

## APLU ANALYSIS OF THE BUILD BACK BETTER ACT

On October 28, 2021, President Biden announced the details of a new framework for the Build Back Better Act, capping off days of negotiations with Democratic leadership in Congress. The framework details investments in domestic social priorities, including higher education, free preschool, childcare, affordable caregiving for older Americans, and an extension of the American Rescue Plan's child tax credit. The bill also includes investments in research and research infrastructure, priorities aimed at combatting climate change, expanding affordable health care and housing, advancing immigration reform, and more.

On Wednesday, November 3, 2021, Rep. Yarmuth (D-KY), Chair of the House Budget Committee, introduced a managers amendment that modified portions of the bill, along with several supporting documents:

- [Revised bill text](#) (Nov. 3 version)
- [Revised section-by-section](#)
- [Redline of last week's bill compared to updated text](#)

The analysis below reflects the bill text of the managers amendment. As the bill advances, there may be additional changes made. Below is an analysis of the Build Back Better Act provisions specific to the higher education community.

APLU expressed [support](#) for Congress to advance the legislation.

### **I. AGRICULTURE**

The Build Back Better budget reconciliation bill invests in agricultural and forest research, education, and Cooperative Extension's role in climate and rural development. The bill would support the Department of Agriculture's National Institute of Food and Agriculture (NIFA) to carry out agricultural education, Extension, and research related to climate change. It would fund the Research Facilities Act (RFA) at \$1 billion over ten years, providing support to covered institutions for construction, alteration, acquisition, modernization, renovation, or remodeling of agricultural research facilities, and for compliance issues. A covered institution includes 1890s, 1994, Alaska Native or Native Hawaiian serving institutions, Hispanic serving agricultural colleges and Hispanic serving institutions, insular institutions, and the University of the District of Columbia. The bill would also waive requirements that institutions provide a match of federal funding.

In addition to funds for the RFA, the Agriculture and Food Research Initiative (AFRI) would receive \$210 million; 1890s Centers of Excellence would receive \$5 million; the Specialty Crop Research Initiative (SCRI) would receive \$60 million; Smith Lever would receive \$80 million; 1994 Extension would receive \$35 million; and 1890s Extension would receive \$40 million. Additional details are available in the table below.

The bill would provide USDA Rural Development with \$873 million in Rural Prosperity Development Grants for comprehensive rural development and pre-development activities and planning, as well as operating and implementing costs. Cooperative Extension is an eligible entity. A fund of \$97 million is included for Rural Prosperity Innovation Grants for capacity building to support rural development. Higher education institutions are eligible to apply for this funding. The funding for both grant programs would be available for ten years.

Finally, \$775 million would be allocated to the Wood Innovation Grant Program. This funding allows for construction of new facilities that advance the program. There is a 50 percent matching requirement for the program and funding is limited to \$5 million per grant. Grants that consider forest restoration would be given priority.

<b>Title I – Agriculture</b>	
<b>Subtitle B – Forestry</b>	
Sec. 11002 - Non-Federal Land Forest Restoration and Fuels Reduction Projects and Research <sup>1</sup> (pg. 10)	\$1 billion to provide grants under the wood innovation grant program including for the construction of new facilities that advance the purposes of the program.
<b>Subtitle C – Rural Development and Energy</b>	
Sec. 12008. Rural Partnership Program <sup>2</sup> (pg. 30)	\$873 million for Rural Prosperity Development Grants that conduct comprehensive rural development and pre-development activities and planning, organizational operating expenses relating to rural development activities, and implementing planned rural development activities and projects. Cooperative Extension is an eligible entity. There is a 25 percent matching requirement that can be satisfied by an in-kind contribution.  \$97 million for Rural Prosperity Innovation Grants to support activities relating to the development or pre-development planning aspects of rural development; capacity building to support rural development; and to support the recipient in carrying out activities related to the grant. Institutions of higher education are eligible entities. There is a 20 percent matching requirement.
<b>Subtitle D – Research and Urban Agriculture</b>	
Sec. 13001. Department of Agriculture Research Funding (pg. 46)	Agricultural Research Service (ARS) - \$250 million for agricultural research relating to climate change, including through climate hubs, long-term agroecosystem research, nutrient uses and outcomes, soil carbon data collection, and other related agricultural climate science.

<sup>1</sup> [Eligibility](#) for Wood Innovation Grants Program encompasses centers of excellence that include institutions of higher education.

<sup>2</sup> Funding is available until September 30, 2031.

	<p>The National Institute of Food and Agriculture to carry out agricultural education, Extension, and research relating to climate change—</p> <ul style="list-style-type: none"> <li>• Agriculture and Food Research Initiative - \$250 million for fiscal year 2022;</li> <li>• Sustainable Agriculture Research and Education - \$120 million for fiscal year 2022;</li> <li>• Organic Agriculture Research and Extension Initiative - \$60 million for fiscal year 2022;</li> <li>• Urban, Indoor, and other Emerging Ag. Production Research, Education, and Extension Initiative - \$5 million for fiscal year 2022</li> <li>• 1890s Centers of Excellence - \$15 million for fiscal year 2022;</li> <li>• Specialty Crop Research Initiative - \$60 million for fiscal year 2022;</li> <li>• Smith Lever - \$80 million for fiscal year 2022;</li> <li>• 1994 Extension - \$35 million for fiscal year 2022; and</li> <li>• 1890 Extension - \$40 million for fiscal year 2022.</li> </ul> <p>Research Facilities Act - \$1 billion for grants for construction, alteration, acquisition, modernization, renovation, or remodeling of agricultural research facilities, and compliance issues at covered institutions, including 1890s, 1994s, insular institutions, Alaskan and Hawaiian, Hispanic serving, and UDC. No matching is required.</p> <p>1890s Institution Scholarship Grant programs - \$100 million for fiscal year 2022</p> <p>Grants to support tribal students at LGUs - \$15 million for fiscal year 2022</p> <p>Higher Education Multicultural Scholars Program - \$15 million for fiscal year 2022</p> <p>Agriculture Advanced Research and Development Authority (AgARDA) - \$30 million for fiscal year 2022</p> <p>Foundation for Food and Agriculture (FFAR) - \$210 million for fiscal year 2022</p> <p>Office of Urban Agriculture and Innovative Production - \$10 million</p>
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## II. EDUCATION & LABOR

The Build Back Better Act would allocate \$40 billion for higher education and the workforce. The bill provides four years of funding of a \$550 increase to the maximum Pell grant, available to students attending public and private non-profit institutions. The bill would also make Dreamers eligible for Pell Grants, as well as other Title IV federal aid. The bill would also make a modest \$500 million investment in a new College Completion Fund.

An additional \$6 billion would be used to boost funding for Title III programs that support Historically Black Colleges and Universities and other Minority Serving Institutions. The bill further provides \$3 billion for a Research and Development Infrastructure Competitive Grant Program for HBCUs and other MSIs.

The updated bill includes a provision that would build on the FAFSA Simplification Act changes to aid determinations, allowing FAFSA applicants that have benefited from a Federal means-tested program in the past 24 months to automatically qualify for a Student Aid Index of -\$1,500, which would boost their maximum Pell award.

Funding for a range of teacher preparation competitive grant programs was also included in the bill but funded at lower levels. One new teacher preparation program was added to the bill, funding grants to support Native American language teachers and early childhood educators.

<b>Title II – Committee on Education and Labor</b>	
<b>Part 1 – Elementary and Secondary Education</b>	
Sec. 20001. Grow Your Own Programs (pg. 70)	\$113 million, to remain available through September 30, 2025, toward “Grow Your Own” teacher prep programs, a new competitive grant program that would be established within Title II of HEA. Eligible partnerships for applications must include an IHE.  GYO programs seek to address shortages of teachers in high-need subjects, fields, schools, and geographic areas, or shortages of school leaders in high-need schools, and to increase the diversity of qualified individuals entering into the teacher, principal, or other school leader workforce by training paraprofessionals and other professionals already within schools.
Sec. 20002. Teacher Residencies (pg. 73)	\$112 million, to remain available through September 30, 2025, to award grants for the development and support of high-quality teaching residency programs authorized under Title II of HEA.
Sec. 20003. Support School Principals (pg. 74)	\$112 million, to remain available through September 30, 2025, to award grants for the development and support of school leadership programs authorized under Title II of ESEA. IHEs are eligible entities.
Sec. 20004. Hawkins (pg. 74)	\$112 million, to remain available through September 30, 2025, to award grants for the Augustus F. Hawkins Centers

	of Excellence Program authorized in Title II of HEA. Hawkins Centers would fund teacher preparation programs at HBCUs and MSIs and could also provide financial aid for prospective teachers of color. The program is currently unfunded.
Sec. 20005. Funding for the Individuals with Disabilities Education Part D Personnel Development (pg. 74)	\$161 million, to remain available until September 30, 2025, for personnel development authorized in IDEA, Part D. Under Subpart 2, competitive grants are made to entities such as SEAs, LEAs, IHEs, and nonprofit organizations for personnel development to help ensure that there are adequate numbers of personnel with skills and knowledge needed to help children with disabilities succeed.
Sec. 20006. Grants for Native American Language Teachers and Educators (pg. 75)	\$200 million, to remain available until September 30, 2031, to prepare, train, and offer professional development to Native American language teachers and Native American language early childhood educators to ensure the survival and continuing vitality of Native American languages.
<b>Part 2 – Higher Education</b>	
Sec. 20021. Increasing the Maximum Federal Pell Grant (pg. 76)	Increases the maximum federal Pell Grant award by \$550 for four years, award years 2022-2023 through 2025-2026.  This increase would only be available for public and private non-profit institutions of higher education, excluding for-profit institutions.
Sec. 20022. Expanding Federal Student Aid Eligibility (pg. 78)	Amends HEA with respect to eligibility for Title IV grant, loan, or work assistance for award years 2022–2023 through 2029–2030, to include students with a grant of deferred enforced departure, DACA, or temporary protected status under section 244 of the Immigration and Nationality Act.
Sec. 20023. Increase in Pell Grants for Recipients of Means-Tested Benefits (pg. 78)	Amends HEA to allow FAFSA applicants who have received a benefit from a means-tested Federal benefit program in the past 24 months to have a Student Aid Index of -1500. This provision would go into effect with the implementation of the FAFSA Simplification Act and would be in effect for award years 2024-2025 through 2029-2030.
Sec. 20024. Retention and Completion Grants (pg. 79)	\$500 million, to make competitive grants to states to support college retention and completion activities. <ul style="list-style-type: none"> <li>• \$310 million for institutions that are not TCUs</li> <li>• \$37.5 million for TCUs</li> <li>• \$95 million for additional investments in Tier-1 evidence-based practices</li> </ul>

	<ul style="list-style-type: none"> <li>• \$47.5 million for additional investments in Tier-1 or Tier 2 evidence-based practices</li> <li>• \$10 million for program evaluation</li> </ul> <p>Applicants would be required to provide matching funds in years 2-4; in year 2 the match would be 10 percent, in year 3 the match would be 15 percent, and in year 4 the match would be 20 percent.</p> <p>State applications for the program would need to describe how they would implement evidence-based reforms to improve student outcomes, and how they would sustain those efforts after funding expires.</p> <p>Priority would be given to state applications that use a significant share of grant funds to improve enrollment, retention, transfer, or completion rates or labor market outcomes, with a focus on students of color, low-income students, students with disabilities, students in need of remediation, first generation college students, student parents, and other underserved student populations.</p> <p>Interventions can include a range of activities, including academic, career, and student support services; direct support services; emergency financial aid grants; accelerated learning opportunities or remedial education supports; strengthening career pathways; or improving transfer success.</p>
<p>Sec. 20025. Institutional Aid (pg. 86)</p>	<p>Provides additional funding over the next five years for six programs within Title III of HEA, to remain available through September 30, 2028:</p> <ul style="list-style-type: none"> <li>• \$471 million each year for Title III-F HSI Science, Technology, Engineering, and Mathematics (HSI STEM) Articulation program (1-5)</li> <li>• \$471 million each year for Title III-F HBCUs and PBIs (6-10)</li> <li>• \$141 million each year for Title III-F TCCU program (11-15)</li> <li>• \$71 million each year for Title III-F ANNH program (16-20)</li> <li>• \$24 million each year for Title III-F AANAPISI program (21-25)</li> <li>• \$24 million each year for Title III-F NASNTI program (26-30)</li> </ul>

<p>Sec. 20026. Research and Development Infrastructure Competitive Grant Program (pg. 92)</p>	<p>\$3 billion to create a new research and development infrastructure grant program for HBCUs, TCUs, and MSIs. Eligible institutions are 4-year institutions that meet the federal definition for MSIs and are not classified as those with “very high research activity” by the Carnegie Classification System.</p> <p>For institutions applying for an implementation grant, priority will be given to those that received a planning grant under this section and have developed and submitted to the Secretary a high-quality strategic plan.</p> <p>Funds may be used to pay for deferred maintenance, or to establish new physical infrastructure, including instructional program spaces, laboratories, or research facilities to support a range of disciplines; hiring or retaining faculty; supporting research internships or fellowships for students; creating and supporting inter- and intra-institutional research centers; and more.</p>
<p>Sec. 20027. Northern Mariana Islands, American Samoa, United States Virgin Islands, Guam, and Freely Associated States College Access (pg. 98)</p>	<p>\$50 million to cover the difference between in-state and out-of-state tuition for eligible students from the Northern Mariana Islands, American Samoa, United States Virgin Islands, Guam, and the Freely Associated States who attend an out-of-state four-year public institution of higher education.</p> <p>The Governor of each outlying area will enter into one or more agreements with eligible institutions to provide benefits to eligible students. Students may receive a maximum benefit of \$15,000 per year and a maximum aggregate benefit of \$75,000. In order to be eligible, a student must have lived in one of the outlying areas for at least one year prior to their freshman year of college and enroll in a Title IV-eligible program on at least a half-time basis. Students who have completed a bachelor’s degree are ineligible.</p> <p>The program will be funded at such sums as necessary and will sunset after seven years.</p>

**III. ENERGY & COMMERCE**

The Build Back Better budget reconciliation bill would provide ~\$5 billion for health care infrastructure and a variety of programs to support medical and nursing schools and teaching hospitals and expand palliative care and maternal care training. The updated version of the bill would provide \$3.37 billion for graduate medical education, \$650 million for the National Health Service Corp, and \$200 million for the Nurse Corp.

<b>Title III – Committee on Energy and Commerce</b>	
<b>Subtitle J – Public Health</b>	
<b>Part 1 – Health Care Infrastructure and Workforce</b>	
Sec. 31002. Funding for Health Center Capital Grants (pg. 653)	\$2 billion for Federally qualified health center facility alteration, renovation, remodeling, expansion, construction, and other capital improvement costs.
Sec. 31003. Funding for Teaching Health Center Graduate Medical Education (pg. 655)	\$3.37 billion for payments to teaching health centers that operate graduate medical education programs and for the awarding of teaching health center development grants. In making such grants, the Secretary of Health and Human Services (HHS) shall make payments and awards that take into account states or territories in which there is no existing qualified teaching health center.
Sec. 31004. Funding for Children’s Hospitals that Operate Graduate Medical Education programs (pg. 657)	\$200 million for the Children’s Hospital Graduate Medical Education program, which supports the training of pediatric primary care, specialty, and dental residents.
Sec. 31005. Funding for the National Health Service Corps (pg. 657)	\$2 billion for the National Health Service Corps, which provides scholarships and loan repayment to qualified health care providers in exchange for their service in underserved areas across the country.
Sec. 31006. Funding for Nurse Corps (pg. 658)	\$500 million for Nurse Corps, which provides loan repayment assistance to registered nurses (RNs) and advanced practice registered nurses (APRNs), in return for a commitment to work at eligible health care facilities with a critical shortage of nurses or serve as nurse faculty in eligible schools of nursing.
Sec. 31007. Funding for Schools of Medicine in Underserved Areas (pg. 658)	\$500 million for awards to eligible entities for the establishment, improvement, or expansion of an allopathic or osteopathic school of medicine, or a branch campus of an allopathic or osteopathic school of medicine
Sec. 31008. Funding for Schools of Nursing in Underserved Areas (pg. 662)	\$500 million for enhancing and modernizing nursing education programs and increase the number of faculty and students at such schools
Sec. 31009. Funding for Palliative Care and Hospice Education and Training (pg. 664)	\$25 million for funding to support training of health professionals in palliative and hospice care.
Sec. 310010. Funding for Palliative Medicine Physician Training (pg. 666)	\$20 million for accredited schools of medicine, teaching hospitals, and graduate medical education programs to train physicians (including residents, trainees, and fellows) or specialists who plan to teach or practice palliative medicine.

Sec. 310011. Funding for Palliative Care and Hospice Academic Career Awards (pg. 667)	\$20 million for programs to promote the career development of individuals who are board certified or board eligible in hospice and palliative medicine and have a junior (non-tenured) faculty appointment at an accredited health professions school.
Sec. 31012. Funding for Hospice and Palliative Care Nursing (pg. 668)	\$20 million to accredited nursing schools, health care facilities, programs leading to certification, partnerships of such schools and facilities, and programs and initiatives to develop and implement programs to train and educate individuals in palliative care in educational, hospital, hospice, home, or long-term care settings.
<b>Part 3 – Maternal Mortality</b>	
Sec. 31033. Funding to Grow and Diversify the Nursing Workforce in Maternal and Perinatal Health (pg. 681)	\$170 million for a program to award grants or contracts to accredited schools of nursing for the purpose of growing and diversifying the perinatal nursing workforce.
Sec. 31035. Funding to Grow and Diversify the Doula Workforce (pg. 683)	\$50 million in funding to award grants to health professions schools, academic health centers (and others) to establish or expand programs to grow and diversify the doula workforce.
Sec. 31036. Funding to Grow and Diversify the Maternal Mental Health and Substance Use Disorder Treatment Workforce (pg. 685)	\$75 million in funding to award grants to health professions schools, academic health centers (and others) to establish or expand programs to grow and diversify the maternal mental health and substance use disorder treatment workforce.
Sec. 31037. Funding for Maternal Mental Health Equity Grant Programs (pg. 686)	\$100 million in funding to award grants to accredited medical schools, accredited schools of nursing, teaching hospitals, accredited midwifery programs, physician assistant education programs, residency or fellowship programs (and other entities) address maternal mental health conditions and substance use disorders with respect to pregnant, lactating, and postpartum individuals, including in areas with significant racial or ethnic disparities in maternal health outcomes.
Sec. 31038. Funding for Education and Training at Health Professions Schools to Identify and Address Health Risks Associated with Climate Change (pg. 689)	\$85 million for accredited medical schools, accredited schools of nursing, teaching hospitals, accredited midwifery programs, physician assistant education programs, residency or fellowship programs...to support the development and integration of education and training programs for identifying and addressing health risks associated with climate change for pregnant, lactating, and postpartum individuals.

#### IV. JUDICIARY

The legislation advances a new strategy for providing protections to undocumented immigrants following the Senate Parliamentarian’s ruling that the prior bill’s provisions were not consistent with the rules of budget reconciliation. This version of the Build Back Better Act would advance a parole system in which undocumented immigrants who entered prior to January 1, 2011, could receive protections until September 30, 2031. Additionally, by recapturing unused visas since Fiscal Year 1992, the legislation would take an important step to address green card backlogs in both family-based and employment-based immigration.

It remains to be seen whether these provisions will pass muster with the Senate Parliamentarian.

<b>Title VI – Committee on the Judiciary</b>	
<b>Subtitle A – Immigration Provisions</b>	
<p>Sec. 60001(a). Protections and Work Permits (pg. 862)</p>	<p>Grants eligibility for parole to under a number of conditions, including if an undocumented immigrant: before January 1, 2011—                      (A) was inspected and admitted to the United States;                      (B) entered the United States without inspection; or                      (C) was paroled into the United States;                      (2) has continuously resided in the United States since such entry; and                      (3) is not inadmissible pursuant to paragraph (2), (3), (6)(E), (8), (10)(A), (10)(C), or                      (D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)).</p> <p>Extends a grant of parole until the period expires, September 30, 2031.</p> <p>Limits the ability of the Secretary of Homeland Security to withdraw parole.</p> <p>Parole recipients would receive employment and travel authorization.</p>
<p>Sec. 60002 (b) Recapture of Unused Immigrant Visa Numbers (pg. 865)</p>	<p>This provision would recapture unused employment and family-based immigrant visas since FY 1992.</p>
<p>Sec. 60003. Adjustment of Status (pg. 869)</p>	<p>Allows an individual to receive an exemption from the per-country and worldwide limitations on immigrant visas and have their status adjusted if such individual—                      (A) is the beneficiary of an approved family-based visa petition that bears a priority date that is more than 2 years before the date the alien requests an exemption from the</p>

	<p>numerical limitations and pays a supplemental fee of \$2,500;</p> <p>(B) is the beneficiary of an employment-based first, second, or third preference visa petition that bears a priority date that is more than 2 years before the date the alien requests an exemption from the numerical limitations and pays a supplemental fee of \$5,000;</p> <p>(C) is the beneficiary of an employment-based fifth preference petition that bears a priority date that is more than 2 years before the date the alien requests an exemption from the numerical limitations and pays a supplemental fee of \$50,000.</p>
<p>Sec. 60004. Additional Supplemental Fees (pg. 872)</p>	<p>Applies additional increased fees for certain immigration applications:</p> <ul style="list-style-type: none"> <li>• \$100 for certain family-sponsored immigrant visa petitions (Form I-130)</li> <li>• \$800 for each employment-based immigrant visa petition (Form I-140)</li> <li>• \$19 for each Form I-94/I-94W issued to nonimmigrants who enter the United States</li> <li>• \$250 for each F-1 and M-1 nonimmigrant student and J-1 exchange visitor to be paid by the approved educational institution or designated exchange visitor program</li> <li>• \$500 for each application to replace an LPR card that has expired or is expiring</li> <li>• \$500 for each petition for E, H-1B, L, O, or P status (Form I-129)</li> <li>• \$500 for each application to change or extend nonimmigrant status (Form I-539)</li> <li>• \$500 for applications for employment authorization (Form I-765) filed by spouses of certain nonimmigrants, students seeking optional practical training, and applicants for adjustment of status</li> <li>• \$75 for each approved nonimmigrant visa</li> </ul>

## V. NATURAL RESOURCES

The Build Back Better budget reconciliation bill would provide significant investments in research, education and jobs training, technical assistance, and cooperative agreements for programs at the National Oceanic and Atmospheric Administration (NOAA), United States Fish and Wildlife Service (USFWS), and the United States Geological Survey (USGS). All the terms of funding are for ten years unless otherwise indicated.

The bill would provide NOAA with \$6 billion for technical assistance and cooperative agreements for the conservation, restoration, and protection of coastal and marine habitats.

Institutions of higher education are eligible to compete for these funds without any cost-share requirements.

The U.S. Fish and Wildlife Service would receive \$242.5 million to rebuild and restore units of the National Wildlife Refuge System, other Federal public assets, and State wildlife management areas that address the threat of invasive species and increase the resiliency and capacity of habitats and infrastructure to withstand weather events. The USGS Climate Adaptation Science Centers would receive \$50 million to provide localized information for community response to climate change. The Water Resources Research and Technology institutes, centers, and agencies received \$50 million.

<b>Title VII – Committee on Natural Resources</b>	
<b>Subtitle B – National Oceanic and Atmospheric Administration</b>	
Sec. 70201. Investing in Coastal Communities and Climate Resilience (pg. 891)	\$6 billion to remain available until September 30, 2026 to provide funding through direct expenditure, contracts, grants, cooperative agreements, or technical assistance (eligibility includes institutions of higher education) for the conservation, restoration, and protection of coastal and marine habitats to prepare for changing climate conditions. No cost-sharing is required.
<b>Subtitle C – United States Fish and Wildlife Service</b>	
Sec. 70306. Funding for the U.S. Fish and Wildlife Service to Address Climate-induced Weather Events (pg. 900)	\$242.5 million through direct expenditure, contracts, grants, and cooperative agreements, for the purposes of rebuilding and restoring units of the National Wildlife Refuge System including by addressing the threat of invasive species, increasing the resiliency and capacity of habitats and infrastructure to withstand weather events, or reducing the amount of damage caused by those events.
Sec. 70307. Wildlife Corridor Conservation (pg. 901)	\$9.7 million for direct expenditure, contracts, grants, and cooperative agreements, for mapping wildlife corridors and providing assistance to States and Indian Tribes for the conservation and restoration of wildlife corridors.
Sec. 70308. Grassland Restoration (pg. 902)	\$38.8 million for direct expenditure, contracts, grants, and cooperative agreements, for the protection and restoration of grassland habitats.
<b>Subtitle D – Water Resources Research and Technology Institutes</b>	
Sec. 70401. Water Resources Research and Technology Institutes (pg. 903)	\$50 million for grants and other financial assistance to water resources research and technology institutes, centers, and equivalent agencies.
<b>Subtitle O – United States Geological Survey</b>	
Sec. 71502. Climate Adaptation Science Centers (pg. 935)	\$50 million for regional and national climate adaptation centers to respond to climate change.

## VI. SCIENCE, SPACE, AND TECHNOLOGY

The Build Back Better Act would provide investments in several agency research programs. The bill would provide \$8.6 billion across the Department of Energy, National Science Foundation (NSF), the Department of Energy, the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration and the National Institute of Standards and Technology.

The bill also provides \$3.5 billion for NSF, including: \$1.5 billion to help launch a new Directorate for Technology, Innovation, and Partnership, \$200 million for building research capacity, \$100 million for research infrastructure at HBCUs and MSIs, and \$100 million for mid-scale research infrastructure.

<b>Title IX – Committee on Science, Space, and Technology</b>	
<p>Sec. 90001. Department of Energy Research, Development, and Demonstration Activities (pg. 939)</p>	<p>\$1 billion for Office Energy Efficiency and Renewable Energy</p> <p>Office of Science:</p> <ul style="list-style-type: none"> <li>• \$100 million for low-dose radiation research</li> <li>• \$200 million for fusion materials research</li> <li>• \$200 million for alternative and enabling fusion energy concepts</li> <li>• \$325 million for milestone-based fusion energy development</li> <li>• \$140 million for R&amp;D development in inertial fusion for energy applications</li> <li>• \$20 million for fusion reactor system design activities</li> </ul> <p>Office of Fossil Energy and Carbon Management:</p> <ul style="list-style-type: none"> <li>• \$10 million on-site demonstration projects on the reduction of environmental impacts of produced water</li> </ul> <p>Office of Economic Impact and Diversity</p> <ul style="list-style-type: none"> <li>• \$5 million for diversity activities</li> </ul>
<p>Sec. 90001. Availability of high-assay low-enriched uranium</p>	<p>\$500 million research, development, demonstration, and deployment on the availability of high-assay low-enriched uranium</p>
<p>Sec. 90003. EPA Air Quality and Climate Research (pg. 943)</p>	<p>\$100 million for research related to climate change mitigation, adaptation and resilience activities to help reduce the impacts of climate change on human health and welfare; the issuance of award grants for the collection of regional and local climate data to better estimate the economic impacts of climate change and support community-based responses to climate change to better</p>

	anticipate, prepare for, adapt to, and recover from climate-driven extreme events; research on the impacts of climate change, and the cumulative impacts of pollution exposure, in low income and disadvantaged communities.
Sec. 90005. NASA Infrastructure (pg. 945)	\$748 million for repair, recapitalization, and modernization of physical infrastructure and facilities, including related administrative expenses.
Sec. 90006. NASA Climate Change and Research Development (pg. 945)	<p>\$85 million for research and development on sub-seasonal to seasonal models and observations, climate resilience and sustainability, and airborne instruments, campaigns, and surface networks to understand, observe, and mitigate global climate change and its impacts.</p> <p>\$30 million for investments in data management and processing.</p> <p>\$25 million to support the wildfire fighting community and improve wildfire fighting operations through new and existing programs.</p> <p>\$225 million for aeronautics research and development on sustainable aviation.</p>
Sec. 90007. NASA Office of Inspector General (pg. 947)	\$2 million for oversight activities
Sec. 90008. NIST Research (pg. 947)	\$100 million for research on the impact of fire on structures and communities located at the Wildland Urban Interface under the direction of the Institute, and for related administrative expenses.
Sec. 90009. NIST Hollings Manufacturing Extension Partnership (pg. 947)	\$260 million for the Hollings Manufacturing Extension Partnership.
Sec. 90010. NIST Manufacturing (pg. 948)	<p>\$220 million to provide funds for advanced manufacturing research, development, and testbeds.</p> <p>\$20 million for the development and execution of a cybersecurity workforce training center.</p>
Sec. 90011. NIST Research Infrastructure (pg. 948)	\$650 million for the upgrade, replacement, maintenance, or renovation of facilities and equipment as necessary to conduct laboratory activities, and for related administrative expenses.
Sec. 90012. NOAA Oceanic and Atmospheric Research and Forecasting for Weather and Climate	\$200 million to accelerate advances and improvements in research, observation systems, modeling, forecasting, assessments, and dissemination of information to the

(pg. 949)	<p>public as it pertains to ocean and atmospheric processes related to weather, coasts, oceans, and climate.</p> <p>\$100 million for competitive grants to fund climate research as it relates to weather, ocean, coastal, and atmospheric processes and conditions, and impacts to marine species and coastal habitat, and for related administrative expenses.</p> <p>\$100 million for education and training pursuant to section 4002(b)(2) of the America COMPETES Act.</p> <p>\$100 million for research infrastructure that improves accuracy, timing, and dissemination of public information concerning extreme climate and weather</p>
Sec. 90013. NOAA Climate Education (pg. 951)	<p>\$20 million for contracts, grants, and technical assistance for education activities and materials under section 4002(b)(2) of the America COMPETES Act related to improving public understanding of climate change as it relates to weather, ocean, coastal, and atmospheric processes and conditions and marine fisheries and resources, and for related administrative expenses.</p>
Sec.90014. NOAA Computing Capacity and Research for Weather, Oceans, and Climate (pg. 951)	<p>\$200 million for the procurement of additional high-performance computing, data processing capacity, data management, and storage assets.</p>
Sec. 90016. NSF Core Research (pg. 952)	<p>\$668 million to fund or extend new and existing research awards, traineeships, scholarships, and fellowships administered by the National Science Foundation, across all science, technology, engineering, and mathematics disciplines.</p> <p>\$25 million for activities and research to ensure broad demographic participation in the activities of NSF.</p> <p>\$500 million for climate change research as it relates to fundamental understanding of physical, chemical, biological, and human systems and the interactions among them, and for related administrative expenses.</p>
Sec. 90017. NSF Technology, Innovation, and Partnerships Directorate (pg. 954)	<p>\$1.52 billion to fund and administer the Directorate for Technology, Innovation, and Partnerships, which shall accelerate use-inspired and translational research and the development, commercialization, and use of technologies and innovations of national importance, including</p>

	<p>technologies and innovations relevant to natural disaster mitigation and other societal challenges.</p> <p>\$25 million for research security activities.</p> <p>\$200 million for research capacity building at HBCUs and other MSIs.</p> <p>\$55 million to fund cybersecurity education and training, including scholarships.</p>
Sec. 90018. NSF Research Infrastructure (pg. 955)	<p>\$200 million for the repair, renovation, or, in exceptional cases, replacement of obsolete science and engineering facilities primarily devoted to research and research training, and for related administrative expenses.</p> <p>\$200 million for additional mid-scale and major research instrumentation, equipment, and infrastructure awards.</p> <p>\$100 million for academic research facilities modernization and research instrumentation, including construction, upgrade, renovation, or repair of research infrastructure at HBCUs and other MSIs.</p>
Sec. 90019. NSF Oversight (pg. 956)	\$7 million for oversight activities

**VII. TRANSPORTATION & INFRASTRUCTURE**

The Build Back Better Act would create a new program of interest to institutions of higher education. Colleges and universities would be eligible for planning grants to help support new neighborhood access and equity grants. The updated bill also provides \$3.36 billion for new regional innovation innovations HUBS.

<b>Title XI – Committee on Transportation and Infrastructure</b>	
Sec. 110003. Neighborhood Access and Equity Grants (pg. 1017)	<p>\$2.37 billion to remain available through September 30, 2026, for: (1) grants to improve walkability, safety, and affordable transportation access and (2) mitigation grants to remediate negative impacts on the human or natural environment resulting from a facility in a disadvantaged or underserved community.</p> <p>Institutions of higher education (in partnership a state or local government entity) would be eligible for grants to support planning and capacity building activities in disadvantaged or underserved communities to identify, monitor, or assess local and ambient air quality, emissions of transportation; greenhouse gases, hot spot areas of</p>

	extreme heat or elevated air pollution, gaps in tree canopy coverage, or flood prone locations; assess transportation equity or pollution impacts and develop local anti-displacement policies and community benefit agreements; conduct predevelopment activities for projects eligible under this subsection; expand public participation in transportation planning by individuals and organizations in disadvantaged or underserved communities; or administer or obtain technical assistance related to activities described in this subsection.
Sec. 110009. Economic Development Administration (pg. 1036)	<p>\$3.36 billion to invest in the creation of regional innovation hubs.</p> <p>\$1.2 billion to establish a grant pilot program at EDA to improve an eligible area’s prime age employment rate by providing long term assistance to persistently distressed communities; and funds for EDA to administer this section.</p> <p>\$240 million for the Economic Development Administration’s (EDA) Economic Adjustment Assistance program to fund predevelopment activities and provide assistance to energy and industrial transition communities.</p>

**VIII. WAYS & MEANS**

The Build Back Better Act would provide \$500 million a year for five years (\$2.5 billion) for a new public university research infrastructure tax credit; exclude Pell Grants from a student’s taxable income; and repeal the existing prohibition that excludes students with a drug conviction from claiming the American Opportunity Tax Credit (AOTC).

As the package was reduced, bond provisions important to public universities, notably the reinstatement of advance refunding and a new direct-pay bond program, were cut from the bill due to cost. Other new provisions impacting tax-exempt bonds were included in the updated bill text. As further analysis of the impact of these provisions is available, APLU will update this analysis.

<b>Title XIII – Committee on Ways and Means</b>	
<b>Subtitle F – Green Energy</b>	
<b>Part 6 – Environmental Justice</b>	
Sec. 136601. Qualified Environmental Justice Program Credit (pg. 1571)	The provision creates a capped refundable competitive credit of \$1 billion for each year from 2022 through and including 2031 to institutions of higher education for environmental justice (EJ) programs.

	<p>The base credit is 20 percent of costs to be spent within five years by the receiving institution. Programs with material participation from HBCUs and MSIs are eligible for a higher credit of 30 percent. Qualifying EJ programs shall be designed to address or improve data about environmental stressors for the primary purpose of improving or facilitating the improvement of health and economic outcomes of individuals residing in low-income areas or areas risk of that experience, experiencing, multiple exposures to qualified environmental stressors.</p>
<p><b>Subtitle G – Social Safety Net</b></p>	
<p><b>Part 5 – Higher Education</b></p>	
<p>Sec. 137501. Credit for Public University Research Infrastructure (pg. 1717)</p>	<p>\$500 million per year over calendar years 2022-26 for a 40 percent general business credit for qualified cash contributions made by a taxpayer to a certified educational institution in connection with a qualifying research infrastructure program. The Treasury Secretary would award credits to institutions on a project application basis with consideration for how much the investment would expand STEM research and a priority for institutions with full-time student populations of less than 12,000. Awards would not exceed \$50 million.</p> <p>Public universities may designate such contributions made by a taxpayer as qualified cash contributions only if such institution is certified as having been allocated a credit amount by the Secretary with respect to a qualifying project. Taxpayers may elect to claim this credit with respect to a qualifying cash contribution in lieu of treating such contribution as a charitable deduction.</p>
<p>Sec. 137502. Treatment of Federal Pell Grants for Income Tax Purposes (pg. 1728)</p>	<p>This provision would exclude Federal Pell grants from gross income. For purposes of the American Opportunity Tax Credit, Lifetime Learning Credit, and exclusion of qualified scholarship from income, qualified tuition and related expenses shall not be reduced by any amount paid for the benefit of an individual as a Federal Pell Grant.</p>
<p>Sec. 137503. Repeal of Denial for AOTC on Basis of Felony Drug Conviction (pg. 1729)</p>	<p>This provision would repeal the prohibition excluding students convicted of a state or felony drug offence from claiming the American Opportunity Tax Credit.</p>