

**Congress of the United States**  
**Washington, DC 20515**

February 18, 2022

The Honorable Rosa L. DeLauro  
Chairwoman  
House Appropriations Committee  
H-307, The Capitol  
Washington, DC 20515

The Honorable Patrick Leahy  
Chairman  
Senate Appropriations Committee  
S-129, The Capitol  
Washington, DC 20510

The Honorable Kay Granger  
Ranking Member  
House Appropriations Committee  
H-307, The Capitol  
Washington, DC 20515

The Honorable Richard Shelby  
Vice Chairman  
Senate Appropriations Committee  
S-129, The Capitol  
Washington, DC 20510

RE: Proposed Modification of Restrictions for Supplemental HBCU Funds

Dear Chair DeLauro, Chair Leahy, Ranking Member Granger, and Vice Chairman Shelby:

As Congress considers funding for Fiscal Year (FY) 2022, we urge you to consider language to expand the allowable use of Higher Education Emergency Relief Funds (HEERF) provided to Historically Black Colleges and Universities (HBCUs) to permit HBCUs to address deferred maintenance, improve public safety measures, and preserve historic buildings on their campuses.

In response to the COVID-19 pandemic, Congress provided funding in the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA), and the American Rescue Plan Act (ARPA) to support students and institutions of higher education. However, current [guidance](#) on the allowable use of funds prevents HBCUs from addressing significant campus infrastructure needs. HEERF funds have allowable uses for infrastructure improvements that are related to COVID-19. However, if an HBCU has an infrastructure request unrelated to the impacts of COVID-19, such as a building a new set of classrooms, then this request would not be allowed. Expansion of the allowable use of HEERF is needed to address longstanding and emerging concerns on HBCU campuses.

HBCUs have been chronically underfunded by the federal and state governments. The result is smaller budgets in comparison to Predominately White Institutions.<sup>1</sup> For example, Tennessee State University recently discovered that it has been underfunded by the state of Tennessee by \$544 million since 1957.<sup>2</sup> According to a recent Forbes [report](#), HBCUs have been underfunded by \$12.8

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<sup>1</sup> [Achieving Financial Equity and Justice for HBCUs](https://tcf.org/content/report/achieving-financial-equity-justice-hbcus/). The Century Foundation (September 2021). <https://tcf.org/content/report/achieving-financial-equity-justice-hbcus/>

<sup>2</sup> [Chronically Underfunded HBCUs Eye Scholarships in Biden Bill](https://www.bloomberg.com/news/features/2021-11-16/historically-black-colleges-look-to-congress-for-more-long-term-funding), Bloomberg Equality (Nov. 2021). <https://www.bloomberg.com/news/features/2021-11-16/historically-black-colleges-look-to-congress-for-more-long-term-funding>

billion by state legislatures since 1987. This historical trend has resulted in a pattern of economic inequity experienced by HBCUs and the students they serve.

In June 2018, the Government Accountability Office (“GAO”) issued a report detailing the infrastructure needs of HBCUs based on a survey of all 101 accredited HBCUs, as well as additional research undertaken by GAO (“Report”).<sup>3</sup> The GAO identified three principal sources of capital project needs: (i) a backlog of deferred maintenance; (ii) efforts to modernize campus to be more competitive; and (iii) a continuing need to meet historical building requirements.<sup>4</sup>

The infrastructure needs of HBCUs were further underscored by recent bomb [threats](#) made at several HBCUs across the country in January and February 2022. Campus public safety measures are a vital part of the infrastructure at any college campus. It is imperative that HBCUs receive the resources necessary to protect students and faculty. Threats of violence have no place on college campuses. While one substantive bill, H.R. 3294, the IGNITE HBCU Excellence Act, contains language permitting institutions of higher education to apply for grants which “strengthen the safety and security of the[ir] campus,” relying on legislation that has yet to be passed does not address the limited ways in which HBCUs can address their infrastructure needs using HEERF funds. Expanding the allowable uses for HEERF funds already allocated to HBCUs ensures that HBCUs will be able to fully make use of the federal resources already provided to them to make much-needed improvements to their infrastructure.

HBCUs were founded to provide postsecondary educational opportunities to Black Americans and others without regard to race, ethnicity, or socio-economic strata. Despite HBCUs’ contributions to the American society, economy, and culture, infrastructural issues at HBCUs present significant challenges to fulfilling HBCUs’ educational and social mission of supporting their students, faculty, staff, and the communities beyond. As such, we urge you to consider broadening the allowable uses of HEERF funds during FY22 appropriations to ensure HBCU campuses can continue to invest in generations to come.

If you have any questions regarding this request, please reach out to Cameryn Blackmore at [cameryn.blackmore@mail.house.gov](mailto:cameryn.blackmore@mail.house.gov) or Smriti Krishnan, [smriti.krishnan@mail.house.gov](mailto:smriti.krishnan@mail.house.gov).

Sincerely,



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Marilyn Strickland  
Member of Congress



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Alma S. Adams, Ph.D.  
Member of Congress

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<sup>3</sup> [Historically Black Colleges and Universities, Action Needed to Improve Participation in Education’s HBCU Capital Financing Program](https://www.gao.gov/assets/gao-18-455.pdf), United States Government Accountability Office (June 2018). <https://www.gao.gov/assets/gao-18-455.pdf>

<sup>4</sup> Id. at 13.



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Terri A. Sewell  
Member of Congress



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Bennie Thompson  
Member of Congress



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Nikema Williams  
Member of Congress



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Ted W. Lieu  
Member of Congress



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Bonnie Watson Coleman  
Member of Congress



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Rick Larsen  
Member of Congress



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Deborah K. Ross  
Member of Congress



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Troy A. Carter, Sr.  
Member of Congress



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David Scott  
Member of Congress



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Mary Gay Scanlon  
Member of Congress

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Sheila Cherfilus-McCormick  
Member of Congress

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Kathy Manning  
Member of Congress

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Anthony G. Brown  
Member of Congress

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Adam Smith  
Member of Congress

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Kweisi Mfume  
Member of Congress

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G.K. Butterfield  
Member of Congress

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Eleanor Holmes Norton  
Member of Congress

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Madeleine Dean  
Member of Congress

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Al Green  
Member of Congress

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John Yarmuth  
Member of Congress





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Ritchie Torres  
Member of Congress



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Stacey Plaskett  
Member of Congress



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Chris Van Hollen  
United States Senator



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Reverend Raphael Warnock  
United States Senator



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Christopher A. Coons  
United States Senator



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Mark R. Warner  
United States Senator

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<sup>s</sup>  
Cory A. Booker  
United States Senator



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Tim Kaine  
United States Senator



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Benjamin L. Cardin  
United States Senator

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<sup>s</sup>  
Robert P. Casey, Jr.  
United States Senator

A handwritten signature in black ink, appearing to read "Elizabeth Warren". The signature is fluid and cursive, with a long horizontal stroke at the end.

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Elizabeth Warren  
United States Senator