



April 19, 2022

The Honorable Patrick Leahy
Chairman
Senate Committee on Appropriations
Room S-146A, The Capitol
Washington, DC 20510

The Honorable Richard Shelby
Vice Chairman
Senate Committee on Appropriations
Room S-128, The Capitol
Washington, DC 20510

Dear Chairman Leahy and Vice Chairman Shelby:

As the Senate Committee on Appropriations prepares its Fiscal Year (FY) 2023 spending bills, AccessLex Institute urges it to fully fund Title III of the Higher Education Act (HEA), which provides funding for Historically Black Colleges and Universities (HBCUs) and other minority serving institutions. When last reauthorized in 2008, HEA authorized certain funding levels for Title III programs, but these levels have not been met in the intervening years.

AccessLex Institute, in partnership with its nearly 200 nonprofit and state-affiliated ABA-approved member law schools (including all 6 historically black ABA-accredited law schools), has been committed to improving access to legal education and to maximizing the affordability and value of a law degree since 1983. The AccessLex Center for Legal Education Excellence advocates for policies that make legal education work better for students and society alike and conducts research on the most critical issues facing legal education today.

HBCUs play an outsized role in educating Black postsecondary students—they represent 3 percent of all colleges and universities but enroll 10 percent of Black undergraduates and award 17 percent of bachelor's degrees to Black students. However, funding and resources for HBCUs and other minority serving institutions lag behind those that serve predominately White students. The federal investment in these institutions must reflect the need that exists if Congress is to keep the promise it made with the passage of the Higher Education Act in 1965: to provide educational opportunity to all Americans who wish to pursue it.

Title III of HEA provides grants to HBCUs and other minority serving institutions for programs that strengthen academic quality, institutional management, and financial stability. These programs help schools expand educational opportunities for low-income students and students of color. One such program, the Historically Black Graduate Institutions (HBGI) program, provides grants to eligible graduate and professional institutions to increase the number of Black individuals in certain professional fields. Funds can be used for things like academic development, student services, scholarships, fellowships, and other financial assistance for needy graduate and professional students. However,

despite Congress authorizing \$125 million a year for this program under HEA, in FY 2022, it was funded at \$93 million. Beyond the objective value to individuals and society as a whole of increasing the ranks of Black graduate and professional degree holders, research shows that Black bachelor's degree-holders earn 20 percent less than their White counterparts, practically necessitating that Black students earn a graduate degree to help close the pay gap. Increasing funding for the HBGI program would materially help on this front.

Moreover, Congress can more broadly help address this inequity by fully funding HEA Title III programs, which will enable more students of color to pursue their educational dreams, thus benefitting not just individual graduates, but also strengthen local communities and the economy.

Thank you for your time and attention to this matter. If you have any questions, please do not hesitate to contact me at cchapman@accesslex.org or Nancy Conneely, Managing Director of Policy, at nconneely@accesslex.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris P. Chapman".

Christopher P. Chapman
President and Chief Executive Officer