

Congress of the United States

Washington, DC 20515

November 12, 2025

The Honorable Pamela J. Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Bondi:

We write with alarm regarding the decision of the Department of Justice to decline defending the Hispanic-Serving Institutions (HSI) program from a lawsuit challenging its constitutionality. The abandonment of this vital federal program threatens education equity and undermines decades of bipartisan support of HSIs. This decision has also been cited as justification for the U.S. Department of Education to end all discretionary funding for Minority-Serving Institutions, including HSIs, an action that will have widespread and devastating consequences for the millions of students enrolled in these programs.¹ We urge the Department to consider immediately reversing course and resuming its support of this crucial program.

Congress established the HSI program in 1998, in direct response to evidence that Hispanic students were attending and graduating college at significantly lower rates than their white peers. Federal funding supports academic institutions that serve large Hispanic populations by financing academic development and faculty training, student success programs like tutoring, and research equipment to prepare more students for careers in science, technology, engineering, and math.

The HSI program is solely determined by institutional demographics, those that have at least 25% Hispanic undergraduate enrollment. Students of all races, ethnicities, and other demographics attend HSIs and benefit from the services that HSI programs fund. HSIs are, by design, open-access institutions that serve the communities in which they are located rather than drawing students through highly selective admissions processes. Their high Hispanic enrollment is not the result of race-conscious admissions but rather reflects the geographic and demographic realities of the regions they serve. As importantly, designated HSIs earn eligibility for Title V through their enrollment composition, but grants are awarded competitively based on institutional need and performance, underscoring that the program strengthens institutional capacity and campus-wide improvements rather than individual race or admissions preference.

Today, more than 600 HSIs operate on campuses in 30 states across the country, including institutions both large and small, public and private, in red states and blue, ranging from the University of Texas at Austin, to the University of Central Florida in Orlando, to Purdue University in West Lafayette, Indiana, to Felician University in Rutherford, New Jersey.² They enroll approximately 67% (5.6 million) of all Hispanic undergraduate students in the United States, as well as 37% (3.7 million) of all Pell Grant recipients. Yet, despite their critical role, HSIs receive disproportionately less state and federal funding than other institutions.³ In fact, HSIs receive roughly 68 cents for

¹ Press Release, U.S. Dep't of Educ., U.S. Department of Education Ends Funding to Racially Discriminatory Discretionary Grant Programs at Minority Serving Institutions (Feb. 10, 2025), <https://www.ed.gov/about/news/press-release/us-department-of-education-ends-funding-racially-discriminatory-discretionary-grant-programs-minority-serving-institutions>.

² Hispanic Ass'n of Colls. & Univs., 2025 Emerging HSI Lists (2025), https://hacu.net/wp-content/uploads/2025/04/2025_EmergingHSILists.pdf.

³ Hispanic Ass'n of Colls. & Univs., 2025 HSI Quick Facts Sheet (2025), https://hacu.net/wp-content/uploads/2025/04/2025HSI_QuickFactsSheet-1.pdf.

every federal dollar that non-HSIs are awarded.⁴ In 2024, Congress provided \$229 million for HSIs – an unmistakable demonstration of bipartisan recognition of the program’s impact.⁵

The impact of Hispanic-Serving Institutions on the nation’s educational attainment and workforce development is not a partisan issue. The impact for red states will be significant if this decision is not reversed. Texas, the state with the second-highest number of HSIs nationwide, currently has 112 HSIs and the state’s total Hispanic undergraduate headcount was 43.73% in Fiscal Year 2023-2024. Florida and Arizona also rank among the top states for HSI programs, Florida is home to 29 HSIs and has a 30.13% Hispanic undergraduate headcount across all of its higher education institutions, while Arizona hosts 20 HSIs and has a 31.97% Hispanic undergraduate headcount across all of its higher education institutions.⁶

HSIs also generate a strong economic return on investment. A bachelor’s degree increases lifetime earnings by \$1 million, on average,⁷ helping close the wealth gap and strengthening the U.S. workforce and economy. By expanding access to higher education, HSIs reduce inequities, enhance upward mobility, and ensure the nation’s long-term competitiveness.

The Department’s refusal to defend this congressionally established program raises serious concerns with the Justice Department’s commitment to protecting the rule of law and preserving the best interests of Americans. The Department has justified its refusal to defend Hispanic-Serving Institutions on a 2023 Supreme Court decision which focused on race-based admissions processes, an issue well distinct from federal programs that support universities and serve student populations, like HSIs. This overly broad interpretation threatens to dismantle far-reaching, established programs that promote educational achievement among a diverse range of students.

Consequently, we urge the Justice Department to consider immediately reversing its decision and provide a strong defense of the HSI program in any litigation. Congress created this program as a carefully considered approach to addressing documented educational gaps and it has achieved this goal for over a generation. We stand ready to work with the administration to ensure that the Hispanic-Serving Institutions program continues to advance equity, opportunity, and prosperity for generations to come by supporting the wide range of students served by these great institutions and to preserve enhanced educational access for countless Americans. Thank you for your full and fair consideration of this matter, consistent with applicable statute and agency guidelines.

Sincerely,



Nellie Pou
Member of Congress



Adriano Espaillat
Chair
Congressional Hispanic Caucus

⁴ Lanae Erickson et al., Third Way, Serving Many in Many Ways: Hispanic Serving Institutions as Drivers of Opportunity and Socioeconomic Mobility (2024), <https://www.thirdway.org/report/serving-many-in-many-ways-hispanic-serving-institutions-as-drivers-of-opportunity-and-socioeconomic-mobility>.

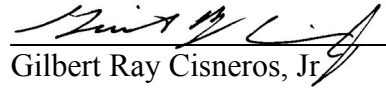
⁵ Consolidated Appropriations Act, 2024, Div. D (Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 2024), Pub. L. No. 118-42, 138 Stat. 9 (2024), <https://docs.house.gov/billssthisweek/20240318/Division%20D%20LHHS.pdf>.

⁶ Hispanic Ass’n of Colls. & Univs., 2025 State Enrollment List (2025), https://hacu.net/wp-content/uploads/2025/04/2025_StateEnrollmentList.pdf.

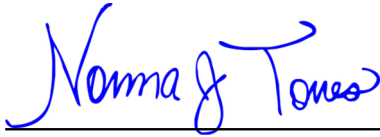
⁷ Michael T. Nietzel, College Degrees Lead to \$1.42 Trillion Gain in Career Earnings, Study Finds, Forbes (Mar. 1, 2024), <https://www.forbes.com/sites/michaelt Nietzel/2024/03/01/college-degrees-lead-to-142-trillion-gain-in-career-earnings-study-finds/>.



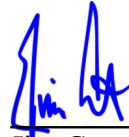
Dina Titus
Member of Congress



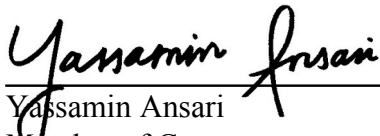
Gilbert Ray Cisneros, Jr.
Member of Congress



Norma J. Torres
Member of Congress



Jim Costa
Member of Congress



Yassamin Ansari
Member of Congress



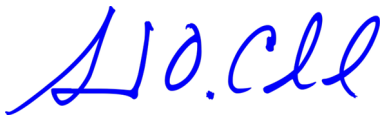
Veronica Escobar
Member of Congress



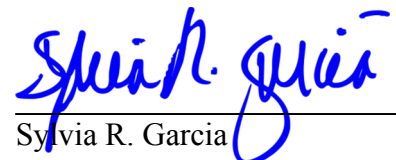
Greg Casar
Member of Congress



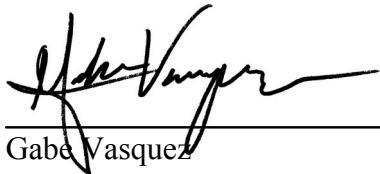
J. Luis Correa
Member of Congress



Salud Carbajal
Member of Congress



Sylvia R. Garcia
Member of Congress



Gabe Vasquez
Member of Congress



Mike Levin
Member of Congress



Pablo José Hernández
Member of Congress



Luz M. Rivas
Member of Congress

A handwritten signature in cursive script, reading "Ritchie Torres", followed by a horizontal line.

Ritchie Torres
Member of Congress

Cc. The Honorable Linda McMahon, Secretary of Education