAL REPORT.**—Not later than December 31, 2020, and annually thereafter through 2026, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the efforts of the Department to partner with historically Black colleges and universities and minority-serving institutions to carry out this Act.

(b) **REPORTING REQUIREMENTS.**—The annual reports required under subsection (a) shall include the following:

- (1) A list of awards, including the corresponding monetary value for each such award, to historically Black colleges and universities and minority-serving institutions, disaggregated by grant, contract, cooperative agreement, and other research development test and evaluation activity, initiative, and program.
- (2) A description of how the Department is partnering with historically Black colleges and universities and minority-serving institutions under the programs referred to in sections 3 and 5, and how such programs have helped such col-

leges, universities, and institutions participate in acquisitions with the Department.

(3) A summary of outreach efforts to historically Black colleges and universities and minority-serving institutions, and an identification of any Department programs and initiatives in which such colleges, universities, and institutions are under-represented among institutions of higher education.

(4) A description of the status of efforts made by the Department pursuant to sections 2 and 4, including—

(A) for section 2, Department-wide goals pursuant to the Department-wide strategy to enhance partnerships with historically Black colleges and universities and minority-serving institutions under such section, and the status of efforts to implement action plans throughout the Department to carry out such strategy; and

(B) for section 4, participation rates in each internship, fellowship, scholarship, and recruitment opportunity referred to in such section, listed by historically Black college and university and minority-serving institution so participating.

(5) A list of memoranda of understanding entered into by the Department with historically Black colleges and universities and minority-serving institutions and information on the parties and scope of each such memorandum of understanding.

SEC. 7. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term “Department” means the Department of Homeland Security.

(2) HISTORICALLY BLACK COLLEGES AND UNIVERSITIES.—The term “historically Black colleges and universities” means a part B institution described in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

(3) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(4) MINORITY-SERVING INSTITUTIONS.—The term “minority-serving institutions” means an institution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(5) SECRETARY.—The term “Secretary” means Secretary of Homeland Security.

PURPOSE AND SUMMARY

H.R. 1494, the “Historically Black Colleges and Universities (HBCUs) Homeland Security Partnerships Act” would require the Department of Homeland Security (the Department or DHS) to issue a strategy with yearly goals for enhancing its partnerships with HBCUs and minority-serving institutions (MSIs). The bill also requires DHS to monitor and report on the implementation of the strategy to ensure the Department’s progress in providing contracting, research and development, and internship and career opportunities to HBCUs and MSIs and their students or recent graduates. Additionally, H.R. 1494 requires the Administrator of the Small Business Administration to publish eligibility criteria on how HBCUs and MSIs may qualify to participate in Federal acquisitions under the 8(a) small business program. The “HBCUs Homeland Security Partnerships Act” has bipartisan support as it was introduced by Chairman Bennie G. Thompson (D-MS-02) and Rep. Blaine Luetkemeyer (R-MO-03).

BACKGROUND AND NEED FOR LEGISLATION

In recognition of the contribution that HBCUs have made to the prosperity and general welfare of this country, President Carter established a Federal program to strengthen and expand the capacity

of HBCUs in 1980.¹ The next year, President Reagan signed Executive Order 12320, which established the White House Initiative on HBCUs, an initiative to expand on the program established under the Carter Administration to “set into motion a government wide effort to strengthen our nation’s HBCUs.”² Succeeding presidents have signed executive orders to renew the initiative. In February 2017, President Trump issued Executive Order 13779 to provide equitable opportunities for HBCUs to participate in Federal programs.³

In accordance with Executive Order 13779, DHS submitted a plan to the Department of Education that detailed its efforts to strengthen the capacity of HBCUs to participate in DHS programs and initiatives.⁴ In it, the Department indicated that its existing programs, which were geared towards engaging with HBCUs and increasing the pipeline of talent, are being underutilized.⁵ Specifically, the U.S. Coast Guard’s College Student Pre-Commissioning Initiative experienced a 63.82 percent decrease in applications from HBCU students in fiscal year 2018.⁶ This is particularly concerning given the U.S. Coast Guard Academy’s historic diversity challenges, where only two percent of the 2017 graduating class identified as Black or African American.⁷

In addition to Coast Guard initiatives, the Federal Emergency Management Agency’s Emergency Management Institute (EMI), an entity that provides all hazards training and courses that may be accessed by students enrolled in emergency management degree-granting programs, has also had challenges engaging HBCUs and MSIs. In fiscal year 2019, only 18 percent of the 26,674 students that EMI serviced were minorities.⁸ This lack of diverse participation in EMI has real-world implications for communities of color. With natural disasters occurring with greater frequency and intensity, the impact of disasters is projected to affect coastal communities of color the hardest.⁹ As many HBCUs are located in hurricane-prone areas, it is imperative that these institutions access EMI disaster response and recovery training.

H.R. 1494 would strengthen partnerships between the Department and HBCUs and MSIs by requiring that DHS’ strategy for encouraging HBCU and MSI participation in Department programs and activities include specific, measurable goals to be met annually through fiscal year 2025. The bill also requires the head of each DHS component to develop a component-specific action plan to im-

¹“White House Initiative on Historically Black Colleges and Universities,” Department of Education, <https://sites.ed.gov/whhbcu/about-us/>.

²*Id.*

³Executive Order 13779, Presidential Executive Order on The White House Initiative to Promote Excellence and Innovation at Historically Black Colleges and Universities (February 28, 2017), <https://www.whitehouse.gov/presidential-actions/presidential-executive-order-white-house-initiative-promote-excellence-innovation-historically-black-colleges-universities/>.

⁴Department of Homeland Security, *Annual Plan on Executive Agency Actions to Strengthen the Capacity of Historically Black Colleges and Universities (HBCUs) to compete for Federal and Private Sector Opportunities for Fiscal Year (FY) 2018* (May 29, 2018).

⁵*Id.*

⁶*Id.*

⁷Chris Soto, *U.S. Coast Guard Academy blindingly white* (June 9, 2017), <http://www.baltimoresun.com/news/opinion/oped/bs-ed-coast-guard-diversity-20170610-story.html>.

⁸“Fact Sheet: Emergency Management Institute,” Federal Emergency Management Agency, Department of Homeland Security.

⁹Goulda A. Downer, “Homeland Security and Emergency Management Studies: Where Are the HBCUs?” *The Journal of Blacks in Higher Education*. July 5, 2018. Accessed on November 22, 2019. Available at: <https://www.jbhe.com/2018/07/homeland-security-and-emergency-management-studies-where-are-the-hbcus/>.

plement the Department-wide strategy, monitor implementation progress, and report to the Secretary of Homeland Security (the Secretary) on the progress of implementation.

HEARINGS

For the purposes of section 103(i) of H. Res. 6. of the 116th Congress, the following hearing was used to develop H.R. 1494:

- On April 3, 2019, the Committee held a hearing entitled “Ensuring Effective and Efficient Operations: A Review of The Fiscal Year 2020 DHS Management Directorate Budget Request.” The Committee received testimony from Chip Fulghum, Deputy Under Secretary for Management, Department of Homeland Security; and Chris Currie, Director, Homeland Security and Justice Team, Government Accountability Office.

COMMITTEE CONSIDERATION

The Committee met on January 29, 2020, with a quorum being present, to consider H.R. 1494 and ordered the measure to be reported to the House with a favorable recommendation, as amended, by unanimous consent.

The following amendment was offered and agreed to by unanimous consent:

An amendment offered by Mr. Thompson.

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Historically Black Colleges and Universities (HBCUs) Homeland Security Partnerships Act”.

SEC. 2. DEPARTMENT-WIDE STRATEGY FOR ENHANCED PARTNERSHIPS WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.

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- (A) not later than 150 days after the date of the issuance under paragraph (1) of the Department-wide strategy, develop a component-specific action plan to implement such strategy;

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tions with respect to administering the research and development activities of the Department by, among other things—

(1) encouraging the participation of such colleges, universities, and institutions in the research, development, testing, and evaluation programs and activities of the Department;

(2) facilitating partnerships between such colleges, universities, and institutions and private sector stakeholders, national laboratories, and other academic institutions in areas important to homeland security, including cybersecurity, emergency management, and counterterrorism; and

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(3) A summary of outreach efforts to historically Black colleges and universities and minority-serving institutions, and an identification of any Department programs and initiatives in which such colleges, universities, and institutions are underrepresented among institutions of higher education.

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(B) for section 4, participation rates in each internship, fellowship, scholarship, and recruitment opportunity referred to in such section, listed by historically Black college and university and minority-serving institution so participating.

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(5) **SECRETARY.**—The term “Secretary” means Secretary of Homeland Security.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

No recorded votes were requested during consideration of H.R. 1494.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

CONGRESSIONAL BUDGET OFFICE ESTIMATE, NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office.

FEDERAL MANDATES STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chairman of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee.

DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of rule XIII, the Committee finds that H.R. 1494 does not contain any provision that establishes or reauthorizes a program known to be duplicative of another Federal program.

PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the objective of H.R. 1494 is to improve partnerships between DHS and HBCUs and MSIs, by directing the Secretary, acting through the Under Secretary for Strategy, Policy, and Plans to develop a strategy, with performance goals, for fostering such partnerships. This legislation is intended to increase HBCUs and MSIs and their students or recent graduates access to contracting, research and development, and career opportunities within DHS.

ADVISORY ON EARMARKS

In compliance with rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of the rule XXI.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section states that the Act may be cited as the “Historically Black Colleges and Universities (HBCUs) Homeland Security Partnerships Act.”

Sec. 2. Department-wide strategy for enhanced partnerships with historically black colleges and universities and minority serving institutions

This section directs the Secretary, through the Under Secretary for Strategy Policy and Plans to issue, within 90 days of enactment of this Act, a Department-wide strategy to enhance partnerships with HBCUs and MSIs, with yearly goals through fiscal year 2025.

This section also directs the head of each Departmental component to develop a component-specific action plan to implement the strategy, monitor implementation progress, and report to the Secretary, no later than one year after the date of issuance, on the progress of implementation.

Sec. 3. Enhancement of research and development partnerships

This section directs the Secretary to enhance partnerships with HBCUs and MSIs for the purpose of administering the research and development activities of the Department, by (1) encouraging the participation of these institutions in the research, development, testing, and evaluation programs and activities of the Department; (2) facilitating partnerships between the Department and these institutions and private sector stakeholders, national laboratories, and other academic institutions in areas important to homeland security, including cyber security, emergency management, and counterterrorism; and (3) distributing funds through Science and Technology Directorate grants, cooperative agreements, and contracts to these institutions for enhancements in areas important to homeland security, including cyber security, emergency management, and counterterrorism.

The Committee expects that such grants, cooperative agreements, and contracts will continue to be awarded through a competitive process.

Sec. 4. Career opportunities partnerships

This section directs the Secretary, through the Departments Chief Human Capital Officer, to make available to HBCUs and MSIs a current list of internship, fellowship, scholarship, and recruitment opportunities within the Department for students and recent graduates, no later than 120 days after the enactment of this Act.

Sec. 5. Opportunities for 8(a) program partnerships

This section directs the Administrator of the Small Business Administration to, within 90 days of the enactment of this Act, publish eligibility criteria on how HBCUs and MSIs may qualify to participate in Federal acquisitions under the 8(a) small business program. Following the publication of the eligibility criteria, the Secretary is to disseminate such information to HBCUs and MSIs.

Sec. 6. Annual report

This section directs the Secretary to submit a report, no later than December 31, 2020, and annually thereafter through 2026, to Congress on the Department's efforts to carry out this Act.

This report must include: (1) a list of awards made to HBCUs and MSIs, disaggregated by grant, contract, cooperative agreement, and other research development test and evaluation activity, initiative, and program; (2) a description of how the Department is partnering with HBCUs and MSIs under programs referred to in sections 3 and 5 of the Act, and how such programs have helped HBCUs and MSIs participate in acquisitions with the Department; (3) a summary of outreach efforts to HBCUs and MSIs, and an identification of any Department programs and initiatives in which these institutions are underrepresented among other institutions of higher education; (4) a description of efforts made to advance Department-wide goals outlined in the strategy to enhance partnerships with HBCUs and MSIs and the status of efforts to implement the strategy, and HBCUs and MSIs participation rates in each internship, fellowship, scholarship, and recruitment opportunity; and (5) a list of memoranda of understanding entered into by the Department and HBCUs and MSIs, including information of parties and scope of each memorandum.

Sec. 7. Definitions

This section defines the following terms: (1) Department; (2) Historically Black Colleges and Universities; (3) Institution of Higher Education; (4) Minority-Serving Institutions; and Secretary, for purposes of this Act.

COMMITTEE CORRESPONDENCE

NYDIA M. VELAZQUEZ, NEW YORK
CHAIRWOMAN

STEVE CHABOT, OHIO
RANKING MEMBER

Congress of the United States
U.S. House of Representatives
Committee on Small Business
2301 Rayburn House Office Building
Washington, DC 20515-0515

January 30, 2020

The Honorable Bennie Thompson
Chairman
Committee on Homeland Security
U.S. House of Representatives
Washington, D.C. 20515

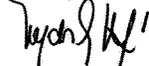
Dear Chairman Thompson:

I am writing with respect to H.R. 1494, the "Historically Black Colleges and Universities (HBCUs) Homeland Security Partnerships Act." Thank you for consulting with the Committee on Small Business regarding the matters in H.R. 1494 that fall within the Committee's jurisdiction.

As a result of your consultation with us on this measure and in order to expeditiously move the bill to the floor, I forego further consideration of H.R. 1494. The Committee on Small Business takes this action with our mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. Further, I request your support for the appointment of an appropriate number of conferees from the Committee on Small Business during any House-Senate conference involving this or similar legislation.

Finally, I would appreciate your response to this letter confirming our understanding regarding H.R. 1494 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of the measure. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,



Nydia M. Velazquez
Chairwoman

BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMAN



MIKE ROGERS, ALABAMA
RANKING MEMBER

One Hundred Sixteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

January 30, 2020

The Honorable Nydia Velazquez
Chairwoman
Committee on Small Business
2361 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

Dear Chairwoman Velazquez:

Thank you for your letter regarding H.R. 1494, the "Historically Black Colleges and Universities Homeland Security Partnerships Act." I recognize that the Committee on Small Business has a jurisdictional interest in H.R. 1494, and appreciate your effort to allow this bill to be considered on the House floor.

I concur with you that forgoing action on the bill does not in any way prejudice the Committee on Small Business with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House – Senate conference involving this legislation.

I will include our letters on H.R. 1494 in the *Congressional Record* during floor consideration of this bill. I look forward to working with you on this legislation and other matters of great importance to this nation.

Sincerely,


Bennie G. Thompson
Chairman

cc: The Honorable Nancy Pelosi, Speaker
The Honorable Michael Rogers, Ranking Member
The Honorable Tom Wickham, Parliamentarian

