

PERMISSION TO OFFER AMENDMENTS OUT OF ORDER DURING CONSIDERATION OF H.R. 609, COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

Mr. McKEON. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 609 pursuant to House Resolution 741, the following amendments be permitted to be offered out of the specified order:

Amendment No. 9 by Mr. FOSSELLA;
Amendment No. 12 by Mr. PORTER;
Amendment No. 14 by Mrs. WILSON of New Mexico;
Amendment No. 15 by Miss McMORRIS.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL LEAVE

Mr. McKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 609.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 741 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 609.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 609) to amend and extend the Higher Education Act of 1965, with Mr. BISHOP of Utah in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. McKEON) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. McKEON. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of this bill to reform, reauthorize and strengthen programs under the Higher Education Act. I want to thank my former chairman and our current majority leader, Mr. BOEHNER, for working with me to craft this legislation.

It has been a long process, but the bill that we are bringing to the floor today is a good one, one worthy of healthy debate and bipartisan support.

I would like to thank the new chairman of the 21st Century Subcommittee, Representative RIC KELLER from Florida, for his work on key elements of this legislation, notably the improvements we make on the Pell Grant program.

I would also like to take a moment to recognize Representatives KILDEE and MILLER for their continued work on college access issues.

In addition to the strong underlying bill we have before us today, the legislation also incorporates a manager's amendment which is the product of substantial bipartisan negotiations. Through our work together over the past several weeks and months, we have drafted a manager's amendment that addresses many concerns.

Those concerns include some of those of my friends across the aisle. For example, the manager's amendment eliminates an Inspector General's rule as part of the college affordability index provisions.

It clarifies that a State cannot require an institution to be accredited by that same State and also makes clear that schools can continue to choose their own accreditor. It adds a new post-secondary institution to the list of historically black graduate institutions. It increases the minimum grant for tribally controlled colleges and universities. It enhances coordination within the TRIO and GEAR UP programs to better serve foster care students, and it allows the U.S. Department of Education to reserve funds within the high school equivalency program, college assistance, migrant program for technical assistance activities.

Often this type of bipartisan work does not come easily, and I am pleased that we were able to find common ground on issues important to Members on both sides of the aisle. At the outset of this debate today, I am hopeful that the spirit of bipartisanship can carry on. If we disagree, we should not be disagreeable, and above all, our consideration of this important bill should not turn into an election-year fight led by those who may seek to play fast and loose with the facts about what the bill does and does not do.

Mr. Chairman, we cannot lose sight of the fact that each year American taxpayers invest tens of billions of dollars in aid to college students and funding for U.S. institutions of higher education, as you can see on the chart here.

Our Federal commitment to student aid is great, and gets greater with each passing year. More than four decades ago, when the Higher Education Act was enacted, the purpose of this hefty investment was clear, to expand college access to all people.

However, today, faced with an increasingly competitive global economy, in which post-secondary education is more necessary than ever, ensuring that Federal dollars are spent effectively and efficiently is a bottom-

line issue for students, parents and taxpayers alike, again, as you can see from this chart.

Mr. Chairman, costs at both private and public colleges are spiraling upward and fast. Indeed, consistent increases in college costs have made it clear that colleges and universities must remain accountable to consumers of higher education. At the same time, students, parents and taxpayers have the right to know that Federal dollars are being invested in ways that respond to a changing marketplace, expanding college access and protecting students' interest. The College Access and Opportunity Act does just that. I urge my colleagues to join with me in supporting that.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, after a highly contentious debate over a \$12 billion raid on student aid, I was hoping to build some bridges and work together with the rest of the higher education reauthorization. Unfortunately, after countless hours of negotiations, we reached an impasse, and we are considering another bill that falls short of my hopes.

We were able to reach agreement on year-round Pell Grants pilot program, student aid application simplification, loan forgiveness in areas of national need and minimum grants for tribal colleges. I am pleased that Chairman McKEON was willing to work with me on these important improvements, but my concerns in the bill still outweigh these improvements.

Additionally, it is incumbent upon me to both lead and serve the members of my committee, and my Democratic colleagues on the Education and Workforce Committee have spoken loud and clear. They cannot support this bill. They, too, are pleased with the modifications I mentioned, but it just is not enough to call this a bipartisan bill.

In truth, H.R. 609 does little to help make college more affordable for students and families already struggling to pay increasing tuition costs.

H.R. 609 does not increase student aid; does not lower interest rates to make loans more manageable; does not promote greater State investment in higher education. It freezes the authorized level of the maximum Pell Grant scholarship, at just \$200 above current levels, through 2013 and it does not include any mandatory increase in Pell.

H.R. 609 establishes a troublesome standard for transfer of credit, creating an unprecedented Federal role in college curriculum standards which discourages schools from setting high academic standards.

At a time when America's workforce is facing fierce global competition, the Federal Government should not be encouraging our colleges to reduce their academic standards.

H.R. 609 many puts forth a drastic plan to allow States to act as accreditors. Colleges currently have to meet three independent standards: one set for eligibility for Federal aid; the second one for State licensing; and another for regional or national accreditation.

A classic example of consolidation of power, H.R. 609 would allow States too much control over accreditation. The current trinity of independent standards is key to maintaining America's high quality higher education. Here, too, undermining such standards will undermine America's global competitiveness.

It is unsettling for me to know that we are missing a real opportunity to make college more affordable and accessible, to boost America's economic competitiveness and to invest in America's continued prosperity. But that is what we have here today, a missed opportunity.

With major national student groups, unions and countless colleges, including my own University of Michigan, opposed to the bill, it has become clear that this is not a bill we should send to the Senate. Fortunately, Mr. Chairman, this debate is not over after today's vote.

I hope we can revisit our attempts at bipartisanship once this bill goes to conference. I wish I was down here on the floor to say great things about this bill, but I have to oppose H.R. 609, and I would ask my colleagues to do the same.

Mr. McKEON. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. KELLER), the chairman of the Higher Education Subcommittee.

Mr. KELLER. Mr. Chairman, I thank the chairman for yielding me time.

Mr. Chairman, I rise to proudly support H.R. 609, the College Access and Opportunity Act, which reauthorizes the Higher Education Act. Don't believe the hype from the critics of this legislation.

Here is some straight talk. Not one single student in America will receive less financial aid under this bill. Not one.

This legislation expands college access for millions of American students by strengthening the Pell Grant program and reauthorizing the Perkins student loan program. I will focus my comments on the heart of this legislation, which is the Perkins loans and Pell Grants. Both of these worthy programs enjoyed broad bipartisan support.

As one from humble beginnings who would not have been able to go to college without Pell Grants or student loans, and as chairman of the subcommittee with jurisdiction over higher education, I am a strong supporter of both Perkins loans and Pell Grants. Now, it is true the President's budget did call for eliminating the Perkins student loan program but we said no. The leaders on the House Education Committee worked in a bipartisan

manner and agreed that we would reauthorize this worthy program.

Let me first discuss the Perkins loans. This legislation reauthorized the Perkins loan program, a critical program that offers financial assistance to more than 10 million students. The Perkins program helps our neediest students borrow extra money for college at a fixed low 5 percent interest rate. In this bill we increase the loan limits to help the Perkins loans students so undergrads can get from \$4,000 up to \$5,500 and graduate students can get from \$6,000 now up to \$8,000. These Perkins loans are especially important for teachers, nurses, police officers and other public servants who are eligible for Perkins loans forgiveness.

I will next discuss Pell Grants. This legislation strengthens the Pell Grant program by increasing the authorized maximum Pell Grant to \$6,000 and by providing year-round Pell Grant aid for students attending school throughout the year.

Both of these improvements enjoy broad bipartisan support. In fact, when we drafted this legislation during the full House Education Committee markup, 100 percent of Democrats and Republicans voted in favor of my amendment to increase the maximum award to \$6,000, the largest level in the history of the program.

Let me show you some charts to indicate our strong support for the Pell Grant program. Pell Grants and student loans should be bipartisan. I think in large part they are but some have made comments that Republicans are not doing enough to support Pell Grants. So let me show you a chart that reflects the reality. This shows the last 20 years of the Pell Grant program. The yellow shows the years when the Democrats were in control of the Congress and you see the Pell Grants at this low amount. The red shows when Republicans took control of Congress, and you see that they spiked dramatically.

If you really want to learn what happened historically, look at the year 1992. At that year, Pell Grants were appropriated at \$2,400, even though they were authorized at \$3,100. So they were not fully funded by the Democrats. The next year, 1993, you had Bill Clinton in office. That is a Democrat President. You had a Democrat Congress and what happened to Pell Grants? They were slashed. They went from \$2,400 to \$2,300.

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They were cut the next year and the next year, 3 years in a row. Finally, they got to \$2,340, still less than the \$2,400. So the last 3 years in power they were actually cut. Does that mean President Clinton doesn't care about Pell Grants or our House Democrat leaders don't? I don't think so. I think they care a lot about poor people. I think they wished they had more money.

My point is, don't say the Republicans haven't done enough on Pell

Grants, because we have got a pretty good record.

I was elected in 2000, and I made a promise to myself and my constituents, we would do all we can to increase the Pell Grant program, and let's see what happened since 2000.

Since 2000, Pell Grant funding has increased 71 percent from \$7.6 billion to \$13 billion. Since 2000, the Pell Grant maximum award has gone up \$3,300 to \$4,050, and this year there will be an extra \$1,000 for the high-achieving, low-income students; and the number of Pell Grant recipients has gone up 36 percent from 3.9 million to 5.3 million.

Mr. Chairman, Pell Grants and Perkins student loans are the passport out of poverty for so many worthy young people. They are the heart of this legislation. I urge my colleagues to vote "yes."

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 1 minute.

The gentleman tells an interesting story on Pell Grants, but the problem is the amount of money for Pell Grants has gone up simply because more students are eligible for that. More students are applying for that, but the Pell Grant that they get is worth less now than it was in the year 2000, worth less than it was in 1995.

The fact of the matter is, it is covering only about 30 percent of the cost of the college, and it is getting worse every day.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND).

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I reluctantly rise in opposition of the bill, not because I do not appreciate the hard work that has gone on in committee and the attempt of the chairman and the ranking member, everyone involved, to try to produce a bipartisan bill, but because the bill before us is really a missed opportunity bill, as my friend from Michigan described it.

This bill is one of the most important pieces of legislation that will come out of the Congress this year because it is a bill that will directly affect who we are going to be as a Nation in this century, whether we will retain our leadership in being the most innovative and creative country in the world or whether we will start sounding the retreat and waving countries like China and India good-bye as they make major investment in their education infrastructure, especially in the fields of math, science, engineering and technology, because they want to be on the cutting edge of scientific and technological discovery.

Last year, I was with the chairman on a 2-week tour of some of the higher education institutions in China. China has graduated nine times the number of engineers we did in this country. They graduated more English-speaking

engineers than we did in our own country. This is one of the keys to how creative we will be and what type of economic growth and job creation we will realize and what type of national security we will have.

This bill also speaks to the anxiety that many American families feel throughout the country, and that is a fear that they are not going to be able to afford to give their child postsecondary educational opportunities because they do not have the financial means to do so.

A recent study shows that close to one-half of the low-income students in this country who are qualified and want to go on to school cannot because of financial reasons; and for a country as wealthy and as powerful as ours to be closing the door of educational opportunity because of finance alone is a recipe for economic disaster.

More can be done. There are good features in this bill, but this bill also appears before us in the shadow of the largest raid on student aid in our Nation's history, over \$12 billion worth of cuts in the budget reconciliation bill that just passed weeks before in this Congress. The budget resolution that we are marking up in committee today is requiring an additional \$1.3 billion in cuts in the Education and Workforce Committee budget, and we are going to have to try to figure out where those are going to come from.

The bottom line is, if we are going to remain innovative, if we are going to retain our economic strength and grow the economy, we have to make crucial investments in the education field.

I am glad that we were able to put a token scholarship program for students entering the math, science, engineering and technology fields; and I commend the chairman for working with some of us to get that accomplished, but it is just that, a token effort because the studies are coming in and they are hitting us between the eyes. The national academy, "Rising Above the Gathering Storm"; the Glenn Commission, years before, titled "Before It Is Too Late"; other studies that are telling us that we really do need to ramp up this investment in education before it is too late.

This is a missed opportunity, and hopefully, we will have a chance to correct it.

Mr. KIND. Mr. Chairman, college is an investment that pays off over a lifetime. Median annual earnings for a year-round, full-time worker with a bachelor's degree are about 60 percent higher than earnings for those with a high school diploma. Congress passed the Higher Education Act in 1965 to provide all Americans with greater post-secondary educational opportunities.

This bill is a missed opportunity to make college more affordable, to boost America's economic competitiveness, and to invest in American's continued prosperity. If I supported this bill, I would not be able to look the students in my congressional district in the eye because I would know I had not done all I could to help better their futures. Cost factors

already prevent 48 percent of college-qualified high school graduates from attending a four-year institution and 22 percent from attending any college at all. No person in this country should ever be excluded from attending college because they cannot afford it.

During Committee consideration, we offered an alternative that would have saved the typical student more than \$6,000 on his or her college loans and provided a \$500 boost to the maximum Pell grant—at no additional cost to taxpayers. I am disappointed that our colleagues on the other side of the aisle were unwilling to work with us to include this proposal in the final bill.

There are, however, several provisions in the bill that I support. I am pleased to have worked with Chairman McKEON, and Representatives EHLERS and HOLT in successfully passing an amendment to the Higher Education Act to provide scholarships and grants for students to study and enter into careers in science, technology, engineering and math, STEM, fields.

America is suffering from a shrinking talent pool of students who are proficient in fields of math, sciences, engineering and technology, and is consequently in danger of losing its unique position of world leadership in innovation and creativity. We must do more to make Americans employable in 21st century jobs by putting greater emphasis on student achievement in these areas and giving our students the tools and skills they need to compete in the today's economy. Our global competitors are doing it—we can't afford to stand idly and watch them pass us by.

In addition, I was pleased to have worked with my good friend, Representative TIERNEY, in preventing changes to the campus-based aid formula that would have cut \$7.56 million in campus-based aid for the University of Wisconsin System. This money is critical for students in Wisconsin and the loss of these funds would have further reduced opportunities for students to attend college.

Another provision included in H.R. 609 that I worked on with my colleague from Wisconsin, Representative PETRI, will allow our 13 two-year colleges in the University of Wisconsin System to qualify individually for TRIO grants.

Finally, during debate in Committee, my amendment requesting the Department of Education to study the trends of adult learners was accepted. Older people are heading back to the classroom in large numbers, and we must not ignore their individual needs.

In closing, I would like to remind all my colleagues what President Bush said in his State of the Union speech in January. He said "We must continue to lead the world in human talent and creativity. Our greatest advantage in the world has always been our educated, hardworking, ambitious people—and we are going to keep that edge." Yet, the President and the Congressional majority have already begun to walk away from that promise by supporting the higher education bill before us today.

As you know, Mr. Chairman, America is number one in the global economy, and we can stay number one if we make aggressive investments in education, innovation, and future generations. At a time when education is at a premium and we need to be growing the economy, we should be making it easier, not harder, for students to attend college.

Mr. McKEON. Mr. Chairman, I am happy to yield 3 minutes to the gentleman from Ohio (Mr. BOEHNER), the majority leader of the House, former chairman of the committee.

Mr. BOEHNER. Mr. Chairman, I want to thank my colleague for yielding and congratulate him on his selection as chairman of the Committee on Education and the Workforce, a committee that I used to chair and worked closely with Mr. McKEON over the last 5 years on a variety of issues, including the issue that is being debated on the floor today, and that is the reauthorization of the Higher Education Act.

Forty years ago, Congress established the Higher Education Act to ensure all students, regardless of their financial circumstances, would have the opportunity to pursue a postsecondary education.

Today, after 3 years of hard work on the part of the members of the Education and Workforce Committee and its staff, on both sides of the aisle, I believe we have produced a bill that finally lives up to that legacy.

The College Access and Opportunity Act does just what its name suggests. It expands access and provides new opportunities for millions of low- and middle-income students, and by opening the door to a college education, even more Americans will be able to take advantage of the strong economy that has had 30 consecutive months of robust job creation.

Let us take a look at some of the most important provisions in this bill. It provides extra Pell Grant aid for high-achieving first- and second-year students; provides year-round Pell aid for students attending school throughout the year and encourages students to make progress toward completing a degree; reduces redtape for students and graduates; removes barriers for nontraditional students; empowers consumers with more transparency in college costs and accreditation; repeals duplicative and unnecessary programs; establishes an Academic Bill of Rights; and safeguards the privacy of students; promotes merit-based pay for teachers; and demands accountability in Federal college access programs.

Mr. Chairman, a report released last week confirms that Republican pro-growth policies have led us to the best job market in 5 years, and this bill builds on that momentum and helps strengthen American competitiveness to ensure America's students are prepared for the strong challenges of the 21st century.

Mr. Chairman, if I could, there is a member of the committee staff who last month celebrated her 25th anniversary as a member of the committee staff; and Sally Lovejoy has worked on this bill, worked on No Child Left Behind and a variety of education programs throughout her 25 years as a member of our staff. I want to say thank you on behalf of myself, as the former chairman of the committee, and all the Members on both sides of the

aisle who have had the chance to work with you.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BOEHNER. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding. I hope this will not come out of his time, but I certainly want to associate myself with your remarks in thanking Sally for all of her work in a most cooperative way, but keeping us on our toes a lot of the time over here. So we thank you and wish her well for all of her service to the committee.

I thank the gentleman.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the bill before us purports to strengthen and improve the Nation's higher education system by expanding college access for low- and middle-income students, but in reality, it fails to provide the urgently needed assistance for millions of low- and middle-income families that are trying to figure out how to pay for their children to go to college.

This past December, the House majority voted to cut the student loan program by \$12 billion, and these cuts included many significant changes in the Higher Education Act, none of which expand access to college or make college more affordable for students and their families. This bill, put forward by the majority, does nothing to make up for those draconian cuts.

Mr. Chairman, the Democratic substitute will be offered later this afternoon, which will offer real financial assistance to needy families. For example, it will lower the costs of student loan interest rates for middle- and low-income families, specifically by lowering the direct and Federal Family Education Loans by cutting them in half from 6.8 percent to 3.4 percent.

That substitute will also repeal what is called the Pell tuition sensitivity by making sure that all students receive the full benefit of the Pell Grant program without regard to whether they are attending a 2-year community college or a private 4-year institution.

That substitute will also boost college participation rates for minority students, establishing graduate Hispanic Serving Institution programs. It also establishes a Predominantly Black Institution program that would boost college opportunities for low-income and first-generation African American college students.

Our substitute will also increase the tribal college minimum grant and stabilization of tribal college construction by ensuring that the title III program currently used for construction is guaranteed.

Mr. Chairman, we all know that a college education significantly in-

creases the future earning power for students today, and the cost of tuition should not stand between a qualified student and a college education. The Democratic alternative will offer families a real solution to the problem of rising tuition costs and make good on our promise to put college education within the reach of American students and families. The underlying bill does not.

I urge my colleagues, therefore, to support the Democratic substitute, and if it is not adopted, to oppose the bill.

Mr. MCKEON. Mr. Chairman, I am happy to yield 2 minutes to the gentleman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I rise today in support of H.R. 609, the College Access Opportunity Act. I would like to thank our majority leader and former chairman, as well as the current chairman, Mr. MCKEON, for their extensive work on this legislation.

I am very pleased that within the underlying legislation is the reauthorization of the TRIO program which reaches out to motivate and support students from disadvantaged backgrounds.

This inclusion is especially important to my constituents in the Fifth District of Florida because the bill ensures that veterans are eligible to participate in TRIO programs and services. The Fifth District is home to approximately 110,000 veterans, and as their representative, it is a top priority of mine to see that they receive the assistance that they need.

The Upward Bound program within TRIO extended its scope in 1972 with the creation of the Veterans Upward Bound program. This is aimed at providing educational and support services to enable veterans to transition to a post-secondary education. It also addresses the fact that most of our veterans have different education and life experiences than do secondary-school-aged Upward Bound participants.

The percentage of the veteran population that has not completed high school has dropped from 33 percent to 12 percent in the last 30 years as a result of a number of Federal initiatives. The bill we have before us today will ensure that this trend continues to help not only veterans, but also so many students from modest backgrounds, obtain a higher education.

I urge my colleagues to join me in voting in favor of this very important piece of legislation.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I, too, want to thank the chairman of the committee and the ranking member and the chairman and ranking member of the subcommittee for their work on this important issue.

However, I, too, reluctantly must oppose this bill because I believe it falls

short, and I think it would be wrong to give the American people the impression that we are meeting the challenges in higher education when we are not.

It was just 2 months ago that the President of the United States stood before this Chamber at the podium before us and delivered his State of the Union address. In that address, he told the people of this country the United States must do more to maintain our competitive edge in the global economy. He was right about that. Those were fine words, and in fact, the Education and Workforce Committee has been debating and looking into those issues for some time now, but the issue is not identifying the problem.

□ 1230

That is the easy part. The challenge is doing something about the problem. And in that regard, this body and the Bush administration, unfortunately, get failing grades, because we all understand that a key part of maintaining our competitive edge in the global economy is to make sure we invest in the skills and education of our workforce.

We need to make sure our people have the training they need in what is increasingly a knowledge-based economy, and to do that, we need to make the necessary investments. Yet the day after the President stood before this Chamber and delivered his State of the Union address was the day this House passed a reconciliation bill that cut \$12 billion out of the Federal student loan program: \$12 billion.

Now, we all know that usually when this higher education bill comes before this House, it contains those funding provisions, the provisions for student assistance in this country. But, unfortunately, those were taken out of this bill and dealt with separately and cut by \$12 billion. So now this body doesn't have to deal with that issue with the bill before us today. But those are the facts.

We also need to invest more in our K-12 education system. And it was just shortly after the President delivered his State of the Union address that he delivered a budget that cut the No Child Left Behind from its authorized level. It was \$15 billion short of what we had promised there.

If we are going to be serious about this issue, we need to make a commitment at the national level to address the competitiveness challenges in our country. We don't do right by the American people when we say one thing on the big day of the State of the Union address and then we bring a bill before the Congress that doesn't contain the necessary investments in funding to make sure that we meet the challenges.

And so, Mr. Chairman, I must reluctantly oppose this bill because it would be wrong to send a message we are doing something about the challenges when in fact we are not.

Mr. McKEON. Mr. Chairman, I am happy to yield 2 minutes to the chairman of the Education Reform Subcommittee, the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. To Chairman McKeon, congratulations on rising to the top of this very significant committee. I would also like to express my accolades to Sally Lovejoy, who has had occasion to straighten me out, even when I didn't want to be straightened out from time to time, and we appreciate that and do wish her the best.

I do rise in support of this legislation and congratulate all those who worked hard on this, because this was a very open process with a huge number of amendments as we got to where we are now. I think it is unfortunate that we are not all together on it, but I understand how those things work.

One concern that continues to rise and has done so since I came to Congress is the continuously rising cost of a college education. Tuition increases are outpacing the rate of inflation, increases in family income, and even increases in State and Federal financial aid, which have grown frequently in recent years, as we have seen. These cost increases are pricing students and families out of the college market in a time when we have reports suggesting that for the first time high school students recognize the importance of obtaining a college education. These students should not shy away because of skyrocketing costs.

It is my belief that one of the best things we can do is to talk about the issue and to force transparency into the process. H.R. 609 does just that. Parents and students, as consumers, deserve the opportunity to understand why tuition is increasing at their universities and colleges. As educated consumers, it is my hope that they will in turn have the power to demand more, to demand answers and, ultimately, drive down costs. Understanding that there are many moving parts to a solution, transparency is a good step in the right direction.

Truly, the Higher Education Act covers a great deal of ground, from student loans to campus-based aid to teacher education to graduate schools to international education. In such a large act, one of the most important jobs of Congress in the reauthorization is to ensure that fraud and abuse protections are in place and are working. During committee, two amendments I offered to meet this goal were accepted. The first would prevent for-profit institutions from competing for Federal funds; the second would retain and clarify what is known as the 90-10 rule. Both of these amendments were intended to recognize the evolution of the for-profit industry in higher education while protecting Federal funds.

Again, I support H.R. 609 and urge my colleagues to do the same.

The CHAIRMAN. The gentleman from Michigan controls the time.

Mr. KILDEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise to oppose this legislation. I have an appreciation for those members on the Education Committee, many of whom have worked hard to try and put a decent product before this body, but this just doesn't make it.

I am disappointed that my amendment that would have helped to increase the teacher capacity and supply in the areas affected by Katrina and Rita and future disasters was not made in order. But I am more disappointed in that section of the bill that deals with the private post-secondary schools.

There is something called the 90-10 rule. The rationale for the 90-10 rule was that if the education provided was worth paying for, a company should be able to attract at least 10 percent of its students on a paying basis. But, no, these private post-secondary lobbyists have come in here, and they have thrown in the nonprofit schools and they have manipulated the rules so that this won't apply, so that basically they can get 100 percent of their money from the taxpayers. They go out and they recruit illiterates, they recruit the most vulnerable people, who should perhaps be trying to get a GED someplace, but they recruit them, and they help them to fill out the Pell Grants. They get the money. Many of them don't have qualified teachers, they do not have computers, and some even close down the schools, take the money, and then they show up under another name.

They are ripping off billions of dollars from the American taxpayers, and why they are able to wield their influence in this subcommittee, I just don't understand. It is a scandal. It has been reviewed and exposed by "60 Minutes" and others on television, but we keep allowing the lobbyists to come in here and do what they want to do, to get richer and richer and basically undermine the ability of these vulnerable people who really do want to get an education.

The CHAIRMAN. The gentleman from Florida is in charge of the time.

Mr. KELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Thank you, Mr. Chairman, and I thank the chairman for yielding me time. I rise in support of H.R. 609, the College Access and Opportunity Act. I thank Majority Mr. Leader BOEHNER and Chairman McKEON for their endless hard work on this bill.

I will vote in favor of the bill and wish to highlight provisions I strongly support. I may also comment about a few that I hope will be modified as we go through the process.

I strongly support an independent evaluation of distance education programs, and I would like to thank Chairman McKEON for including my study in his manager's amendment. Section 931 will require the National

Academy of Sciences to conduct a scientifically correct and statistically valid evaluation of the quality of distance education programs as compared to the quality of campus-based education programs. I am not opposed to distance education, but I want to make certain that we do a good job of this and we develop good accreditation standards.

Also, I am very supportive of strengthening U.S. competitiveness through math and science programs and teacher training. During the committee process, I worked with Chairmen BOEHNER and McKEON, and with Representative WOLF, to craft provisions that provide scholarships and interest payments on loans for students pursuing an undergraduate or graduate degree in science, math and engineering.

I understand that Representative McMORRIS will be offering an amendment to further strengthen U.S. competitiveness, and I urge Members to support her amendment as well.

I do have some concerns about the college affordability index. My local colleges contacted me, very concerned. They are low-cost institutions but realize tuition increases are inevitable, and the index will handicap them more than it would handicap other higher-tuition schools. We should encourage schools with low tuition and not increase their problems.

I should also mention a concern about State accreditation. Again, the institutions in Michigan are concerned about that, and we have to clarify the bill to make certain that the accreditation language applies only to those States that are already doing it.

I strongly support this bill and urge my colleagues to support it as well.

Mr. KILDEE. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, the bill before us is mistitled the College Access and Opportunity Act. It ought to be called the Reducing College Access and Missed Opportunity Act.

Last month, the Republican Congress passed and the President signed a \$12 billion cut in student aid, the largest student aid cut in history. This raid on student aid made college more expensive for low- and middle-income students at the very time a college education is more critical than ever for young men and young women throughout our entire country. Today, Congress is finishing the raid on student aid. This bill is a missed opportunity to make college more affordable.

Democrats have offered an alternative that would lower interest rates on student loans, increase Pell Grants, help colleges hit by the gulf coast hurricanes to rebuild and recover, and boost college participation rates for minority students. If history is any guide, however, the Republican House will reject this alternative, because like President Bush they value tax cuts

for the wealthiest Americans over assisting low- and middle-income Americans in their quest for a college education.

Mr. Chairman, those are not the values of the American people, and I encourage my colleagues to reject the Republican raid on student aid and to support the Democratic alternative because we have to keep in mind that these students are the very future of the United States of America.

Mr. KELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. I thank the chairman for yielding and for his hard work on this bill and the importance of this bill.

I am kind of stunned, because virtually every speaker from the other side has come down to the well or talked up there and talked about the "\$12 billion raid on student aid" in the Deficit Reduction Act. Well, aside from the fact that that is not true, it is not what we are here to talk about. We are talking about bill 609.

We have heard this bill doesn't do much to help students attend college. We have heard if you vote for it, it is a missed opportunity. Well, Mr. Chairman, anyone voting against this bill, anyone voting against this bill is truly missing an opportunity to continue a very positive program.

Now, opponents can say what they want, but if you look at the figures, they don't lie. And what they tell you is that year after year after year we are increasing student aid.

What does this bill do? It strengthens Pell Grants, strengthens student aid, reduces red tape for students and graduates, removes barriers for nontraditional students, empowers consumers through sunshine and transparency in college costs. Also, it safeguards the privacy of students, eases college access for members and veterans of the armed services. It repeals duplicative and expired or unnecessary programs, and it promotes merit-based pay for teachers through the Teacher Incentive Fund, which is something I have a particular interest in.

The Teacher Incentive Fund specifically targets high-poverty schools, and it provides some extra compensation for teachers who achieve. The initiative rewards those who have delivered on student achievement. It was a recommendation of the bipartisan National Governors Association, which called for the creation of the Teacher Incentive Fund, and we responded.

Mr. Chairman, this bill is a positive move in the right direction, and I urge all Members, Republicans and Democrats, to put politics aside and vote for education for our young people. Vote "yes" on 609.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentleman.

In February, this House passed a reconciliation bill that cut \$12 billion

from the student aid program. That bill raised student loan interest rate caps and raised student loan taxes and fees. It placed billions of dollars in student aid at risk by cutting \$2.2 billion in critical funds used to carry out and administer the student aid program.

Just as the reconciliation bill did not help students, H.R. 609 will not improve access to college. The reauthorization bill we are debating today is not about making college affordable, and it is not about helping students pay for college. This bill makes significant changes in the Higher Education Act, but the purpose of many of the changes is not to benefit students.

□ 1245

H.R. 609 certainly helps for-profit colleges. Proprietary schools, which have faced a number of controls and regulations to protect taxpayers and students from abuse, will see markedly less oversight. The new single definition of an institution of higher education will allow for-profit colleges access to additional student aid Federal funding. At the same time, changes to the sanctions of the 90-10 rule will leave students at risk, allowing for-profit colleges to remain out of compliance for 3 consecutive years before losing eligibility to participate in Federal student aid programs.

The purpose of the 90-10 rule was to ensure that schools were not relying on student aid programs for the entirety of their funding. Easing requirements previously placed on for-profit schools places student aid programs at greater risk of misuse. They will be vulnerable to subsidizing short-term for-profit ventures. These changes in the 90-10 rule will benefit for-profit colleges, but they will not help students.

The Higher Education Act was intended to provide help for all Americans, regardless of their income level, with greater educational opportunities. The act recognizes the shared benefits by both society and the individual of a higher education. H.R. 609 will not help students and will not expand access to college.

I urge my colleagues to join me in voting "no."

Mr. KELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Chairman, I rise in strong support of H.R. 609, and I want to congratulate Majority Leader BOEHNER and Chairman MCKEON for bringing this important legislation to the floor.

H.R. 609 is critical to improving college access and includes a host of reforms to safeguard the interest of students and parents and the pocketbooks of American taxpayers.

I want to highlight three provisions that I believe will have a significant impact. First, it promotes merit-based pay for teachers. The bill establishes a teacher incentive fund to provide funds to States and local school districts to help pay and help develop pay-for-per-

formance systems. These systems would offer teachers and principals recognition pay for demonstrating progress in raising student achievement and closing the achievement gap.

Another provision is increasing public access to information about colleges and universities. This bill would provide parents and students valuable information currently sent to the U.S. Department of Education about college costs, student/faculty ratios, graduation rates, and average amounts of financial aid being received by students. And furthermore, institutions that increase tuition and fees at more than twice the rate of inflation over a 3-year interval will be publicly identified and asked to provide information to the public about the causes of tuition increases as well as strategies to help hold down tuition in the future.

A third provision would ease college access for members and veterans of our armed services. The legislation ensures the eligibility of all veterans to participate in the TRIO college access programs. The bill also classifies members of the armed services as independent students which could increase access to financial aid.

These reforms build on important education benefits for military personnel enacted in February 2006 under the Deficit Reduction Act. That measure provided that active duty members of the military may receive loan deferment, meaning payments are not required and interest will not accrue when serving our Nation.

As a member of the Education and Workforce Committee, I am very proud to support this legislation and urge my colleagues also to support this measure.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Chairman, I rise in strong opposition to this bill. I spent nearly 30 years working on a college campus, and based on my experience, I have three major concerns with H.R. 609.

First, in my view, this legislation, coupled with the budget cuts authorized by this Congress and further cuts proposed by the President, threatens to return the state of higher education in America to the pre-World War II era. Back then, only 5 percent of Americans had a college degree compared with nearly 30 percent today. This bill does little, if anything, to make college more affordable or expand access to Americans pursuing the dream of a college education. The bill is another step backward in a retreat from affordability and access.

Second, I oppose this bill because the Federal Government should not be in the business of telling colleges and universities that we know better than them when it comes to making decisions concerning the price of tuition, the transfer of credit, and academic freedom and integrity, yet that is what this bill does.

This bill is based on the flawed notion that colleges and universities are not capable of governing themselves and thus need to be directed by Congress. Our solution to this accountability problem is more intrusion into the day-to-day operations of colleges and universities. It is wrong for us to be dictating these decisions, and it is insulting to the colleges.

Worse, this ideology is inconsistent with the reality of what is actually happening on the college campus. It is illogical that Congress imposes government oversight into academia, but does not conduct the same oversight for the oil and pharmaceutical industries, to name just two.

Third, while this bill demonstrates a lack of confidence in the not-for-profit higher education sector, it shows strong confidence in the for-profit sector. As a result, there is less accountability and oversight for that sector.

I want to be clear that there are a great many for-profit schools which are excellent and have been doing a great job for a long, long time; but there is also a long history in the for-profit sector of defrauding students, parents, taxpayers and Congress, and there is skepticism toward the sector of higher education with a stellar record of achievement, that being the not-for-profit sector.

By relaxing safeguards put into place to keep students and taxpayers safe against fraud by proprietary institutions, Congress is essentially giving the for-profit sector their stamp of approval.

For these reasons, I urge my colleagues to vote for the Democratic substitute and vote against final passage of H.R. 609.

Mr. McKEON. Mr. Chairman, I yield 2½ minutes to the gentlewoman from North Carolina (Ms. FOXX), a former community college president, a university administrator, a former TRIO director, someone with great credibility on this subject, and a member of the committee.

Ms. FOXX. Mr. Chairman, I thank the chairman, Majority Leader BOEHNER and the Education and Workforce Committee staff for their hard work on and dedication to the College Access and Opportunity Act.

For many reasons the United States must have a highly educated workforce. This legislation does just that by strengthening math, science and foreign language instruction. It includes incentives to recruit and better prepare more teachers in these critical areas.

Most importantly, to adhere to the initial purpose of the Higher Education Act of 1965, this bill further offers low-income and middle-income youth the opportunity to better themselves and their socioeconomic status through a variety of important reforms.

This bill repeals duplicative and unnecessary programs and removes barriers for a greater number of potential, not to mention current, students.

Two additional parts of the bill about which I am particularly excited are,

one, protecting the privacy of students; and, two, helping TRIO programs better demonstrate their effectiveness and results.

In the committee markup, I was able to work with the chairman and staff to offer an amendment ensuring that a unit record database with students' personal information would not be allowed. Privacy of the individual is one of the main tenets on which our great Nation was founded.

I was also able to offer an amendment in committee that would improve and strengthen TRIO programs. As a former director of Upward Bound Special Services programs at a large State university in North Carolina, I know these programs firsthand and how they have helped many achieve their goals of a higher education. I am a believer in the TRIO programs, and that is why I am committed to making them stronger.

There is nothing in current law that provides a way for these programs to demonstrate their effectiveness. If we want to help these programs prove that they are doing all that we know they are, we must institute accountability measures so their purpose and effectiveness will not continue to be questioned.

As a former community college president, university administrator and instructor, I am deeply committed to our students and to seeing that they get the full value of their education. The bottom line is, this bill is much needed and provides greater access for those of lesser means who need it; and I am simply appalled at my colleagues on the other side of the aisle for the misrepresentation of this bill and the good things that it would do for the students of this country.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, the prior speaker said she was appalled by some of the characterizations. Funny, that was my emotion when this Congress just 2 months ago cut \$12.5 billion from college assistance, the largest cut in the history of the United States for college assistance. So when you want to get appalled, try getting appalled by the biggest cut, \$12.5 billion, from college assistance.

We have all read many articles that in the 21st century a college education is as essential to economic success as a high school education was in the 20th century. In a century in which you earn what you learn, what does the Republican Congress do as one of its first acts? The largest cut in history in college assistance, \$12.5 billion.

And on the heels of that, they propose this act which, literally on the heels of a \$12.5 billion cut, a bill that would freeze Pell Grants 2 years in a row at the level they are at.

The average Illinois graduate today graduates \$15,000 in debt. You are supposed to get your diploma on gradua-

tion day. You get your diploma and your Visa credit bill. That is what is happening to our kids. Parents in my district are working second jobs, taking second mortgages so their kids get a chance at a future where doors are opening.

And what are we doing in this Congress? We are slamming the door on their future. We can do better than that. We owe it to our children.

College costs in the last 4 years have gone up, on average, 38 percent; and the United States Congress, under Republican stewardship, has had the largest cut in the history of the country, \$12.5 billion, frozen Pell Grants, and not made it easier for parents to give their children the most important thing besides love, an education.

So what are we offering them? More of the same at a time when we all know you need an education. We know about the importance of a college education, and we have done nothing to make it easier for parents to afford an education for their kids, except for a second job or a second mortgage. And that is after the largest cut in the history of the country.

I think that we can do better. I know we can do better. We must rethink the way we apply and get assistance to families so they can send their kids to college. A college education is important for the 21st century.

When World War II was over, we had a GI bill for our returning vets that built the middle class. The GI bill, after a high school education, built America and made the 20th century the American century. It is time now that we make a college education as universal in the 21st century as a high school education was in the 20th century.

This is a step backwards, closing doors on families rather than opening doors and giving kids a chance to do better for the next generation, as their parents have done, and build on their shoulders. We must restore the \$12.5 billion of cuts through an amendment that I offered that was denied, and make sure that we do not freeze college assistance, but enrich it and make it stronger.

Mr. McKEON. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER), a member of the committee.

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, the last speaker, I realize he is not on the Education Committee, but stated an appalling misrepresentation of what has happened on two different fronts. First off, as he probably realizes, or should, this is not an appropriations bill, this is an authorizing bill.

Secondly, what cuts? We readjusted the student loan rates, made them more fair. We went through committee, watched the misrepresentations of how this proceeded, and it continues today.

There are fixed rates now that as the interest rates go up, students around

America are actually going to save tremendous amounts of money. Where this cut language comes from is baffling. As a budgeting technique, the exposed risk of the Federal Government, because we are on fixed versus variable, budgets as a cut, but in reality could have saved the government and saved the students in the long run here if you believe interest rates are going to rise, which most people believe they are going to.

It is just an appalling misrepresentation to walk down to Congress and say that we have been cutting education when, if anything, education has been the fastest growing discretionary part of our budget. We have steadily increased funding for education, and now we have an authorizing bill, not a spending bill, an authorizing bill, and any number in there is funny money. What really matters is what you appropriate in education.

The bottom line is this: at two ends we have a problem. One is higher education is changing in America as we go to more online, more lifelong learning; and this bill attempts to accommodate the diversity in the changing nature of higher education.

□ 1300

But I wanted to particularly talk about one subsection that is important because, as we are moving in international competition, we can't leave people behind. I first came into Congress in 1995 and worked with my friend, Congressman FATTAH on the other side, with the program he had called High Hopes that turned into GEAR UP, which said to kids in the eighth grade who were disadvantaged that we are not going to leave you behind.

In Indiana, it is called the 21st Century Scholars Program. And then Governor Evan Bayh worked with this to say that if you got your Indiana degree from a high school, kept a GPA of 2, stayed clean of drugs and alcohol and didn't commit another crime, went to an Indiana college and applied for Federal aid, we were going to guarantee that you could get some sort of Federal aid or Pell Grant with the State scholarship program.

Here we are continuing GEAR UP. I have been frustrated every year for the past few that the President of the United States has zeroed it out in his budget proposals, but the House has put it back in and gone along with the Senate to keep this program funded. It gives kids an opportunity to say, many kids who thought they would never get a chance to go to college, to say, if you do your part, we will do our part in the government. And part of this GEAR UP High Hopes program is to, just like we do with special needs kids, to say that the State has to have a way to not just make this promise, but to have these field organizations go and work with the individual kids to help them with milestones. Much like the TRIO program has done in college, this now

takes it to the high school level to make sure that those who come from disadvantaged backgrounds have some opportunity at least to get a higher education or we are not going to be able to compete in the world. We have to help all Americans and GEAR UP will help give all Americans that chance.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I just want to take this time to highlight a proprietary school in my home county of Bronx, New York. I am delighted that proprietary schools are mentioned in the district and I just want to highlight this degree-granting proprietary school called Monroe College, Bronx, New York, my district, Mr. SERRANO's district. Last June, they graduated 2,000 students, and I have seen firsthand the wonderful job that they do. And these students are particularly minority students, people who want to go back to school and want to have the opportunity to move forward. So with all the other discussions about what is going on with the bill, I just want to say that I am delighted that proprietary schools, particularly degree-granting proprietary schools like Monroe College, are finally getting the recognition that they deserve, and I think that they do deserve recognition because they do good work, again, particularly Monroe College in Bronx, New York.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself the remainder of the time.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, Members of the House, there is some suggestion that somehow this bill has become a partisan bill. The fact of the matter is that this bill has continued, as we have done so many bills in the Education Committee, started out on a bipartisan basis, and we worked on that basis over the last couple of years. And then in the last session of Congress, the decision was made in the reconciliation bill to split out the student loan portions of this bill and to make the cut, the now famous \$12 billion cut, in the student aid accounts.

We continued to work with the majority, and up until yesterday, when I went in and talked to Mr. MCKEON and told him I just didn't think we were going to be able to arrive at a conclusion, and he was getting ready to go to Rules Committee, and I said that we are just not going to get to that point where the Members on my side of the aisle, significant players in the education community and on our committee would not support the legislation. We look forward to continuing to work with him as we go into conference. But the fact of the matter is, I think what Members see in this legislation, when we talk about a missed

opportunity, when we talk about a failure to respond is you can continue to put up charts that we are spending more money. Yes, the entitlement programs of Pell and the entitlement loan program are spending more because more students are becoming eligible for them, some because of a bad economy, some because they have decided to go to college.

But the fact of the matter is you are spending more money and you are purchasing less. And the gap that the maximum Pell Grant covers now, it used to cover 40 percent of that student's education. If that student worked full-time during the summer, part-time during school, they could close that gap. Starting this year, they can no longer close that gap. They are going to be about \$2,000 short. They are going to be about \$2,000 short if they work over that period of time. So the Pell Grant is purchasing less and less of the college education. In just a couple of years, a couple of years from now, that gap will dramatically increase even more.

So what the problem is, and what the Republicans haven't yet recognized is, the conversations that are taking place in families right now as students are trying to put together their aid package, that the student loans, the Pell Grant are purchasing less and less of the cost of that education. And this bill fails to address that. This bill fails to address that because they chose, when they made that \$20 billion in cuts, the \$12 billion net, they chose not to reinvest those savings in the education programs on behalf of these families and their students. Families will continue and students will continue to pay excessive fees and excessive charges. They will not let the lenders keep them, and they shouldn't let the lenders keep them. But they take what they admit are excessive payments by these families, and they give it for the tax cut. They don't say, here, take this money back; return this to the borrower, let them keep the money, let them pay for their child's education. They take it off and give it off to the tax cuts for the oil companies and the tax cuts to the wealthy.

That is what we talk about when we say a missed opportunity. The Republicans just aren't hearing huge numbers of American families who are struggling with the decision on how to pay for their kids' college education. In that cut, they raise the interest rates on those parents from 7.9 percent to 8.5 percent. The parents are going to have to borrow more under this program. They charge them a 1 percent insurance fee. They say, well, it is waivable, all that. The fact of the matter is they are raising costs at a time when it is harder and harder for families in America to put together the package to pay for that education. And as we see now, even if the students work full time in the summer, part time through the school year, they cannot close that gap. That is what we mean. That is

why some of the speakers got up here and said they are worried about the affordability. That is what we mean by the inability to address the needs of families and students who want to pursue a higher education.

Mr. Chairman, I yield back the balance of my time.

Mr. McKEON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, a report released last week by a leading consulting firm confirmed that the pro-growth policies championed by this Congress and this President are working. In fact, they have been so successful that, this spring, we are poised to see the strongest job market for our Nation's 1.4 million college graduates since the dot-com bubble burst in 2001. The firm also cited a recent survey that showed employers plan to hire 14.5 percent more new college graduates this year than they did a year ago.

There is a great deal of doom and gloom here in Washington. Some taking part in this debate today certainly are no exception. But the fact is our economy is growing, and the college graduates are feeling the effect. That is why this bill before us is so important today. The legislation will empower students with more information and more resources than ever before as they seek to achieve the dream of attending college.

The College Access and Opportunity Act that we have before us today strengthens the Pell Grant program by providing year-round Pell Grant aid for students attending school throughout the year, and removes an incentive for colleges to raise tuition by repealing the Pell Grant tuition sensitivity language.

It gives higher education consumers more information about what they are getting for their money by establishing college consumer profiles.

It shines a spotlight on excessive tuition hikes through the college affordability index, and it strengthens U.S. competitiveness by sharpening our focus on improving math, science and critical foreign language programs.

Mr. Chairman, simply put, this bill is comprehensive. It is fiscally responsible, and it is worthy of our support.

Again, I thank my colleagues on the committee for their work in crafting the College Access and Accountability Act, and I urge my colleagues to support it on final passage.

Mr. Chairman, before I finish, I have spent 14 years almost now on this committee. I would like to recognize a member of the Education and the Workforce Committee staff, Sally Lovejoy. I have just become chairman of this committee and I was really offended when she let me know that she was leaving. I thought it was because of me. But then I heard that she has been offered a great job, to work with the first lady, representing us in Paris. And that is where she did some of her college work. I think it is a wonderful opportunity, and I am happy that she

has the opportunity. We are going to miss her, and we appreciate all of the years, 25 years' work that she has put in on this committee. On behalf of our entire committee and the rest of the staff, I want to thank her for all of her great work.

Mrs. CAPITO. Mr. Chairman, I rise to highlight the designation of West Virginia State University as an eligible school for the Historically Black Graduate Institutions (HBGI) program in H.R. 609, the College Access and Opportunity Act of 2006. The designation was included today in the McKeon Manager's Amendment.

The HBGI program is an important tool in enhancing innovative math and science education programs at our Nation's Historically Black Colleges and Universities. West Virginia State University was designated as a Title III University under the Higher Education Act of 1965 and has participated as an undergraduate Title III Part B institution since 1989.

In 2003, West Virginia State began offering a unique Master's Degree in Biotechnology that emphasizes the skills a biologist will need in the 21st century. The program also studies new technologies and concepts in the biotechnology field. Graduates will be prepared for careers or further studies in Health Care, Biotechnology, or Environmental Sciences.

It is important that our Nation provide the resources necessary to remain the world's leader in science and technology research. Our Nation's education system and especially our colleges and universities are on the front lines in keeping America competitive in the world economy.

I want to recognize Dr. Hazo Carter, President of West Virginia State University and Dr. Orlando McMeans for their hard work in establishing the University as an eligible HBGI institution. I also want to thank Chairman McKEON and the Education and Workforce Committee for working with me to include this important designation in H.R. 609.

Mr. BONILLA. Mr. Chairman, I rise today in support of H.R. 609, the College Access and Opportunity Act of 2006. This legislation will take important steps toward strengthening access, accountability, and affordability for students, teachers, and higher education institutions across our country.

I am particularly pleased by provisions in this legislation to provide year-round and increased Pell Grant aid to certain students. In addition, H.R. 609 will strengthen the TRIO programs, which I have strongly supported since my first election to Congress. Specifically, this bill will increase the minimum grant levels for TRIO programs and ensure our country's veterans are eligible to participate in all TRIO programs and services. I am also pleased that this legislation will reduce red tape and improve flexibility for Hispanic Serving Institutions.

Education is one of the foundations of our Nation's prosperity. This legislation will aid our Nation's students, teachers, and higher education institutions to undoubtedly continue this prosperity. While I do support this legislation, I am, however, very concerned with several provisions regarding private higher education institutions within this bill. Private higher education institutions serve as valuable centers of ideas and innovation in our country. I strongly urge my colleagues to find an equitable agreement to address the issues of concern to pri-

vate higher education institutions within this bill as it moves forward in the legislative process.

Mr. LEWIS of Kentucky. Mr. Chairman, I am pleased that the House today took essential steps to make college tuition more affordable for middle and low-income students. Ensuring quality higher education is one of the most important things we can do for future generations.

H.R. 609, the College Access and Opportunity Act, will expand access to higher education for millions of students by strengthening Pell Grants, improving access for non-traditional students, reducing red tape, and instituting transparency in tuition costs.

As a cosponsor of this legislation, I am especially pleased that the legislation will strengthen college access programs such as TRIO and GEAR UP. These are important programs that have benefited students in my district, aiding in their ability to attend college.

I would like to mention two provisions in the bill that were brought to my attention by small, independent colleges in my district. Their concerns centered around the affordability provision and the ability for States to become accreditors. There was great fear that the publishing of tuition rate increases and other financial information could lead to a price control or other Federal intervention in tuition increases. Also, there was apprehension that States could be granted the ability to intervene in the accreditation process of private institutions or offer incentives for institutions to choose State accreditation over other regional options.

I appreciate the Committee on Education and the Workforce for their willingness to address the concerns of these institutions. Chairman McKEON's Managers' Amendment made great strides to ease the burdens that both of these provisions could have potentially placed on higher education institutions. The Manager's Amendment makes changes to the penalties for offending institutions and expressly forbids States to offer incentives to encourage schools to choose State accreditation.

I originally filed an amendment with the Rules Committee to address the concern of State intervention in the accreditation process, but the changes by Chairman McKEON were sufficient to ease my concerns. The bill in its current form will prohibit potential overreaching by State accreditors.

The College Access and Opportunity Act addresses the important need to make higher education more affordable and easier to access for low and middle-income students. I am proud to support this legislation and am hopeful that it will sufficiently boost the competitiveness of American students in the global economy.

Mr. PETRI. Mr. Chairman, I want to express my disappointment that the rule to H.R. 609 does not allow my colleagues the opportunity to consider the Student Aid Reward Amendment that I sought to offer with Representative GEORGE MILLER to H.R. 609, the College Access and Opportunity Act. This amendment was based on H.R. 1425, the Student Aid Reward Act, that we introduced last March. Senator KENNEDY and Senator GORDON SMITH have sponsored a companion bill in the Senate.

The STAR program is rooted in my longstanding belief that we have a fundamental obligation to our constituents to eliminate

waste, fraud, and abuse in government spending wherever it exists. This amendment would have done just that by cutting \$13.4 billion in waste over the next 10 years. Furthermore, it would reinvest those savings both into Pell Grant aid and towards reducing the deficit at no additional taxpayer expense.

The STAR program would reward colleges and universities that choose to participate in the Federal student loan program that is most cost-effective for taxpayers and, in turn, return half of those savings to the schools in the form of Pell Grants for low and middle-income students. This would increase student aid as much as an additional \$1,000 per recipient, per year.

The real opportunity in this amendment was that it allowed for an increased investment in education while not costing taxpayers a single penny more. In fact, under the STAR program, there would be enough savings not only to return half to schools that switch to the more cost-effective program, but also to provide an additional 25 percent of those savings to schools that were previously enrolled in the cost-effective program and thus already saving taxpayers money. The final 25 percent would be devoted towards deficit reduction.

All these savings are be made possible due to the startling difference in the cost between the two Federal student loan programs. For the current fiscal year, the Federal Family Education Loan (FFEL) program costs taxpayers nearly three times as much as the exact same loan administered under the Direct Loan (DL) program. For example, if the Federal Government loans a student \$100 through the FFEL program, taxpayers will subsidize nearly \$11 (10.7 percent) of that loan. However, the same loan under the DL program costs taxpayers only one-third, less than \$4 (3.6 percent). In fact, the President's budget office projects that taxpayers will spend \$3 billion more this year alone to issue identical loans through the FFEL program than it would cost through the DL program.

Beyond the Office of Management and Budget, other budget experts continue to confirm this cost difference. Earlier this week, the Congressional Budget Office released a score that projected savings from this amendment in the amount of \$13.4 billion over the next 10 years—and that's if only 15 percent of colleges choose to participate in the Student Aid Reward program by switching from the FFEL to the DL program. Those savings would be even more substantial with increased participation.

It is important to note that the STAR amendment would not mandate that schools select the most cost-effective program, although we hope that they would. Under this amendment, each college retains their ability to choose their student loan program. Those who choose to be more responsible with taxpayers money would be rewarded with a portion of the savings. Those that decide to continue with the more expensive program face no penalties, other than a missed opportunity to use taxpayer savings to boost their students' Pell Grants. Furthermore, each school would have the choice to leave the STAR program at the end of their five year contract if they are not satisfied with the results for their students.

A critical tenant of this program is that it is budget neutral. Any reward payments to schools are contingent upon actual taxpayer savings that year. We are confident that these

savings not only exist, but amount to several billion dollars annually. Both the CBO and OMB continue to confirm this year after year.

The overarching reason that the FFEL program is so much more expensive than the DL program is the excessive subsidies paid to lenders each year to issue loans. As all lenders are guaranteed the exact same subsidies, regardless of their costs and efficiency, lenders do not compete for the benefit of taxpayers, only among themselves for market share. This practice is not only unnecessary but it is irresponsible—especially when the DL program has no similar costs.

The taxpayers not only pay interest subsidies to private lenders, they also subsidize the 13 guaranty agencies that purchase loans from the lenders after a certain period of time has passed. This is also a wasteful practice—especially when the DL program has no similar cost.

I would like to reiterate that this amendment would have in no way mandated that schools choose the DL program over the FFEL program, or even that the DL program will always necessarily be the most cost-effective program. Instead, the amendment stipulated that the Secretary of Education shall determine each year which program is most cost-effective to taxpayers and that schools who participate in that program receive some of the savings. The Secretary would do this by making use of the best data available each year.

I believe that as stewards of taxpayers' money, Congress should always seek to make government more efficient and more accountable. This amendment would have been an important step in that direction. Given the current budget environment, it is shameful that we are not taking full advantage of this opportunity to save money while rededicating some of those savings towards much-needed financial aid. This amendment would have invested over \$10 billion in Pell Grants while devoting over \$3 billion towards reducing the deficit without costing taxpayers a penny more. Given that this program is budget neutral for taxpayers and completely voluntary for schools, there is absolutely no reason why we should not have taken a close look at this tremendous opportunity.

Fiscal responsibility is a solidly Republican value and, in fact, one that every Member of Congress should support. That is why I am disappointed that my colleagues have been denied the opportunity to consider this amendment. I would encourage all House Members, instead, to consider cosponsoring H.R. 1425, the Student Aid Reward Act, to show their support for increased government efficiency and maximizing taxpayer investment in education.

Mr. WOLF. Mr. Chairman, I rise today in support of H.R. 609, the College Access and Opportunity Act. This bill recognizes the unprecedented challenges that America is facing from countries like China and India and targets resources to increase the number of math, science and engineering professionals.

As chairman of the House Science-State-Justice-Commerce Appropriations subcommittee, which controls the budget of NASA, the National Science Foundation, the White House Office of Science and Technology policy and NOAA, I have spoken with groups of leading Americans who represent a cross section of our nation. Over the past few months, groups that advocate for business,

education, and research and development have all told me that America is at the very least in a stall, and many believe in a decline, when it comes to global competition in science and technology. Three key measuring sticks are down: patents awarded to American scientists; papers published by American scientists; and Nobel prizes won by American scientists.

There is a critical shortage of math, science and engineering students in the United States. Unfortunately, there has been little public awareness of this downward trend and its implications for jobs, industry or national security in America's future. With the president's American Competitiveness Initiative announced at the State of the Union earlier this year, public awareness is increasing, but we still need to do everything we can to help attract more students to these fields.

Last April, I introduced legislation with Representative VERN EHLERS, MI, and Representative SHERRY BOEHLERT, NY, aimed at attracting more students to math, science, engineering and related fields. H.R. 1547, the Math and Science Incentive Act, would forgive interest on undergraduate student loans for math, science and engineering majors who agree to work 5 years in their field upon graduation.

I appreciate Chairman MCKEON and former Chairman BOEHNER's recognition of the value of using loan forgiveness as an incentive to attract and retain more students, particularly undergraduates, into these critical fields and the inclusion of this provision of this legislation as a provision in H.R. 609.

Authorizing the Secretary of Education to pay up to \$5,000 of the interest accrued on student loans for math, science and engineering majors who agree to work for 5 years in their field of study may make all the difference in the world for a student considering whether or not to stick with an engineering degree program. These are certainly challenging subjects.

Recognizing how critical the competitiveness issue is today, the Education and Workforce Committee also included in H.R. 609 a provision for Honors Scholarships for students pursuing a baccalaureate, master's, or doctoral degree in science, math, or engineering as well as a provision for grants to better coordinate and implement reforms that improve math and science education, as well as better teacher recruitment and training.

H.R. 609 augments the recently approved National Science and Mathematics Access to Retain Talent Grants, National SMART Grants, National SMART Grants provide grants of up to \$4,000 to Pell Grant-eligible students in their third and fourth academic year of undergraduate education at a 4-year, degree-granting institution of higher education. The student must be pursuing a major in the physical, life, or computer sciences, math, technology, or engineering, or a foreign language. The student must also have a grade-point average of at least 3.0.

America is poised to mobilize again to ensure that our country remains the world leader in innovation. This bill helps our country face the challenge before us all. I believe our future as the solid world leader in innovation is again looking bright, particularly in light of the resources we're targeting at the higher education level.

I urge my colleagues to join me in supporting H.R. 609 and thank the committee for its good work on this legislation.

Mr. GREEN of Wisconsin. Mr. Chairman, we have an important opportunity before us today to protect the rights of all students who attend higher education institutions. H.R. 609, the "College Access and Opportunity Act," includes "Academic Bill of Rights" language that would ensure the rights of all students to express their ideological, religious, and political beliefs without fear of retribution. I am pleased that this language has been included in the House's efforts to improve the accessibility of higher education.

No student attending college in America should have to worry that they are being graded on anything other than their knowledge of a subject. This portion of H.R. 609 would simply express the sense of Congress that higher learning institutions are places for diverse approaches and viewpoints, that campus funds should be used for the selection of a variety of speakers and presentations, and that every student should feel confident in their ability to speak freely in the classroom without fear of reprisal from their teachers, classmates, or administrators.

Unfortunately, I have seen first-hand how students' individual liberties can be compromised by their school's officials. Earlier this year, the administration of my alma mater, the University of Wisconsin—Eau Claire, enforced a ban on resident assistants having private, non-mandatory Bible studies in their own room. This was a blatant disregard of student's religious freedom, and thankfully, the university reversed their position on the matter after extensive debate and pressure from myself and members of the community.

Simply put, this is not a conservative or liberal issue—it's just a common sense way for Congress to urge schools to take academic freedom seriously. I'm also pleased that this language would not impose any controls or limits on institutions, but would help to ensure students are afforded some protection in expressing a variety of viewpoints.

Once again, I applaud efforts by the House Education and Workforce community, along with members of the higher education community, to include Academic Bill of Rights language in H.R. 609. It can only serve to strengthen the academic standards of free speech and diversity that universities already work so hard to develop, and I urge my colleagues to join me in supporting academic freedom for all of our nation's higher education students.

Mrs. JONES of Ohio. Mr. Chairman, I rise today to voice my strong opposition to H.R. 609, the Higher Education Reauthorization Act. I believe this is a missed opportunity to make a genuine effort to provide educational opportunities to our children. I am disappointed that this bill does not effectively address the financial needs of low and middle income students.

After passage of the Deficit Reduction Act, the Republicans put another financial hurdle in the way of many students ability to pay for college. They cut funding for student loans while raising the interest rate. I am also bothered that the Academic Competitiveness Grants that were created make part-time students ineligible for them. This effectively exempts 62 percent of community college students. If we are to create grants aimed at assisting students attending college we need to make them available to all students who qualify full and part-time.

H.R. 609 is the vehicle to correct the wrong that has been done to underprivileged students, but sadly it does not address it. H.R. 609 caps Pell Grants at \$6000, this amount does not adequately address the needs of low income students. It does not decrease the interest rates on students' loans, and it does not increase the authorization of Perkins Loans. With growing tuition costs we need to be doing everything we can to assist students in seeking a higher education.

H.R. 609 does not adequately address the needs of our Nation's students, and I want to express my oppositions to its passage.

Ms. JACKSON of Texas. Mr. Chairman, the bill before us today is a crucial authorization bill for the future of our Nation, and yet, I am disappointed because an opportunity has been missed.

I am pleased that certain cornerstones of higher education policy remain strong and supported in this bill, such as the overall continuation of Federal assistance for students in need of help to afford higher education, as well as the ongoing recognition of the value of Historically Black Colleges and Universities and institutions serving other minority populations.

This bill represents a wonderful opportunity both to improve access to higher education for America's low- and middle-income students and to improve the quality of teacher education and preparation programs. Every HEA reauthorization since 1965 has focused on the expansion of college opportunity. Unfortunately, H.R. 609 in its current form does not carry forward this legacy because it fails to provide the necessary supports to enable students to enter and succeed in college such as increased need-based aid and lessening the loan burden.

We believe that the future of our youth is the future of our country; an investment in our children is an investment for America. Teachers are responsible for the development of the United States through their impact in our classrooms. It is greatly appreciated when teachers begin the process of intellectual development for our children, but there is an even greater appreciation when teachers continue working with those children throughout the years. Teachers are quite often the role models of the children who eventually go on to serve the United States through avenues of public service.

For our country to move in the direction of progress, we Members, as representatives of the people, must follow the provisions of the Higher Education Act, especially in regards to the activities addressed in Title II of that document. Activities such as the disbursement of teacher quality enhancement grants for our states and grants preparing the teachers of tomorrow with the newest technology of today benefit society as a whole.

Many amendments under consideration will help this bill achieve its goal and I encourage my colleagues to consider each carefully. I, unfortunately, have a difficult time supporting this bill as it is currently written—it could have been so much more. The closed rule inhibits an open process and also contributes to my inability to support this legislation. I know that several amendments attempted to try to increase the Pell Grant maximum, for example—and yet none of them were announced for consideration by the Rules committee.

We are talking about our future here—we are talking about students who are pursuing

programs that will help us manage our financial and economic systems, grow diplomatic relations, communicate more effectively, and most of all, teach us how to successfully administer and secure our country. A lot is at stake—and I wish this bill answered this need completely.

Mr. Chairman, I rise to speak on a corner stone of our Nation's future: higher education.

PELL GRANT

The average public institution tuition in 2005–2006 was \$5,490 dollars, and tuition increased 7.1 percent from the year before. If tuition continues to increase even 5 percent every year as it has for the last decade, in 2012 the average tuition will rise to an average of \$7,350 dollars. The maximum amount of aid available should increase as well to reflect the growing cost of education.

The current bill provides for the maximum of \$6,000 that would barely cover the average cost of a public institution for 1 year today. This bill provides the Pell grant maximum in this current version of the bill. If \$6,000 isn't enough today it won't be enough in 6 years.

This modest increase to \$7,300 in my amendment is not a required minimum, it is the allowable maximum. This is a critical amendment that will help students in need of Federal assistance to access to higher education.

BLIND AND VISION-IMPAIRED STUDENTS

Literacy—the ability to read and write—is vital to a successful education, career, and quality of life in today's world.

Whether in the form of curling up with a good book, jotting down a phone number, making a shopping list, or writing a report, being literate means participating effectively at home and in society.

Currently, nearly 94,000 children in the United States who are blind or visually impaired are being helped by some form of special education. These students are an extremely diverse group ranging from infants to young adults through age 21.

The nature and degree of their visual impairments are equally diverse, as are the ways they adapt to their vision loss. Some students have other disabilities in addition to visual impairment. Their level of academic functioning spans a great range. And in every way they are as disparate as any other group of individuals in terms of ethnic and racial background, religion, geographic location, and income. Given this diversity, it is important to, remember that each child needs to be viewed as an individual with unique needs.

Literacy is a crucial skill for success for the blind and visually-impaired, not only quality of life as individual, but also employment opportunities.

Fewer than one-third of the working-age visually impaired population in the United States is in the labor force. Today, underemployment and unemployment have remained a serious issue for adults with visual impairments. Whether from insufficient attention given to developing appropriate work skills or other causes, these statistics are alarming and unacceptable.

Several research studies found that successful individuals with visual impairments often share the following common characteristics: positive attitudes about work and about themselves, realistic occupational goals, good orientation and mobility skills, good communication skills, expanded social networks, involvement within the community, and good

independent living skills. For students who are blind or visually impaired, it is not enough to merely discuss appropriate attributes related to work and adult responsibilities. These students must also be offered work-related experiences to build their life skills.

Of those employed, 93 percent read Braille. This simple statistic demonstrates just how powerful knowledge accessibility can be. Blind and visually impaired higher education students depend on Braille texts for access to higher education across the board, and this amendment encourages publishers, professors, and universities to help each and every student achieve.

This bill also does not adequately address the needs of blind or vision impaired students. Students in higher education classes regularly face unnecessary barriers to the content of the class.

Although textbooks are updated almost yearly and republished, it is rare that the book will be published in Braille after the initial release. My amendment encourages publishers, professors and universities to pay special attention to this accessibility issue.

I certainly recognize that Braille materials are often costly. I have written the amendment in the form of a Sense of Congress in order to encourage publishers, professors, and institutions of higher education to work together to help students get access to materials.

Purchasing Braille textbooks is often too expensive for individual schools. For example, Webster's Dictionary is 72 volumes in Braille and costs \$1,381. I am not advocating that publishers release a Braille version of each textbook—supplements of updated content may suffice. The point is to get these entities with the power to make educational materials available to work together and actually make higher education accessible to blind and vision-impaired students.

There is a growing movement to transcribe and transfer textbooks into electronic formats. This is a wonderful solution, however, the learning curve is prohibitive, and the technology is not mainstreamed quite yet. This amendment encourages a re-examination of existing resources, in order to ensure that students have in front of them the materials.

We must continue to ensure equal access to our education system for all of the children in our Nation—at the very least, we shouldn't let outdated textbooks prevent students from obtaining an education. I hope my colleagues will join me in supporting this amendment.

LEARNING DISABILITIES STUDIES

My last amendment requires the Education department to do a study on students who have achieved higher education even though they have learning abilities, in the hope that indications for success can be discovered that can be applied to younger grades. The overall goal is to encourage and help students with learning disabilities achieve a higher education.

I would add Sec 929, readjusting the subsequent numbers as necessary: Sec. 929: Study of Students with Learning Disabilities in Higher Education. The Secretary of Education shall conduct a study of the occurrence of students attending institutions of higher education seeking assistance for learning disabilities how institutions of higher education are addressing the needs of this specific population in terms of outreach, accessibility, financing, and student support services, including online edu-

cation. The Secretary shall submit a report on the study to the Committee on Education and the Workforce of the House of Representatives that includes recommendations on measures the Federal Government can take to address the needs in regards to education and job training for students with learning disabilities pursuing higher education, as well as recommendations to encourage and support primary and secondary education students with learning disabilities to pursue and achieve higher education.

These 3 amendments are necessary to increase higher education opportunities to ease the financial burden on students and provide accommodations for students with special needs.

Mr. LEWIS of Georgia. Mr. Chairman, I rise in strong opposition to H.R. 609, the College Access and Opportunity Act of 2006. This legislation misses a critical opportunity to provide students from moderate and low income families, access to the American dream. This legislation further depletes our already underfunded Federal student aid programs, placing post-secondary education even further out of reach for the students who need it the most. To be sure, I share the concerns of my colleagues and my constituents, about the rising costs of college and the difficulties of obtaining student aid. However, I am convinced that H.R. 609 fails to adequately address these issues.

Mr. Chairman, my concerns with H.R. 609 extend beyond the fact that it squanders an opportunity to enhance America's economic competitiveness, by providing a future generation of highly skilled workers. I have serious concerns about additional provisions contained within the bill. I am terribly concerned about the rising costs of college tuitions across the Nation, and I commend the House Education & Workforce Committee for attempting to address this issue. In fact, I believe that some of the provisions addressing the rising costs of college could aid in addressing this issue. However, I believe that we must tread carefully when setting price controls on college tuitions. It is imperative that we do not infringe upon the independence of our Nation's private and religious institutions.

Mr. Chairman, I also am concerned with provisions contained in H.R. 609 that would allow states to function as an accrediting body. If we are going to legislate a deviation from the existing quasi-independent programmatic and institutional accrediting bodies, we must remain cognizant of the potential for major conflicts of interest and the emergence of divisions among public and independent institutions. Politics, demographics, higher education strategies, and economic incentives are among the factors that could contribute to the unintended result of compromising the independence of our nation's private colleges and universities.

Mr. Chairman, last month the Republican majority of the House of Representatives voted to raid Federal student aid programs of \$12 billion, in the budget reconciliation bill. As you may recall, all of my Democratic colleagues voted against that misguided legislation. Once again I encourage my colleagues, on both sides of the aisle, to stand up for the children of America's hard working families and support increased access to higher education for all students. I urge my colleagues to vote against final passage of H.R. 609, the College Access and Opportunity Act of 2006.

Mr. McKEON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. DENT). All time for general debate has expired.

In lieu of the amendment printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee print dated March 22, 2006. The amendment in the nature of a substitute shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "College Access and Opportunity Act of 2006".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. References; effective date.

TITLE I—GENERAL PROVISIONS

Sec. 101. Definition of institution of higher education.

"Sec. 101. Definition of institution of higher education.

"Sec. 102. Institutions outside the United States.

"Sec. 123. Restrictions on funds for for-profit schools.

Sec. 102. New borrower definition.

Sec. 103. Student speech and association rights.

Sec. 104. National Advisory Committee on Institutional Quality and Integrity.

Sec. 105. Alcohol and drug abuse prevention.

Sec. 106. Prior rights and obligations.

Sec. 107. Limitation on certain uses of funds.

"Sec. 124. Limitation on certain uses of funds.

Sec. 108. Consumer information and public accountability in higher education.

"Sec. 131. Consumer information and public accountability in higher education.

Sec. 109. Databases of student information.

"Sec. 132. Databases of student information prohibited.

Sec. 110. Performance-based organization.

TITLE II—TEACHER PREPARATION

Sec. 201. Teacher quality enhancement grants.

"PART A—TEACHER QUALITY ENHANCEMENT GRANTS FOR STATES AND PARTNERSHIPS

"Sec. 201. Purposes; definitions.

"Sec. 202. State grants.

"Sec. 203. Partnership grants.

"Sec. 204. Teacher recruitment grants.

"Sec. 205. Administrative provisions.

"Sec. 206. Accountability and evaluation.

"Sec. 207. Accountability for programs that prepare teachers.

"Sec. 208. State functions.

"Sec. 209. General provisions.

"Sec. 210. Authorization of appropriations.

Sec. 202. Preparing tomorrow's teachers to use technology.

Sec. 203. Centers of excellence.

"PART C—CENTERS OF EXCELLENCE

"Sec. 231. Purposes; definitions.

"Sec. 232. Centers of excellence.

"Sec. 233. Authorization of appropriations.

Sec. 204. Teacher incentive fund program.

"PART D—TEACHER INCENTIVE FUND PROGRAM

"Sec. 241. Purpose; definitions.

“Sec. 242. Teacher incentive fund grants.
 “Sec. 243. Evaluations.
 “Sec. 244. Authorization of appropriations.

Sec. 205. Transition.
 TITLE III—INSTITUTIONAL AID

Sec. 301. Title III grants for American Indian Tribally Controlled Colleges and Universities.
 Sec. 302. Alaska Native and Native Hawaiian-serving institutions.
 Sec. 303. Grants to part B institutions.
 Sec. 304. Technical amendments.
 Sec. 305. Title III authorizations.

TITLE IV—STUDENT ASSISTANCE

PART A—GRANTS TO STUDENTS

Sec. 401. Pell Grants.
 “Sec. 401A. Pell Grants Plus: achievement grants for State scholars.
 Sec. 402. TRIO programs.
 Sec. 403. TRIO reform.
 “Sec. 402G. Staff development activities.
 “Sec. 402H. Evaluations.
 Sec. 404. GEARUP.
 Sec. 405. Federal Supplemental Educational Opportunity Grants.
 Sec. 406. LEAP.
 Sec. 407. HEP/CAMP program.
 Sec. 408. Robert C. Byrd Honors Scholarship Program.

“SUBPART 6—ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM

“Sec. 419A. Robert C. Byrd mathematics and science honors scholarship program.
 “Sec. 419B. Mathematics and science incentive program.
 “Sec. 419C. Mathematics and science education coordinating council grants.
 “Sec. 419D. Authorization of appropriations.
 Sec. 409. Child care access.
 Sec. 410. Learning anytime anywhere partnerships.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

Sec. 421. Loan forgiveness for service in areas of national need.
 “Sec. 428K. Loan forgiveness for service in areas of national need.
 Sec. 422. Additional administrative provisions.

PART C—FEDERAL WORK-STUDY PROGRAMS

Sec. 441. Authorization of appropriations.
 Sec. 442. Community service.
 Sec. 443. Allocation of funds.
 Sec. 444. Books and supplies.
 Sec. 445. Job location and development.
 Sec. 446. Work colleges.

PART D—FEDERAL DIRECT LOAN PROGRAM

Sec. 451. Income contingent repayment.

PART E—FEDERAL PERKINS LOAN PROGRAM

Sec. 461. Reauthorization of program.
 Sec. 462. Loan terms and conditions.
 Sec. 463. Loan cancellation.
 Sec. 464. Technical amendments.

PART F—NEED ANALYSIS

Sec. 471. Significantly simplifying the student aid application process.
 Sec. 472. Discretion of student financial aid administrators.

PART G—GENERAL PROVISIONS RELATING TO STUDENT FINANCIAL ASSISTANCE

Sec. 481. Expanding information dissemination regarding eligibility for Pell Grants.
 Sec. 482. Student eligibility.
 Sec. 483. Institutional refunds.
 Sec. 484. Institutional and financial assistance information for students.
 Sec. 485. Distance education demonstration program.

Sec. 486. College affordability demonstration program.

“Sec. 486A. College affordability demonstration program.
 Sec. 487. Program participation agreements.
 Sec. 488. Additional technical and conforming amendments.

PART H—PROGRAM INTEGRITY

Sec. 495. Accreditation.
 Sec. 496. Report to Congress on prevention of fraud and abuse in student financial aid programs.
 “Sec. 499. Report to Congress on prevention of fraud and abuse in student financial aid programs.

TITLE V—DEVELOPING INSTITUTIONS

Sec. 501. Definitional changes.
 Sec. 502. Assurance of enrollment of needy students.
 Sec. 503. Additional amendments.
 Sec. 504. Postbaccalaureate opportunities for Hispanic Americans.

“PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS

“Sec. 511. Purposes.
 “Sec. 512. Program authority and eligibility.
 “Sec. 513. Authorized activities.
 “Sec. 514. Application and duration.
 Sec. 505. Authorization of appropriations.

TITLE VI—TITLE VI AMENDMENTS

Sec. 601. International and foreign language studies.
 Sec. 602. Business and international education programs.
 Sec. 603. Institute for International Public Policy.
 “Sec. 621. Program for foreign service professionals.
 Sec. 604. Evaluation, outreach, and dissemination.
 “Sec. 632. Evaluation, outreach, and dissemination.

Sec. 605. Advisory Board.
 “Sec. 633. International Higher Education Advisory Board.
 Sec. 606. Recruiter access to students and student recruiting information; safety.
 “Sec. 634. Recruiter access to students and student recruiting information.
 “Sec. 635. Student safety.
 Sec. 607. National study of foreign language heritage communities.
 “Sec. 636. National study of foreign language heritage communities.

TITLE VII—TITLE VII AMENDMENTS

Sec. 701. Javits fellowship program.
 Sec. 702. Graduate assistance in areas of national need.
 Sec. 703. Thurgood Marshall legal educational opportunity program.
 Sec. 704. Fund for the improvement of post-secondary education.
 Sec. 705. Urban community service.
 Sec. 706. Demonstration projects to ensure students with disabilities receive a quality higher education.

TITLE VIII—CLERICAL AMENDMENTS

Sec. 801. Clerical amendments.

TITLE IX—AMENDMENTS TO OTHER EDUCATION LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986
 Sec. 901. Laurent Clerc National Deaf Education Center.
 Sec. 902. Authority.
 Sec. 903. Agreement for the National Technical Institute for the Deaf.
 Sec. 904. Definitions.
 Sec. 905. Audit.
 Sec. 906. Reports.
 Sec. 907. Liaison for educational programs.

Sec. 908. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.

Sec. 909. Oversight and effect of agreements.
 Sec. 910. Authorization of appropriations.

“Sec. 1. Short title.
 PART B—ADDITIONAL EDUCATION LAWS

Sec. 921. Cancellation of student loan indebtedness for survivors of victims of the September 11, 2001, attacks.
 Sec. 922. Amendment to Higher Education Amendments of 1998.
 Sec. 923. Tribally Controlled College or University Assistance Act of 1978.
 Sec. 924. Navajo Community College Act.
 Sec. 925. Education Amendments of 1992.
 Sec. 926. Study of student learning outcomes and public accountability.
 Sec. 927. Study of minority graduation rates.
 Sec. 928. Study of education-related indebtedness of medical school graduates.
 Sec. 929. Study of adult learners.
 Sec. 930. Increase in college textbook prices.

SEC. 2. REFERENCES; EFFECTIVE DATE.

(a) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(b) EFFECTIVE DATE.—Except as otherwise provided in this Act, the amendments made by this Act shall take effect on the date of enactment of this Act.

TITLE I—GENERAL PROVISIONS

SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDUCATION.

(a) AMENDMENT.—Title I is amended by striking sections 101 and 102 (20 U.S.C. 1001, 1002) and inserting the following:

“SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDUCATION.

“(a) INSTITUTION OF HIGHER EDUCATION.—For purposes of this Act, the term ‘institution of higher education’ means an educational institution in any State that—

“(1) admits as regular students only individuals who—

“(A) meet the requirements of section 484(d)(3), or have a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;

“(B) are beyond the age of compulsory school attendance in the State in which the institution is located; or

“(C) will be dually enrolled in that institution and a secondary school;

“(2) is legally authorized within such State to provide a program of education beyond secondary education;

“(3)(A) is accredited by a nationally recognized accrediting agency or association; or

“(B) if not so accredited, is a public or nonprofit institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time; and

“(4) meets either of the following criteria: “(A) is a nonprofit, for-profit, or public institution that—

“(i) provides an educational program for which the institution awards a bachelor’s, graduate, or professional degree;

“(ii) provides not less than a 2-year educational program which is acceptable for full credit towards such a degree;

“(iii) provides not less than a 1-year program of training that prepares students for gainful employment in a recognized occupation; or

“(iv) awards a degree that is acceptable for admission to graduate or professional degree programs, subject to the review and approval of the Secretary; or

“(B) is a nonprofit, for-profit, or public institution that provides an eligible program (as defined in section 481)—

“(i) for which the institution awards a certificate; and

“(ii) that prepares students for gainful employment in a recognized occupation.

“(b) ADDITIONAL LIMITATIONS.—

“(1) FOR-PROFIT POSTSECONDARY INSTITUTIONS.—

“(A) DURATION OF ACCREDITATION.—A for-profit institution shall not be considered to be an institution of higher education unless such institution is accredited by a nationally recognized accrediting agency or association and such institution has been in existence for at least 2 years.

“(B) INSTITUTIONAL ELIGIBILITY ONLY FOR COMPETITIVE GRANTS.—For the purposes of any program providing grants to institutions for use by the institution (and not for distribution among students), a for-profit institution shall not be considered to be an institution of higher education under this section if such grants are awarded on any basis other than competition on the merits of the grant proposal or application.

“(2) POSTSECONDARY VOCATIONAL INSTITUTIONS.—A nonprofit or public institution that meets the criteria of subsection (a)(4)(B) shall not be considered to be an institution of higher education unless such institution has been in existence for at least 2 years.

“(3) LIMITATIONS BASED ON MANAGEMENT.—An institution shall not be considered to meet the definition of an institution of higher education in this section if—

“(A) the institution, or an affiliate of the institution that has the power, by contract or ownership interest, to direct or cause the direction of the management or policies of the institution, has filed for bankruptcy, except that this paragraph shall not apply to a nonprofit institution, the primary function of which is to provide health care educational services (or an affiliate of such an institution that has the power, by contract or ownership interest, to direct or cause the direction of the institution's management or policies) that filed for bankruptcy under chapter 11 of title 11, United States Code, between July 1, 1998, and December 1, 1998; or

“(B) the institution, the institution's owner, or the institution's chief executive officer has been convicted of, or has pled nolo contendere or guilty to, a crime involving the acquisition, use, or expenditure of Federal, State, or local government funds, or has been judicially determined to have committed a crime involving the acquisition, use, or expenditure involving Federal, State, or local government funds.

“(4) LIMITATION ON COURSE OF STUDY OR ENROLLMENT.—An institution shall not be considered to meet the definition of an institution of higher education in subsection (a) if such institution—

“(A) offers more than 50 percent of such institution's courses by correspondence (excluding courses offered by telecommunications as defined in section 484(l)(4)), unless the institution is an institution that meets the definition in section 3(3)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998;

“(B) enrolls 50 percent or more of the institution's students in correspondence courses (excluding courses offered by telecommunications as defined in section 484(l)(4)), unless the institution is an institution that meets the definition in section 3(3)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998, except that the Secretary, at the request of the institution, may waive the applicability of this subparagraph to the institution for good cause, as determined by the Secretary in the case of an institution of higher education that provides a 2- or 4-year program of instruction (or both) for which the institution awards an associate or baccalaureate degree, respectively;

“(C) has a student enrollment in which more than 25 percent of the students are incarcerated, except that the Secretary may waive the limitation contained in this subparagraph for an institution that provides a 2- or 4-year program of instruction (or both) for which the institution awards a bachelor's degree, or an associate's degree or a postsecondary certificate, respectively; or

“(D) has a student enrollment in which more than 50 percent of the students either do not meet the requirements of section 484(d)(3) or do not have a secondary school diploma or its recognized equivalent, and does not provide a 2- or 4-year program of instruction (or both) for which the institution awards an associate's degree or a bachelor's degree, respectively, except that the Secretary may waive the limitation contained in this subparagraph if an institution demonstrates to the satisfaction of the Secretary that the institution exceeds such limitation because the institution serves, through contracts with Federal, State, or local government agencies, significant numbers of students who do not meet the requirements of section 484(d)(3) or do not have a secondary school diploma or its recognized equivalent.

“(c) LIST OF ACCREDITING AGENCIES.—For purposes of this section, the Secretary shall publish a list of nationally recognized accrediting agencies or associations that the Secretary determines, pursuant to subpart 2 of part H of title IV, to be reliable authority as to the quality of the education or training offered.

“(d) CERTIFICATION.—The Secretary shall certify, for the purposes of participation in title IV, an institution's qualification as an institution of higher education in accordance with the requirements of subpart 3 of part H of title IV.

“(e) LOSS OF ELIGIBILITY.—An institution of higher education shall not be considered to meet the definition of an institution of higher education in this section for the purposes of participation in title IV if such institution is removed from eligibility for funds under title IV as a result of an action pursuant to part H of title IV.

“SEC. 102. INSTITUTIONS OUTSIDE THE UNITED STATES.

“(a) INSTITUTIONS OUTSIDE THE UNITED STATES.—

“(1) IN GENERAL.—An institution outside the United States shall be considered to be an institution of higher education only for purposes of part B of title IV if the institution is comparable to an institution of higher education, as defined in section 101, is legally authorized by the education ministry (or comparable agency) of the country in which the school is located, and has been approved by the Secretary for purposes of that part. The Secretary shall establish criteria by regulation for that approval and that determination of comparability. An institution may not be so approved or determined to be comparable unless such institution is a public or nonprofit institution, except that, subject to paragraph (2)(B), a graduate medical school or veterinary school located outside

the United States may be a for-profit institution.

“(2) MEDICAL AND VETERINARY SCHOOL CRITERIA.—In the case of a graduate medical or veterinary school outside the United States, such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B of title IV unless—

“(A) in the case of a graduate medical school located outside the United States—

“(i)(I) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part B of title IV; and

“(II) at least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of title IV; or

“(ii) the institution has a clinical training program that was approved by a State as of January 1, 1992; or

“(B) in the case of a veterinary school located outside the United States that is not a public or nonprofit institution, the institution's students complete their clinical training at an approved veterinary school located in the United States.

“(b) ADVISORY PANEL.—

“(1) IN GENERAL.—For the purpose of qualifying a foreign medical school as an institution of higher education only for purposes of part B of title IV, the Secretary shall publish qualifying criteria by regulation and establish an advisory panel of medical experts for that shall—

“(A) evaluate the standards of accreditation applied to applicant foreign medical schools; and

“(B) determine the comparability of those standards to standards for accreditation applied to United States medical schools.

“(2) FAILURE TO RELEASE INFORMATION.—The failure of an institution outside the United States to provide, release, or authorize release to the Secretary of such information as may be required by subsection (a)(2) shall render such institution ineligible for the purpose of part B of title IV.”

(b) RESTRICTIONS ON FUNDS FOR FOR-PROFIT SCHOOLS.—Part B of title I is amended by inserting after section 122 (20 U.S.C. 1011k) the following new section:

“SEC. 123. RESTRICTIONS ON FUNDS FOR FOR-PROFIT SCHOOLS.

“(a) IN GENERAL.—Notwithstanding any other provision of this Act authorizing the use of funds by an institution of higher education that receives funds under this Act, none of the funds made available under this Act to a for-profit institution of higher education may be used for—

“(1) construction, maintenance, renovation, repair, or improvement of classrooms, libraries, laboratories, or other facilities;

“(2) establishing, improving, or increasing an endowment fund; or

“(3) establishing or improving an institutional development office to strengthen or improve contributions from alumni and the private sector.

“(b) EXCEPTION.—Subsection (a) shall not apply to funds received by the institution from the grant, loan, or work assistance that is awarded under title IV to the students attending such institution.

“(c) INELIGIBILITY FOR CERTAIN PROGRAMS.—Notwithstanding section 101, a for-

profit institution of higher education shall not be considered an eligible institution for the programs under titles III and V of this Act.”.

(c) CONFORMING AMENDMENTS.—

(1) Section 114(a) (20 U.S.C. 1011c(a)) is amended by striking “(as defined in section 102)”.

(2) Section 435(a)(1) (20 U.S.C. 1085(a)(1)) is amended by striking “section 102” and inserting “section 101”.

(3) Subsection (d) of section 484 (20 U.S.C. 1091(d)) is amended by striking the designation and heading of such subsection and inserting the following:

“(d) SATISFACTION OF SECONDARY EDUCATION STANDARDS.—”.

(4) Section 486(b)(2) (20 U.S.C. 1093(b)(2)) is amended by striking “102(a)(3)(A), 102(a)(3)(B)” and inserting “101(b)(4)(A), 101(b)(4)(B)”.

(5) Section 487(c)(1)(A)(iii) (20 U.S.C. 1094(c)(1)(A)(iii)) is amended by striking “section 102(a)(1)(C)” and inserting “section 102”.

(6) Section 487(d) (20 U.S.C. 1094(d)) is amended by striking “section 102” and inserting “section 101”.

(7) Subsections (j) and (k) of section 496 (20 U.S.C. 1099b(j), (k)) are each amended by striking “section 102” and inserting “section 101”.

(8) Section 498(g)(3) (20 U.S.C. 1099c(g)(3)) is amended by striking “section 102(a)(1)(C)” and inserting “section 102”.

(9) Section 498(i)(1) (20 U.S.C. 1099c(i)(1)) is amended by striking “section 102” and inserting “section 101”.

(10) Section 498(j)(1) (20 U.S.C. 1099c) is amended by striking “except that such branch shall not be required to meet the requirements of sections 102(b)(1)(E) and 102(c)(1)(C) prior to seeking such certification” and inserting “except that such branch shall not be required to be in existence for at least 2 years prior to seeking such certification”.

(11) Section 498B(b) (20 U.S.C. 1099c-2(b)) is amended by striking “section 102(a)(1)(C)” and inserting “section 102”.

(d) EFFECT ON OTHER LAWS.—

(1) INCLUSION OF FOR-PROFIT INSTITUTIONS IN DEFINITION.—The inclusion of proprietary and for-profit institutions within the definition of the term “institution of higher education” in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) pursuant to the amendment made by subsection (a) of this section shall not apply to any other provision of law (other than the Higher Education Act of 1965) enacted before the date of enactment of this Act that references section 101 of the Higher Education Act of 1965 (or that term as so defined), except as expressly provided by an amendment to, or other revision of the application of, such law enacted after such date of enactment.

(2) INCLUSION OF FOR-PROFIT INSTITUTIONS AS TITLE III OR V ELIGIBLE INSTITUTION.—Any reference in any provision of law other than the Higher Education Act of 1965 to institutions of higher education that are eligible to participate in programs under title III or V of such Act (20 U.S.C. 1051 et. seq., 1101 et seq.) shall not be treated, as a consequence of the amendment to section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) by subsection (a) of this section, as including a reference to a for-profit or proprietary institution of higher education, except as expressly provided by an amendment to, or other revision of the application of, such law enacted after such date of enactment.

SEC. 102. NEW BORROWER DEFINITION.

Paragraph (7) of section 103 (20 U.S.C. 1003) is amended to read as follows:

“(7) NEW BORROWER.—The term ‘new borrower’ when used with respect to any date for any loan under any provision of—

“(A) part B or part D of title IV means an individual who on that date has no outstanding balance of principal or interest owing on any loan made, insured, or guaranteed under either of those parts; and

“(B) part E of title IV means an individual who on that date has no outstanding balance of principal or interest owing on any loan made under that part.”.

SEC. 103. STUDENT SPEECH AND ASSOCIATION RIGHTS.

Section 112 (20 U.S.C. 1011a) is amended—

(1) by amending subsection (a) to read as follows:

“(a) PROTECTION OF RIGHTS.—

“(1) It is the sense of Congress that no student attending an institution of higher education on a full- or part-time basis should, on the basis of participation in protected speech or protected association, be excluded from participation in, be denied the benefits of, or be subjected to discrimination or official sanction under any education program, activity, or division of the institution directly or indirectly receiving financial assistance under this Act, whether or not such program, activity, or division is sponsored or officially sanctioned by the institution; and

“(2) It is the sense of Congress that—

“(A) the diversity of institutions and educational missions is one of the key strengths of American higher education;

“(B) individual colleges and universities have different missions and each institution should design its academic program in accordance with its educational goals;

“(C) within the context of its institutional mission, a college should promote intellectual pluralism and facilitate the free and open exchange of ideas;

“(D) students should not be intimidated, harassed, discouraged from speaking out, discriminated against, or subject to official sanction because of their personal political, ideological, or religious beliefs; and

“(E) students should be treated equally and fairly, including evaluation and grading, without regard to or consideration of their personal political views or ideological beliefs.

“(3) Nothing in paragraph (2) shall be construed to modify, change, or infringe upon any constitutionally protected religious liberty, freedom, expression, or association.”;

(2) in subsection (b)(1), by inserting after “higher education” the following: “, after the imposition of such sanction is done objectively, fairly, and without regard to the student’s personal political, ideological, or religious beliefs”.

SEC. 104. NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY.

(a) MEMBERSHIP.—Section 114(b) (20 U.S.C. 1011c(b)) is amended by adding at the end the following new sentence: “A member of the Committee may continue to serve after the expiration of a term until a successor has been appointed.”.

(b) EXTENSION.—Section 114(g) (20 U.S.C. 1011c(g)) is amended by striking “2004” and inserting “2012”.

SEC. 105. ALCOHOL AND DRUG ABUSE PREVENTION.

Section 120(e)(5) (20 U.S.C. 1011i(e)(5)) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding fiscal years” and inserting “5 succeeding fiscal years”.

SEC. 106. PRIOR RIGHTS AND OBLIGATIONS.

Section 121(a) (20 U.S.C. 1011j(a)) is amended by striking “1999 and for each of the 4”

each place it appears and inserting “2006 and for each of the 5”.

SEC. 107. LIMITATION ON CERTAIN USES OF FUNDS.

Part B of title I is further amended by adding after section 123 (as added by section 101(b) of this Act) the following new section: “**SEC. 124. LIMITATION ON CERTAIN USES OF FUNDS.**

“No funds made available to carry out this Act may be used—

“(1) for publicity or propaganda purposes not authorized by the Congress before the date of enactment of the College Access and Opportunity Act of 2006; or

“(2) unless authorized by law in effect on such date of enactment, to produce any prepackaged news story intended for broadcast or distribution unless such story includes a clear a notification contained within the text or audio of such story stating that the prepackaged news story was prepared or funded by the Department of Education.”.

SEC. 108. CONSUMER INFORMATION AND PUBLIC ACCOUNTABILITY IN HIGHER EDUCATION.

Section 131 (20 U.S.C. 1015) is amended to read as follows:

“SEC. 131. CONSUMER INFORMATION AND PUBLIC ACCOUNTABILITY IN HIGHER EDUCATION.

“(a) PURPOSE.—It is the purpose of this section to—

“(1) provide students and families with an easy-to-use, comprehensive web-based tool for researching and comparing institutions of higher education;

“(2) increase the transparency of college cost, price, and financial aid; and

“(3) raise public awareness of information available about postsecondary education, particularly among low-income families, non-traditional student populations, and first-generation college students.

“(b) COLLEGE OPPORTUNITY ON-LINE (COOL) WEBSITE RE-DESIGN PROCESS.—In carrying out this section, the Secretary—

“(1) shall identify the data elements that are of greatest importance to prospective students, enrolled students, and their families, paying particular attention to low-income, non-traditional student populations, and first-generation college students;

“(2) shall convene a group of individuals with expertise in the collection and reporting of data related to institutions of higher education, the measurement of institutional compliance costs, consumer use of data related to institutions of higher education, general consumer marketing, and college intervention services to—

“(A) determine the relevance of particular data elements to prospective students, enrolled students, and families;

“(B) assess the cost-effectiveness of various ways in which institutions of higher education might produce the data desired by consumers;

“(C) determine the general comparability of the data across institutions of higher education;

“(D) make recommendations regarding the inclusion of specific data items and the most effective and least burdensome methods to institutions of higher education of collecting and reporting useful data; and

“(3) shall assure that the redesigned COOL website—

“(A) uses, to the extent practicable, data elements currently provided by institutions of higher education to the Secretary;

“(B) includes clear and uniform information determined to be relevant to prospective students, enrolled students, and families;

“(C) provides comparable information, by assuring that data is based on accepted criteria and common definitions;

“(D) includes a sorting function that permits users to customize their search for and comparison of institutions of higher education based on the information identified through the process as prescribed in paragraph (1) as being of greatest relevance to choosing an institution of higher education.

“(c) DATA COLLECTION.—

“(1) DATA SYSTEM.—The Secretary shall continue to redesign the relevant parts of the Integrated Postsecondary Education Data System to include additional data as required by this section and to continue to improve the usefulness and timeliness of data collected by such systems in order to inform consumers about institutions of higher education.

“(2) COLLEGE CONSUMER PROFILE.—The Secretary shall publish, for each academic year and in accordance with standard definitions developed by the Commissioner of Education Statistics (including definitions developed under section 131(a)(3)(A) as in effect on the day before the date of enactment of the College Access and Opportunity Act of 2006), from at least all institutions of higher education participating in programs under title IV the following information:

“(A) The tuition and fees charged for a first-time, full-time undergraduate student.

“(B) The room and board charges for such a student.

“(C) The cost of attendance for a first-time, full-time undergraduate student, consistent with the provisions of section 472.

“(D) The average amount of financial assistance received by a first-time full-time undergraduate student, including—

“(i) each type of assistance or benefits described in 428(a)(2)(C)(ii);

“(ii) institutional and other assistance; and

“(iii) Federal loans under parts B, D, and E of title IV.

“(E) The number of first-time, full-time students receiving financial assistance described in each clause of subparagraph (D).

“(F) The average net price for first-time, full-time students receiving Federal, State, or institutional grant or loan assistance.

“(G) The institutional instructional expenditure per full-time equivalent student.

“(H) Student enrollment information, including information on the number and percentage of full-time and part-time students, the number and percentage of resident and non-resident students.

“(I) Faculty/student ratios.

“(J) Faculty information, including the total number of faculty and the percentage of faculty who are full-time employees of the institution and the percentage who are part-time.

“(K) Completion and graduation rates, identifying whether the completion or graduation rates are from a 2-year or 4-year program of instruction and, in the case of a 2-year program of instruction, the percentage of students who transfer to 4-year institutions prior or subsequent to completion or graduation.

“(L) A link to the institution of higher education with information of interest to students including mission, accreditation, student services (including services for students with disabilities), transfer of credit policies and, if appropriate, placement rates and other measures of success in preparing students for entry into or advancement in the workforce.

“(M) Any additional information that the Secretary may require.

“(d) DATA DISSEMINATION.—The Secretary shall make available, at a minimum, the data collected pursuant to this section, including an institution's college affordability index as calculated in accordance with subsection (e). Such data shall be made avail-

able in a manner that permits the review and comparison of data submissions of individual institutions of higher education. Such data shall be presented in a form that is easily accessible and understandable and allows parents and students to make informed decisions based on the prices for typical full-time undergraduate students and the institution's rate of cost increase. The Secretary shall work with public and private entities to promote broad public awareness, particularly among middle and high school students and their families, of the information made available under this section, including by distribution to students who participate in or receive benefits from Federally funded education programs and other Federal programs determined by the Secretary.

“(e) COLLEGE AFFORDABILITY INDEX.—

“(1) IN GENERAL.—The Secretary shall, on the basis of the data submitted under subsection (a), calculate a college affordability index for each institution of higher education submitting such data and shall make the index available in accordance with subsection (d) as soon as operationally possible on the Department's college opportunity online Web site. Such index shall be presented in a manner so that the index for any institution is stated in a column or cell immediately adjacent to a column or cell containing the total tuition and fees of the institution.

“(2) CALCULATION OF INDEX.—The college affordability index shall be equal to—

“(A) the percentage increase in the tuition and fees charged for a first-time, full-time, full-year undergraduate student between the first of the 3 most recent preceding academic years and the last of those 3 academic years; divided by

“(B) the percentage increase in the Consumer Price Index—All Urban Consumers (Current Series) from July of the first of those 3 academic years to July of the last of those 3 academic years.

“(f) OUTCOMES AND ACTIONS.—

“(1) RESPONSE FROM INSTITUTION.—Effective on June 30, 2009, an institution that has a college affordability index that exceeds 2.0 for any 3-year interval ending on or after that date shall provide a report to the Secretary, in such a form, at such time, and containing such information as the Secretary may require. Such report shall include—

“(A) an explanation of the factors contributing to the increase in the institution's costs and in the tuition and fees charged to students;

“(B) a management plan stating the specific steps the institution is and will be taking to reduce its college affordability index;

“(C) an action plan, including a schedule, by which the institution will reduce increases in or stabilize, such costs and tuition and fees; and

“(D) if determinations of tuition and fee increases are not within the exclusive control of the institution, a description of the agency or instrumentality of State government or other entity that participates in such determinations and the authority exercised by such agency, instrumentality, or entity.

“(2) INFORMATION TO THE PUBLIC.—Upon receipt of the institution's report and management plan under paragraph (1), the Secretary shall make the institution's report required under paragraph (1) available to the public in accordance with subsection (b).

“(3) QUALITY-EFFICIENCY TASK FORCES.—

“(A) REQUIRED.—Each institution subject to paragraph (1) that has a college affordability index that is in the highest 25 percent of such indexes of all institutions subject to paragraph (1) shall establish a quality-efficiency task force to review the operations of such institution.

“(B) MEMBERSHIP.—Such task force shall include administrators and business and civic leaders and may include faculty, students, trustees, parents of students, and alumni of such institution.

“(C) FUNCTIONS.—Such task force shall analyze institutional operating costs in comparison with such costs at other institutions within the class of institutions. Such analysis should identify areas where, in comparison with other institutions in such class, the institution operates more expensively to produce a similar result. Any identified areas should then be targeted for in-depth analysis for cost reduction opportunities.

“(D) REPORT.—The results of the analysis by a quality-efficiency task force under this paragraph shall be included in the report to the Secretary under paragraph (1).

“(4) CONSEQUENCES FOR 2-YEAR CONTINUATION OF FAILURE.—If the Secretary determines that the institution has failed to comply with the management plan and action plan submitted by the institution under this subsection following the next 2 academic years that begin after the submission of such plans, and has failed to reduce the college affordability index below 2.0 for such 2 academic years, the Secretary—

“(A) shall make available to the public a detailed report provided by the institution on all costs and expenditures, and on all tuition and fees charged to students, for such 2 academic years;

“(B) shall place the institution on an affordability alert status and shall make the information regarding the institution's failure available in accordance with subsection (d);

“(C) shall notify the institution's accrediting agency of the institution's failure; and

“(D) may require the institution to submit to a review and audit by the Inspector General of the Department of Education to determine the cause of the institution's failure.

“(5) INFORMATION TO STATE AGENCIES.—Any institution that reports under paragraph (1)(C) that an agency or instrumentality of State government or other entity participates in the determinations of tuition and fee increases shall, prior to submitting any information to the Secretary under this subsection, submit such information to, and request the comments and input of, such agency, instrumentality, or entity. With respect to any such institution, the Secretary shall provide a copy of any communication by the Secretary with that institution to such agency, instrumentality, or entity.

“(6) EXEMPTIONS.—

“(A) RELATIVE PRICE EXEMPTION.—The Secretary shall, for any 3-year interval for which college affordability indexes are computed under paragraph (1), determine and publish the dollar amount that, for each class of institution described in paragraph (7) represents the maximum tuition and fees charged for a full-time undergraduate student in the least costly quartile of institutions within each such class during the last year of such 3-year interval. An institution that has a college affordability index computed under paragraph (1) that exceeds 2.0 for any such 3-year interval, but that, on average during such 3-year interval, charges less than such maximum tuition and fees shall not be subject to the actions required by subparagraph (B) or (C) of paragraph (1), or any action under paragraph (4), unless such institution, for a subsequent 3-year interval, charges more than such maximum tuition and fees.

“(B) DOLLAR INCREASE EXEMPTION.—An institution that has a college affordability index computed under paragraph (1) that exceeds 2.0 for any 3-year interval, but that exceeds such 2.0 by a dollar amount that is less

than \$500, shall not be subject to the actions required by subparagraph (B) or (C) of paragraph (1), or any action under paragraph (4), unless such institution has a college affordability index for a subsequent 3-year interval that exceeds 2.0 by more than such dollar amount.

“(7) CLASSES OF INSTITUTIONS.—For purposes of this subsection, the classes of institutions shall be those sectors used by the Integrated Postsecondary Education Data System, based on whether the institution is public, nonprofit private, or for-profit private, and whether the institution has a 4-year, 2-year, or less than 2-year program of instruction.

“(g) FINES.—In addition to actions authorized in section 487(c), the Secretary may impose a fine in an amount not to exceed \$25,000 on an institution of higher education for failing to provide the information described in this section in a timely and accurate manner, or for failing to otherwise cooperate with the National Center for Education Statistics regarding efforts to obtain data on the cost and price of higher education under this section and pursuant to the program participation agreement entered into under section 487.

“(h) GAO STUDY AND REPORT.—

“(1) GAO STUDY.—The Comptroller General shall conduct a study of the policies and procedures implemented by institutions in increasing the affordability of postsecondary education. Such study shall include information with respect to—

“(A) a list of those institutions that—

“(i) have reduced their college affordability indexes; or

“(ii) are, as determined under subsection (f)(6)(A), within the least costly quartile of institutions within each class described in subsection (f)(7);

“(B) policies implemented to stem the increase in tuition and fees and institutional costs;

“(C) the extent to which room and board costs and prices changed;

“(D) the extent to which other services were altered to affect tuition and fees;

“(E) the extent to which the institution's policies affected student body demographics and time to completion;

“(F) what, if any, operational factors played a role in reducing tuition and fees;

“(G) the extent to which academic quality was affected, and how;

“(H) the extent to which policies and practices reducing costs and prices may be replicated from one institution to another; and

“(I) other information as necessary to determine best practices in increasing the affordability of postsecondary education.

“(2) INTERIM AND FINAL REPORTS.—The Comptroller General shall submit an interim and a final report regarding the findings of the study required by paragraph (1) to the appropriate authorizing committees of Congress. The interim report shall be submitted not later than July 31, 2011, and the final report shall be submitted not later than July 31, 2013.

“(i) STUDENT AID RECIPIENT SURVEY.—

“(1) SURVEY REQUIRED.—The Secretary shall conduct a survey of student aid recipients under title IV on a regular cycle and State-by-State basis, but not less than once every 4 years—

“(A) to identify the population of students receiving Federal student aid;

“(B) to describe the income distribution and other socioeconomic characteristics of federally aided students;

“(C) to describe the combinations of aid from State, Federal, and private sources received by students from all income groups;

“(D) to describe the debt burden of educational loan recipients and their capacity

to repay their education debts, and the impact of such debt burden on career choices;

“(E) to describe the role played by the price of postsecondary education in the determination by students of what institution to attend; and

“(F) to describe how the increased costs of textbooks and other instructional materials affects the costs of postsecondary education to students.

“(2) SURVEY DESIGN.—The survey shall be representative of full-time and part-time, undergraduate, graduate, and professional and current and former students in all types of institutions, and designed and administered in consultation with the Congress and the postsecondary education community.

“(3) DISSEMINATION.—The Secretary shall disseminate the information resulting from the survey in both printed and electronic form.

“(j) REGULATIONS.—The Secretary is authorized to issue such regulations as may be necessary to carry out the provisions of this section.”.

SEC. 109. DATABASES OF STUDENT INFORMATION.

Part C of title I is further amended by adding at the end the following new section:

“SEC. 132. DATABASES OF STUDENT INFORMATION PROHIBITED.

“(a) PROHIBITION.—Except as described in (b), nothing in this Act shall be construed to authorize the design, development, creation, implementation, or maintenance of a nationwide database of personally identifiable information on individuals receiving assistance, attending institutions receiving assistance, or otherwise involved in any studies or other collections of data under this Act, including a student unit record system, an education bar code system, or any other system that tracks individual students over time.

“(b) EXCEPTION.—The provisions of subsection (a) shall not affect the loan obligation enforcement activities described in section 485B of this Act.”.

SEC. 110. PERFORMANCE-BASED ORGANIZATION.

Section 141 (20 U.S.C. 1018) is amended—

(1) in subsection (a)(2)(B)—

(A) by inserting “unit” after “to reduce the”; and

(B) by inserting “and, to the extent practicable, the total costs of administering those programs” after “those programs”;

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking “Each year” and inserting “Each fiscal year”;

(B) in paragraph (1)(B), by inserting “secondary markets, guaranty agencies,” after “lenders.”; and

(C) in paragraph (2)(B), by striking “Chief Financial Officer Act of 1990 and” and inserting “Chief Financial Officers Act of 1990,” and by inserting before the period at the end the following: “, and other relevant statutes”; and

(3) in subsection (f)(3)(A), by striking “paragraph (1)(A)” and inserting “paragraph (1)”.

TITLE II—TEACHER PREPARATION

SEC. 201. TEACHER QUALITY ENHANCEMENT GRANTS.

Part A of title II (20 U.S.C. 1021 et seq.) is amended to read as follows:

“PART A—TEACHER QUALITY ENHANCEMENT GRANTS FOR STATES AND PARTNERSHIPS

“SEC. 201. PURPOSES; DEFINITIONS.

“(a) PURPOSES.—The purposes of this part are to—

“(1) improve student academic achievement;

“(2) improve the quality of the current and future teaching force by improving the prep-

aration of prospective teachers and enhancing professional development activities;

“(3) hold institutions of higher education accountable for preparing highly qualified teachers; and

“(4) recruit qualified individuals, including minorities and individuals from other occupations, into the teaching force.

“(b) DEFINITIONS.—In this part:

“(1) ARTS AND SCIENCES.—The term ‘arts and sciences’ means—

“(A) when referring to an organizational unit of an institution of higher education, any academic unit that offers one or more academic majors in disciplines or content areas corresponding to the academic subject matter areas in which teachers provide instruction; and

“(B) when referring to a specific academic subject matter area, the disciplines or content areas in which academic majors are offered by the arts and science organizational unit.

“(2) EXEMPLARY TEACHER.—The term ‘exemplary teacher’ has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(3) HIGHLY QUALIFIED.—The term ‘highly qualified’ when used with respect to an individual means that the individual is highly qualified as determined under section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) or section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

“(4) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term ‘high-need local educational agency’ means a local educational agency—

“(A)(i)(I) that serves not fewer than 10,000 children from families with incomes below the poverty line; or

“(II) for which not less than 25 percent of the children served by the agency are from families with incomes below the poverty line;

“(ii) that is among those serving the highest number or percentage of children from families with incomes below the poverty line in the State, but this clause applies only in a State that has no local educational agency meeting the requirements of clause (i); or

“(iii) with a total of less than 600 students in average daily attendance at the schools that are served by the agency and all of whose schools are designated with a school locale code of 7, as determined by the Secretary; and

“(B)(i) for which there is a high percentage of teachers not teaching in the academic subjects or grade levels that the teachers were trained to teach; or

“(ii) for which there is a high percentage of teachers with emergency, provisional, or temporary certification or licensing.

“(5) POVERTY LINE.—The term ‘poverty line’ means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

“(6) PROFESSIONAL DEVELOPMENT.—The term ‘professional development’ has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(7) SCIENTIFICALLY BASED READING RESEARCH.—The term ‘scientifically based reading research’ has the meaning given such term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).

“(8) SCIENTIFICALLY BASED RESEARCH.—The term ‘scientifically based research’ has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(9) TEACHING SKILLS.—The term ‘teaching skills’ means skills that—

“(A) are based on scientifically based research;

“(B) enable teachers to effectively convey and explain subject matter content;

“(C) lead to increased student academic achievement; and

“(D) use strategies that—

“(i) are specific to subject matter;

“(ii) include ongoing assessment of student learning;

“(iii) focus on identification and tailoring of academic instruction to students’s specific learning needs; and

“(iv) focus on classroom management.

“SEC. 202. STATE GRANTS.

“(a) IN GENERAL.—From amounts made available under section 210(1) for a fiscal year, the Secretary is authorized to award grants under this section, on a competitive basis, to eligible States to enable the eligible States to carry out the activities described in subsection (d).

“(b) ELIGIBLE STATE.—

“(1) DEFINITION.—In this part, the term ‘eligible State’ means—

“(A) the Governor of a State; or

“(B) in the case of a State for which the constitution or law of such State designates another individual, entity, or agency in the State to be responsible for teacher certification and preparation activity, such individual, entity, or agency.

“(2) CONSULTATION.—The Governor or the individual, entity, or agency designated under paragraph (1)(B) shall consult with the Governor, State board of education, State educational agency, State agency for higher education, or State agency responsible for early childhood education and programs, as appropriate, with respect to the activities assisted under this section.

“(3) CONSTRUCTION.—Nothing in this subsection shall be construed to negate or supersede the legal authority under State law of any State agency, State entity, or State public official over programs that are under the jurisdiction of the agency, entity, or official.

“(c) APPLICATION.—To be eligible to receive a grant under this section, an eligible State shall submit an application to the Secretary that—

“(1) meets the requirement of this section;

“(2) demonstrates that the State is in full compliance with sections 207 and 208;

“(3) includes a description of how the eligible State intends to use funds provided under this section;

“(4) includes measurable objectives for the use of the funds provided under the grant;

“(5) demonstrates the State has submitted and is actively implementing a plan that meets the requirements of sections 1111(h)(1)(C)(viii) and 1119 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(viii) and 6319); and

“(6) contains such other information and assurances as the Secretary may require.

“(d) USES OF FUNDS.—An eligible State that receives a grant under this section shall use the grant funds to reform teacher preparation requirements, to coordinate with State activities under section 2113(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6613(c)), and to ensure that current and future teachers are highly qualified, by carrying out one or more of the following activities:

“(1) REFORMS.—Ensuring that all teacher preparation programs in the State are preparing teachers who are highly qualified, are able to understand scientifically based research and its applicability, and are able to use advanced technology effectively in the classroom, including use for instructional

techniques to improve student academic achievement, by assisting such programs—

“(A) to retrain faculty; and

“(B) to design (or redesign) teacher preparation programs so they—

“(i) are based on rigorous academic content, scientifically based research (including scientifically based reading research), and challenging State student academic content standards; and

“(ii) promote strong teaching skills.

“(2) CERTIFICATION OR LICENSURE REQUIREMENTS.—Reforming teacher certification (including recertification) or licensing requirements to ensure that—

“(A) teachers have the subject matter knowledge and teaching skills in the academic subjects that the teachers teach that are necessary to help students meet challenging State student academic achievement standards; and

“(B) such requirements are aligned with challenging State academic content standards.

“(3) ALTERNATIVES TO TRADITIONAL TEACHER PREPARATION AND STATE CERTIFICATION.—Providing prospective teachers with alternative routes to State certification and traditional preparation to become highly qualified teachers through—

“(A) innovative approaches that reduce unnecessary barriers to State certification while producing highly qualified teachers, which may include articulation agreements between institutions of higher education;

“(B) programs that provide support to teachers during their initial years in the profession; and

“(C) alternative routes to State certification of teachers for qualified individuals, including mid-career professionals from other occupations, former military personnel, and recent college graduates with records of academic distinction.

“(4) INNOVATIVE PROGRAMS.—Planning and implementing innovative programs to enhance the ability of institutions of higher education to prepare highly qualified teachers, such as charter colleges of education or university and local educational agency partnership schools, that—

“(A) permit flexibility in meeting State requirements as long as graduates, during their initial years in the profession, increase student academic achievement;

“(B) provide long-term data gathered from teachers’ performance over multiple years in the classroom on the ability to increase student academic achievement;

“(C) ensure high-quality preparation of teachers from underrepresented groups; and

“(D) create performance measures that can be used to document the effectiveness of innovative methods for preparing highly qualified teachers.

“(5) MERIT PAY.—Developing, or assisting local educational agencies in developing—

“(A) merit-based performance systems that reward teachers who increase student academic achievement; and

“(B) strategies that provide differential and bonus pay in high-need local educational agencies to retain—

“(i) principals;

“(ii) highly qualified teachers who teach in high-need academic subjects, such as reading, mathematics, and science;

“(iii) highly qualified teachers who teach in schools identified for school improvement under section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b));

“(iv) special education teachers;

“(v) teachers specializing in teaching limited English proficient children; and

“(vi) highly qualified teachers in urban and rural schools or districts.

“(6) TEACHER ADVANCEMENT.—Developing, or assisting local educational agencies in developing, teacher advancement and retention initiatives that promote professional growth and emphasize multiple career paths (such as paths to becoming a highly qualified mentor teacher or exemplary teacher) and pay differentiation.

“(7) TEACHER REMOVAL.—Developing and implementing effective mechanisms to ensure that local educational agencies and schools are able to remove expeditiously incompetent or unqualified teachers consistent with procedures to ensure due process for the teachers.

“(8) TECHNICAL ASSISTANCE.—Providing technical assistance to low-performing teacher preparation programs within institutions of higher education identified under section 208(a).

“(9) TEACHER EFFECTIVENESS.—Developing—

“(A) systems to measure the effectiveness of teacher preparation programs and professional development programs; and

“(B) strategies to document gains in student academic achievement or increases in teacher mastery of the academic subjects the teachers teach as a result of such programs.

“(10) TEACHER RECRUITMENT AND RETENTION.—Undertaking activities that—

“(A) develop and implement effective mechanisms to ensure that local educational agencies and schools are able effectively to recruit and retain highly qualified teachers; or

“(B) are described in section 204(d).

“(11) EARLY CHILDHOOD EDUCATOR.—Developing strategies—

“(A) to improve the qualifications of preschool teachers, which may include State certification for such teachers;

“(B) to improve and expand preschool teacher preparation programs; and

“(C) to reduce unnecessary burdens to the attainment of a bachelor’s degree in early childhood education and increase the number of bilingual early childhood educators, which may include developing articulation agreements between institutions of higher education.

“(12) GIFTED AND TALENTED STUDENTS.—Incorporating the learning needs of gifted and talented students into the activities described in paragraph (1), (2), or (3) in order to ensure that new teachers possess the basic knowledge and skills necessary to meet the educational needs of gifted and talented students.

“(13) NEW-TEACHER MENTORING ON THE NEEDS OF GIFTED AND TALENTED STUDENTS.—Establishing or expanding new-teacher mentoring and assessment programs (including induction and evaluation programs) that are a part of a licensure process which is designed to demonstrate that new teachers possess basic knowledge of the classroom indicators of giftedness, are able to identify student learning differences among gifted students, and are able to provide instruction to accommodate such differences.

“(14) SPECIAL EDUCATION, MATH, AND SCIENCE FACULTY.—Supporting the development of new special education, math, and science faculty positions in institutions of higher education dedicated to the preparation of highly qualified special education, math, and science teachers (as defined by section 9101 of the Elementary and Secondary Education Act or section 602 of the Individuals with Disabilities Education Act), with matching funds from institutions of higher education and a commitment to continue new faculty positions when Federal funding ends.

“(15) SUBJECT AREA EVALUATION.—Assessing the performance of teacher preparation

programs within institutions of higher education in the State using an assessment which provides comparisons across such schools in the State based upon indicators including teacher candidate knowledge in subject areas in which such candidate has been prepared to teach. Such information shall be made publicly available and widely disseminated.

“(e) EVALUATION.—

“(1) EVALUATION SYSTEM.—An eligible State that receives a grant under this section shall develop and utilize a system to evaluate annually the effectiveness of teacher preparation programs and professional development activities within the State in producing gains in—

“(A) the teacher’s annual contribution to improving student academic achievement, as measured by State academic assessments required under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)); and

“(B) teacher mastery of the academic subjects they teach, as measured by pre- and post-participation tests of teacher knowledge, as appropriate.

“(2) USE OF EVALUATION SYSTEM.—Such evaluation system shall be used by the State to evaluate—

“(A) activities carried out using funds provided under this section; and

“(B) the quality of its teacher education programs.

“(3) PUBLIC REPORTING.—The State shall make the information described in paragraph (1) widely available through public means, such as posting on the Internet, distribution to the media, and distribution through public agencies.

“SEC. 203. PARTNERSHIP GRANTS.

“(a) GRANTS.—From amounts made available under section 210(2) for a fiscal year, the Secretary is authorized to award grants under this section, on a competitive basis, to eligible partnerships to enable the eligible partnerships to carry out the activities described in subsections (d) and (e).

“(b) DEFINITIONS.—

“(1) ELIGIBLE PARTNERSHIPS.—In this part, the term ‘eligible partnership’ means an entity that—

“(A) shall include—

“(i) a partner institution;

“(ii) a school of arts and sciences;

“(iii) a high-need local educational agency; and

“(iv) a public or private educational organization; and

“(B) may include a Governor, State educational agency, the State board of education, the State agency for higher education, an institution of higher education not described in subparagraph (A), a public charter school, a public or private elementary school or secondary school, a public or private educational organization, a business, a science-, mathematics-, or technology-oriented entity, a faith-based or community organization, a prekindergarten program, a teacher organization, an education service agency, a consortia of local educational agencies, or a nonprofit telecommunications entity.

“(2) PARTNER INSTITUTION.—In this section, the term ‘partner institution’ means an institution of higher education, the teacher training program of which demonstrates that—

“(A) graduates from the teacher training program exhibit strong performance on State-determined qualifying assessments for new teachers through—

“(i) demonstrating that the graduates of the program who intend to enter the field of teaching have passed all of the applicable State qualification assessments for new

teachers, which shall include an assessment of each prospective teacher’s subject matter knowledge in the content area or areas in which the teacher intends to teach; or

“(ii) being ranked among the highest-performing teacher preparation programs in the State as determined by the State—

“(I) using criteria consistent with the requirements for the State report card under section 207(a); and

“(II) using the State report card on teacher preparation required under section 207(a); or

“(B) the teacher training program requires all the students of the program to participate in intensive clinical experience, to meet high academic standards, and—

“(i) in the case of secondary school candidates, to successfully complete an academic major in the subject area in which the candidate intends to teach or to demonstrate competence through a high level of performance in relevant content areas; and

“(ii) in the case of elementary school candidates, to successfully complete an academic major in the arts and sciences or to demonstrate competence through a high level of performance in core academic subject areas.

“(c) APPLICATION.—Each eligible partnership desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall—

“(1) contain a needs assessment of all the partners with respect to teaching and learning and a description of how the partnership will coordinate with other teacher training or professional development programs, and how the activities of the partnership will be consistent with State, local, and other education reform activities that promote student academic achievement;

“(2) contain a resource assessment that describes the resources available to the partnership, the intended use of the grant funds, including a description of how the grant funds will be used in accordance with subsection (f), and the commitment of the resources of the partnership to the activities assisted under this part, including financial support, faculty participation, time commitments, and continuation of the activities when the grant ends;

“(3) contain a description of—

“(A) how the partnership will meet the purposes of this part;

“(B) how the partnership will carry out the activities required under subsection (d) and any permissible activities under subsection (e);

“(C) the partnership’s evaluation plan pursuant to section 206(b);

“(D) how faculty of the teacher preparation program at the partner institution will serve, over the term of the grant, with highly qualified teachers in the classrooms of the high-need local educational agency included in the partnership;

“(E) how the partnership will ensure that teachers, principals, and superintendents in private elementary and secondary schools located in the geographic areas served by an eligible partnership under this section will participate equitably in accordance with section 9501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7881);

“(F) how the partnership will design and implement a clinical program component that includes close supervision of student teachers by faculty of the teacher preparation program at the partner institution and mentor teachers;

“(G) how the partnership will design and implement an induction program to support all new teachers through the first 3 years of teaching that includes mentors who are

trained and compensated by the partnership for their work with new teachers; and

“(H) how the partnership will collect, analyze, and use data on the retention of all teachers in schools located in the geographic areas served by the partnership to evaluate the effectiveness of its teacher support system; and

“(4) contain a certification from the high-need local educational agency included in the partnership that it has reviewed the application and determined that the grant proposed will comply with subsection (f).

“(d) REQUIRED USES OF FUNDS.—An eligible partnership that receives a grant under this section shall use the grant funds to reform teacher preparation requirements, to coordinate with State activities under section 2113(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6613(c)), and to ensure that current and future teachers are highly qualified, by carrying out one or more of the following activities:

“(1) REFORMS.—Implementing reforms within teacher preparation programs to ensure that such programs are preparing teachers who are highly qualified, are able to understand scientifically based research and its applicability, and are able to use advanced technology effectively in the classroom, including use for instructional techniques to improve student academic achievement, by—

“(A) retraining faculty; and

“(B) designing (or redesigning) teacher preparation programs so they—

“(i) are based on rigorous academic content, scientifically based research (including scientifically based reading research), and challenging State student academic content standards; and

“(ii) promote strong teaching skills.

“(2) CLINICAL EXPERIENCE AND INTERACTION.—Providing sustained and high-quality preservice and in-service clinical experience, including the mentoring of prospective teachers by exemplary teachers, substantially increasing interaction between faculty at institutions of higher education and new and experienced teachers, principals, and other administrators at elementary schools or secondary schools, and providing support for teachers, including preparation time and release time, for such interaction.

“(3) PROFESSIONAL DEVELOPMENT.—Creating opportunities for enhanced and ongoing professional development that improves the academic content knowledge of teachers in the subject areas in which the teachers are certified to teach or in which the teachers are working toward certification to teach, and that promotes strong teaching skills.

“(4) TEACHER PREPARATION.—Developing, or assisting local educational agencies in developing, professional development activities that—

“(A) provide training in how to teach and address the needs of students with different learning styles, particularly students with disabilities, limited English proficient students, gifted and talented students, and students with special learning needs; and

“(B) provide training in methods of—

“(i) improving student behavior in the classroom; and

“(ii) identifying early and appropriate interventions to help students described in subparagraph (A) learn.

“(e) ALLOWABLE USES OF FUNDS.—An eligible partnership that receives a grant under this section may use such funds to carry out the following activities:

“(1) ALTERNATIVES TO TRADITIONAL TEACHER PREPARATION AND STATE CERTIFICATION.—Providing prospective teachers with alternative routes to State certification and traditional preparation to become highly qualified teachers through—

“(A) innovative approaches that reduce unnecessary barriers to teacher preparation producing highly qualified teachers, which may include articulation agreements between institutions of higher education;

“(B) programs that provide support during a teacher’s initial years in the profession; and

“(C) alternative routes to State certification of teachers for qualified individuals, including mid-career professionals from other occupations, former military personnel, and recent college graduates with records of academic distinction.

“(2) DISSEMINATION AND COORDINATION.—Broadly disseminating information on effective practices used by the partnership, and coordinating with the activities of the Governor, State board of education, State higher education agency, and State educational agency, as appropriate.

“(3) MANAGERIAL AND LEADERSHIP SKILLS.—Developing and implementing professional development programs for principals and superintendents that enable them to be effective school leaders and prepare all students to meet challenging State academic content and student academic achievement standards.

“(4) TEACHER RECRUITMENT.—Activities—

“(A) to encourage students to become highly qualified teachers, such as extra-curricular enrichment activities; and

“(B) activities described in section 204(d).

“(5) CLINICAL EXPERIENCE IN SCIENCE, MATHEMATICS, AND TECHNOLOGY.—Creating opportunities for clinical experience and training, by participation in the business, research, and work environments with professionals, in areas relating to science, mathematics, and technology for teachers and prospective teachers, including opportunities for use of laboratory equipment, in order for the teacher to return to the classroom for at least 2 years and provide instruction that will raise student academic achievement.

“(6) COORDINATION WITH COMMUNITY COLLEGES.—Coordinating with community colleges to implement teacher preparation programs, including through distance learning or articulation agreements, for the purposes of allowing prospective teachers—

“(A) to attain a bachelor’s degree and State certification or licensure; and

“(B) to become highly qualified teachers.

“(7) TEACHER MENTORING.—Establishing or implementing a teacher mentoring program that—

“(A) includes minimum qualifications for mentors;

“(B) provides training and stipends for mentors;

“(C) provides mentoring programs for teachers in their first 3 years of teaching;

“(D) provides regular and ongoing opportunities for mentors and mentees to observe each other’s teaching methods in classroom settings during the school day;

“(E) establishes an evaluation and accountability plan for activities conducted under this paragraph that includes rigorous objectives to measure the impact of such activities; and

“(F) provides for a report to the Secretary on an annual basis regarding the partnership’s progress in meeting the objectives described in subparagraph (E).

“(8) COMPUTER SOFTWARE FOR MULTILINGUAL EDUCATION.—Training teachers to use computer software for multilingual education to address the needs of limited English proficient students.

“(9) GIFTED AND TALENTED STUDENTS.—Increasing the knowledge and skills of preservice teachers participating in activities under subsection (d) in the educational and related needs of gifted and talented students by, among other strategies, infusing

teacher coursework with units on the characteristics of high-ability learners, using assessments to identify preexisting knowledge and skills among students, and developing teaching strategies that are driven by the learner’s progress.

“(10) REDUCING THE SHORTAGE OF HIGHLY QUALIFIED SPECIAL EDUCATION, MATH, AND SCIENCE TEACHERS.—Increasing the number of highly qualified special education, math, and science teachers (as defined by section 9101 of the Elementary and Secondary Education Act or section 602 of the Individuals with Disabilities Education Act) through such activities as recruitment, scholarships for tuition, and new teacher mentoring.

“(f) SPECIAL RULE.—At least 50 percent of the funds made available to an eligible partnership under this section shall be used directly to benefit the high-need local educational agency included in the partnership. Any entity described in subsection (b)(1)(A) may be the fiscal agent under this section.

“(g) CONSTRUCTION.—Nothing in this section shall be construed to prohibit an eligible partnership from using grant funds to coordinate with the activities of more than one Governor, State board of education, State educational agency, local educational agency, or State agency for higher education.

“(h) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to carry out the purposes of this section.

“SEC. 204. TEACHER RECRUITMENT GRANTS.

“(a) PROGRAM AUTHORIZED.—From amounts made available under section 210(3) for a fiscal year, the Secretary is authorized to award grants, on a competitive basis, to eligible applicants to enable the eligible applicants to carry out activities described in subsection (d).

“(b) ELIGIBLE APPLICANT DEFINED.—In this part, the term ‘eligible applicant’ means—

“(1) an eligible State described in section 202(b); or

“(2) an eligible partnership described in section 203(b).

“(c) APPLICATION.—Any eligible applicant desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require, including—

“(1) a description of the assessment that the eligible applicant, and the other entities with whom the eligible applicant will carry out the grant activities, have undertaken to determine the most critical needs of the participating high-need local educational agencies;

“(2) a description of the activities the eligible applicant will carry out with the grant, including the extent to which the applicant will use funds to recruit minority students to become highly qualified teachers; and

“(3) a description of the eligible applicant’s plan for continuing the activities carried out with the grant, once Federal funding ceases.

“(d) USES OF FUNDS.—Each eligible applicant receiving a grant under this section shall use the grant funds—

“(1)(A) to award scholarships to help students, such as individuals who have been accepted for their first year, or who are enrolled in their first or second year, of a program of undergraduate education at an institution of higher education, pay the costs of tuition, room, board, and other expenses of completing a teacher preparation program;

“(B) to provide support services, if needed to enable scholarship recipients—

“(i) to complete postsecondary education programs; or

“(ii) to transition from a career outside of the field of education into a teaching career; and

“(C) for followup services provided to former scholarship recipients during the recipients first 3 years of teaching; or

“(2) to develop and implement effective mechanisms to ensure that high-need local educational agencies and schools are able effectively to recruit highly qualified teachers.

“(e) ADDITIONAL DISCRETIONARY USES OF FUNDS.—In addition to the uses described in subsection (d), each eligible applicant receiving a grant under this section may use the grant funds—

“(1) to develop and implement effective mechanisms to recruit into the teaching profession employees from—

“(A) high-demand industries, including technology industries; and

“(B) the fields of science, mathematics, and engineering;

“(2) to conduct outreach and coordinate with inner city and rural secondary schools to encourage students to pursue teaching as a career;

“(3) to develop and implement dual degree programs that enable students at institutions of higher education to earn two undergraduate degrees concurrently, one of such degrees being in education and the other in the subject matter of the student’s choosing; and

“(4) to recruit high achieving students, bilingual students, and other qualified candidates into early childhood education programs.

“(f) SERVICE REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary shall establish such requirements as the Secretary determines necessary to ensure that recipients of scholarships under this section who complete teacher education programs—

“(A) subsequently teach in a high-need local educational agency for a period of time equivalent to—

“(i) one year; increased by

“(ii) the period for which the recipient received scholarship assistance; or

“(B) repay the amount of the scholarship.

“(2) USE OF REPAYMENTS.—The Secretary shall use any such repayments to carry out additional activities under this section.

“(g) PRIORITY.—The Secretary shall give priority under this section to eligible applicants who provide an assurance that they will recruit a high percentage of minority students to become highly qualified teachers.

“SEC. 205. ADMINISTRATIVE PROVISIONS.

“(a) DURATION; ONE-TIME AWARDS; PAYMENTS.—

“(1) DURATION.—

“(A) ELIGIBLE STATES AND ELIGIBLE APPLICANTS.—Grants awarded to eligible States and eligible applicants under this part shall be awarded for a period not to exceed 3 years.

“(B) ELIGIBLE PARTNERSHIPS.—Grants awarded to eligible partnerships under this part shall be awarded for a period of 5 years.

“(2) ONE-TIME AWARD.—An eligible partnership may receive a grant under each of sections 203 and 204, as amended by the College Access and Opportunity Act of 2006, only once.

“(3) PAYMENTS.—The Secretary shall make annual payments of grant funds awarded under this part.

“(b) PEER REVIEW.—

“(1) PANEL.—The Secretary shall provide the applications submitted under this part to a peer review panel for evaluation. With respect to each application, the peer review panel shall initially recommend the application for funding or for disapproval.

“(2) PRIORITY.—In recommending applications to the Secretary for funding under this part, the panel shall—

“(A) with respect to grants under section 202, give priority to eligible States that—

“(i) have initiatives to reform State teacher certification requirements that are based on rigorous academic content, scientifically based research, including scientifically based reading research, and challenging State student academic content standards;

“(ii) have innovative reforms to hold institutions of higher education with teacher preparation programs accountable for preparing teachers who are highly qualified and have strong teaching skills; or

“(iii) have innovative efforts aimed at reducing the shortage of highly qualified teachers in high poverty urban and rural areas; and

“(B) with respect to grants under section 203—

“(i) give priority to applications from broad-based eligible partnerships that involve businesses and community organizations; and

“(ii) take into consideration—

“(I) providing an equitable geographic distribution of the grants throughout the United States; and

“(II) the potential of the proposed activities for creating improvement and positive change.

“(3) SECRETARIAL SELECTION.—The Secretary shall determine, based on the peer review process, which application shall receive funding and the amounts of the grants. In determining grant amounts, the Secretary shall take into account the total amount of funds available for all grants under this part and the types of activities proposed to be carried out.

“(c) MATCHING REQUIREMENTS.—

“(1) STATE GRANTS.—Each eligible State receiving a grant under section 202 or 204 shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (in cash or in kind) to carry out the activities supported by the grant.

“(2) PARTNERSHIP GRANTS.—Each eligible partnership receiving a grant under section 203 or 204 shall provide, from non-Federal sources (in cash or in kind), an amount equal to 25 percent of the grant for the first year of the grant, 35 percent of the grant for the second year of the grant, and 50 percent of the grant for each succeeding year of the grant.

“(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—An eligible State or eligible partnership that receives a grant under this part may not use more than 2 percent of the grant funds for purposes of administering the grant.

“SEC. 206. ACCOUNTABILITY AND EVALUATION.

“(a) STATE GRANT ACCOUNTABILITY REPORT.—An eligible State that receives a grant under section 202 shall submit an annual accountability report to the Secretary and the authorizing committees. Such report shall include a description of the degree to which the eligible State, in using funds provided under such section, has made substantial progress in meeting the following goals:

“(1) PERCENTAGE OF HIGHLY QUALIFIED TEACHERS.—Increasing the percentage of highly qualified teachers in the State as required by section 1119 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6319) and section 602 of the Individuals with Disabilities Act (20 U.S.C. 1401).

“(2) STUDENT ACADEMIC ACHIEVEMENT.—Increasing student academic achievement for all students, which may be measured through the use of value-added assessments, as defined by the eligible State.

“(3) RAISING STANDARDS.—Raising the State academic standards required to enter the teaching profession as a highly qualified teacher.

“(4) INITIAL CERTIFICATION OR LICENSURE.—Increasing success in the pass rate for initial

State teacher certification or licensure, or increasing the numbers of qualified individuals being certified or licensed as teachers through alternative routes to certification and licensure.

“(5) DECREASING TEACHER SHORTAGES.—Decreasing shortages of highly qualified teachers in poor urban and rural areas.

“(6) INCREASING OPPORTUNITIES FOR RESEARCH-BASED PROFESSIONAL DEVELOPMENT.—Increasing opportunities for enhanced and ongoing professional development that—

“(A) improves the academic content knowledge of teachers in the subject areas in which the teachers are certified or licensed to teach or in which the teachers are working toward certification or licensure to teach; and

“(B) promotes strong teaching skills.

“(7) TECHNOLOGY INTEGRATION.—Increasing the number of teachers prepared effectively to integrate technology into curricula and instruction and who use technology to collect, manage, and analyze data to improve teaching, learning, decisionmaking, and parental involvement for the purpose of increasing student academic achievement.

“(b) ELIGIBLE PARTNERSHIP EVALUATION.—Each eligible partnership applying for a grant under section 203 shall establish, and include in the application submitted under section 203(c), an evaluation plan that includes strong performance objectives. The plan shall include objectives and measures for—

“(1) increased student achievement for all students, as measured by the partnership;

“(2) increased teacher retention in the first 3 years of a teacher’s career;

“(3) increased success in the pass rate for initial State certification or licensure of teachers;

“(4) increased percentage of highly qualified teachers; and

“(5) increasing the number of teachers trained effectively to integrate technology into curricula and instruction and who use technology to collect, manage, and analyze data to improve teaching, learning, and decisionmaking for the purpose of improving student academic achievement.

“(c) REVOCATION OF GRANT.—

“(1) REPORT.—Each eligible State or eligible partnership receiving a grant under section 202 or 203 shall report annually on the progress of the eligible State or eligible partnership toward meeting the purposes of this part and the goals, objectives, and measures described in subsections (a) and (b).

“(2) REVOCATION.—

“(A) ELIGIBLE STATES AND ELIGIBLE APPLICANTS.—If the Secretary determines that an eligible State or eligible applicant is not making substantial progress in meeting the purposes, goals, objectives, and measures, as appropriate, by the end of the second year of a grant under this part, then the grant payment shall not be made for the third year of the grant.

“(B) ELIGIBLE PARTNERSHIPS.—If the Secretary determines that an eligible partnership is not making substantial progress in meeting the purposes, goals, objectives, and measures, as appropriate, by the end of the third year of a grant under this part, then the grant payments shall not be made for any succeeding year of the grant.

“(d) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate the activities funded under this part and report annually the Secretary’s findings regarding the activities to the authorizing committees. The Secretary shall broadly disseminate successful practices developed by eligible States and eligible partnerships under this part, and shall broadly disseminate information regarding such practices that were found to be ineffective.

“SEC. 207. ACCOUNTABILITY FOR PROGRAMS THAT PREPARE TEACHERS.

“(a) STATE REPORT CARD ON THE QUALITY OF TEACHER PREPARATION.—Each State that receives funds under this Act shall provide to the Secretary annually, in a uniform and comprehensible manner that conforms with the definitions and methods established by the Secretary, a State report card on the quality of teacher preparation in the State, both for traditional certification or licensure programs and for alternative certification or licensure programs, which shall include at least the following:

“(1) A description of the teacher certification and licensure assessments, and any other certification and licensure requirements, used by the State.

“(2) The standards and criteria that prospective teachers must meet in order to attain initial teacher certification or licensure and to be certified or licensed to teach particular subjects or in particular grades within the State.

“(3) A description of the extent to which the assessments and requirements described in paragraph (1) are aligned with the State’s standards and assessments for students.

“(4) The percentage of students who have completed at least 50 percent of the requirements for a teacher preparation program at an institution of higher education or alternative certification program and who have taken and passed each of the assessments used by the State for teacher certification and licensure, and the passing score on each assessment that determines whether a candidate has passed that assessment.

“(5) For students who have completed at least 50 percent of the requirements for a teacher preparation program at an institution of higher education or alternative certification program, and who have taken and passed each of the assessments used by the State for teacher certification and licensure, each such institution’s and each such program’s average raw score, ranked by teacher preparation program, which shall be made available widely and publicly.

“(6) A description of each State’s alternative routes to teacher certification, if any, and the number and percentage of teachers certified through each alternative certification route who pass State teacher certification or licensure assessments.

“(7) For each State, a description of proposed criteria for assessing the performance of teacher preparation programs in the State, including indicators of teacher candidate skills, academic content knowledge, and evidence of gains in student academic achievement.

“(8) For each teacher preparation program in the State, the number of students in the program, the number of minority students in the program, the average number of hours of supervised practice teaching required for those in the program, and the number of full-time equivalent faculty and students in supervised practice teaching.

“(b) REPORT OF THE SECRETARY ON THE QUALITY OF TEACHER PREPARATION.—

“(1) REPORT CARD.—The Secretary shall provide to Congress, and publish and make widely available, a report card on teacher qualifications and preparation in the United States, including all the information reported in paragraphs (1) through (8) of subsection (a). Such report shall identify which eligible States received a grant under this part, and the States in which eligible partnerships receiving grants are located. Such report shall be published and made available annually.

“(2) REPORT TO CONGRESS.—The Secretary shall report to Congress—

“(A) a comparison of States’ efforts to improve teaching quality; and

“(B) regarding the national mean and median scores on any standardized test that is used in more than one State for teacher certification or licensure.

“(3) SPECIAL RULE.—In the case of programs with fewer than 10 students who have completed at least 50 percent of the requirements for a teacher preparation program taking any single initial teacher certification or licensure assessment during an academic year, the Secretary shall collect and publish information with respect to an average pass rate on State certification or licensure assessments taken over a 3-year period.

“(c) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher certification or licensure assessments in a State other than the State in which the individual received the individual's most recent degree.

“(d) INSTITUTION AND PROGRAM REPORT CARDS ON QUALITY OF TEACHER PREPARATION.—

“(1) REPORT CARD.—Each institution of higher education or alternative certification program that conducts a teacher preparation program that enrolls students receiving Federal assistance under this Act shall report annually to the State and the general public, in a uniform and comprehensible manner that conforms with the definitions and methods established by the Secretary, both for traditional certification or licensure programs and for alternative certification or licensure programs, the following information:

“(A) PASS RATE.—(i) For the most recent year for which the information is available, the pass rate of each student who has completed at least 50 percent of the requirements for the teacher preparation program on the teacher certification or licensure assessments of the State in which the institution is located, but only for those students who took those assessments within 3 years of receiving a degree from the institution or completing the program.

“(ii) A comparison of the institution or program's pass rate for students who have completed at least 50 percent of the requirements for the teacher preparation program with the average pass rate for institutions and programs in the State.

“(iii) A comparison of the institution or program's average raw score for students who have completed at least 50 percent of the requirements for the teacher preparation program with the average raw scores for institutions and programs in the State.

“(iv) In the case of programs with fewer than 10 students who have completed at least 50 percent of the requirements for a teacher preparation program taking any single initial teacher certification or licensure assessment during an academic year, the institution shall collect and publish information with respect to an average pass rate on State certification or licensure assessments taken over a 3-year period.

“(B) PROGRAM INFORMATION.—The number of students in the program, the average number of hours of supervised practice teaching required for those in the program, and the number of full-time equivalent faculty and students in supervised practice teaching.

“(C) STATEMENT.—In States that require approval or accreditation of teacher education programs, a statement of whether the institution's program is so approved or accredited, and by whom.

“(D) DESIGNATION AS LOW-PERFORMING.—Whether the program has been designated as low-performing by the State under section 208(a).

“(2) REQUIREMENT.—The information described in paragraph (1) shall be reported through publications such as school catalogs and promotional materials sent to potential applicants, secondary school guidance counselors, and prospective employers of the institution's program graduates, including materials sent by electronic means.

“(3) FINES.—In addition to the actions authorized in section 487(c), the Secretary may impose a fine not to exceed \$25,000 on an institution of higher education for failure to provide the information described in this subsection in a timely or accurate manner.

“(e) DATA QUALITY.—Either—

“(1) the Governor of the State; or

“(2) in the case of a State for which the constitution or law of such State designates another individual, entity, or agency in the State to be responsible for teacher certification and preparation activity, such individual, entity, or agency;

shall attest annually, in writing, as to the reliability, validity, integrity, and accuracy of the data submitted pursuant to this section.

“SEC. 208. STATE FUNCTIONS.

“(a) STATE ASSESSMENT.—In order to receive funds under this Act, a State shall have in place a procedure to identify and assist, through the provision of technical assistance, low-performing programs of teacher preparation within institutions of higher education. Such State shall provide the Secretary an annual list of such low-performing institutions that includes an identification of those institutions at risk of being placed on such list. Such levels of performance shall be determined solely by the State and may include criteria based upon information collected pursuant to this part. Such assessment shall be described in the report under section 207(a). A State receiving Federal funds under this title shall develop plans to close or reconstitute underperforming programs of teacher preparation within institutions of higher education.

“(b) TERMINATION OF ELIGIBILITY.—Any institution of higher education that offers a program of teacher preparation in which the State has withdrawn the State's approval or terminated the State's financial support due to the low performance of the institution's teacher preparation program based upon the State assessment described in subsection (a)—

“(1) shall be ineligible for any funding for professional development activities awarded by the Department of Education; and

“(2) shall not be permitted to accept or enroll any student who receives aid under title IV of this Act in the institution's teacher preparation program.

“SEC. 209. GENERAL PROVISIONS.

“(a) METHODS.—In complying with sections 207 and 208, the Secretary shall ensure that States and institutions of higher education use fair and equitable methods in reporting and that the reporting methods do not allow identification of individuals.

“(b) SPECIAL RULE.—For each State in which there are no State certification or licensure assessments, or for States that do not set minimum performance levels on those assessments—

“(1) the Secretary shall, to the extent practicable, collect data comparable to the data required under this part from States, local educational agencies, institutions of higher education, or other entities that administer such assessments to teachers or prospective teachers; and

“(2) notwithstanding any other provision of this part, the Secretary shall use such data to carry out requirements of this part related to assessments or pass rates.

“(c) LIMITATIONS.—

“(1) FEDERAL CONTROL PROHIBITED.—Nothing in this part shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to prohibit private, religious, or home schools from participation in programs or services under this part.

“(2) NO CHANGE IN STATE CONTROL ENCOURAGED OR REQUIRED.—Nothing in this part shall be construed to encourage or require any change in a State's treatment of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law.

“(3) NATIONAL SYSTEM OF TEACHER CERTIFICATION PROHIBITED.—Nothing in this part shall be construed to permit, allow, encourage, or authorize the Secretary to establish or support any national system of teacher certification.

“SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part \$300,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years, of which—

“(1) 45 percent shall be available for each fiscal year to award grants under section 202;

“(2) 45 percent shall be available for each fiscal year to award grants under section 203; and

“(3) 10 percent shall be available for each fiscal year to award grants under section 204.”

“SEC. 202. PREPARING TOMORROW'S TEACHERS TO USE TECHNOLOGY.

(a) ELIGIBILITY.—Section 222(a)(3)(D) (20 U.S.C. 1042(a)(3)(D)) is amended by inserting “nonprofit telecommunications entity,” after “community-based organization.”

(b) PERMISSIBLE USES OF FUNDS.—Section 223(b)(1)(E) of the Higher Education Act of 1965 (20 U.S.C. 1043(b)(1)(E)) is amended to read as follows:

“(E) to use technology to collect, manage, and analyze data to improve teaching, learning, and decisionmaking for the purpose of increasing student academic achievement.”

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 224 (20 U.S.C. 1044) is amended by striking “each of fiscal years 2002 and 2003.” and inserting “fiscal year 2006 and each of the 5 succeeding fiscal years.”

“SEC. 203. CENTERS OF EXCELLENCE.

Title II (20 U.S.C. 1021 et seq.) is amended by adding at the end the following:

“PART C—CENTERS OF EXCELLENCE

“SEC. 231. PURPOSES; DEFINITIONS.

“(a) PURPOSES.—The purposes of this part are—

“(1) to help recruit and prepare teachers, including minority teachers, to meet the national demand for a highly qualified teacher in every classroom; and

“(2) to increase opportunities for Americans of all educational, ethnic, class, and geographic backgrounds to become highly qualified teachers.

“(b) DEFINITIONS.—As used in this part:

“(1) ELIGIBLE INSTITUTION.—The term ‘eligible institution’ means—

“(A) an institution of higher education that has a teacher preparation program that meets the requirements of section 203(b)(2) and that is—

“(i) a part B institution (as defined in section 322);

“(ii) a Hispanic-serving institution (as defined in section 502);

“(iii) a Tribal College or University (as defined in section 316);

“(iv) an Alaska Native-serving institution (as defined in section 317(b)); or

“(v) a Native Hawaiian-serving institution (as defined in section 317(b));

“(B) a consortium of institutions described in subparagraph (A); or

“(C) an institution described in subparagraph (A), or a consortium described in subparagraph (B), in partnership with any other institution of higher education, but only if the center of excellence established under section 232 is located at an institution described in subparagraph (A).

“(2) HIGHLY QUALIFIED.—The term ‘highly qualified’ when used with respect to an individual means that the individual is highly qualified as determined under section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) or section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

“(3) SCIENTIFICALLY BASED READING RESEARCH.—The term ‘scientifically based reading research’ has the meaning given such term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).

“(4) SCIENTIFICALLY BASED RESEARCH.—The term ‘scientifically based research’ has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“SEC. 232. CENTERS OF EXCELLENCE.

“(a) PROGRAM AUTHORIZED.—From the amounts appropriated to carry out this part, the Secretary is authorized to award competitive grants to eligible institutions to establish centers of excellence.

“(b) USE OF FUNDS.—Grants provided by the Secretary under this part shall be used to ensure that current and future teachers are highly qualified, by carrying out one or more of the following activities:

“(1) Implementing reforms within teacher preparation programs to ensure that such programs are preparing teachers who are highly qualified, are able to understand scientifically based research, and are able to use advanced technology effectively in the classroom, including use for instructional techniques to improve student academic achievement, by—

“(A) retraining faculty; and

“(B) designing (or redesigning) teacher preparation programs that—

“(i) prepare teachers to close student achievement gaps, are based on rigorous academic content, scientifically based research (including scientifically based reading research), and challenging State student academic content standards; and

“(ii) promote strong teaching skills.

“(2) Providing sustained and high-quality preservice clinical experience, including the mentoring of prospective teachers by exemplary teachers, substantially increasing interaction between faculty at institutions of higher education and new and experienced teachers, principals, and other administrators at elementary schools or secondary schools, and providing support, including preparation time, for such interaction.

“(3) Developing and implementing initiatives to promote retention of highly qualified teachers and principals, including minority teachers and principals, including programs that provide—

“(A) teacher or principal mentoring from exemplary teachers or principals; or

“(B) induction and support for teachers and principals during their first 3 years of employment as teachers or principals, respectively.

“(4) Awarding scholarships based on financial need to help students pay the costs of tuition, room, board, and other expenses of completing a teacher preparation program.

“(5) Disseminating information on effective practices for teacher preparation and

successful teacher certification and licensure assessment preparation strategies.

“(6) Activities authorized under sections 202, 203, and 204.

“(c) APPLICATION.—Any eligible institution desiring a grant under this section shall submit an application to the Secretary at such a time, in such a manner, and accompanied by such information the Secretary may require.

“(d) MINIMUM GRANT AMOUNT.—The minimum amount of each grant under this part shall be \$500,000.

“(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—An eligible institution that receives a grant under this part may not use more than 2 percent of the grant funds for purposes of administering the grant.

“(f) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out this part.

“SEC. 233. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part \$10,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.”

SEC. 204. TEACHER INCENTIVE FUND PROGRAM.

Title II (20 U.S.C. 1021 et seq.), as amended by section 203 of this Act, is further amended by adding at the end the following:

“PART D—TEACHER INCENTIVE FUND PROGRAM

“SEC. 241. PURPOSE; DEFINITIONS.

“(a) PURPOSE.—The purpose of this part is to assist States, local educational agencies, and non-profit or for-profit organizations to develop and implement, or expand, innovative compensation systems to provide financial rewards for teachers and principals who raise student academic achievement and close the achievement gap, especially in the highest-need local educational agencies.

“(b) DEFINITIONS.—For purposes of this part:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a local educational agency, including a charter school that is a local educational agency;

“(B) a State educational agency, or other State agency designated by the chief executive of the State; or

“(C) a partnership of—

“(i) one or more agencies described in subparagraph (A) or (B), or both; and

“(ii) at least one non-profit or for-profit organization.

“(2) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term ‘high-need local educational agency’ has the meaning given that term in section 201.

“SEC. 242. TEACHER INCENTIVE FUND GRANTS.

“(a) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—From the amounts appropriated to carry out this part, the Secretary is authorized to award competitive grants of up to 5 years in length to eligible entities to develop and implement, or expand, a comprehensive performance-based compensation system for teachers and principals for one or more local educational agencies.

“(2) COMPREHENSIVE PERFORMANCE-BASED COMPENSATION SYSTEMS.—A comprehensive performance-based compensation system developed and implemented, or expanded with funds under this part—

“(A) shall differentiate levels of compensation primarily on the basis of increases in student academic achievement; and

“(B) may—

“(i) differentiate levels of compensation on the basis of high-quality teachers’ and principals’ employment and success in hard-to-staff schools or high-need subject areas; and

“(ii) recognize teachers’ and principals’ skills and knowledge as demonstrated through—

“(I) successful fulfillment of additional responsibilities or job functions; and

“(II) evidence of high achievement and mastery of content knowledge and teaching skills.

“(b) USE OF FUNDS.—A grantee shall use grant funds provided under this part only to design and implement, or expand, in collaboration with teachers, principals, other school administrators, and members of the public, a compensation system consistent with the requirements of this part. Authorized activities under this part may include the following:

“(1) Developing appraisal systems that reflect clear and fair measures of student academic achievement.

“(2) Conducting outreach within the local educational agency (or agencies) or the State to gain input on how to construct the appraisal system and to develop support for it.

“(3) Paying, as part of a comprehensive performance-based compensation system, bonuses and increased salaries to teachers and principals who raise student academic achievement, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant.

“(4) Paying, as part of a comprehensive performance-based compensation system, additional bonuses to teachers who both raise student academic achievement and either teach in high-poverty schools or teach subjects that are difficult to staff, or both, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant.

“(5) Paying, as part of a comprehensive performance-based compensation system, additional bonuses to principals who both raise student academic achievement and serve in high-poverty schools, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant.

“(c) APPLICATIONS.—To be eligible to receive a grant under this part, an eligible entity shall submit an application that includes—

“(1) a description of the local educational agency or local educational agencies to be served by the project, including such demographic information as the Secretary may request;

“(2) information on student academic achievement and the quality of the teachers and principals in the local educational agency or agencies to be served by the project;

“(3) a description of the performance-based teacher and principal compensation system that the applicant proposes to develop and implement or expand;

“(4) a description of how the applicant will use grant funds under this part in each year of the grant;

“(5) an explanation of how the applicant will meet the requirement in subsection (b)(3) and how the grantee will continue its performance-based compensation system after the grant ends;

“(6) a description of the support and commitment from teachers, the community or local educational agency or agencies for the development and implementation, or expansion, of a performance-based teacher and principal compensation system;

“(7) a description of how teacher, principal and student performance will be measured and the baseline measurement units; and

“(8) a description, if applicable, of how the applicant will define the term ‘high-quality’ for the purposes of subsection (a)(2)(B)(i), through the use of measurable indicators, such as effectiveness in raising student academic achievement, or demonstrated mastery of subject matter knowledge.

“(d) PRIORITY.—The Secretary shall give priority to applications for projects that would establish comprehensive performance-based compensation systems in high-need local educational agencies.

“SEC. 243. EVALUATIONS.

“The Secretary shall conduct an independent evaluation of the program under this part and may use up to 1 percent of the funds made available under this part or \$1,000,000, whichever is less, for any fiscal year for the cost of the evaluation.

“SEC. 244. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part \$100,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.”

SEC. 205. TRANSITION.

The Secretary of Education shall take such actions as the Secretary determines to be appropriate to provide for the orderly implementation of this title.

TITLE III—INSTITUTIONAL AID

SEC. 301. TITLE III GRANTS FOR AMERICAN INDIAN TRIBALLY CONTROLLED COLLEGES AND UNIVERSITIES.

(a) ELIGIBLE INSTITUTIONS.—Subsection (b) of section 316 (20 U.S.C. 1059c(b)) is amended to read as follows:

“(b) DEFINITIONS.—

“(1) ELIGIBLE INSTITUTIONS.—For purposes of this section, Tribal Colleges and Universities are the following:

“(A) any of the following institutions that qualify for funding under the Tribally Controlled College or University Assistance Act of 1978 or is listed in Equity in Educational Land Grant Status Act of 1994 (7 U.S.C. 301 note): Bay Mills Community College; Blackfeet Community College; Cankdeska Cikana Community College; Chief Dull Knife College; College of Menominee Nation; Crownpoint Institute of Technology; Diné College; D-Q University; Fond du Lac Tribal and Community College; Fort Belknap College; Fort Berthold Community College; Fort Peck Community College; Haskell Indian Nations University; Institute of American Indian and Alaska Native Culture and Arts Development; Lac Courte Oreilles Ojibwa Community College; Leech Lake Tribal College; Little Big Horn College; Little Priest Tribal College; Nebraska Indian Community College; Northwest Indian College; Oglala Lakota College; Saginaw Chippewa Tribal College; Salish Kootenai College; Si Tanka University—Eagle Butte Campus; Sinte Gleska University; Sisseton Wahpeton Community College; Sitting Bull College; Southwestern Indian Polytechnic Institute; Stone Child College; Tohono O’odham Community College; Turtle Mountain Community College; United Tribes Technical College; and White Earth Tribal and Community College; and

“(B) any other institution that meets the definition of tribally controlled college or university in section 2 of the Tribally Controlled College or University Assistance Act of 1978, and meets all other requirements of this section.

“(2) INDIAN.—The term ‘Indian’ has the meaning given the term in section 2 of the Tribally Controlled College or University Assistance Act of 1978.”

(b) DISTANCE LEARNING.—Subsection (c)(2) of such section is amended—

(1) by amending subparagraph (B) to read as follows:

“(B) construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities;”;

(2) in subparagraph (C), by inserting before the semicolon at the end the following: “, or advanced degrees in tribal governance or tribal public policy”;

(3) in subparagraph (D), by inserting before the semicolon at the end the following: “, in tribal governance, or tribal public policy”;

(4) by striking “and” at the end of subparagraph (K);

(5) by redesignating subparagraph (L) as subparagraph (M); and

(6) by inserting after subparagraph (K) the following new subparagraph:

“(L) developing or improving facilities for Internet use or other distance learning academic instruction capabilities; and”.

(c) APPLICATION AND ALLOTMENT.—Subsection (d) of such section is amended to read as follows:

“(d) APPLICATION AND ALLOTMENT.—

“(1) INSTITUTIONAL ELIGIBILITY.—To be eligible to receive assistance under this section, a Tribal College or University shall be an eligible institution under section 312(b).

“(2) APPLICATION.—Any Tribal College or University desiring to receive assistance under this section shall submit an application to the Secretary at such time, and in such manner, as the Secretary may reasonably require.

“(3) ALLOTMENTS TO INSTITUTIONS.—

“(A) ALLOTMENT: PELL GRANT BASIS.—From the amount appropriated to carry out this section for any fiscal year, the Secretary shall allot to each eligible institution a sum which bears the same ratio to one-half that amount as the number of Pell Grant recipients in attendance at such institution at the end of the award year preceding the beginning of that fiscal year bears to the total number of Pell Grant recipients at all eligible institutions.

“(B) ALLOTMENT: DEGREE AND CERTIFICATE BASIS.—From the amount appropriated to carry out this section for any fiscal year, the Secretary shall allot to each eligible institution a sum which bears the same ratio to one-half that amount as the number of degrees or certificates awarded by such institution during the preceding academic year bears to the total number of degrees or certificates at all eligible institutions.

“(C) MINIMUM GRANT.—Notwithstanding subparagraphs (A) and (B), the amount allotted to each institution under this section shall not be less than \$400,000.

“(4) SPECIAL RULES.—

“(A) CONCURRENT FUNDING.—For the purposes of this part, no Tribal College or University that is eligible for and receives funds under this section shall concurrently receive funds under other provisions of this part or part B.

“(B) EXEMPTION.—Section 313(d) shall not apply to institutions that are eligible to receive funds under this section.”

SEC. 302. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING INSTITUTIONS.

(a) DISTANCE LEARNING.—Section 317(c)(2) (20 U.S.C. 1059d(c)(2)) is amended—

(1) by amending subparagraph (B) to read as follows:

“(B) construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities;”;

(2) in subparagraph (C), by inserting before the semicolon at the end the following: “, or advanced degrees in tribal governance or tribal public policy”;

(3) in subparagraph (D), by inserting before the semicolon at the end the following: “, in tribal governance, or tribal public policy”;

(4) by striking “and” at the end of subparagraph (G);

(5) by striking the period at the end of subparagraph (H) and inserting a semicolon; and

(6) by inserting after subparagraph (H) the following new subparagraph:

“(I) development or improvement of facilities for Internet use or other distance learning academic instruction capabilities; and”.

(b) ENDOWMENT FUNDS.—Section 317(c) is further amended by adding at the end the following new paragraph:

“(3) ENDOWMENT FUNDS.—

“(A) IN GENERAL.—An Alaska Native or Native Hawaiian-serving institution may use not more than 20 percent of the grant funds provided under this section to establish or increase an endowment fund at the institution.

“(B) MATCHING REQUIREMENT.—In order to be eligible to use grant funds in accordance with subparagraph (A), the institution shall provide to the endowment fund from non-Federal funds an amount equal to the Federal funds used in accordance with subparagraph (A), for the establishment or increase of the endowment fund.

“(C) APPLICABILITY OF OTHER PROVISIONS.—The provisions of part C regarding the establishment or increase of an endowment fund, that the Secretary determines are not inconsistent with this paragraph, shall apply to funds used under subparagraph (A).”

(c) APPLICATION PROCESS.—Section 317(d)(2) is amended by striking “Such application shall include—” and all that follows through “may require.”

SEC. 303. GRANTS TO PART B INSTITUTIONS.

(a) USE OF FUNDS.—

(1) FACILITIES AND EQUIPMENT.—

(A) UNDERGRADUATE INSTITUTIONS.—Paragraph (2) of section 323(a) (20 U.S.C. 1062(a)) is amended to read as follows:

“(2) Construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities.”

(B) GRADUATE AND PROFESSIONAL SCHOOLS.—Paragraph (2) of section 326(c) is amended to read as follows:

“(2) construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities;”.

(2) OUTREACH AND COLLABORATION.—Paragraph (11) of section 323(a) is amended to read as follows:

“(11) Establishing community outreach programs and collaborative partnerships between part B institutions and local elementary or secondary schools. Such partnerships may include mentoring, tutoring, or other instructional opportunities that will boost student academic achievement and assist elementary and secondary school students in developing the academic skills and the interest to pursue postsecondary education.”

(b) TECHNICAL ASSISTANCE.—Section 323 (20 U.S.C. 1062) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—An institution may not use more than 2 percent of the grant funds provided under this part to secure technical assistance services.

“(2) TECHNICAL ASSISTANCE SERVICES.—Technical assistance services may include

assistance with enrollment management, financial management, and strategic planning.

“(3) REPORT.—The institution shall report to the Secretary on an annual basis, in such form as the Secretary requires, on the use of funds under this subsection.”.

(c) DISTANCE LEARNING.—Section 323(a)(2) (20 U.S.C. 1062(a)(2)) (as amended by subsection (a)(1)(A)) is further amended by inserting “development or improvement of facilities for Internet use or other distance learning academic instruction capabilities and” after “including”.

(d) MINIMUM GRANTS.—Section 324(d)(1) (20 U.S.C. 1063(d)(1)) is amended by inserting before the period at the end the following: “, except that, if the amount appropriated to carry out this part for any fiscal year exceeds the amount required to provide to each institution an amount equal to the total amount received by such institution under subsections (a), (b), and (c) for the preceding fiscal year, then the amount of such excess appropriation shall first be applied to increase the minimum allotment under this subsection to \$750,000”.

(e) ELIGIBLE GRADUATE OR PROFESSIONAL SCHOOLS.—

(1) GENERAL AUTHORITY.—Section 326(a)(1) (20 U.S.C. 1063b(a)(1)) is amended—

(A) by inserting “(A)” after “subsection (e) that”;

(B) by inserting before the period at the end the following: “, (B) is accredited by a nationally recognized accrediting agency or association determined by the Secretary to be a reliable authority as to the quality of training offered, and (C) according to such an agency or association, is in good standing”.

(2) ELIGIBLE INSTITUTIONS.—Section 326(e)(1) (20 U.S.C. 1063b(e)(1)) is amended—

(A) by striking “and” at the end of subparagraph (Q);

(B) by striking the period at the end of subparagraph (R) and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

“(S) Alabama State University qualified graduate program;

“(T) Prairie View A & M University qualified graduate program;

“(U) Coppin State University qualified graduate program; and

“(V) Delaware State University qualified graduate program.”.

(3) CONFORMING AMENDMENT.—Section 326(e)(3) (20 U.S.C. 1063b(e)(3)) is amended—

(A) by striking “1998” and inserting “2005”; and

(B) by striking “(Q) and (R)” and inserting “(S), (T), (U), and (V)”.

(f) PROFESSIONAL OR GRADUATE INSTITUTIONS.—Section 326(f) (20 U.S.C. 1063b(f)) is amended—

(1) in paragraph (1)—

(A) by striking “\$26,600,000” and inserting “\$54,500,000”; and

(B) by striking “(P)” and inserting “(R)”;

(2) in paragraph (2)—

(A) by striking “\$26,600,000, but not in excess of \$28,600,000” and inserting “\$54,500,000, but not in excess of \$58,500,000”; and

(B) by striking “subparagraphs (Q) and (R)” and inserting “subparagraphs (S), (T), (U), and (V)”;

(3) in paragraph (3)—

(A) by striking “\$28,600,000” and inserting “\$58,500,000”; and

(B) by striking “(R)” and inserting “(V)”.

(g) HOLD HARMLESS.—Section 326(g) (20 U.S.C. 1063b(g)) is amended by striking “1998” each place it appears and inserting “2005”.

SEC. 304. TECHNICAL AMENDMENTS.

(a) AMENDMENTS.—Title III is further amended—

(1) in section 311(c) (20 U.S.C. 1057(c))—

(A) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(B) by inserting after paragraph (6) the following:

“(7) Education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents.”;

(2) in section 312(b)(1)(A) (20 U.S.C. 1058(b)(1)(A)), by striking “subsection (c)” and inserting “subsection (d)”;

(3) in section 312(b)(1)(F) (20 U.S.C. 1058(b)(1)(F)), by inserting “which is” before “located”;

(4) in section 312(b)(1) (20 U.S.C. 1058(b)(1)), by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and by inserting after subparagraph (D) the following new subparagraph:

“(E) which provides a program that is not less than a 2-year educational program that is acceptable for full credit toward a bachelor’s degree;”;

(5) in section 316(c)(2) (20 U.S.C. 1059c(c)(2))—

(A) by redesignating subparagraphs (G) through (M) (as redesignated by section 301(b)(2) of this Act) as subparagraphs (H) through (N), respectively;

(B) by inserting after subparagraph (F) the following:

“(G) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;”;

(C) in subparagraph (N), as redesignated by subparagraph (A), by striking “subparagraphs (A) through (K)” and inserting “subparagraphs (A) through (M)”;

(6) in section 317(c)(2) (20 U.S.C. 1059d(c)(2)), by inserting after subparagraph (I) (as added by section 302(a)(6) of this Act) the following:

“(J) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents.”;

(7) in section 323(a) (20 U.S.C. 1062(a))—

(A) by striking “section 360(a)(2)” and inserting “section 399(a)(2)”;

(B) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(C) by inserting after paragraph (6) the following:

“(7) Education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents.”;

(8) in section 324(d)(2) (20 U.S.C. 1063(d)(2)), by striking “section 360(a)(2)(A)” and inserting “section 399(a)(2)(A)”;

(9) in section 326(e)(1) (20 U.S.C. 1063b(e)(1)), in the matter preceding subparagraph (A), by inserting a colon after “the following”;

(10) in section 327(b) (20 U.S.C. 1063c(b)), by striking “initial”;

(11) in section 342(5)(C) (20 U.S.C. 1066a(5)(C))—

(A) by inserting a comma after “equipment” the first place it appears; and

(B) by striking “technology,” and inserting “technology.”;

(12) in section 343(e) (20 U.S.C. 1066b(e)), by inserting after the subsection designation the following: “SALE OF QUALIFIED BONDS.—”;

(13) in section 351(a) (20 U.S.C. 1067a(a)), by striking “of 1979”;

(14) in section 391(b)(7)(E) (20 U.S.C. 1068(b)(7)(E)), by striking “subparagraph (E)” and inserting “subparagraph (D)”;

(15) in section 396 (20 U.S.C. 1068e), by striking “section 360” and inserting “section 399”.

(b) REPEAL.—Section 1024 (20 U.S.C. 1135b-3), as transferred by section 301(a)(5) of the

Higher Education Amendments of 1998 (Public Law 105-244; 112 Stat. 1636), is repealed.

SEC. 305. TITLE III AUTHORIZATIONS.

Section 399(a) (20 U.S.C. 1068h(a)) is amended—

(1) by striking “1999” each place it appears and inserting “2006”;

(2) by striking “4 succeeding fiscal years” each place it appears and inserting “5 succeeding fiscal years”;

(3) in paragraph (1)—

(A) by striking “\$10,000,000” in subparagraph (B) and inserting “\$23,800,000”; and

(B) by striking “\$5,000,000” in subparagraph (C) and inserting “\$11,900,000”;

(4) in paragraph (2)—

(A) by striking “\$135,000,000” in subparagraph (A) and inserting “\$241,000,000”; and

(B) by striking “\$35,000,000” in subparagraph (B) and inserting “\$59,000,000”; and

(5) in paragraph (4), by striking “\$110,000” and inserting “\$212,000”.

TITLE IV—STUDENT ASSISTANCE

PART A—GRANTS TO STUDENTS

SEC. 401. PELL GRANTS.

(a) EXTENSION OF AUTHORITY.—Section 401(a) (20 U.S.C. 1070a(a)) is amended by striking “2004” and inserting “2012”.

(b) DIRECT PAYMENT.—Section 401(a) (20 U.S.C. 1070a(a)) is further amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

(c) MAXIMUM PELL GRANT INCREASE.—Paragraph (2)(A) of section 401(b) (20 U.S.C. 1070a(b)(2)(A)) is amended to read as follows:

“(2)(A) The amount of the Federal Pell Grant for a student eligible under this part shall be \$6,000 for academic years 2006-2007 through 2012-2013, less an amount equal to the amount determined to be the expected family contribution with respect to that student for that year.”.

(d) TUITION SENSITIVITY.—Section 401(b) is further amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively.

(e) MULTIPLE GRANTS.—Paragraph (5) of section 401(b) (as redesignated by subsection (d)(2)) is amended to read as follows:

“(5) YEAR-ROUND PELL GRANTS.—

“(A) IN GENERAL.—The Secretary shall, for students enrolled full time in a baccalaureate or associate’s degree program of study at an eligible institution, award such students two Pell grants during a single award year to permit such students to accelerate progress toward their degree objectives by enrolling in academic programs for 12 months rather than 9 months.

“(B) LIMITATION.—The Secretary shall limit the awarding of additional Pell grants under this paragraph in a single award year to students attending—

“(i) baccalaureate degree granting institutions that have a graduation rate as reported by the Integrated Postsecondary Education Data System for the 4 preceding academic years of at least 30 percent; or

“(ii) two-year institutions that have a graduation rate as reported by the Integrated Postsecondary Education Data Systems, in at least one of the last 3 years for which data is available, that is above the average for the applicable year for the institution’s type and control.

“(C) EVALUATION.—The Secretary shall conduct an evaluation of the program under this paragraph and submit to the Congress an evaluation report no later than October 1, 2011.

“(D) REGULATIONS REQUIRED.—The Secretary shall promulgate regulations implementing this paragraph.”.

(f) INELIGIBILITY BASED ON INVOLUNTARY CIVIL COMMITMENT FOR SEXUAL OFFENSES.—

Paragraph (7) of section 401(b) (as redesignated by subsection (d)(2)) is amended by inserting before the period the following: “or who is subject to an involuntary civil commitment upon completion of a period of incarceration for a sexual offense (as determined under regulations of the Secretary)”.

(g) PELL GRANT ELIGIBILITY DURATION.—Section 401(c) (20 U.S.C. 1070a(c)) is amended—

(1) in paragraph (1)—

(A) by striking “The period” and inserting in lieu thereof “Subject to paragraph (5), the period”; and

(B) by striking the period at the end thereof and inserting “but shall be subject to the limitation described in paragraph (5).”; and

(2) by adding at the end the following new paragraph:

“(5) The period during which a student may receive Federal Pell Grants shall not exceed the equivalent of 18 semesters or 27 quarters in duration (as determined by the Secretary by regulation), without regard to whether the student is enrolled on a full-time basis during any portion of that period, and including any period of time for which the student received Federal Pell Grants prior to the date of enactment of the College Access and Opportunity Act of 2006.”.

(h) ELIGIBILITY PERIOD.—Section 401(c)(2) (20 U.S.C. 1070a(c)(2)) is amended by inserting “, for not more than one academic year,” after “which are determined by the institution” in the first sentence.

(i) PELL GRANTS PLUS: ACHIEVEMENT GRANTS FOR STATE SCHOLARS PROGRAM.—

(1) AMENDMENT.—Subpart 1 of part A of title IV is amended by inserting after section 401 (20 U.S.C. 1070a) the following new section:

“SEC. 401A. PELL GRANTS PLUS: ACHIEVEMENT GRANTS FOR STATE SCHOLARS.

“(a) GRANTS AUTHORIZED.—From sums appropriated to carry out section 401, the Secretary shall establish a program to award Pell Grants Plus to students who—

“(1) have successfully completed a rigorous high school program of study established by a State or local educational agency in consultation with a State coalition assisted by the Center for State Scholars;

“(2) are enrolled full-time in the first academic year of undergraduate education, and have not been previously enrolled in a program of undergraduate education; and

“(3) are eligible to receive Federal Pell Grants for the year in which the grant is awarded.

“(b) AMOUNT OF GRANTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the amount of the grant awarded under this section shall be \$1,000.

“(2) ASSISTANCE NOT TO EXCEED COST OF ATTENDANCE.—A grant awarded under this section to any student, in combination with the Federal Pell Grant assistance and other student financial assistance available to such student, may not exceed the student’s cost of attendance.

“(c) SELECTION OF RECIPIENTS.—

“(1) PROCEDURES ESTABLISHED BY REGULATION.—The Secretary shall establish by regulation procedures for the determination of eligibility of students for the grants awarded under this section. Such procedures shall include measures to ensure that eligibility is determined in a timely and accurate manner consistent with the requirements of section 482 and the submission of the financial aid form required by section 483.

“(2) REQUIRED INFORMATION.—Each eligible student desiring an award under this section shall submit at such time and in such manner such information as the Secretary may reasonably require.

“(3) CONTINUATION OF GRANT REQUIREMENTS.—In order for a student to continue to

be eligible to receive an award under this section for the second year of undergraduate education, the eligible student must—

“(A) maintain eligibility to receive a Federal Pell Grant for that year;

“(B) obtain a grade point average of at least 3.0 (or the equivalent as determined under regulations prescribed by the Secretary) for the first year of undergraduate education; and

“(C) be enrolled full-time and fulfill the requirements for satisfactory progress described in section 484(c).

“(d) EVALUATION, AND REPORTS.—The Secretary shall monitor the progress, retention, and completion rates of the students to whom awards are provided under this section. In doing so, the Secretary shall evaluate the impact of the Pell Grants Plus Program and report, not less than biennially, to the authorizing committees of the House of Representatives and the Senate.”.

(2) CONFORMING AMENDMENT.—Chapter 3 of subpart 2 of part A of title IV (20 U.S.C. 1070a–31 through 1070a–35) is repealed.

SEC. 402. TRIO PROGRAMS.

(a) DURATION OF GRANTS.—

(1) AMENDMENT.—Section 402A(b)(2) (20 U.S.C. 1070a–11(b)(2)) is amended to read as follows:

“(2) DURATION.—Grants or contracts awarded under this chapter shall be awarded for a period of 5 years, except that—

“(A) grants under section 402G shall be awarded for a period of 2 years; and

“(B) grants under section 402H shall be awarded for a period determined by the Secretary.”.

(2) TRANSITION TO SYNCHRONOUS GRANT PERIODS.—Notwithstanding section 402A(b)(2) of the Higher Education Act of 1965 (as in effect both prior to and after the amendment made by paragraph (1) of this subsection), the Secretary of Education may continue an award made before the date of enactment of this Act under section 402B, 402C, 402D, 402E, or 402F of such Act as necessary to permit all the awards made under such a section to expire at the end of the same fiscal year, and thereafter to expire at the end of 5 years as provided in the amendment made by paragraph (1) of this subsection.

(b) MINIMUM GRANTS.—Section 402A(b)(3) (20 U.S.C. 1070a–11(b)(3)) is amended to read as follows:

“(3) MINIMUM GRANTS.—Unless the institution or agency requests a smaller amount, individual grants for programs authorized under this chapter shall be no less than \$200,000, except that individual grants for programs authorized under section 402G shall be no less than \$170,000.”.

(c) PRIOR EXPERIENCE; NOVICE APPLICANTS.—Section 402A(c)(2) (20 U.S.C. 1070a–11(c)(2)) is amended—

(1) by striking “In making grants” and inserting “(A) Subject to subparagraph (B), in making grants”; and

(2) by adding at the end the following new subparagraph:

“(B) From the amount available under subsection (h) for a program under this chapter (other than a program under section 402G or 402H) for any fiscal year in which the Secretary conducts a competition for the award of grants or contracts under such program, the Secretary shall reserve 10 percent of such available amount for purposes of funding applications from novice applicants. If the Secretary determines that there are an insufficient number of qualified novice applicants to utilize the amount so reserved, the Secretary shall restore the unutilized remainder of the amount reserved for use by applicants qualifying under subparagraph (A).”.

(d) APPLICATION STATUS.—Section 402A(c) (20 U.S.C. 1070a–11(c)) is amended by striking paragraph (7).

(e) DOCUMENTATION OF STATUS.—Section 402A(e) (20 U.S.C. 1070a–11(e)) is amended by striking “(g)(2)” each place it appears in paragraphs (1) and (2) and inserting “(i)(4)”.

(f) HOMELESS AND UNACCOMPANIED YOUTH.—Section 402A(e) is further amended by adding at the end the following new paragraph:

“(3) Notwithstanding this subsection and subsection (i)(4), individuals who are homeless or unaccompanied youth as defined in section 725 of the McKinney-Vento Homeless Assistance Act shall be eligible to participate in programs under sections 402B, 402C, 402D, and 402F of this chapter.”.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 402A(f) (20 U.S.C. 1070a–11(f)) is amended by striking “\$700,000,000 for fiscal year 1999, and such sums as may be necessary for each of the 4 succeeding fiscal years” and inserting “\$836,500,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years”.

(h) DEFINITION.—Section 402A(g) (20 U.S.C. 1070a–11(g)) is amended—

(1) in paragraph (3), by striking “by reason of such individual’s age”; and

(2) by redesignating paragraphs (1) through (4) as paragraphs (3) through (6), respectively; and

(3) by inserting before paragraph (3), as redesignated, the following:

“(1) DIFFERENT CAMPUS.—The term ‘different campus’ means an institutional site that—

“(A) is geographically apart from the main campus of the institution;

“(B) is permanent in nature; and

“(C) offers courses in educational programs leading to a degree, certificate, or other recognized educational credential.

“(2) DIFFERENT POPULATION.—The term ‘different population’ means a group of individuals, with respect to whom an entity seeks to serve through an application for funding under this chapter, that—

“(A) is separate and distinct from any other population that the entity seeks to serve through an application for funding under this chapter; or

“(B) while sharing some of the same needs as another population that the entity seeks to serve through an application for funding under this chapter, has distinct needs for specialized services.”.

(i) EDUCATION AND COUNSELING SERVICES.—Chapter 1 of subpart 2 of part A of title IV is further amended—

(1) in section 402B(b) (20 U.S.C. 1070a–12(b))—

(A) by redesignating paragraphs (3) through (10) as paragraphs (4) through (11), respectively;

(B) by inserting after paragraph (2) the following:

“(3) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;”; and

(C) in paragraph (11), as redesignated by subparagraph (A), by striking “paragraphs (1) through (9)” and inserting “paragraphs (1) through (10)”;

(2) in section 402C (20 U.S.C. 1070a–13)—

(A) in subsection (b)—

(i) by redesignating paragraphs (2) through (12) as paragraphs (3) through (13), respectively;

(ii) by inserting after paragraph (1) the following:

“(2) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;”; and

(iii) in paragraph (12), as redesignated by clause (i), by inserting “, specifically in the fields of math and science” after “postsecondary education”; and

(iv) in paragraph (13), as redesignated by clause (i), by striking “paragraphs (1)

through (11)" and inserting "paragraphs (1) through (12)"; and

(B) in subsection (e), by striking "subsection (b)(10)" and inserting "subsection (b)(11)";

(3) in section 402D(b) (20 U.S.C. 1070a-14(b))—

(A) by redesignating paragraphs (2) through (10) as paragraphs (3) through (11), respectively;

(B) by inserting after paragraph (1) the following:

"(2) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;" and

(C) in paragraph (11), as redesignated by subparagraph (A), by striking "paragraphs (1) through (9)" and inserting "paragraphs (1) through (10)";

(4) in section 402E(b) (20 U.S.C. 1070a-15(b))—

(A) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(B) by inserting after paragraph (6) the following:

"(7) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;" and

(5) in section 402F(b) (20 U.S.C. 1070a-16(b))—

(A) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

(B) by inserting after paragraph (3) the following:

"(4) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;" and

(C) in paragraph (11), as redesignated by subparagraph (A), by striking "paragraphs (1) through (9)" and inserting "paragraphs (1) through (10)";

(j) MAXIMUM STIPENDS.—Section 402C(e) (20 U.S.C. 1070a-13(e)) is amended—

(1) by striking "\$60" and inserting "\$100"; and

(2) by striking "\$40" and inserting "\$60".

(k) STUDENT SUPPORT SERVICES.—Section 402D(d)(6) (20 U.S.C. 1070a-14(d)(6)) is amended—

(1) by striking "and" at the end of subparagraph (A);

(2) by striking the period at the end of subparagraph (B) and inserting "; and"; and

(3) by inserting after subparagraph (B) the following new subparagraph:

"(C) working with other entities that serve low-income working adults to increase access to and successful progress in postsecondary education by low-income working adults seeking their first postsecondary degree or certificate."

(l) POSTBACCALAUREATE ACHIEVEMENT MAXIMUM STIPENDS.—Section 402E(e)(1) (20 U.S.C. 1070a-15(e)(1)) is amended by striking "\$2,800" and inserting "\$5,000".

(m) EDUCATIONAL OPPORTUNITY CENTERS: APPLICATION APPROVAL.—Section 402F(c) (20 U.S.C. 1070a-16(c)) is amended—

(1) by striking "and" at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting "; and"; and

(3) by inserting after paragraph (3) the following new paragraph:

"(4) consider the extent to which the proposed project would provide services to low-income working adults in the region to be served, in order to increase access to postsecondary education by low-income working adults."

SEC. 403. TRIO REFORM.

(a) PERFORMANCE MEASURES.—Section 402A (20 U.S.C. 1070a-11) is amended—

(1) by redesignating subsections (c), (d), (e), (f), and (g) as subsections (d), (e), (g), (h), and (i), respectively; and

(2) by inserting after subsection (b) the following new subsection:

"(c) PERFORMANCE MEASURES.—

"(1) IN GENERAL.—The Secretary shall establish expected program outcomes and procedures for measuring, annually and for longer periods, the quality and effectiveness of programs operated under this chapter, and the impact of the services provided through the programs to support the attainment of higher education for students from disadvantaged backgrounds, low-income individuals, and prospective first-generation college students.

"(2) USE OF MEASURES.—The performance measures described in paragraph (1) shall be used to—

"(A) assess the impact of the specific services provided by recipients of grants or contracts under this chapter and, to the extent the Secretary finds appropriate, administrative and financial management practices of such programs;

"(B) identify strengths and weaknesses in the provision of services provided by grantees under this chapter;

"(C) identify project operations that may require training and technical assistance resources.

"(3) ADDITIONAL MEASURES.—In addition to the performance measures in paragraph (1), each grant recipient may establish local performance measures."

(b) SELECTION.—Subsection (d) of such section (as redesignated by subsection (a)(1) of this section) is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

"(2) SELECTION.—

"(A) IN GENERAL.—In awarding grants from among qualified applicants, the Secretary shall consider the effectiveness of each applicant in providing services under this chapter, based on—

"(i) the plan of such applicant to deliver program services and achieve expected program outcomes established by the Secretary;

"(ii) the plan of such applicant to coordinate program services with other programs for disadvantaged students; and

"(iii) any prior experience of such applicant in achieving expected program outcomes under this chapter.

"(B) ADDITIONAL CRITERIA.—The Secretary may establish additional selection criteria as necessary to identify the most qualified applicants."

(c) PRIOR EXPERIENCE.—Paragraph (3) of such subsection (d) (as amended by section 402(c) and redesignated by subsection (b)(1) of this section) is amended—

(1) by striking subparagraph (A) and inserting "(A) In making grants under this chapter, the Secretary shall use the measures described in subsection (c)(1) to evaluate each applicant's prior experience in achieving expected program outcomes under the particular program for which funds are sought."; and

(2) by adding at the end the following new subparagraph:

"(C) The Secretary shall not give prior experience points to any current grantee that during the then most recent period for which funds were provided—

"(i) failed to meet one or more expected program outcomes based on the performance measures described in subsection (c); or

"(ii) expended funds for indirect costs in an amount that exceeded 8 percent of the total grant award."

(d) ORDER OF AWARDS.—Paragraph (4) of such subsection (d) (as redesignated by subsection (b)(1) of this section) is amended—

(1) in subparagraph (A)—

(A) by striking "under paragraph (4)" and inserting "under paragraph (5)"; and

(B) by striking "with paragraph (2)" and inserting "with paragraph (3)"; and

(2) by amending subparagraph (B) to read as follows:

"(B) The Secretary shall not provide assistance to an entity if the Secretary has determined that such entity has involved the fraudulent use of public or private funds."

(e) TECHNICAL ASSISTANCE.—Paragraph (3) of subsection (e) of such section (as redesignated by subsection (a)(1) of this section) is amended to read as follows:

"(3) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to applicants for projects and programs authorized under this chapter. The Secretary shall give priority to serving programs and projects that serve geographic areas and eligible populations which have been underserved by the programs assisted under this chapter. Technical training activities shall include the provision of information on authorizing legislation, goals and objectives of the program, required activities, eligibility requirements, the application process and application deadlines, and assistance in the development of program proposals and the completion of program applications."

(f) RECORDKEEPING AND REPORTING.—Section 402A is further amended by inserting after subsection (e) of such section (as redesignated by subsection (a)(1) of this section) the following new subsection:

"(f) RECORDKEEPING AND REPORTING.—

"(1) IN GENERAL.—The Secretary shall establish uniform reporting requirements and require each recipient of funds under this chapter to submit annually and in electronic form such information in such manner and form and at such time as the Secretary may require, except that reporting such information shall not reveal personally identifiable information about an individual student.

"(2) REPORT TO CONGRESS.—At least once every 2-year period, the Secretary shall prepare and submit to the authorizing committees, a report on the services provided to students that shall include—

"(A) a statement for the then most recently concluded fiscal year specifying—

"(i) the amount of funds received by grantees to provide services under this chapter; and

"(ii) the amount of funds received by new grantees to provide services under this chapter;

"(B) a description of the specific services provided to students;

"(C) a summary of the overall success in achieving specific program outcomes or progress toward such outcomes;

"(D) a report of the number of students served by types of service received;

"(E) information summarizing the types of organizations that received funds under this chapter; and

"(F) a summary of the research and evaluation activities under section 402H, including—

"(i) a status report on ongoing activities; and

"(ii) results, conclusions, and recommendations of such activities available after the then most recent report."

(g) INCREASED MONITORING.—Subsection (h) of such section (as redesignated by subsection (a)(1) of this section) is amended by striking everything after the first sentence and inserting the following: "Of the amount appropriated under this chapter, the Secretary may use no more than one half of 1

percent of such amount to support the administration of the Federal TRIO programs including to increase the level of oversight monitoring, to support impact studies, program assessments and reviews, and to provide technical assistance to prospective applicants and current grantees.”.

(h) EXPECTED PROGRAM OUTCOME.—

(1) Section 402B (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

“(d) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant’s past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.”.

(2) Section 402C (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

“(f) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant’s past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.”.

(3) Section 402D (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

“(e) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant’s past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.”.

(4) Section 402E (20 U.S.C. 1070a-12) is amended by striking subsection (f) and inserting the following:

“(f) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant’s past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.”.

(5) Section 402F (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

“(d) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant’s past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.”.

(i) STAFF DEVELOPMENT.—Section 402G (20 U.S.C. 1070a-17) is amended to read as follows:

“SEC. 402G. STAFF DEVELOPMENT ACTIVITIES.

“(a) SECRETARY’S AUTHORITY.—For the purpose of improving the operation of the programs and projects authorized by this chapter, the Secretary is authorized to make grants to institutions of higher education and other public and private nonprofit institutions and organizations to provide training and technical assistance for staff and leadership personnel employed in, participating in, or preparing for employment in, such programs and projects.

“(b) CONTENTS OF TRAINING PROGRAMS.—Such training shall be provided to assist programs and projects in—

“(1) achieving the expected program outcomes stated under this chapter or addi-

tional outcomes identified by individual programs or projects;

“(2) addressing any identified program weaknesses in the overall development, conduct, or administration of a grant or contract;

“(3) improving the quality of services provided to eligible students; or

“(4) additional areas in need of program improvement as identified by the Secretary or as requested by grantees in order to enhance program operations and outcomes.

“(c) CONSULTATION.—Grants for the purposes of this section shall be made only after consultation with regional and State professional associations of persons having special knowledge with respect to the needs and problems of such programs and projects.”.

(j) EVALUATIONS.—Section 402H (20 U.S.C. 1070a-18) is amended to read as follows:

“SEC. 402H. EVALUATIONS.

“(a) EVALUATIONS.—

“(1) IN GENERAL.—For the purpose of improving the effectiveness of the programs and projects assisted under this chapter, the Secretary shall make grants to or enter into contracts with one or more organizations to—

“(A) evaluate the effectiveness of the programs and projects assisted under this chapter; and

“(B) disseminate information on the impact of the programs in increasing the education level of participating students, as well as other appropriate measures.

“(2) ISSUES TO BE EVALUATED.—The evaluations described in paragraph (1) shall measure the effectiveness of programs under this chapter in—

“(A) meeting the expected program outcomes stated under this chapter and all performance measures identified by the Secretary;

“(B) enhancing the access of low-income individuals and first-generation college students to postsecondary education;

“(C) preparing individuals and students for postsecondary education;

“(D) comparing the level of education completed by students who participate in the programs funded under this chapter with the level of education completed by students of similar backgrounds who do not participate in such programs;

“(E) comparing the retention rates, dropout rates, graduation rates, and college admission and completion rates of students who participate in the programs funded under this chapter with the rates of students of similar backgrounds who do not participate in such programs; and

“(F) such other issues as the Secretary considers appropriate for inclusion in the evaluation.

“(3) PROGRAM METHODS.—Such evaluations shall also investigate the effectiveness of alternative and innovative methods within Federal TRIO programs of increasing access to, and retention of, students in postsecondary education.

“(b) RESULTS.—The Secretary shall submit to the authorizing committees—

“(1) an annual interim report on the progress and preliminary results of the evaluation of each program funded under this chapter no later than 2 years following the date of enactment of the College Access and Opportunity Act of 2006; and

“(2) a final report not later than 3 years following the date of enactment of such Act.

“(c) PUBLIC AVAILABILITY.—All reports and underlying data gathered pursuant to this section shall be made available to the public upon request, in a timely manner following submission of the applicable reports under subsection (b), except that any personally identifiable information on students partici-

pating in any TRIO program shall not be disclosed or made available to the public.”.

SEC. 404. GEARUP.

(a) DURATION OF AWARDS.—Section 404A(b) (20 U.S.C. 1070a-21(b)) is amended—

(1) in paragraph (2)(B), by striking “Higher Education Amendments of 1998” and inserting “College Access and Opportunity Act of 2006”; and

(2) by adding at the end thereof the following new paragraph:

“(3) DURATION.—An award made by the Secretary under this chapter to an eligible entity described in paragraph (1) or (2) of subsection (c) shall be for the period of 6 years.”.

(b) CONTINUING ELIGIBILITY.—Section 404A (20 U.S.C. 1070a-21) is amended by adding at the end the following new subsection:

“(d) CONTINUING ELIGIBILITY.—An eligible entity shall not cease to be an eligible entity upon the expiration of any grant under this chapter (including a continuation award).”.

(c) CONTINUITY OF SERVICE.—

(1) COHORT APPROACH.—Section 404B(g)(1)(B) (20 U.S.C. 1070a-22(g)(1)(B)) is amended by inserting “and provide the option of continued services through the student’s first year of attendance at an eligible institution of higher education” after “grade level”.

(2) EARLY INTERVENTION.—Section 404D (20 U.S.C. 1070a-24) is amended—

(A) in subsection (b)(2)(A), by inserting “and students in the first year of attendance at an eligible institution of higher education” after “grade 12”; and

(B) in subsection (c), by inserting “, and may consider students in their first year of attendance at an eligible institution,” after “grade 12”.

(d) COORDINATION.—Section 404C(a)(2) (20 U.S.C. 1070a-23(a)(2)) is amended—

(1) by striking “and” at the end of subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

“(B) describe activities for coordinating, complementing, and enhancing services under this chapter provided by other eligible entities in the State; and”.

(e) EDUCATION AND COUNSELING SERVICES.—Section 404D(b)(2)(A)(ii) (20 U.S.C. 1070a-24(b)(2)(A)(ii)) is amended by striking “and academic counseling” and inserting “academic counseling, and financial literacy and economic literacy education or counseling”.

(f) HOMELESS AND UNACCOMPANIED YOUTH.—Section 404D is further amended by adding at the end the following new subsection:

“(e) HOMELESS AND UNACCOMPANIED YOUTH.—Notwithstanding any other provision of this chapter, individuals who are homeless or unaccompanied youth as defined in section 725 of the McKinney-Vento Homeless Assistance Act shall be eligible to participate in programs under this section.”.

(g) REAUTHORIZATION.—Section 404H (20 U.S.C. 1070a-28) is amended by striking “\$200,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years” and inserting “\$306,500,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years”.

SEC. 405. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by striking “\$675,000,000 for fiscal year 1999 and such sums as may be necessary for the 4 succeeding fiscal years” and inserting “\$779,000,000 for fiscal year 2006 and such sums as may be necessary for the 5 succeeding fiscal years”.

(b) PRIORITY OF AWARDS.—Paragraph (2) of section 413C(c) (20 U.S.C. 1070b-2(c)(2)) is amended to read as follows:

“(2) In carrying out paragraph (1) of this subsection, each institution of higher education shall, in the agreement made under section 487, assure that the selection procedures—

“(A) will give a priority for supplemental grants under this subpart to students who receive Pell Grants and meet the requirements of section 484; and

“(B) will award no more than 10 percent of each institution’s allocation received under section 413D to students who did not receive Federal Pell Grants in a prior year.”.

(c) PHASEOUT OF ALLOCATION BASED ON PREVIOUS ALLOCATIONS.—

(1) AMENDMENT.—Subsection (a) of section 413D (20 U.S.C. 1070b-3(a)) is amended to read as follows:

“(a) ALLOCATION BASED ON PREVIOUS ALLOCATION.—

“(1) BASE GUARANTEE.—From the amount appropriated pursuant to section 413A(b) for each fiscal year after fiscal year 2007, the Secretary shall, subject to paragraph (2), first allocate to each eligible institution an amount equal to the following percentage of the amount such institution received under subsection (a) of this section for fiscal year 2007 (as such subsection was in effect with respect to allocations for such fiscal year):

“(A) 80 percent for fiscal years 2008 and 2009;

“(B) 60 percent for fiscal years 2010 and 2011;

“(C) 40 percent for fiscal years 2012 and 2013;

“(D) 20 percent for fiscal years 2014 and 2015; and

“(E) 0 percent for fiscal year 2016 and any succeeding fiscal year.

“(2) RATABLE REDUCTIONS FOR INSUFFICIENT APPROPRIATIONS.—

“(A) REDUCTION OF BASE GUARANTEE.—If the amount appropriated for any fiscal year is less than the amount required to be allocated to all institutions under this subsection, then the amount of the allocation to each such institution shall be ratably reduced.

“(B) ADDITIONAL APPROPRIATIONS ALLOCATION.—If additional amounts are appropriated for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced (until the amount allocated equals the amount required to be allocated under this subsection).

“(3) ADDITIONAL ALLOCATIONS FOR CERTAIN INSTITUTIONS.—

“(A) ALLOCATIONS PERMITTED.—Notwithstanding any other provision of this section, the Secretary may allocate an amount equal to not more than 10 percent of the amount by which the amount appropriated in any fiscal year to carry out this subpart exceeds \$700,000,000 among eligible institutions described in subparagraph (B).

“(B) ELIGIBLE INSTITUTIONS.—An otherwise eligible institution may receive a portion of the allocation described in subparagraph (A) if—

“(i) not less than 10 percent of the students attending the institution receive Federal Pell Grants; and

“(ii)(I) in the case of an institution that offers programs of at least 4 years in duration, if its graduation rate for Federal Pell Grant recipients attending the institution and graduating within the period of time equal to normal duration of the longest undergraduate program offered by the institution, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(5)(C)); or

“(II) in the case of an institution that offers programs of at least 2, but less than 4, years in duration, if its rate for Federal Pell Grant recipients attending the institution and graduating or transferring to an institution that offers programs of at least 4 years in duration within the period of time equal to the normal duration of the program offered, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(5)(C)).”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any amounts appropriated under section 413A(b) of the Higher Education Act of 1965 (20 U.S.C. 1070b(b)) for fiscal year 2008 or any succeeding fiscal year.

(d) BOOKS AND SUPPLIES.—Section 413D(c)(3)(D) (20 U.S.C. 1070-3(c)(3)(D)) is amended by striking “\$450” and inserting “\$600”.

SEC. 406. LEAP.

Section 415A(b)(1) (20 U.S.C. 1070c(b)(1)) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

SEC. 407. HEP/CAMP PROGRAM.

Section 418A (20 U.S.C. 1070d-2) is amended—

(1) in subsection (b)(1)(B)(i), by inserting “, or whose spouse” after “themselves”;

(2) in subsection (b)(3)(B), by inserting “, including preparation for college entrance exams” after “program”;

(3) in subsection (b)(8), by inserting “, including child care and transportation” after “supportive services”;

(4) by striking “and” at the end of subsection (b)(7), by striking the period at the end of subsection (b)(8) and inserting “; and”, and by adding at the end of subsection (b) the following new paragraph:

“(9) follow-up activity and reporting requirements, except that not more than 2 percent of the funds provided under this section may be used for such purposes.”;

(5) in subsection (c)(1)(A), by inserting “, or whose spouse” after “themselves”;

(6) in subsection (c)(1)(B), by striking clause (i) and inserting the following:

“(i) personal, academic, career, and economic education or personal finance counseling as an ongoing part of the program.”;

(7) in subsection (c)(2)(B), by inserting “(including mentoring and guidance of such students)” after “services”;

(8) in subsection (c)(2), by striking “and” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “; and”, and by adding at the end of subsection (c)(2) the following new subparagraph:

“(C) for students in any program that does not award a bachelor’s degree, encouraging the transfer to, and persistence in, such a program, and monitoring the rate of such transfer, persistence, and completion.”;

(9) in subsection (e), by striking “section 402A(c)(1)” and inserting “section 402A(c)(2)”; and

(10) in subsection (h)—

(A) in paragraph (1), by striking “\$15,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years” and inserting “\$24,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years”; and

(B) in paragraph (2), by striking “\$5,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years” and inserting “\$16,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years”.

SEC. 408. ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM.

Subpart 6 of part A of title IV is amended to read as follows:

“Subpart 6—Robert C. Byrd Honors Scholarship Program

“SEC. 419A. ROBERT C. BYRD MATHEMATICS AND SCIENCE HONORS SCHOLARSHIP PROGRAM.

“(a) PURPOSE.—The purpose of this section is to award scholarships to students who are enrolled in studies leading to baccalaureate and advanced degrees in physical, life, or computer sciences, mathematics, and engineering.

“(b) DEFINITIONS.—As used in this section—

“(1) the term ‘computer science’ means the branch of knowledge or study of computers, including such fields of knowledge or study as computer hardware, computer software, computer engineering, information systems, and robotics;

“(2) the term ‘eligible student’ means a student who—

“(A) is a citizen of the United States;

“(B) is selected by the managing agent to receive a scholarship;

“(C) is enrolled full-time in an institution of higher education, other than a United States service academy; and

“(D) has shown a commitment to and is pursuing a major in studies leading to a baccalaureate, masters, or doctoral degree (or a combination thereof) in physical, life, or computer sciences, mathematics, or engineering;

“(3) the term ‘engineering’ means the science by which the properties of matter and the sources of energy in nature are made useful to humanity in structures, machines, and products, as in the construction of engines, bridges, buildings, mines, and chemical plants, including such fields of knowledge or study as aeronautical engineering, chemical engineering, civil engineering, electrical engineering, industrial engineering, materials engineering, manufacturing engineering, and mechanical engineering;

“(4) the term ‘life sciences’ means the branch of knowledge or study of living things, including such fields of knowledge or study as biology, biochemistry, biophysics, microbiology, genetics, physiology, botany, zoology, ecology, and behavioral biology, except that the term does not encompass social psychology or the health professions;

“(5) the term ‘managing agent’ means an entity to which an award is made under subsection (c) to manage a program of Mathematics and Science Honors Scholarships;

“(6) the term ‘mathematics’ means the branch of knowledge or study of numbers and the systematic treatment of magnitude, relationships between figures and forms, and relations between quantities expressed symbolically, including such fields of knowledge or study as statistics, applied mathematics, and operations research; and

“(7) the term ‘physical sciences’ means the branch of knowledge or study of the material universe, including such fields of knowledge or study as astronomy, atmospheric sciences, chemistry, earth sciences, ocean sciences, physics, and planetary sciences.

“(c) AWARD.—

“(1)(A) From funds authorized under section 419D to carry out this section, the Secretary is authorized, through a grant or cooperative agreement, to make an award to a private, non-profit organization, other than an institution of higher education or system of institutions of higher education, to manage, through a public and private partnership, a program of Mathematics and Science Honors Scholarships under this section.

“(B) The award under subparagraph (A) shall be for a five-year period.

“(2)(A) One hundred percent of the funds awarded under paragraph (1)(A) for any fiscal year shall be obligated and expended solely on scholarships to eligible students.

“(B) No Federal funds shall be used to provide more than 50 percent of the cost of any scholarship to an eligible student.

“(C) The maximum scholarship award shall be the difference between an eligible student’s cost of attendance minus any non-loan based aid such student receives.

“(3)(A) The secretary may establish—

“(i) eligibility criteria for applicants for managing agent, including criteria regarding financial and administrative capability; and

“(ii) operational standards for the managing agent, including management and performance requirements, such as audit, recordkeeping, record retention, and reporting procedures and requirements.

“(B) The Secretary, as necessary, may review and revise any criteria, standards, and rules established under this paragraph and, through the agreement with the managing agent, see that any revisions are implemented.

“(4) If the managing agent fails to meet the requirements of this section the Secretary may terminate the award to the managing agent.

“(5) The Secretary shall conduct outreach efforts to help raise awareness of the Mathematics and Science Honors Scholarships.

“(d) DUTIES OF THE MANAGING AGENT.—The managing agent shall—

“(1) develop criteria to award Mathematics and Science Honors Scholarships based on established measurements available to secondary students who wish to pursue degrees in physical, life, or computer sciences, mathematics, and engineering;

“(2) establish a Mathematics and Science Honors Scholarship Fund in a separate, named account that clearly discloses the amount of Federal and non-Federal funds deposited in the account and used for scholarships under this section;

“(3) solicit funds for scholarships and for the administration of the program from non-Federal sources;

“(4) solicit applicants for scholarships;

“(5) from the amounts in the Fund, award scholarships to eligible students and transfer such funds to the institutions of higher education that they attend; and

“(6) annually submit to the Secretary a financial audit and a report on the progress of the program, and such other documents as the Secretary may require to determine the effective management of the program.

“(e) APPLICATIONS.—

“(1) Any eligible entity that desires to be the managing agent under this section shall submit an application to the Secretary, in such form and containing such information, as the Secretary may require.

“(2) Each application shall include a description of—

“(A) how the applicant meets or will meet requirements established under subsections (c)(3)(A) and (d);

“(B) how the applicant will solicit funds for scholarships and for the administration of the program from non-Federal sources;

“(C) how the applicant will provide nationwide outreach to inform students about the program and to encourage students to pursue degrees in physical, life, or computer sciences, mathematics, and engineering;

“(D) how the applicant will solicit applications for scholarships, including how the applicant will balance efforts in urban and rural areas;

“(E) the selection criteria based on established measurements available to secondary students the applicant will use to award scholarships and to renew those awards;

“(F) how the applicant will inform the institution of higher education chosen by the recipient of the name and scholarship amount of the recipient;

“(G) what procedures and assurances the applicant and the institution of higher education that the recipient attends will use to verify student eligibility, attendance, degree progress, and academic performance and to deliver and account for payments to such institution;

“(H) the management (including audit and accounting) procedures the applicant will use for the program;

“(I) the human, financial, and other resources that the applicant will need and use to manage the program;

“(J) how the applicant will evaluate the program and report to the Secretary annually; and

“(K) a description of how the entity will coordinate with, complement, and build on similar public and private mathematics and science programs.

“(f) SCHOLARSHIP RECIPIENTS.—

“(1) A student receiving a scholarship under this section shall be known as a ‘Byrd Mathematics and Science Honors Scholar’.

“(2) Any student desiring to receive a scholarship under this section shall submit an application to the managing agent in such form, and containing such information, as the managing agent may require.

“(3) Any student that receives a scholarship under this section shall enter into an agreement with the managing agent to complete 5 consecutive years of service to begin no later than 12 months following completion of the final degree in a position related to physical, life, or computer sciences, mathematics, or engineering as defined under this section.

“(4) If any student that receives a scholarship under this section fails to earn at least a baccalaureate degree in physical, life, or computer sciences, mathematics, or engineering as defined under this section, the student shall repay to the managing agent the amount of any financial assistance paid to such student.

“(5) If any student that receives a scholarship under this section fails to meet the requirements of paragraph (3), the student shall repay to the managing agent the amount of any financial assistance paid to such student.

“(6)(A) Scholarships shall be awarded for only one academic year of study at a time.

“(B)(i) A scholarship shall be renewable on an annual basis for the established length of the academic program if the student awarded the scholarship remains eligible.

“(ii) The managing agent may condition renewal of a scholarship on measures of academic progress and achievement, with the approval of the Secretary.

“(C)(i) If a student fails to either remain eligible or meet established measures of academic progress and achievement, the managing agent shall instruct the student’s institution of higher education to suspend payment of the student’s scholarship.

“(ii) A suspension of payment shall remain in effect until the student is able to demonstrate to the satisfaction of the managing agent that he or she is again eligible and meets the established measures of academic progress and achievement.

“(iii) A student’s eligibility for a scholarship shall be terminated if a suspension period exceeds 12 months.

“(D)(i)(I) A student awarded a scholarship may, in a manner and under the terms established by, and with the approval of, the managing agent, postpone or interrupt his or her enrollment at an institution of higher education for up to 12 months.

“(II) Such a postponement or interruption shall not be considered a suspension for purposes of subparagraph (C).

“(ii) Neither a student nor the student’s institution of higher education shall receive the student’s scholarship payments during the period of postponement or interruption, but such payments shall resume upon enrollment or reenrollment.

“(iii) In exceptional circumstances, such as serious injury or illness or the necessity to care for family members, the student’s postponement or interruption may, upon notification and approval of the managing agent, be extended beyond the 12 month period described in clause (i)(I).

“(g) RESPONSIBILITIES OF INSTITUTION OF HIGHER EDUCATION.—

“(1) The managing agent shall require any institution of higher education that enrolls a student who receives a scholarship under this section to annually provide an assurance, prior to making any payment, that the student—

“(A) is eligible in accordance with subsection (b)(2); and

“(B) has provided the institution with a written commitment to attend, or is attending, classes and is satisfactorily meeting the institution’s academic criteria for enrollment in its program of study.

“(2)(A) The managing agent shall provide the institution of higher education with payments from the Fund for selected recipients in at least two installments.

“(B) An institution of higher education shall return prorated amounts of any scholarship payment to the managing agent, who shall deposit it in to the Fund, if a recipient declines a scholarship, does not attend courses, transfers to another institution of higher education, or becomes ineligible for a scholarship.

“SEC. 419B. MATHEMATICS AND SCIENCE INCENTIVE PROGRAM.

“(a) PROGRAM.—

“(1) IN GENERAL.—The Secretary is authorized to carry out a program of assuming the obligation to pay, pursuant to the provisions of this section, the interest on a loan made, insured, or guaranteed under part B or D of this title.

“(2) ELIGIBILITY.—The Secretary may assume interest payments under paragraph (1) only for a borrower who—

“(A) has submitted an application in compliance with subsection (d);

“(B) obtained one or more loans described in paragraph (1) as an undergraduate student;

“(C) is a new borrower (within the meaning of section 103(7) of this Act) on or after the date of enactment of the College Access and Opportunity Act of 2006;

“(D) is a highly qualified teacher of science, technology, engineering or mathematics at an elementary or secondary school in a high need local educational agency, or is a mathematics, science, or engineering professional; and

“(E) enters into an agreement with the Secretary to complete 5 consecutive years of service in a position described in subparagraph (D), starting on the date of the agreement.

“(3) PRIOR INTEREST LIMITATIONS.—The Secretary shall not make any payments for interest that—

“(A) accrues prior to the beginning of the repayment period on a loan in the case of a loan made under section 428H or a Federal Direct Unsubsidized Stafford Loan; or

“(B) has accrued prior to the signing of an agreement under paragraph (2)(E).

“(4) INITIAL SELECTION.—In selecting participants for the program under this section, the Secretary—

“(A) shall choose among eligible applicants on the basis of—

“(i) the national security, homeland security, and economic security needs of the United States, as determined by the Secretary, in consultation with other Federal agencies, including the Departments of Labor, Defense, Homeland Security, Commerce, and Energy, the Central Intelligence Agency, and the National Science Foundation; and

“(ii) the academic record or job performance of the applicant; and

“(B) may choose among eligible applicants on the basis of—

“(i) the likelihood of the applicant to complete the 5-year service obligation;

“(ii) the likelihood of the applicant to remain in science, mathematics, or engineering after the completion of the service requirement; or

“(iii) other relevant criteria determined by the Secretary.

“(5) AVAILABILITY SUBJECT TO APPROPRIATIONS.—Loan interest payments under this section shall be subject to the availability of appropriations. If the amount appropriated for any fiscal year is not sufficient to provide interest payments on behalf of all qualified applicants, the Secretary shall give priority to those individuals on whose behalf interest payments were made during the preceding fiscal year.

“(6) REGULATIONS.—The Secretary is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section.

“(b) DURATION AND AMOUNT OF INTEREST PAYMENTS.—The period during which the Secretary shall pay interest on behalf of a student borrower who is selected under subsection (a) is the period that begins on the effective date of the agreement under subsection (a)(2)(E), continues after successful completion of the service obligation, and ends on the earlier of—

“(1) the completion of the repayment period of the loan;

“(2) payment by the Secretary of a total of \$5,000 on behalf of the borrower;

“(3) if the borrower ceases to fulfill the service obligation under such agreement prior to the end of the 5-year period, as soon as the borrower is determined to have ceased to fulfill such obligation in accordance with regulations of the Secretary; or

“(4) 6 months after the end of any calendar year in which the borrower's gross income equals or exceeds 4 times the national per capita disposable personal income (current dollars) for such calendar year, as determined on the basis of the National Income and Product Accounts Tables of the Bureau of Economic Analysis of the Department of Commerce, as determined in accordance with regulations prescribed by the Secretary.

“(c) REPAYMENT TO ELIGIBLE LENDERS.—Subject to the regulations prescribed by the Secretary by regulation under subsection (a)(6), the Secretary shall pay to each eligible lender or holder for each payment period the amount of the interest that accrues on a loan of a student borrower who is selected under subsection (a).

“(d) APPLICATION FOR REPAYMENT.—

“(1) IN GENERAL.—Each eligible individual desiring loan interest payment under this section shall submit a complete and accurate application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(2) FAILURE TO COMPLETE SERVICE AGREEMENT.—Such application shall contain an agreement by the individual that, if the individual fails to complete the 5 consecutive years of service required by subsection (a)(2)(E), the individual agrees to repay the

Secretary the amount of any interest paid by the Secretary on behalf of the individual.

“(e) TREATMENT OF CONSOLIDATION LOANS.—A consolidation loan made under section 428C of this Act, or a Federal Direct Consolidation Loan made under part D of title IV of this Act, may be a qualified loan for the purpose of this section only to the extent that such loan amount was used by a borrower who otherwise meets the requirements of this section to repay—

“(1) a loan made under section 428 or 428H of this Act; or

“(2) a Federal Direct Stafford Loan, or a Federal Direct Unsubsidized Stafford Loan, made under part D of title IV of this Act.

“(f) PREVENTION OF DOUBLE BENEFITS.—No borrower may, for the same service, receive a benefit under both this section and—

“(1) any loan forgiveness program under title IV of this Act; or

“(2) subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.).

“(g) DEFINITIONS.—As used in this section—

“(1) the term ‘high need local educational agency’ has the same meaning given such term in section 201(b)(4); and

“(2) the term ‘mathematics, science, or engineering professional’ means a person who—

“(A) holds a baccalaureate, masters, or doctoral degree (or a combination thereof) in science, mathematics, or engineering; and

“(B) works in a field the Secretary determines is closely related to that degree, which shall include working as a professor at a two- or four-year institution of higher education.

“SEC. 419C. MATHEMATICS AND SCIENCE EDUCATION COORDINATING COUNCIL GRANTS.

“(a) PURPOSES.—The purposes of this section include—

“(1) supporting programs that encourage students to enroll in and successfully complete baccalaureate and advanced degrees in science, technology, engineering, and mathematics;

“(2) achieving the common objective of organizing, leading, and implementing State-based reform agendas that support the continuing improvement of mathematics and science education; and

“(3) improving collaboration in a State among the State educational agency, 2-year and 4-year institutions of higher education, and the business community through the development or improvement of a coordinating council.

“(b) DEFINITIONS.—For the purposes of this section:

“(1) the term ‘eligible State’ means—

“(A) the Governor of a State; or

“(B) in the case of a State for which the constitution or laws of the State designate an individual, entity, or agency in the State, other than the Governor, to be responsible for coordination among segments of the State's educational systems, such individual, entity, or agency.

“(2) the term ‘mathematics and science education coordinating council’ means an organization that is charged by a State with coordinating mathematics and science education in the State. Such a council shall be composed of education, business, and community leaders working together to increase student participation and academic achievement in mathematics and science.

“(c) STATE GRANTS.—From amounts made available under section 419D for this section, the Secretary is authorized to use not more than \$5,000,000 to award grants on a competitive basis to eligible States for the purpose of carrying out activities described in subsection (d).

“(d) USES OF FUNDS.—An eligible State that receives a grant under this section is

authorized to use grant funds to carry out one or more of the following activities:

“(1) In a State in which a mathematics and science education coordinating council does not exist, planning and establishing such a council.

“(2) In a State in which such a council exists, reforming or expanding the activities of the council, including implementing State-based reform agendas that support the continuing improvement of mathematics and science education, and support services that lead to better teacher recruitment and training, increased student academic achievement, and increased student enrollment and degree attainment in science, technology, engineering, and mathematics.

“(3) Coordinating with activities under part B of title II of the Elementary and Secondary Education Act of 1965 and with title II of this Act, especially as it pertains to the recruitment and preparation of highly qualified mathematics and science teachers.

“(e) APPLICATION.—To be eligible to receive a grant under this section, an eligible State shall submit an application to the Secretary that—

“(1) describes the activities the State will carry out with the funds;

“(2) contains a plan for continuing such activities once Federal funding ceases; and

“(3) contains such other information and assurances as the Secretary may require.

“(f) CONSULTATION.—The Governor of a State, or the individual, entity, or agency in the State described in subsection (b)(1)(B), shall consult with the State board of education, State educational agency, and the State agency for higher education, as appropriate, with respect to the activities assisted under this section. In the case of an individual, entity, or agency described in subsection (b)(1)(B), such consultation shall also include the Governor.

“(g) CONSTRUCTION.—Nothing in this section shall be construed to negate or supersede the legal authority under State law of any State agency, State entity, or State public official over programs that are under the jurisdiction of the agency, entity, or official.

“(h) ADMINISTRATIVE PROVISIONS.—

“(1) IN GENERAL.—

“(A) Grants awarded under this section shall be awarded for a period not to exceed 5 years.

“(B) A grantee may receive a grant under this part only once.

“(C) Payments of grant funds under this section shall be annual.

“(2) SECRETARIAL SELECTIONS.—The Secretary shall determine which applications receive funds under this section, and the amount of the grant. In determining grant amounts, the Secretary shall take into account the total amount of funds available for all grants under this section and the nature of each grant proposal, including whether funds are being sought to assist in the creation of a new State mathematics and science education coordinating council or to extend the work of an existing council. The Secretary shall also take into account the equitable geographic distribution of grants throughout the United States.

“(3) MATCHING REQUIREMENT.—Each eligible State receiving a grant under this section shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (in cash or in kind) to carry out the activities supported by the grant.

“(i) ACCOUNTABILITY AND EVALUATION.—

“(1) STATE GRANT ACCOUNTABILITY REPORT.—An eligible State that receives a grant under this section shall submit an annual accountability report to the Secretary. Such report shall include a description of the degree to which the eligible State, in using

grant funds, has made substantial progress in meeting its objectives.

“(2) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate the activities funded under this section and report the Secretary’s findings regarding such activities to the authorizing committees. The Secretary shall broadly disseminate successful practices developed by eligible States under this section, and shall broadly disseminate information regarding such practices that were found to be ineffective.

“(3) REVOCATION.—If the Secretary determines that an eligible State is not making substantial progress in meeting the purposes, objectives, and measures, as appropriate, required under this section by the end of the second year of a grant, then the grant payment shall not be made for the third year and subsequent years of the grant.

“SEC. 419D. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated \$41,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years to carry out this subpart.”

SEC. 409. CHILD CARE ACCESS.

Section 419N(g) (20 U.S.C. 1070e(g)) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

SEC. 410. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.

(a) REPEAL.—Subpart 8 of part A of title IV (20 U.S.C. 1070f–1070f-6) is repealed.

(b) CONFORMING AMENDMENT.—Section 400(b) (20 U.S.C. 1070(b)) is amended by striking “through 8” and inserting “through 7”.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

SEC. 421. LOAN FORGIVENESS FOR SERVICE IN AREAS OF NATIONAL NEED.

Section 428K (20 U.S.C. 1078-11) is amended to read as follows:

“SEC. 428K. LOAN FORGIVENESS FOR SERVICE IN AREAS OF NATIONAL NEED.

“(a) PURPOSES.—The purposes of this section are—

“(1) to encourage highly trained individuals to enter and continue in service in areas of national need; and

“(2) to reduce the burden of student debt for Americans who dedicate their careers to service in areas of national need.

“(b) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—The Secretary is authorized to carry out a program of assuming the obligation to repay, pursuant to paragraphs (2) of subsection (c) and subsection (d), a qualified loan amount for a loan made, insured, or guaranteed under this part or part D (other than loans made under section 428B and 428C and comparable loans made under part D), for any new borrower after the date of enactment of the College Access and Opportunity Act of 2006, who—

“(A) has been employed full-time for at least 5 consecutive complete school, academic, or calendar years, as appropriate, in an area of national need described in subsection (c); and

“(B) is not in default on a loan for which the borrower seeks forgiveness.

“(2) AWARD BASIS.—Loan repayment under this section shall be on a first-come, first-served basis pursuant to the designation under subsection (c) and subject to the availability of appropriations.

“(3) REGULATIONS.—The Secretary is authorized to issue such regulations as may be necessary to carry out the provisions of this section.

“(c) AREAS OF NATIONAL NEED.—

“(1) STATUTORY CATEGORIES.—For purposes of this section, an individual shall be treated

as employed in an area of national need if the individual is employed full time and is any of the following:

“(A) EARLY CHILDHOOD EDUCATORS.—An individual who is employed as an early childhood educator in an eligible preschool program or child care facility in a low-income community, and who is involved directly in the care, development and education of infants, toddlers, or young children through age five.

“(B) NURSES.—An individual who is employed—

“(i) as a nurse in a clinical setting; or

“(ii) as a member of the nursing faculty at an accredited school of nursing (as those terms are defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).

“(C) FOREIGN LANGUAGE SPECIALISTS.—An individual who has obtained a baccalaureate degree in a critical foreign language and is employed—

“(i) in an elementary or secondary school as a teacher of a critical foreign language; or

“(ii) in an agency of the United States Government in a position that regularly requires the use of such critical foreign language.

“(D) LIBRARIANS.—An individual who is employed full-time as a librarian in—

“(i) a public library that serves a geographic area within which the public schools have a combined average of 30 percent or more of their total student enrollments composed of children counted under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965; or

“(ii) an elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title I of the Elementary and Secondary Education Act of 1965, and which for the purpose of this paragraph and for that year has been determined by the Secretary (pursuant to regulations and after consultation with the State educational agency of the State in which the school is located) to be a school in which the enrollment of children counted under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 exceeds 30 percent of the total enrollment of that school.

“(E) HIGHLY QUALIFIED TEACHERS: BILINGUAL EDUCATION AND LOW-INCOME COMMUNITIES.—An individual who—

“(i) is highly qualified as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965; and

“(ii)(I) is employed as a full-time teacher of bilingual education; or

“(II) is employed as a teacher for service in a public or nonprofit private elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title I of the Elementary and Secondary Education Act of 1965, and which for the purpose of this paragraph and for that year has been determined by the Secretary (pursuant to regulations and after consultation with the State educational agency of the State in which the school is located) to be a school in which the enrollment of children counted under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 exceeds 40 percent of the total enrollment of that school.

“(F) FIRST RESPONDERS IN LOW-INCOME COMMUNITIES.—An individual who—

“(i) is employed as a firefighter, police officer, or emergency medical technician; and

“(ii) serves as such in a low-income community.

“(G) CHILD WELFARE WORKERS.—An individual who—

“(i) has obtained a degree in social work or a related field with a focus on serving children and families; and

“(ii) is employed in public or private child welfare services.

“(H) SPEECH-LANGUAGE PATHOLOGISTS.—An individual who is a speech-language pathologist, who is employed in an eligible preschool program or an elementary or secondary school, and who has, at a minimum, a graduate degree in speech-language pathology, or communication sciences and disorders.

“(I) ADDITIONAL AREAS OF NATIONAL NEED.—An individual who is employed in an area designated by the Secretary under paragraph (2) and has completed a baccalaureate or advanced degree related to such area.

“(2) DESIGNATION OF AREAS OF NATIONAL NEED.—After consultation with appropriate Federal, State, and community-based agencies and organizations, the Secretary shall designate areas of national need. In making such designations, the Secretary shall take into account the extent to which—

“(A) the national interest in the area is compelling;

“(B) the area suffers from a critical lack of qualified personnel; and

“(C) other Federal programs support the area concerned.

“(d) QUALIFIED LOAN AMOUNT.—The Secretary shall repay not more than \$5,000 in the aggregate of the loan obligation on a loan made under section 428 or 428H that is outstanding after the completion of the fifth consecutive school, academic, or calendar year, as appropriate, described in subsection (b)(1).

“(e) CONSTRUCTION.—Nothing in this section shall be construed to authorize the refunding of any repayment of a loan made under section 428 or 428H.

“(f) INELIGIBILITY OF NATIONAL SERVICE AWARD RECIPIENTS.—No student borrower may, for the same service, receive a benefit under both this section and subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.).

“(g) INELIGIBILITY FOR DOUBLE BENEFITS.—No borrower may receive a reduction of loan obligations under both this section and section 428J or 460.

“(h) DEFINITIONS.—In this section

“(1) CHILD CARE FACILITY.—The term ‘child care facility’ means a facility, including a home, that—

“(A) provides for the education and care of children from birth through age 5; and

“(B) meets any applicable State or local government licensing, certification, approval, or registration requirements.

“(2) CRITICAL FOREIGN LANGUAGE.—The term ‘critical foreign language’ includes the languages of Arabic, Korean, Japanese, Chinese, Pashto, Persian-Farsi, Serbian-Croatian, Russian, Portuguese, and any other language identified by the Secretary of Education, in consultation with the Defense Language Institute, the Foreign Service Institute, and the National Security Education Program, as a critical foreign language need.

“(3) EARLY CHILDHOOD EDUCATOR.—The term ‘early childhood educator’ means an early childhood educator employed in an eligible preschool program who has completed a baccalaureate or advanced degree in early childhood development, early childhood education, or in a field related to early childhood education.

“(4) ELIGIBLE PRESCHOOL PROGRAM.—The term ‘eligible preschool program’ means a program that provides for the care, development, and education of infants, toddlers, or young children through age 5, meets any applicable State or local government licensing, certification, approval, and registration requirements, and is operated by—

“(A) a public or private school that may be supported, sponsored, supervised, or administered by a local educational agency;

“(B) a Head Start agency serving as a grantee designated under the Head Start Act (42 U.S.C. 9831 et seq.);

“(C) a nonprofit or community based organization; or

“(D) a child care program, including a home.

“(5) **LOW-INCOME COMMUNITY.**—In this subsection, the term ‘low-income community’ means a community in which 70 percent of households earn less than 85 percent of the State median household income.

“(6) **NURSE.**—The term ‘nurse’ means a nurse who meets all of the following:

“(A) The nurse graduated from—

“(i) an accredited school of nursing (as those terms are defined in section 801 of the Public Health Service Act (42 U.S.C. 296));

“(ii) a nursing center; or

“(iii) an academic health center that provides nurse training.

“(B) The nurse holds a valid and unrestricted license to practice nursing in the State in which the nurse practices in a clinical setting.

“(C) The nurse holds one or more of the following:

“(i) A graduate degree in nursing, or an equivalent degree.

“(ii) A nursing degree from a collegiate school of nursing (as defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).

“(iii) A nursing degree from an associate degree school of nursing (as defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).

“(iv) A nursing degree from a diploma school of nursing (as defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).

“(7) **SPEECH-LANGUAGE PATHOLOGIST.**—The term ‘speech-language pathologist’ means a speech-language pathologist who meets all of the following:

“(A) the speech-language pathologist has received, at a minimum, a graduate degree in speech-language pathology or communication sciences and disorders from an institution of higher education accredited by an agency or association recognized by the Secretary pursuant to section 496(a) of this Act; and

“(B) the speech-language pathologist meets or exceeds the qualifications as defined in section 1861(11) of the Social Security Act (42 U.S.C. 1395x).

“(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.”.

SEC. 422. ADDITIONAL ADMINISTRATIVE PROVISIONS.

(a) **REPAYMENT PLANS.**—Section 428(b)(9)(A) (20 U.S.C. 1078(b)(9)(A)) is amended by inserting before the semicolon at the end of clause (ii) the following: “, and the Secretary may not restrict the proportions or ratios by which such payments may be graduated with the informed agreement of the borrower”.

(b) **COUNTING OF CONSOLIDATION LOANS AGAINST LIMITS.**—

(1) **AMENDMENT.**—Section 428C(a)(3)(B) (20 U.S.C. 1078-3(a)(3)(B)) is amended by adding at the end the following new clause:

“(ii) Loans made under this section shall, to the extent used to pay off the outstanding principal balance on loans made under this title, excluding capitalized interest, be counted against the applicable limitations on aggregate indebtedness contained in sections 425(a)(2), 428(b)(1)(B), 428H(d), 455, and 464(a)(2)(B).”.

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply with re-

spect to any loan made, insured, or guaranteed under part B or part D of title IV of the Higher Education Act of 1965 for which the first disbursement of principal is made on or after July 1, 2007.

(c) **ADDITIONAL CONSOLIDATION LOAN CHANGES.**—

(1) **ADDITIONAL AMENDMENTS.**—Section 428C(b)(1) (20 U.S.C. 1078-3(b)(1)) is amended—

(A) by striking everything after “under this section” the first place it appears in subparagraph (A);

(B) by striking “(i) which” and all that follows through “and (ii)” in subparagraph (C);

(C) by striking “and” at the end of subparagraph (E);

(D) by redesignating subparagraph (F) as subparagraph (G); and

(E) by inserting after subparagraph (E) the following new subparagraph:

“(F) that the lender of the consolidation loan shall, upon application for such loan, provide the borrower with a clear and conspicuous notice of at least the following information:

“(i) the effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;

“(ii) the effects of consolidation on a borrower’s underlying loan benefits, including loan forgiveness, cancellation, deferment, and reduced interest rates on those underlying loans;

“(iii) the ability of the borrower to prepay the loan, pay on a shorter schedule, and to change repayment plans;

“(iv) that borrower benefit programs may vary among different loan holders, and a description of how the borrower benefits may vary among different loan holders;

“(v) the tax benefits for which borrowers may be eligible;

“(vi) the consequences of default; and

“(vii) that by making the application the applicant is not obligated to agree to take the consolidation loan; and”.

(2) **EFFECTIVE DATE FOR SINGLE HOLDER AMENDMENT.**—The amendment made by paragraph (1)(A) shall apply with respect to any loan made under section 428C of the Higher Education Act of 1965 (20 U.S.C. 1078-3) for which the application is received by an eligible lender on or after July 1, 2006.

(d) **VOLUNTARY FLEXIBLE AGREEMENTS.**—Section 428A(c) (20 U.S.C. 1078-1(c)) is amended by striking paragraph (3) and inserting the following:

“(3) **NOTICE TO INTERESTED PARTIES.**—Once the Secretary reaches a tentative agreement in principle under this section, the Secretary shall publish in the Federal Register a notice that invites interested parties to comment on the proposed agreement. The notice shall state how to obtain a copy of the tentative agreement in principle and shall give interested parties no less than 30 days to provide comments. The Secretary may consider such comments prior to providing the notices pursuant to paragraph (2).”.

(e) **FINANCIAL AND ECONOMIC LITERACY.**—

(1) **DEFAULT REDUCTION PROGRAM.**—Section 428F is amended by adding at the end the following:

“(c) **FINANCIAL AND ECONOMIC LITERACY.**—Where appropriate, each program described under subsection (b) shall include making available financial and economic education materials for the borrower.”.

(2) **PROGRAM ASSISTANCE FOR BORROWERS.**—Section 432(k)(1) (20 U.S.C. 1082(k)(1)) is amended by striking “and offering” and all that follows through the period and inserting “, offering loan repayment matching provisions as part of employee benefit packages, and providing employees with financial and economic education and counseling.”.

(f) **CREDIT BUREAU ORGANIZATION AGREEMENTS.**—Section 430A(a) (20 U.S.C. 1080a(a))

is amended by striking “agreements with credit bureau organizations” and inserting “an agreement with each national credit bureau organization (as described in section 603(p) of the Fair Credit Reporting Act)”.

(g) **DEFAULT REDUCTION MANAGEMENT.**—Section 432 is further amended—

(1) by striking subsection (n); and

(2) by redesignating subsections (o) and (p) as subsections (n) and (o), respectively.

(h) **DISABILITY DETERMINATIONS.**—Section 437(a) (20 U.S.C. 1087(a)) is amended by adding at the end the following new sentence: “In making such determination of permanent and total disability, the Secretary shall provide that a borrower who has been certified as permanently and totally disabled by the Department of Veterans Affairs or the Social Security Administration shall not be required to present further documentation for purposes of this title.”.

(i) **TREATMENT OF FALSELY CERTIFIED BORROWERS.**—Section 437(c)(1) (20 U.S.C. 1087(c)(1)) is amended by inserting “or parent’s eligibility” after “such student’s eligibility”.

(j) **ADDITIONAL TECHNICAL AMENDMENTS.**—

(1) Section 428(a)(2)(A) (20 U.S.C. 1078(a)(2)(A)) is amended—

(A) by striking “and” at the end of subclause (II) of clause (i); and

(B) by moving the margin of clause (iii) two ems to the left.

(2) Section 428G(e) (20 U.S.C. 1078-7(e)) is amended by striking “, made to a student to cover the cost of attendance at an eligible institution outside the United States.”.

PART C—FEDERAL WORK-STUDY PROGRAMS

SEC. 441. AUTHORIZATION OF APPROPRIATIONS.

Section 441(b) (42 U.S.C. 2751(b)) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

SEC. 442. COMMUNITY SERVICE.

Section 441(c)(1) (42 U.S.C. 2751(c)(1)) is amended by striking “that are open and accessible to the community”.

SEC. 443. ALLOCATION OF FUNDS.

(a) **PHASEOUT OF ALLOCATION BASED ON PREVIOUS ALLOCATIONS.**—Subsection (a) of section 442 (42 U.S.C. 2752(a)) is amended to read as follows:

“(a) **ALLOCATION BASED ON PREVIOUS ALLOCATION.**—

“(1) **BASE GUARANTEE.**—From the amount appropriated pursuant to section 441(b) for each fiscal year after fiscal year 2007, the Secretary shall, subject to paragraph (2), first allocate to each eligible institution an amount equal to the following percentage of the amount such institution received under subsection (a) of this section for fiscal year 2007 (as such subsection was in effect with respect to allocations for such fiscal year):

“(A) 80 percent for fiscal years 2008 and 2009;

“(B) 60 percent for fiscal years 2010 and 2011;

“(C) 40 percent for fiscal years 2012 and 2013;

“(D) 20 percent for fiscal years 2014 and 2015; and

“(E) 0 percent for fiscal year 2016 and any succeeding fiscal year.

“(2) **RATABLE REDUCTIONS FOR INSUFFICIENT APPROPRIATIONS.**—

“(A) **REDUCTION OF BASE GUARANTEE.**—If the amount appropriated for any fiscal year is less than the amount required to be allocated to all institutions under this subsection, then the amount of the allocation to each such institution shall be ratably reduced.

“(B) ADDITIONAL APPROPRIATIONS ALLOCATION.—If additional amounts are appropriated for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced (until the amount allocated equals the amount required to be allocated under this subsection).

“(3) ADDITIONAL ALLOCATIONS FOR CERTAIN INSTITUTIONS.—

“(A) ALLOCATIONS PERMITTED.—Notwithstanding any other provision of this section, the Secretary may allocate an amount equal to not more than 10 percent of the amount by which the amount appropriated in any fiscal year to carry out this part exceeds \$700,000,000 among eligible institutions described in subparagraph (B).

“(B) ELIGIBLE INSTITUTIONS.—An otherwise eligible institution may receive a portion of the allocation described in subparagraph (A) if—

“(i) not less than 10 percent of the students attending the institution receive Federal Pell Grants; and

“(ii) (I) in the case of an institution that offers programs of at least 4 years in duration, if its graduation rate for Federal Pell Grant recipients attending the institution and graduating within the period of time equal to normal duration of the longest undergraduate program offered by the institution, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(5)(C)); or

“(II) in the case of an institution that offers programs of at least 2, but less than 4, years in duration, if its rate for Federal Pell Grant recipients attending the institution and graduating or transferring to an institution that offers programs of at least 4 years in duration within the period of time equal to the normal duration of the program offered, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(5)(C)).”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any amounts appropriated under section 441(b) of the Higher Education Act of 1965 (42 U.S.C. 2751(b)) for fiscal year 2008 or any succeeding fiscal year.

SEC. 444. BOOKS AND SUPPLIES.

Section 442(c)(4)(D) (42 U.S.C. 2752(c)(4)(D)) is amended by striking “\$450” and inserting “\$600”.

SEC. 445. JOB LOCATION AND DEVELOPMENT.

Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended—

(1) by striking “10 percent or \$50,000” and inserting “15 percent or \$75,000”; and

(2) by striking before the period at the end the following: “, except that not less than one-third of such amount shall be specifically allocated to locate and develop community service jobs”.

SEC. 446. WORK COLLEGES.

Section 448 (42 U.S.C. 2756b) is amended—

(1) by striking “work-learning” each place it appears and inserting “work-learning-service”;

(2) by amending subparagraph (C) of subsection (e)(1) to read as follows:

“(C) requires all resident students, including at least one-half of all students who are enrolled on a full-time basis, to participate in a comprehensive work-learning-service program for at least 5 hours each week, or at least 80 hours during each period of enrollment, unless the student is engaged in an institutionally organized or approved study abroad or externship program; and”;

(3) by amending paragraph (2) of subsection (e) to read as follows:

“(2) the term ‘comprehensive student work-learning-service program’—

“(A) means a student work-learning-service program that is an integral and stated part of the institution’s educational philosophy and program;

“(B) requires participation of all resident students for enrollment and graduation;

“(C) includes learning objectives, evaluation, and a record of work performance as part of the student’s college record;

“(D) provides programmatic leadership by college personnel at levels comparable to traditional academic programs;

“(E) recognizes the educational role of work-learning-service supervisors; and

“(F) includes consequences for non-performance or failure in the work-learning-service program similar to the consequences for failure in the regular academic program.”; and

(4) in subsection (f), by striking “1999 and such sums as may be necessary for each of the 4 succeeding fiscal years” and inserting “2006 and such sums as may be necessary for the 5 succeeding fiscal years”.

PART D—FEDERAL DIRECT LOAN PROGRAM

SEC. 451. INCOME CONTINGENT REPAYMENT.

Section 455(e)(2) (20 U.S.C. 1087e(e)(2)) is amended by striking “and files a Federal income tax return jointly with the borrower’s spouse”.

PART E—FEDERAL PERKINS LOAN PROGRAM

SEC. 461. REAUTHORIZATION OF PROGRAM.

(a) PROGRAM AUTHORIZATION.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 461(b) (20 U.S.C. 1087aa(b)) is amended—

(A) in paragraph (1)—

(i) by striking “1999” and inserting “2006”; and

(ii) by striking “4 succeeding” and inserting “5 succeeding”; and

(B) in paragraph (2), by striking “2003” each place it appears and inserting “2012”.

(2) FEDERAL CAPITAL CONTRIBUTION RECOVERY.—Section 466 (20 U.S.C. 1087ff) is amended—

(A) by striking “2004” each place it appears in subsections (a) and (c) and inserting “2012”; and

(B) by striking “2003” each place it appears in subsections (a) and (b), and inserting “2011”.

(b) PHASEOUT OF ALLOCATION BASED ON PREVIOUS ALLOCATIONS.—

(1) AMENDMENT.—Subsection (a) of section 462 (20 U.S.C. 1087bb(a)) is amended to read as follows:

“(a) ALLOCATION BASED ON PREVIOUS ALLOCATION.—

“(1) BASE GUARANTEE.—From the amount appropriated pursuant to section 461(b) for each fiscal year after fiscal year 2007, the Secretary shall, subject to paragraphs (2) and (3), first allocate to each eligible institution an amount equal to—

“(A) 100 percent of the amount such institution received under subsection (a) of this section for fiscal year 2007 (as such subsection was in effect with respect to allocations for such fiscal year), multiplied by

“(B) the institution’s default penalty, as determined under subsection (e), except that if the institution has a cohort default rate in excess of the applicable maximum cohort default rate under subsection (f), the institution may not receive an allocation under this paragraph.

“(2) PHASE OUT.—For each of the fiscal years after fiscal year 2007, paragraph (1) shall be applied by substituting for ‘100 percent’:

“(A) ‘80 percent’ for fiscal years 2008 and 2009;

“(B) ‘60 percent’ for fiscal years 2010 and 2011;

“(C) ‘40 percent’ for fiscal years 2012 and 2013;

“(D) ‘20 percent’ for fiscal years 2014 and 2015; and

“(E) ‘0 percent’ for fiscal year 2016 and any succeeding fiscal year.

“(3) RATABLE REDUCTIONS FOR INSUFFICIENT APPROPRIATIONS.—

“(A) REDUCTION OF BASE GUARANTEE.—If the amount appropriated for any fiscal year is less than the amount required to be allocated to all institutions under this subsection, then the amount of the allocation to each such institution shall be ratably reduced.

“(B) ADDITIONAL APPROPRIATIONS ALLOCATION.—If additional amounts are appropriated for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced (until the amount allocated equals the amount required to be allocated under this subsection).”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any amounts appropriated under section 461(b) of the Higher Education Act of 1965 (20 U.S.C. 1087bb(b)) for fiscal year 2008 or any succeeding fiscal year.

(c) BOOKS AND SUPPLIES.—Section 462(c)(4)(D) (20 U.S.C. 1087bb(c)(4)(D)) is amended by striking “\$450” and inserting “\$600”.

SEC. 462. LOAN TERMS AND CONDITIONS.

(a) LOAN LIMITS.—Section 464(a) (20 U.S.C. 1087dd(a)) is amended—

(1) in paragraph (2)(A)—

(A) by striking “\$4,000” in clause (i) and inserting “\$5,500”; and

(B) by striking “\$6,000” in clause (ii) and inserting “\$8,000”; and

(2) in paragraph (2)(B)—

(A) by striking “\$40,000” in clause (i) and inserting “\$60,000”;

(B) by striking “\$20,000” in clause (ii) and inserting “\$27,500”; and

(C) by striking “\$8,000” in clause (iii) and inserting “\$11,000”.

(b) FORBEARANCE.—Section 464(e) (20 U.S.C. 1087dd(e)) is amended by striking “, upon written request.”.

(c) SPECIAL REPAYMENT RULE.—Paragraph (2) of section 464(f) is amended to read as follows:

“(2) No compromise repayment of a defaulted loan as authorized by paragraph (1) may be made unless agreed to by the Secretary.”.

(d) REHABILITATION.—Section 464(h)(1)(A) (20 U.S.C. 1087dd(h)(1)(A)) is amended by striking “12 ontime” and inserting “9 ontime”.

SEC. 463. LOAN CANCELLATION.

Section 465(a)(3)(A) (20 U.S.C. 1087ee(a)(3)(A)) is amended—

(1) by inserting “(D),” after “subparagraph (A), (C),” in clause (i);

(2) by inserting “or” after the semicolon at the end of clause (ii);

(3) by striking clause (iii); and

(4) by redesignating clause (iv) as clause (iii).

SEC. 464. TECHNICAL AMENDMENTS.

Part E is further amended as follows:

(1) Section 462(g)(1)(E)(i)(I) (20 U.S.C. 1087bb(g)(1)(E)(i)(I)) is amended by inserting “monthly” after “consecutive”.

(2) Section 463(a)(4)(A) (20 U.S.C. 1087cc(a)(4)(A)) is amended by striking “the Secretary may” and inserting “the Secretary shall”.

(3) Section 464(c)(1)(D) (20 U.S.C. 1087dd(c)(1)(D)) is amended by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively.

(4) Section 465(a)(2) (20 U.S.C. 1087ee(a)(2)) is amended in subparagraph (A), by striking “section 111(c)” and inserting “section 1113(a)(5)”.

(5) Section 467(b) (20 U.S.C. 1087gg(b)) is amended by striking “(5)(A), (5)(B)(i), or (6)” and inserting “(4)(A), (4)(B), or (5)”.

(6) Section 469(c) (20 U.S.C. 1087ii(c)) is amended—

(A) by striking “sections 602 and 632” and inserting “sections 602(3) and 632(5)”;

(B) by striking “qualified professional provider of early intervention services” and inserting “early intervention services”; and

(C) by striking “section 672(2)” and inserting “section 632(4)”.

PART F—NEED ANALYSIS

SEC. 471. SIGNIFICANTLY SIMPLIFYING THE STUDENT AID APPLICATION PROCESS.

(a) IMPROVEMENTS TO PAPER AND ELECTRONIC FORMS.—

(1) COMMON FINANCIAL AID FORM DEVELOPMENT AND PROCESSING.—Section 483(a) (20 U.S.C. 1090(a)) is amended—

(A) by striking paragraphs (1), (2), and (5);

(B) by redesignating paragraphs (3), (4), (6), and (7), as paragraphs (9), (10), (11), and (12), respectively;

(C) by inserting before paragraph (9), as redesignated by subparagraph (B), the following:

“(1) IN GENERAL.—The Secretary, in cooperation with representatives of agencies and organizations involved in student financial assistance, shall produce, distribute, and process free of charge common financial reporting forms as described in this subsection to be used for application and reapplication to determine the need and eligibility of a student for financial assistance under parts A through E (other than subpart 4 of part A). These forms shall be made available to applicants in both paper and electronic formats and shall be referred to as the ‘Free Application for Federal Student Aid’ or the ‘FAFSA’.

“(2) EARLY ESTIMATES.—

“(A) IN GENERAL.—The Secretary shall permit applicants to complete such forms as described in this subsection in the 4 years prior to enrollment in order to obtain a non-binding estimate of the family contribution, as defined in section 473. The estimate shall clearly and conspicuously indicate that it is only an estimate of family contribution, and may not reflect the actual family contribution of the applicant that shall be used to determine the grant, loan, or work assistance that the applicant may receive under this title when enrolled in a program of postsecondary education. Such applicants shall be permitted to update information submitted on forms described in this subsection using the process required under paragraph (5)(A).

“(B) EVALUATION.—Two years after the early estimates are implemented under this paragraph and from data gathered from the early estimates, the Secretary shall evaluate the differences between initial, non-binding early estimates and the final financial aid award made available under this title.

“(C) REPORT.—The Secretary shall provide a report to the authorizing committees on the results of the evaluation.

“(3) PAPER FORMAT.—

“(A) IN GENERAL.—The Secretary shall produce, distribute, and process common forms in paper format to meet the requirements of paragraph (1). The Secretary shall develop a common paper form for applicants who do not meet the requirements of subparagraph (B).

“(B) EZ FAFSA.—

“(i) IN GENERAL.—The Secretary shall develop and use a simplified paper application form, to be known as the ‘EZ FAFSA’, to be used for applicants meeting the requirements of section 479(c).

“(ii) REDUCED DATA REQUIREMENTS.—The form under this subparagraph shall permit an applicant to submit, for financial assist-

ance purposes, only the data elements required to make a determination of whether the applicant meets the requirements under section 479(c).

“(iii) STATE DATA.—The Secretary shall include on the form under this subparagraph such data items as may be necessary to award State financial assistance, as provided under paragraph (6), except that the Secretary shall not include a State’s data if that State does not permit its applicants for State assistance to use the form under this subparagraph.

“(iv) FREE AVAILABILITY AND PROCESSING.—The provisions of paragraph (7) shall apply to the form under this subparagraph, and the data collected by means of the form under this subparagraph shall be available to institutions of higher education, guaranty agencies, and States in accordance with paragraph (9).

“(v) TESTING.—The Secretary shall conduct appropriate field testing on the form under this subparagraph.

“(C) PROMOTING THE USE OF ELECTRONIC FAFSA.—

“(i) IN GENERAL.—The Secretary shall make an effort to encourage applicants to utilize the electronic forms described in paragraph (4).

“(ii) MAINTENANCE OF THE FAFSA IN A PRINTABLE ELECTRONIC FILE.—The Secretary shall maintain a version of the paper forms described in subparagraphs (A) and (B) in a printable electronic file that is easily portable. The printable electronic file will be made easily accessible and downloadable to students on the same website used to provide students with the electronic application forms described in paragraph (4) of this subsection. The Secretary shall enable students to submit a form created under this subparagraph that is downloaded and printed from an electronic file format in order to meet the filing requirements of this section and in order to receive aid from programs under this title.

“(iii) REPORTING REQUIREMENT.—The Secretary shall report annually to Congress on the impact of the digital divide on students completing applications for title IV aid described under this paragraph and paragraph (4). The Secretary will also report on the steps taken to eliminate the digital divide and phase out the paper form described in subparagraph (A) of this paragraph. The Secretary’s report will specifically address the impact of the digital divide on the following student populations: dependent students, independent students without dependents, and independent students with dependents other than a spouse.

“(4) ELECTRONIC FORMAT.—

“(A) IN GENERAL.—The Secretary shall produce, distribute, and process common forms in electronic format to meet the requirements of paragraph (1). The Secretary shall develop common electronic forms for applicants who do not meet the requirements of subparagraph (C) of this paragraph.

“(B) STATE DATA.—The Secretary shall include on the common electronic forms space for information that needs to be submitted from the applicant to be eligible for State financial assistance, as provided under paragraph (6), except the Secretary shall not require applicants to complete data required by any State other than the applicant’s State of residence.

“(C) SIMPLIFIED APPLICATIONS: FAFSA ON THE WEB.—

“(i) IN GENERAL.—The Secretary shall develop and use a simplified electronic application form to be used by applicants meeting the requirements under subsection (c) of section 479 and an additional, separate simplified electronic application form to be used

by applicants meeting the requirements under subsection (b) of section 479.

“(ii) REDUCED DATA REQUIREMENTS.—The simplified electronic application forms shall permit an applicant to submit for financial assistance purposes, only the data elements required to make a determination of whether the applicant meets the requirements under subsection (b) or (c) of section 479.

“(iii) STATE DATA.—The Secretary shall include on the simplified electronic application forms such data items as may be necessary to award state financial assistance, as provided under paragraph (6), except that the Secretary shall not require applicants to complete data required by any State other than the applicant’s State of residence.

“(iv) AVAILABILITY AND PROCESSING.—The data collected by means of the simplified electronic application forms shall be available to institutions of higher education, guaranty agencies, and States in accordance with paragraph (9).

“(v) TESTING.—The Secretary shall conduct appropriate field testing on the forms developed under this subparagraph.

“(D) USE OF FORMS.—Nothing in this subsection shall be construed to prohibit the use of the forms developed by the Secretary pursuant to this paragraph by an eligible institution, eligible lender, guaranty agency, State grant agency, private computer software provider, a consortium thereof, or such other entities as the Secretary may designate.

“(E) PRIVACY.—The Secretary shall ensure that data collection under this paragraph complies with section 552a of title 5, United States Code, and that any entity using the electronic version of the forms developed by the Secretary pursuant to this paragraph shall maintain reasonable and appropriate administrative, technical, and physical safeguards to ensure the integrity and confidentiality of the information, and to protect against security threats, or unauthorized uses or disclosures of the information provided on the electronic version of the forms. Data collected by such electronic version of the forms shall be used only for the application, award, and administration of aid awarded under this title, State aid, or aid awarded by eligible institutions or such entities as the Secretary may designate. No data collected by such electronic version of the forms shall be used for making final aid awards under this title until such data have been processed by the Secretary or a contractor or designee of the Secretary, except as may be permitted under this title.

“(F) SIGNATURE.—Notwithstanding any other provision of this Act, the Secretary may permit an electronic form under this paragraph to be submitted without a signature, if a signature is subsequently submitted by the applicant.

“(5) STREAMLINING.—

“(A) STREAMLINED REAPPLICATION PROCESS.—

“(i) IN GENERAL.—The Secretary shall develop streamlined reapplication forms and processes, including both paper and electronic reapplication processes, consistent with the requirements of this subsection, for an applicant who applies for financial assistance under this title—

“(I) in the academic year succeeding the year in which such applicant first applied for financial assistance under this title; or

“(II) in any succeeding academic years.

“(ii) MECHANISMS FOR REAPPLICATION.—The Secretary shall develop appropriate mechanisms to support reapplication.

“(iii) IDENTIFICATION OF UPDATED DATA.—The Secretary shall determine, in cooperation with States, institutions of higher education, agencies, and organizations involved

in student financial assistance, the data elements that can be updated from the previous academic year's application.

“(iv) **REDUCED DATA AUTHORIZED.**—Nothing in this title shall be construed as limiting the authority of the Secretary to reduce the number of data elements required of reapplicants.

“(v) **ZERO FAMILY CONTRIBUTION.**—Applicants determined to have a zero family contribution pursuant to section 479(c) shall not be required to provide any financial data in a reapplication form, except that which is necessary to determine eligibility under such section.

“(B) **REDUCTION OF DATA ELEMENTS.**—

“(i) **REDUCTION ENCOURAGED.**—Of the number of data elements on the FAFSA on the date of enactment of the College Access and Opportunity Act of 2006 (including questions on the FAFSA for the purposes described in paragraph (6)), the Secretary, in cooperation with representatives of agencies and organizations involved in student financial assistance, shall continue to reduce the number of such data elements following the date of enactment. Reductions of data elements under paragraph (3)(B), (4)(C), or (5)(A)(iv) shall not be counted towards the reduction referred to in this paragraph unless those data elements are reduced for all applicants.

“(ii) **REPORT.**—The Secretary shall annually report to the House of Representatives and the Senate on the progress made of reducing data elements.

“(6) **STATE REQUIREMENTS.**—

“(A) **IN GENERAL.**—The Secretary shall include on the forms developed under this subsection, such State-specific data items as the Secretary determines are necessary to meet State requirements for State need-based financial aid under section 415C, except as provided in paragraphs (3)(B)(iii) and (4)(C)(iii) of this subsection. Such items shall be selected in consultation with State agencies in order to assist in the awarding of State financial assistance in accordance with the terms of this subsection, except as provided in paragraphs (3)(B)(iii) and (4)(C)(iii) of this subsection. The number of such data items shall not be less than the number included on the form on October 7, 1998, unless a State notifies the Secretary that the State no longer requires those data items for the distribution of State need-based financial aid.

“(B) **ANNUAL REVIEW.**—The Secretary shall conduct an annual review process to determine which forms and data items the States require to award State need-based financial aid and other application requirements that the States may impose.

“(C) **STATE USE OF SIMPLIFIED FORMS.**—The Secretary shall encourage States to take such steps as necessary to encourage the use of simplified application forms, including those described in paragraphs (3)(B) and (4)(C), to meet the requirements under subsection (b) or (c) of section 479.

“(D) **FEDERAL REGISTER NOTICE.**—The Secretary shall publish on an annual basis a notice in the Federal Register requiring State agencies to inform the Secretary—

“(i) if the State agency is unable to permit applicants to utilize the simplified application forms described in paragraphs (3)(B) and (4)(C); and

“(ii) of the State-specific data that the State agency requires for delivery of State need-based financial aid.

“(E) **STATE NOTIFICATION TO THE SECRETARY.**—

“(i) **IN GENERAL.**—Each State agency shall notify the Secretary—

“(I) whether the State permits an applicant to file a form described in paragraph (3)(B) or paragraph (4)(C) of this subsection for purposes of determining eligibility for State need-based financial aid; and

“(II) the State-specific data that the State agency requires for delivery of State need-based financial aid.

“(ii) **ACCEPTANCE OF FORMS.**—In the event that a State does not permit an applicant to file a form described in paragraph (3)(B) or paragraph (4)(C) of this subsection for purposes of determining eligibility for State need-based financial aid—

“(I) the State shall notify the Secretary if the State is not permitted to do so because of either State law or because of agency policy; and

“(II) the notification under subclause (I) shall include an estimate of the program cost to permit applicants to complete simplified application forms under paragraphs (3)(B) and paragraph (4)(C) of this subsection.

“(iii) **LACK OF NOTIFICATION BY THE STATE.**—If a State does not notify the Secretary pursuant to clause (i), the Secretary shall—

“(I) permit residents of that State to complete simplified application forms under paragraphs (3)(B) and paragraph (4)(C) of this subsection; and

“(II) not require any resident of that State to complete any data previously required by that State under this section.

“(7) **CHARGES TO STUDENTS AND PARENTS FOR USE OF FORMS PROHIBITED.**—

“(A) **FEE PROHIBITED.**—The FAFSA, in whatever form (including the EZ-FAFSA, paper, electronic, simplified, or reapplication), shall be produced, distributed, and processed by the Secretary and no parent or student shall be charged a fee for the collection, processing, or delivery of financial aid through the use of the FAFSA. The need and eligibility of a student for financial assistance under parts A through E of this title (other than under subpart 4 of part A) may only be determined by using the FAFSA developed by the Secretary pursuant to this subsection. No student may receive assistance under parts A through E of this title (other than under subpart 4 of part A), except by use of the FAFSA developed by the Secretary pursuant to this subsection. No data collected on a form for which a fee is charged shall be used to complete the FAFSA.

“(B) **NOTICE.**—Any entity that provides to students or parents, or charges students or parents for, any value-added services with respect to or in connection with the FAFSA, such as completion of the FAFSA, submission of the FAFSA, or tracking of the FAFSA for a student, shall provide to students and parents clear and conspicuous notice that—

“(i) the FAFSA is a free Federal student aid application;

“(ii) the FAFSA can be completed without professional assistance; and

“(iii) includes the current Internet address for the FAFSA on the Department's web site.

“(8) **APPLICATION PROCESSING CYCLE.**—The Secretary shall enable students to submit a form created under this subsection in order to meet the filing requirements of this section and in order to receive aid from programs under this title and shall initiate the processing of applications under this subsection as early as practicable prior to January 1 of the student's planned year of enrollment.”

(2) **MASTER CALENDAR.**—Section 482(a)(1)(B) (20 U.S.C. 1089) is amended to read as follows:

“(B) by March 1: proposed modifications, updates, and notices pursuant to sections 478, 479(c)(2)(C), and 483(a)(6) published in the Federal Register;”

(b) **INCREASING ACCESS TO TECHNOLOGY.**—Section 483 (20 U.S.C. 1090) is further amended by adding at the end the following:

“(f) **ADDRESSING THE DIGITAL DIVIDE.**—The Secretary shall utilize savings accrued by moving more applicants to the electronic

forms described in subsection (a)(4) to improve access to the electronic forms described in subsection (a)(4) for applicants meeting the requirements of section 479(c).”

(c) **EXPANDING THE DEFINITION OF AN INDEPENDENT STUDENT.**—Section 480(d) (20 U.S.C. 1087vv(d)) is amended by striking paragraph (2) and inserting the following:

“(2) is an orphan, in foster care, or a ward of the court, or was in foster care or a ward of the court until the individual reached the age of 18;”

SEC. 472. DISCRETION OF STUDENT FINANCIAL AID ADMINISTRATORS.

Section 479A(a) (20 U.S.C. 1087tt(a)) is amended—

(1) by striking “(a) **IN GENERAL.**—” and inserting the following:

“(a) **AUTHORITY TO MAKE ADJUSTMENTS.**—

“(1) **ADJUSTMENTS FOR SPECIAL CIRCUMSTANCES.**—”;

(2) by inserting before “Special circumstances may” the following:

“(2) **SPECIAL CIRCUMSTANCES DEFINED.**—”;

(3) by inserting “a student's status as a ward of the court at any time prior to attaining 18 years of age, a student's status as an individual who was adopted at or after age 13, a student's status as a homeless or unaccompanied youth (as defined in section 725 of the McKinney-Vento Homeless Assistance Act),” after “487.”;

(4) by inserting before “Adequate documentation” the following:

“(3) **DOCUMENTATION AND USE OF SUPPLEMENTARY INFORMATION.**—”;

(5) by inserting before “No student” the following:

“(4) **FEES FOR SUPPLEMENTARY INFORMATION PROHIBITED.**—”.

PART G—GENERAL PROVISIONS RELATING TO STUDENT FINANCIAL ASSISTANCE

SEC. 481. EXPANDING INFORMATION DISSEMINATION REGARDING ELIGIBILITY FOR PELL GRANTS.

Section 483(a) (20 U.S.C. 1090(a)) (as amended by section 471(a)) is further amended by adding at the end the following new paragraph:

“(13) **EXPANDING INFORMATION DISSEMINATION REGARDING ELIGIBILITY FOR PELL GRANTS.**—The Secretary shall make special efforts, in conjunction with State efforts, to notify students and their parents who qualify for a free lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Food Stamps program, or such other programs as the Secretary shall determine, of their potential eligibility for a maximum Pell Grant, and shall disseminate such informational materials as the Secretary deems appropriate.”

SEC. 482. STUDENT ELIGIBILITY.

(a) **TECHNICAL AMENDMENT.**—Section 484(b)(5) (20 U.S.C. 1091(b)(5)) is amended by inserting “or parent (on behalf of a student)” after “student”.

(b) **FREELY ASSOCIATED STATES.**—Section 484(j) (20 U.S.C. 1091(j)) is amended by inserting “and shall be eligible only for assistance under subpart 1 of part A thereafter,” after “part C.”

SEC. 483. INSTITUTIONAL REFUNDS.

Section 484B (20 U.S.C. 1091b) is amended—

(1) in subsection (a)(1), by inserting “subpart 4 of part A or” after “received under”;

(2) in subsection (b)(2), by adding at the end the following new subparagraph:

“(D) **WAIVERS OF PELL GRANT REPAYMENT BY STUDENTS AFFECTED BY DISASTERS.**—The Secretary may waive the amounts that students are required to return under this section with respect to Pell grants if the withdrawals on which the returns are based are withdrawals by students—

“(i) who were residing in, employed in, or attending an institution of higher education

that is located in an area in which the President has declared that a major disaster exists, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170);

“(ii) whose attendance was interrupted because of the impact of the disaster on the student or the institution; and

“(iii) whose withdrawal ended within the academic year during which the designation occurred or during the next succeeding academic year.”; and

(3) in subsection (d), by striking “(a)(3)(B)(i)” and inserting “(a)(3)(B)”.

SEC. 484. INSTITUTIONAL AND FINANCIAL ASSISTANCE INFORMATION FOR STUDENTS.

(a) INFORMATION DISSEMINATION ACTIVITIES.—Section 485(a)(1) (20 U.S.C. 1092(a)(1)) is amended—

(1) by amending the second sentence to read as follows: “The information required by this section shall be produced and be made publicly available to an enrolled student and to any prospective student, through appropriate publications, mailings, electronic media, and the reports required by the institution’s accrediting agency under section 496(c)(9).”;

(2) by amending subparagraph (G) to read as follows:

“(G) the academic programs of the institution, including—

“(i) the current degree programs and other educational and training programs;

“(ii) the institution’s educational mission and goals;

“(iii) the instructional, laboratory, and other physical plant facilities which relate to the academic programs; and

“(iv) the faculty and other instructional personnel.”;

(3) by striking subparagraph (L) and inserting the following:

“(L) a summary of student outcomes for full-time undergraduate students, including—

“(i) the completion or graduation rates of certificate- or degree-seeking undergraduate students entering such institutions; and

“(ii) any other student outcome data, qualitative or quantitative, including data regarding distance education, deemed by the institution to be appropriate to its stated educational mission and goals, and, when applicable, licensing and placement rates for professional and vocational programs.”;

(4) by inserting before the semicolon at the end of subparagraph (J) the following: “, and the process for students to register complaints with the accrediting agencies or associations”;

(5) in subparagraph (M), by striking “guaranteed student loans under part B of this title or direct student loans under part E of this title, or both,” and inserting “student loans under part B, D, or E of this title”;

(6) by striking “and” at the end of subparagraph (N);

(7) by striking the period at the end of subparagraph (O) and inserting a semicolon; and

(8) by adding at the end the following new subparagraphs:

“(P) the penalties contained in subsection 484(r) regarding suspension of eligibility for drug related offenses;

“(Q) the policies of the institution regarding the acceptance or denial of academic credit earned at another institution of higher education, which shall include a statement that such decisions will not be based solely on the source of accreditation of a sending institution, provided that the sending institution is accredited by an agency or association that is recognized by the Secretary pursuant to section 496 to be a reliable authority as to the quality of the education or training offered, and except that

nothing in this subparagraph shall be construed to—

“(i) authorize an officer or employee of the Department to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any institution of higher education, or over any accrediting agency or association;

“(ii) limit the application of the General Education Provisions Act; or

“(iii) create any legally enforceable right; and”.

(b) ADDITIONAL AMENDMENTS.—Section 485(a) is further amended by striking paragraph (6) and inserting the following:

“(6) Each institution may provide supplemental information to enrolled and prospective students showing the completion or graduation rate for students described in paragraph (4). For the purpose of this paragraph, the definitions provided in the Integrated Postsecondary Education Data System shall apply.

“(7) Each eligible institution participating in any program under this title may publicly report to currently enrolled and prospective students the voluntary information collected by the National Survey of Student Engagement (NSSE), the Community College Survey of Student Engagement (CCSSE), or other instruments that provide evidence of student participation in educationally purposeful activities. The information shall be produced and made available in a uniform and comprehensible manner, through appropriate publications, mailings, and electronic media, and may be included in reports required by the institution’s accrediting agency.”.

(c) EXIT COUNSELING.—Section 485(b) (20 U.S.C. 1092(b)) is amended by adding at the end the following new paragraph:

“(3) Each eligible institution shall, during the exit interview required by this subsection, provide to a borrower of a loan made under part B, D, or E a clear and conspicuous notice describing the effect of using a consolidation loan to discharge the borrower’s student loans, including—

“(A) the effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;

“(B) the effects of consolidation on a borrower’s underlying loan benefits, including loan forgiveness, cancellation, and deferment;

“(C) the ability for the borrower to prepay the loan, pay on a shorter schedule, and to change repayment plans, and that borrower benefit programs may vary among different loan holders;

“(D) the tax benefits for which the borrower may be eligible; and

“(E) the consequences of default.”.

(d) CAMPUS CRIME INFORMATION.—Section 485(f)(1) (20 U.S.C. 1092(f)(1)) is amended by inserting “, other than a foreign institution of higher education,” after “under this title”.

(e) DISCLOSURE OF FIRE SAFETY OF CAMPUS BUILDINGS.—Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is further amended—

(1) in subsection (a)(1), by adding after subparagraph (Q) (as added by subsection (a)(8) of this section) the following new subparagraph:

“(R) the fire safety report prepared by the institution pursuant to subsection (h).”;

(2) by adding at the end the following new subsection:

“(h) DISCLOSURE OF FIRE SAFETY STANDARDS AND MEASURES.—

“(1) ANNUAL FIRE SAFETY REPORTS REQUIRED.—Each institution participating in any program under this title shall, beginning in the first academic year that begins after

the date of enactment of the College Access and Opportunity Act of 2006, and each year thereafter, prepare, publish, and distribute, through appropriate publications (including the Internet) or mailings, to all current students and employees, and to any applicant for enrollment or employment upon request, an annual fire safety report. Such reports shall contain at least the following information with respect to the campus fire safety practices and standards of that institution:

“(A) A statement that identifies each institution-owned or controlled student housing facility, and whether or not such facility is equipped with a fire sprinkler system or other fire safety system, or has fire escape planning or protocols.

“(B) Statistics for each such facility concerning the occurrence of fires and false alarms in such facility during the 2 preceding calendar years for which data are available.

“(C) For each such occurrence in each such facility, a summary of the human injuries or deaths, structural or property damage, or combination thereof.

“(D) Information regarding rules on portable electrical appliances, smoking and open flames (such as candles), regular mandatory supervised fire drills, and planned and future improvements in fire safety.

“(E) Information about fire safety education and training provided to students, faculty, and staff.

“(F) Information concerning fire safety at any housing facility owned or controlled by a fraternity, sorority, or student group that is recognized by the institution, including—

“(i) information reported to the institution under paragraph (4); and

“(ii) a statement concerning whether and how the institution works with recognized student fraternities and sororities, and other recognized student groups owning or controlling housing facilities, to make each building and property owned or controlled by such fraternities, sororities, and groups more fire safe.

“(2) FRATERNITIES, SORORITIES, AND OTHER GROUPS.—Each institution participating in a program under this title shall request each fraternity and sorority that is recognized by the institution, and any other student group that is recognized by the institution and that owns or controls housing facilities, to collect and report to the institution the information described in subparagraphs (A) through (E) of paragraph (1), as applied to the fraternity, sorority, or recognized student group, respectively, for each building and property owned or controlled by the fraternity, sorority, or group, respectively.

“(3) CURRENT INFORMATION TO CAMPUS COMMUNITY.—Each institution participating in any program under this title shall make, keep, and maintain a log, written in a form that can be easily understood, recording all on-campus fires, including the nature, date, time, and general location of each fire and all false fire alarms. All entries that are required pursuant to this paragraph shall, except where disclosure of such information is prohibited by law, be open to public inspection, and each such institution shall make annual reports to the campus community on such fires and false fire alarms in a manner that will aid the prevention of similar occurrences.

“(4) REPORTS TO THE SECRETARY.—On an annual basis, each institution participating in any program under this title shall submit to the Secretary a copy of the statistics required to be made available under paragraph (1)(B). The Secretary shall—

“(A) review such statistics;

“(B) make copies of the statistics submitted to the Secretary available to the public; and

“(C) in coordination with nationally recognized fire organizations and representatives of institutions of higher education, identify exemplary fire safety policies, procedures, and practices and disseminate information concerning those policies, procedures, and practices that have proven effective in the reduction of campus fires.

“(5) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, or practices by institutions of higher education with respect to fire safety.

“(6) **DEFINITIONS.**—In this subsection, the term ‘campus’ has the meaning provided in subsection (f)(6).”.

SEC. 485. DISTANCE EDUCATION DEMONSTRATION PROGRAM.

(a) **ELIGIBLE APPLICANTS.**—Section 486(b)(3) (20 U.S.C. 1093(b)(3)) is amended—

(1) in subparagraph (B), by striking “section 102(a)(1)(C)” and inserting “section 102”; and

(2) in subparagraph (C), by striking “subsection (a) of section 102, other than the requirement of paragraph (3)(A) or (3)(B) of such subsection,” and inserting “section 101, other than the requirements of subparagraph (A) or (B) of subsection (b)(4) of such section”.

(b) **SELECTION.**—Section 486(d)(1) (20 U.S.C. 1093(d)(1)) is amended—

(1) by striking “the third year” and inserting “subsequent years”;

(2) by striking “35 institutions” and inserting “100 institutions”; and

(3) by adding at the end the following new sentence: “Not more than 5 of such institutions, systems, or consortia may be accredited, degree-granting correspondence schools.”.

SEC. 486. COLLEGE AFFORDABILITY DEMONSTRATION PROGRAM.

Part G of title IV is amended by inserting after section 486 (20 U.S.C. 1093) the following new section:

“SEC. 486A. COLLEGE AFFORDABILITY DEMONSTRATION PROGRAM.

“(a) **PURPOSE.**—It is the purpose of this section—

“(1) to provide, through a college affordability demonstration program, for increased innovation in the delivery of higher education and student financial aid in a manner resulting in reduced costs for students as well as the institution by employing one or more strategies including accelerating degree or program completion, increasing availability of, and access to, distance components of education delivery, engaging in collaborative arrangements with other institutions and organizations, and other alternative methodologies; and

“(2) to help determine—

“(A) the most effective means of delivering student financial aid as well as quality education;

“(B) the specific statutory and regulatory requirements that should be altered to provide for more efficient and effective delivery of student financial aid, as well as access to high quality distance education programs, resulting in a student more efficiently completing postsecondary education; and

“(C) the most effective methods of obtaining and managing institutional resources.

“(b) **DEMONSTRATION PROGRAM AUTHORIZED.**—

“(1) **IN GENERAL.**—In accordance with the purposes described in subsection (a) and the provisions of subsection (d), the Secretary is authorized to select not more than 100 institutions of higher education, including those applying as part of systems or consortia of such institutions, for voluntary participation in the College Affordability Demonstration

Program in order to enable participating institutions to carry out such purposes by providing programs of postsecondary education, and making available student financial assistance under this title to students enrolled in those programs, in a manner that would not otherwise meet the requirements of this title.

“(2) **WAIVERS.**—The Secretary is authorized to waive for any institutions of higher education, or any system or consortia of institutions of higher education, selected for participation in the College Affordability Demonstration Program, any requirements of this Act or the regulations thereunder as deemed necessary by the Secretary to meet the purpose described in subsection (a)(1), and shall make a determination that the waiver can reasonably be expected to result in reduced costs to students or institutions without an increase in Federal program costs. The Secretary may not waive under this paragraph the maximum award amounts for an academic year or loan period.

“(3) **ELIGIBLE APPLICANTS.**—

“(A) **ELIGIBLE INSTITUTIONS.**—Except as provided in subparagraph (B), only an institution of higher education that is eligible to participate in programs under this title shall be eligible to participate in the demonstration program authorized under this section.

“(B) **PROHIBITION.**—An institution of higher education described in section 102 shall not be eligible to participate in the demonstration program authorized under this section.

“(C) **APPLICATION.**—

“(1) **IN GENERAL.**—Each institution or system of institutions desiring to participate in the demonstration program under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

“(2) **CONTENTS OF APPLICATIONS.**—Each application for the college affordability demonstration program shall include at least the following:

“(A) a description of the institution or system or consortium of institutions and what quality assurance mechanisms are in place to insure the integrity of the Federal financial aid programs;

“(B) a description of the innovation or innovations being proposed and the affected programs and students, including—

“(i) a description of any collaborative arrangements with other institutions or organizations to reduce costs;

“(ii) a description of any expected economic impact of participation in the program within the community in which the institution is located; and

“(iii) a description of any means the institution will employ to reduce the costs of instructional materials, such as textbooks;

“(C) a description of each regulatory or statutory requirement for which waivers are sought, with a reason for each waiver;

“(D) a description of the expected outcomes of the program changes proposed, including the estimated reductions in costs both for the institution and for students;

“(E) a description of the quality assurance mechanisms in place to ensure the integrity of the Federal financial aid programs;

“(F) an assurance from each institution in a system or consortium of a commitment to fulfill its role as described in the application;

“(G) an assurance that the participating institution or system of institutions will offer full cooperation with the ongoing evaluations of the demonstration program provided for in this section; and

“(H) any other information or assurances the Secretary may require.

“(d) **SELECTION.**—In selecting institutions to participate in the demonstration program under this section, the Secretary shall take into account—

“(1) the number and quality of applications received, determined on the basis of the contents required by subsection (c)(2);

“(2) the Department’s capacity to oversee and monitor each institution’s participation;

“(3) an institution’s—

“(A) financial responsibility;

“(B) administrative capability;

“(C) program or programs being offered via distance education, if applicable;

“(D) student completion rates; and

“(E) student loan default rates; and

“(4) the participation of a diverse group of institutions with respect to size, mission, and geographic distribution.

“(e) **NOTIFICATION.**—The Secretary shall make available to the public and to the authorizing committees a list of institutions selected to participate in the demonstration program authorized by this section. Such notice shall include a listing of the specific statutory and regulatory requirements being waived for each institution and a description of the innovations being demonstrated.

“(f) **EVALUATIONS AND REPORTS.**—

“(1) **EVALUATION.**—The Secretary shall evaluate the demonstration program authorized under this section on a biennial basis. Such evaluations specifically shall review—

“(A) the extent to which expected outcomes, including the estimated reductions in cost, were achieved;

“(B) the number and types of students participating in the programs offered, including the progress of participating students toward recognized certificates or degrees and the extent to which participation in such programs increased;

“(C) issues related to student financial assistance associated with the innovations undertaken;

“(D) effective technologies and alternative methodologies for delivering student financial assistance;

“(E) the extent of the cost savings to the institution, the student, and the Federal Government by virtue of the waivers provided, and an estimate as to future cost savings for the duration of the demonstration program;

“(F) the extent to which students saved money by virtue of completing their postsecondary education sooner;

“(G) the extent to which the institution reduced its tuition and fees and its costs by virtue of participation in the demonstration program;

“(H) the extent to which any collaborative arrangements with other institutions or organizations have reduced the participating institution’s costs; and

“(I) the extent to which statutory or regulatory requirements not waived under the demonstration program present difficulties for students or institutions.

“(2) **POLICY ANALYSIS.**—The Secretary shall review current policies and identify those policies that present impediments to the implementation of innovations that result in cost savings and in expanding access to education.

“(3) **REPORTS.**—The Secretary shall provide a report to the authorizing committees on a biennial basis regarding—

“(A) the demonstration program authorized under this section;

“(B) the results of the evaluations conducted under paragraph (1);

“(C) the cost savings to the Federal Government by the demonstration program authorized by this section; and

“(D) recommendations for changes to increase the efficiency and effective delivery of financial aid.

“(g) **OVERSIGHT.**—In conducting the demonstration program authorized under this section, the Secretary shall, on a continuing basis—

“(1) ensure compliance of institutions or systems of institutions with the requirements of this title (other than the sections and regulations that are waived under subsection (b)(2));

“(2) provide technical assistance to institutions in their application to and participation in the demonstration program;

“(3) monitor fluctuations in the student population enrolled in the participating institutions or systems of institutions;

“(4) monitor changes in financial assistance provided at the institution; and

“(5) consult with appropriate accrediting agencies or associations and appropriate State regulatory authorities.

“(h) TERMINATION OF AUTHORITY.—The authority of the Secretary under this section shall cease to be effective on October 1, 2011.”.

SEC. 487. PROGRAM PARTICIPATION AGREEMENTS.

(a) REFUND POLICIES.—Section 487(a) (20 U.S.C. 1094(a)) is amended—

(1) in paragraph (16), by inserting “or other Federal, State, or local government funds” after “funds under this title” each place it appears;

(2) in paragraph (22), by striking “refund policy” and inserting “policy on the return of title IV funds”; and

(3) in paragraph (23)—

(A) by moving subparagraph (C) 2 em spaces to the left; and

(B) by adding after such subparagraph the following new subparagraph:

“(D) An institution shall be considered in compliance with the requirements of subparagraph (A) for any student to whom the institution electronically transmits a message containing a voter registration form acceptable for use in the State in which the institution is located, or an Internet address where such a form can be downloaded, provided such information is in an electronic message devoted to voter registration.”.

(b) ENFORCING THE 90/10 RULE.—

(1) AMENDMENT.—Section 487(a) (20 U.S.C. 1094(a)) is further amended by adding at the end the following new paragraph:

“(24) The institution will, as calculated in accordance with subsection (f)(1), have at least 10 percent of its revenues from sources other than funds provided under this title, or will be subject to the sanctions described in subsection (f)(2).”.

(2) IMPLEMENTATION.—Section 487 is further amended by adding at the end the following new subsection:

“(f) IMPLEMENTATION OF NON-TITLE IV REQUIREMENT.—

“(1) CALCULATION.—In carrying out subsection (a)(24), an institution shall use the cash basis of accounting and count the following funds toward the 10 percent of revenues from sources of funds other than funds provided under this title:

“(A) funds used by students to pay tuition, fees, and other institutional charges from sources other than funds provided under this title as long as the institution can reasonably demonstrate that such funds were used for such purposes;

“(B) institutional funds used to satisfy matching-fund requirements for programs under this title;

“(C) funds from savings plans for educational expenses established pursuant to the Internal Revenue Code of 1986;

“(D) funds paid by a student, or on behalf of a student by a party other than the institution, for an education or training program that is not eligible for funds under this title, so long as the program is approved or licensed by the appropriate State agency or an accrediting agency recognized by the Secretary; and

“(E) institutional aid, as follows:

“(i) in the case of institutional loans, only the amount of loan repayments received during the fiscal year; and

“(ii) in the case of institutional scholarships, only those provided by the institution in the form of monetary aid or tuition discounts based upon the academic achievements or financial need of students, disbursed during the fiscal year from an established restricted account, and only to the extent that the funds in that account represent designated funds from an outside source or from income earned on those funds.

“(2) SANCTIONS.—An institution that fails to meet the requirements of subsection (a)(24) for 3 consecutive years shall become ineligible to participate in the programs authorized by this title. In addition to such other means of enforcing the requirements of this title as may be available to the Secretary, if an institution fails to meet the requirements of subsection (a)(24) in any year, the Secretary may impose one or more of the following sanctions on the institution:

“(A) Place the institution on provisional certification in accordance with section 498(h) until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(24).

“(B) Require such other increased monitoring and reporting requirements as the Secretary determines necessary until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(24).

“(3) PUBLICATION ON COOL WEBSITE.—The Secretary shall identify, on the College Opportunities On-Line website under section 131(b), any institution that fails to meet the requirements of subsection (a)(24) in any year as an institution that is failing to meet the minimum non-Federal source of revenue requirements of that subsection.”.

(c) REPORTS ON DISCIPLINARY PROCEEDINGS.—

(1) AMENDMENT.—Section 487(a) (20 U.S.C. 1094(a)) is further amended by adding after paragraph (24), as added by subsection (b) of this section, the following new paragraph:

“(25) The institution will disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of title 18), or a nonforcible sex offense, the final results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any disciplinary proceeding conducted by such institution on or after one year after the date of enactment of this Act.

(d) AUDIT REQUIREMENTS.—Section 487(c)(1)(A)(i) (20 U.S.C. 1094(c)(1)(A)(i)) is amended by inserting before the semicolon at the end the following: “, except that the Secretary may modify the requirements of this clause with respect to institutions of higher education that are foreign institutions, and may waive such requirements with respect to a foreign institution whose students receive less than \$500,000 in loans under this title during the award year preceding the audit period”.

SEC. 488. ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.

Part G is further amended as follows:

(1) Section 483(d) (20 U.S.C. 1090(d)) is amended by striking “that is authorized under section 685(d)(2)(C)” and inserting “, or another appropriate provider of technical assistance and information on postsecondary educational services, that is supported under section 663”.

(2) Section 484 (20 U.S.C. 1091) is amended—
(A) in subsection (a)(4), by striking “certification,” and inserting “certification,”; and

(B) in subsection (b)(2)—

(i) in the matter preceding subparagraph (A), by striking “section 428A” and inserting “section 428H”;

(ii) in subparagraph (A), by inserting “and” after the semicolon at the end thereof;

(iii) in subparagraph (B), by striking “; and” and inserting a period; and

(iv) by striking subparagraph (C).

(3) Section 484A(b)(2) (20 U.S.C. 1091a(b)(2)) is amended by striking “part B of this title” and inserting “part B, D, or E of this title”.

(4) Section 485B(a) (20 U.S.C. 1092b(a)) is amended—

(A) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(B) by redesignating the paragraph (5) (as added by section 2008 of Public Law 101-239) as paragraph (6); and

(C) in paragraph (5) (as added by section 204(3) of the National Community Service Act of 1990 (Public Law 101-610))—

(i) by striking “(22 U.S.C. 2501 et seq.)” and inserting “(22 U.S.C. 2501 et seq.)”; and

(ii) by striking the period at the end thereof and inserting a semicolon.

(5) Section 487A(b) (20 U.S.C. 1094a(b)) is amended—

(A) in paragraph (1)—

(i) by striking “Higher Education Amendments of 1998” and inserting “College Access and Opportunity Act of 2005”; and

(ii) by striking the second sentence;

(B) in paragraph (2)—

(i) by striking “1993 through 1998” and inserting “1998 through 2004”;

(ii) by striking “(as such section” and all that follows through “Amendments of 1998”); and

(iii) by striking “Higher Education Amendments of 1998.” and inserting “College Access and Opportunity Act of 2005.”; and

(C) in paragraph (3)(A)—

(i) by striking “Upon the submission” and all that follows through “limited number of additional institutions for voluntary participation” and inserting “The Secretary is authorized to continue the voluntary participation of institutions participating as of July 1, 2005.”; and

(ii) by inserting before the period at the end the following: “, and shall continue the participation of any such institution unless the Secretary determines that such institution’s participation has not been successful in carrying out the purposes of this section”.

(6) Section 491(c) (20 U.S.C. 1098(c)) is amended by adding at the end the following new paragraph:

“(3) The appointment of members under subparagraphs (A) and (B) of paragraph (1) shall be effective upon publication of the appointment in the Congressional Record.”.

(7) Section 491(h)(1) (20 U.S.C. 1098(h)(1)) is amended by striking “the rate authorized for GS-18 of the General Schedule” and inserting “the maximum rate payable under section 5376 of such title”.

(8) Section 491(k) (20 U.S.C. 1098(k)) is amended by striking “2004” and inserting “2011”.

(9) Section 493A (20 U.S.C. 1098c) is repealed.

(10) Section 498 (20 U.S.C. 1099c) is amended—

(A) in subsection (c)(2), by striking “for profit,” and inserting “for-profit,”; and

(B) in subsection (d)(1)(B), by inserting “and” after the semicolon at the end thereof.

PART H—PROGRAM INTEGRITY

SEC. 495. ACCREDITATION.

(a) STANDARDS FOR ACCREDITATION.—Section 496(a) (20 U.S.C. 1099b(a)) is amended—

(1) in paragraph (3)—
 (A) by inserting “or” after the semicolon at the end of subparagraph (A);
 (B) by striking subparagraph (B); and
 (C) by redesignating subparagraph (C) as subparagraph (B);
 (2) in paragraph (4)—
 (A) by inserting “(A)” after “(4)”;
 (B) by inserting after “consistently applies and enforces standards” the following: “that consider the stated missions of institutions of higher education, including such missions as inculcation of religious values, and”;
 (C) by inserting “and” after the semicolon at the end thereof; and
 (D) by adding at the end the following new subparagraph:
 “(B) if such agency or association already has or seeks to include within its scope of recognition the evaluation of the quality of institutions or programs offering distance education, such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that—
 “(i) the accreditation agency’s or association’s standards effectively address the quality of an institution’s distance education programs in the areas identified in paragraph (5) of this subsection, except that the agency or association shall not be required to have separate standards, procedures, or policies for the evaluation of distance education institutions or programs in order to meet the requirements of this subparagraph; and
 “(ii) the agency or association requires that an institution that offers distance education programs to have processes by which it establishes that the student who registers in a distance education course or program is the same student who participates, completes academic work, and receives academic credit.”;
 (3) in paragraph (5)—
 (A) by amending subparagraph (A) to read as follows:
 “(A) success with respect to student achievement in relation to the institution’s mission, including, as appropriate, consideration of student academic achievement as determined by the institution (in accordance with standards of the accrediting agency or association), retention, course and program completion, State licensing examinations, and job placement rates, and other student performance information selected by the institution, particularly that information used by the institution to evaluate or strengthen its programs.”; and
 (B) by amending subparagraph (E) to read as follows:
 “(E) fiscal, administrative capacity, as appropriate to the specified scale of operations, and, for an agency or association where its approval for such institution determines eligibility for student assistance under this title, board governance, within the context of the institution’s mission.”;
 (4) by striking paragraph (6) and inserting the following:
 “(6) such an agency or association shall establish and apply review procedures throughout the accrediting process, including evaluation and withdrawal proceedings that comply with due process that provides for—
 “(A) adequate specification of requirements and deficiencies at the institution of higher education or program being examined;
 “(B) an opportunity for a written response by any such institution to be included in the evaluation and withdrawal proceedings;
 “(C) upon the written request of an institution, an opportunity for the institution to appeal any adverse action at a hearing prior to such action becoming final before an appeals panel that—

“(i) shall not include current members of the agency or association’s underlying decision-making body that made the adverse decision; and
 “(ii) is subject to a conflict of interest of policy; and
 “(D) the right to representation by counsel for an such institution.”; and
 (5) by striking paragraph (8) and inserting the following:
 “(8) such agency or association shall make available to the public and submit to the Secretary and the State licensing or authorizing agency, together with the comments of the affected institution, a summary of agency or association actions, involving—
 “(A) final denial, withdrawal, suspension, or termination of accreditation; and
 “(B) any other final adverse action taken with respect to an institution.”.
 (b) OPERATING PROCEDURES.—Section 496(c) (20 U.S.C. 1099b(c)) is amended—
 (1) by inserting “(including those regarding distance education)” before the semicolon at the end of paragraph (1);
 (2) by striking “and” at the end of paragraph (5);
 (3) by striking the period at the end of paragraph (6) and inserting a semicolon; and
 (4) by inserting after paragraph (6) the following new paragraphs:
 “(7) ensures that its onsite comprehensive reviews for accreditation or reaccreditation include evaluation of the substance of the information required in subparagraph (H) of section 485(a)(1);
 “(8) confirms as a part of its review for accreditation or reaccreditation that the institution has transfer policies—
 “(A) that are publicly disclosed; and
 “(B) that do not deny transfer of credit based solely on the accreditation of the sending institution as long as the association or agency is recognized by the Secretary pursuant to section 496;
 “(9) develops a brief summary, available to the public, of final adverse actions in accordance with the requirements of subsection (a)(8);
 “(10) monitors the enrollment growth of distance education to ensure that an institution experiencing significant growth has the capacity to serve its students effectively;
 “(11) discloses publicly, on the agency’s website or through other similar dissemination—
 “(A) a list of the individuals who comprised the evaluation teams during the prior calendar year for each agency or association and the title and institutional affiliation of such individuals, although such list shall not be required to identify those individuals who comprised the evaluation team used for any specific institution;
 “(B) a description of the agency’s or association’s process for selecting, preparing, and evaluating such individuals; and
 “(C) any statements related to the accreditation responsibilities of such individuals; and
 “(12) reviews the record of student complaints resulting from the student information process described in section 485(a)(1)(J).”.
 (c) LIMITATION, SUSPENSION, AND TERMINATION OF RECOGNITION.—Section 496(l) is amended by adding at the end the following new paragraph:
 “(3) The Secretary shall provide an annual report to Congress on the status of any agency or association for which the Secretary has limited, suspended or terminated recognition under this subsection.”.
 (d) PROGRAM REVIEW AND DATA.—Section 498A(b) (20 U.S.C. 1099c-1(b)) is amended—
 (1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting a semicolon; and
 (3) by adding at the end the following new paragraphs:
 “(6) provide to the institution adequate opportunity to review and respond to any program review report or audit finding and underlying materials related thereto before any final program review or audit determination is reached;
 “(7) review and take into consideration the institution’s response in any final program review or audit determination, and include in the final determination—
 “(A) a written statement addressing the institution’s response and stating the basis for such final determination; and
 “(B) a copy of the institution’s statement in response, appropriately redacted to protect confidential information;
 “(8) maintain and preserve at all times the confidentiality of any program review report or audit finding until the requirements of paragraphs (6) and (7) are met, and until a final program review or audit determination has been issued, except to the extent required to comply with paragraph (5), provided, however, that the Secretary shall promptly disclose any and all program review reports and audit findings to the institution under review; and
 “(9) require that the authority to approve or issue any program review report or audit finding, preliminary or otherwise, that contains any finding, determination, or proposed assessment that exceeds or may exceed \$500,000 in liabilities shall not be delegated to any official beyond the Chief Operating Officer of Federal Student Aid.”.
SEC. 496. REPORT TO CONGRESS ON PREVENTION OF FRAUD AND ABUSE IN STUDENT FINANCIAL AID PROGRAMS.
 Title IV is amended by adding at the end the following new section:
“SEC. 499. REPORT TO CONGRESS ON PREVENTION OF FRAUD AND ABUSE IN STUDENT FINANCIAL AID PROGRAMS.
 “(a) PURPOSE.—It is the purpose of this section to require the Secretary to commission a nonpartisan, comprehensive study on the prevention of fraud and abuse in title IV student financial aid programs, and to report the results of such study to Congress.
 “(b) SCOPE OF REPORT.—The study under this section shall thoroughly identify and address the following:
 “(1) The impact of fraud and abuse in title IV student financial aid programs upon students and taxpayers, and the nature of such fraud and abuse.
 “(2) The effectiveness of existing policies and requirements under this Act that were put in place to prevent fraud and abuse in title IV student financial aid programs, and how such policies and requirements should be improved.
 “(3) The extent to which existing protections against fraud and abuse under this Act are adequately enforced, and how enforcement should be strengthened.
 “(4) Areas in which additional information is needed to assess the effectiveness of current protections and enforcement against fraud and abuse.
 “(5) Existing policies and requirements under this Act aimed at fraud and abuse that are ineffective, hinder innovation, or could be eliminated without reducing effectiveness.
 “(6) New policies and enforcement, particularly those suited for the current higher education marketplace, needed to protect against fraud and abuse in title IV student financial aid programs.
 “(7) The extent to which States are implementing regulations to protect students from fraud and abuse, and whether changes

to Federal law will preempt such regulations.

“(c) REPORT.—Not later than December 31, 2007, the Secretary, after an opportunity for both the Secretary and the Inspector General of the Department of Education to review the results of the study, shall transmit to Congress a report on the study conducted under this section. Such report shall—

“(1) include clear and specific recommendations for legislative and regulatory actions that are likely to significantly reduce the fraud and abuse in title IV student financial aid programs identified under subsection (b); and

“(2) include both the Secretary’s and the Inspector General’s comments on the report.”.

TITLE V—DEVELOPING INSTITUTIONS

SEC. 501. DEFINITIONAL CHANGES.

Section 502(a) (20 U.S.C. 1101a(a)) is amended—

(1) in paragraph (5)—

(A) by inserting “and” after the semicolon at the end of subparagraph (A);

(B) by inserting “at the end of the award year immediately preceding the date of application” after “Hispanic students” in subparagraph (B);

(C) by striking “; and” at the end of subparagraph (B) and inserting a period; and

(D) by striking subparagraph (C); and

(2) by striking paragraph (7).

SEC. 502. ASSURANCE OF ENROLLMENT OF NEEDY STUDENTS.

Section 511(c) (20 U.S.C. 1103(c)) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (3) through (7) as paragraphs (2) through (6); and

(3) by inserting after paragraph (6) as so redesignated the following new paragraph:

“(7) contain such assurances as the Secretary may require that the institution has an enrollment of needy students as required by section 502(b);”.

SEC. 503. ADDITIONAL AMENDMENTS.

Title V is further amended—

(1) in section 502(a)(2)(A) (20 U.S.C. 1101a(a)(2)(A)), by redesignating clauses (v) and (vi) as clauses (vi) and (vii), respectively, and inserting after clause (iv) the following new clause:

“(v) which provides a program of not less than 2 years that is acceptable for full credit toward a bachelor’s degree;”;

(2) in section 503(b) (20 U.S.C. 1101b(b))—

(A) by amending paragraph (2) to read as follows:

“(2) Construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities.”;

(B) by amending paragraph (12) to read as follows:

“(12) Establishing community outreach programs and collaborative partnerships between Hispanic-serving institutions and local elementary or secondary schools. Such partnerships may include mentoring, tutoring, or other instructional opportunities that will boost student academic achievement and assist elementary and secondary school students in developing the academic skills and the interest to pursue postsecondary education.”;

(C) by redesignating paragraphs (5) through (14) as paragraphs (6) through (15), respectively; and

(D) by inserting after paragraph (4) the following:

“(5) Education or counseling services designed to improve the financial literacy and

economic literacy of students and, as appropriate, their parents.”;

(3) in section 504(a) (20 U.S.C. 1101c(a))—

(A) by striking the following:

“(a) AWARD PERIOD.—

“(1) IN GENERAL.—The Secretary” and inserting the following:

“(a) AWARD PERIOD.—The Secretary”; and

(B) by striking paragraph (2); and

(4) in section 514(c) (20 U.S.C. 1103c(c)), by striking “section 505” and inserting “section 504”.

SEC. 504. POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS.

(a) ESTABLISHMENT OF PROGRAM.—Title V is amended—

(1) by redesignating part B as part C;

(2) by redesignating sections 511 through 518 as sections 521 through 528, respectively; and

(3) by inserting after section 505 (20 U.S.C. 1101d) the following new part:

“PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS

“SEC. 511. PURPOSES.

“The purposes of this part are—

“(1) to expand postbaccalaureate educational opportunities for, and improve the academic attainment of, Hispanic students; and

“(2) to expand the postbaccalaureate academic offerings and enhance the program quality in the institutions that are educating the majority of Hispanic college students and helping large numbers of Hispanic and low-income students complete postsecondary degrees.

“SEC. 512. PROGRAM AUTHORITY AND ELIGIBILITY.

“(a) PROGRAM AUTHORIZED.—Subject to the availability of funds appropriated to carry out this part, the Secretary shall award competitive grants to Hispanic-serving institutions determined by the Secretary to be making substantive contributions to graduate educational opportunities for Hispanic students.

“(b) ELIGIBILITY.—For the purposes of this part, an ‘eligible institution’ means an institution of higher education that—

“(1) is an eligible institution under section 502(a)(2); and

“(2) offers a postbaccalaureate certificate or degree granting program.

“SEC. 513. AUTHORIZED ACTIVITIES.

“Grants awarded under this part shall be used for one or more of the following activities:

“(1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.

“(2) Construction, maintenance, renovation, and improvement of classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services.

“(3) Purchase of library books, periodicals, technical and other scientific journals, microfilm, microfiche, and other educational materials, including telecommunications program materials.

“(4) Support for needy postbaccalaureate students including outreach, academic support services, mentoring, scholarships, fellowships, and other financial assistance to permit the enrollment of such students in postbaccalaureate certificate and degree granting programs.

“(5) Support of faculty exchanges, faculty development, faculty research, curriculum development, and academic instruction.

“(6) Creating or improving facilities for Internet or other distance learning academic instruction capabilities, including purchase

or rental of telecommunications technology equipment or services.

“(7) Collaboration with other institutions of higher education to expand postbaccalaureate certificate and degree offerings.

“(8) Other activities proposed in the application submitted pursuant to section 514 that—

“(A) contribute to carrying out the purposes of this part; and

“(B) are approved by the Secretary as part of the review and acceptance of such application.

“SEC. 514. APPLICATION AND DURATION.

“(a) APPLICATION.—Any eligible institution may apply for a grant under this part by submitting an application to the Secretary at such time and in such manner as determined by the Secretary. Such application shall demonstrate how the grant funds will be used to improve postbaccalaureate education opportunities in programs and professions in which Hispanic Americans are underrepresented.

“(b) DURATION.—Grants under this part shall be awarded for a period not to exceed 5 years.

“(c) LIMITATION.—The Secretary shall not award more than one grant under this part in any fiscal year to any Hispanic-serving institution.”.

(b) COOPERATIVE ARRANGEMENTS.—Section 524(a) (as redesignated by subsection (a)(2)) (20 U.S.C. 1103c(a)) is amended by inserting “and section 513” after “section 503”.

SEC. 505. AUTHORIZATION OF APPROPRIATIONS.

Subsection (a) of section 528 (as redesignated by section 504(a)(2) of this Act) (20 U.S.C. 1103g) is amended to read as follows:

“(a) AUTHORIZATIONS.—

“(1) PART A.—There are authorized to be appropriated to carry out part A and part C of this title \$96,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(2) PART B.—There are authorized to be appropriated to carry out part B of this title \$59,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.”.

TITLE VI—TITLE VI AMENDMENTS

SEC. 601. INTERNATIONAL AND FOREIGN LANGUAGE STUDIES.

(a) FINDINGS AND PURPOSES.—Section 601 (20 U.S.C. 1121) is amended—

(1) in subsection (a)—

(A) by striking “post-Cold War” in paragraph (3);

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following new paragraph:

“(4) The events and aftermath of September 11, 2001, have underscored the need for the Nation to strengthen and enhance American knowledge of international relations, world regions, and foreign languages. Homeland security and effective United States engagement abroad depend upon an increased number of Americans who have received such training and are willing to serve their Nation.”;

(2) in subsection (b)(1)—

(A) by striking “; and” at the end of subparagraph (D) and inserting “, including through linkages overseas with institutions of higher education and relevant organizations that contribute to the educational programs assisted under this part;”;

(B) by inserting “and” after the semicolon at the end of subparagraph (E);

(C) by inserting after such subparagraph (E) the following new subparagraph:

“(F) to assist the national effort to educate and train citizens to participate in the efforts of homeland security;”;

(3) in subsection (b)(3)—

(A) by inserting “reinforce and” before “coordinate”; and

(B) by inserting “, and international business and trade competitiveness” before the period.

(b) GRADUATE AND UNDERGRADUATE LANGUAGE AND AREA CENTERS AND PROGRAMS.—Section 602(a) (20 U.S.C. 1122(a)) is amended—

(1) in paragraph (1), by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—The Secretary is authorized to make grants to institutions of higher education or consortia of such institutions for the purpose of establishing, strengthening, and operating—

“(i) comprehensive foreign language and area or international studies centers and programs; and

“(ii) a diverse network of undergraduate foreign language and area or international studies centers and programs.”;

(2) in paragraph (2)—

(A) by striking “and” at the end of subparagraph (G);

(B) by striking the period at the end of subparagraph (H) and inserting a semicolon; and

(C) by inserting after subparagraph (H) the following new subparagraphs:

“(I) supporting instructors of the less commonly taught languages;

“(J) widely disseminating materials developed by the center or program to local educational agencies and public and private elementary and secondary education schools, and institutions of higher education, presented from diverse perspectives and reflective of a wide range of views on the subject matter, except that no more than 50 percent of funds awarded to an institution of higher education or consortia of such institutions for purposes under this title may be associated with the costs of dissemination; and

“(K) projects that support in students an understanding of science and technology in coordination with foreign language proficiency.”; and

(3) in paragraph (4)—

(A) by amending subparagraph (B) to read as follows:

“(B) Partnerships or programs of linkage and outreach with 2-year and 4-year colleges and universities, including colleges of education and teacher professional development programs.”;

(B) in subparagraph (C), by striking “Programs of linkage or outreach” and inserting “Partnerships or programs of linkage and outreach”;

(C) in subparagraph (E)—

(i) by striking “foreign area” and inserting “area studies”;

(ii) by striking “of linkage and outreach”; and

(iii) by striking “(C), and (D)” and inserting “(D), and (E)”;

(D) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(E) by inserting after subparagraph (B) the following new subparagraph:

“(C) Partnerships with local educational agencies and public and private elementary and secondary education schools that are designed to increase student academic achievement in foreign language and knowledge of world regions, and to facilitate the wide dissemination of materials related to area studies, foreign languages, and international studies that are reflective of a wide range of views on the subject matter.”.

(c) LANGUAGE RESOURCE CENTERS.—Section 603(c) (20 U.S.C. 1123(c)) is amended by inserting “reflect the purposes of this part and” after “shall”.

(d) UNDERGRADUATE INTERNATIONAL STUDIES AND FOREIGN LANGUAGE PROGRAMS.—Section 604 (20 U.S.C. 1124) is amended—

(1) in subsection (a)(1), by striking “combinations” each place it appears and inserting “consortia”;

(2) in subsection (a)(2)—

(A) in subparagraph (B)(ii), by striking “teacher training” and inserting “teacher professional development”;

(B) by redesignating subparagraphs (I) through (M) as subparagraphs (J) through (N), respectively;

(C) by inserting after subparagraph (H) the following new subparagraph:

“(I) the provision of grants for educational programs abroad that are closely linked to the program’s overall goals and have the purpose of promoting foreign language fluency and knowledge of world regions, except that not more than 10 percent of a grant recipient’s funds may be used for this purpose.”; and

(D) in subparagraph (M)(ii) (as redesignated by subparagraph (B) of this paragraph), by striking “elementary and secondary education institutions” and inserting “local educational agencies and public and private elementary and secondary education schools”;

(3) in subsection (a)(4)(B), by inserting “that demonstrates a need for a waiver or reduction” before the period at the end;

(4) in subsection (a)(6), by inserting “reflect the purposes of this part and” after “shall”;

(5) in subsection (a)(8), by striking “may” and inserting “shall”; and

(6) by striking subsection (c).

(e) RESEARCH; STUDIES; ANNUAL REPORT.—Section 605(a) (20 U.S.C. 1125(a)) is amended by inserting before the period at the end of the first sentence the following: “, including the systematic collection, analysis, and dissemination of data”.

(f) TECHNOLOGICAL INNOVATION AND COOPERATION FOR FOREIGN INFORMATION ACCESS.—Section 606 (20 U.S.C. 1126) is amended—

(1) in subsection (a)—

(A) by striking “or consortia of such institutions or libraries” and inserting “museums, or consortia of such entities”;

(B) by striking “new”; and

(C) by inserting “from foreign sources” after “disseminate information”;

(2) in subsection (b)—

(A) by inserting “acquire and” before “facilitate access” in paragraph (1);

(B) by striking “new means of” in paragraph (3) and inserting “new means and standards for”;

(C) by striking “and” at the end of paragraph (6);

(D) by striking the period at the end of paragraph (7) and by inserting a semicolon; and

(E) by inserting after paragraph (7) the following new paragraphs:

“(8) to establish linkages between grant recipients under subsection (a) with libraries, museums, organizations, or institutions of higher education located overseas to facilitate carrying out the purposes of this section; and

“(9) to carry out other activities deemed by the Secretary to be consistent with the purposes of this section.”; and

(3) by adding at the end the following new subsection:

“(e) SPECIAL RULE.—The Secretary may waive or reduce the required non-Federal share for institutions that—

“(1) are eligible to receive assistance under part A or B of title III or under title V; and

“(2) have submitted a grant application under this section that demonstrates a need for a waiver or reduction.”.

(g) SELECTION OF GRANT RECIPIENTS.—Section 607(b) (20 U.S.C. 1127(b)) is amended—

(1) by striking “objectives” and inserting “missions”; and

(2) by adding at the end the following new sentence: “In keeping with the purposes of this part, the Secretary shall take into account the degree to which activities of centers, programs, and fellowships at institutions of higher education address national interests, generate and disseminate information, and foster debate on international issues from diverse perspectives.”.

(h) EQUITABLE DISTRIBUTION.—Section 608(a) (20 U.S.C. 1128(a)) is amended by adding at the end the following new sentence: “Grants made under section 602 shall also reflect the purposes of this part.”.

(i) AUTHORIZATION OF APPROPRIATIONS.—Section 610 (20 U.S.C. 1128b) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

(j) CONFORMING AMENDMENTS.—

(1) Sections 603(a), 604(a)(5), and 612 (20 U.S.C. 1123(a), 1124(a)(5), 1130-1) are each amended by striking “combinations” each place it appears and inserting “consortia”.

(2) Section 612 (20 U.S.C. 1130-1) is amended by striking “combination” each place it appears and inserting “consortium”.

SEC. 602. BUSINESS AND INTERNATIONAL EDUCATION PROGRAMS.

(a) CENTERS FOR INTERNATIONAL BUSINESS EDUCATION.—Section 612 (20 U.S.C. 1130-1) is amended—

(1) in subsection (c)(1)(D), by inserting “(including those that are eligible to receive assistance under part A or B of title III or under title V)” after “other institutions of higher education”; and

(2) in subsection (e), by adding at the end the following new paragraph:

“(5) SPECIAL RULE.—The Secretary may waive or reduce the required non-Federal share for institutions that—

“(A) are eligible to receive assistance under part A or B of title III or under title V; and

“(B) have submitted a grant application under this section that demonstrates a need for a waiver or reduction.”.

(b) EDUCATION AND TRAINING PROGRAMS.—Section 613 (20 U.S.C. 1130a) is amended by adding at the end the following new subsection:

“(e) SPECIAL RULE.—The Secretary may waive or reduce the required non-Federal share for institutions that—

“(1) are eligible to receive assistance under part A or B of title III or under title V; and

“(2) have submitted a grant application under this section that demonstrates a need for a waiver or reduction.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 614 (20 U.S.C. 1130b) is amended—

(1) by striking “1999” each place it appears and inserting “2006”; and

(2) by striking “4 succeeding” each place it appears and inserting “5 succeeding”.

SEC. 603. INSTITUTE FOR INTERNATIONAL PUBLIC POLICY.

(a) FOREIGN SERVICE PROFESSIONAL DEVELOPMENT.—Section 621 (20 U.S.C. 1131) is amended—

(1) by striking the heading of such section and inserting the following:

“SEC. 621. PROGRAM FOR FOREIGN SERVICE PROFESSIONALS.”;

(2) by striking the second sentence of subsection (a) and inserting the following: “The Institute shall conduct a program to enhance the international competitiveness of the United States by increasing the participation of underrepresented populations in the international service, including private international voluntary organizations and the foreign service of the United States.”; and

(3) in subsection (b)(1), by striking subparagraphs (A) and (B) and inserting the following:

“(A) A Tribally Controlled College or University or Alaska Native or Native Hawaiian-serving institution eligible for assistance under title III, an institution eligible for assistance under part B of title III, or a Hispanic-serving institution eligible for assistance under title V.

“(B) An institution of higher education which serves substantial numbers of underrepresented students.”.

(b) **INSTITUTIONAL DEVELOPMENT.**—Section 622 (20 U.S.C. 1131-1) is amended by inserting before the period at the end of subsection (a) the following: “and promote collaboration with colleges and universities that receive funds under this title”.

(c) **STUDY ABROAD PROGRAM.**—Section 623(a) (20 U.S.C. 1131a(a)) is amended by inserting after “1978,” the following: “Alaska Native-serving, Native Hawaiian-serving, and Hispanic-serving institutions.”.

(d) **ADVANCED DEGREE IN INTERNATIONAL RELATIONS.**—Section 624 (20 U.S.C. 1131b) is amended—

(1) by striking “**MASTERS**” in the heading of such section and inserting “**ADVANCED**”;

(2) by striking “a masters degree in international relations” and inserting “an advanced degree in international relations, international affairs, international economics, or other academic areas related to the Institute fellow’s career objectives”; and

(3) by striking “The masters degree program designed by the consortia” and inserting “The advanced degree study program shall be designed by the consortia, consistent with the fellow’s career objectives, and”.

(e) **INTERNSHIPS.**—Section 625 (20 U.S.C. 1131c) is amended—

(1) in subsection (a), by inserting after “1978,” the following: “Alaska Native-serving, Native Hawaiian-serving, and Hispanic-serving institutions.”;

(2) in subsection (b)—

(A) by inserting “and” after the semicolon at the end of paragraph (2);

(B) by striking “; and” at the end of paragraph (3) and inserting a period; and

(C) by striking paragraph (4); and

(3) by amending subsection (c) to read as follows:

“(c) **RALPH J. BUNCHE FELLOWS.**—In order to assure the recognition and commitment of individuals from underrepresented student populations who demonstrate special interest in international affairs and language study, eligible students who participate in the internship programs authorized under (a) and (b) shall be known as the ‘Ralph J. Bunche Fellows’.”.

(f) **REPORT.**—Section 626 (20 U.S.C. 1131d) is amended by striking “annually prepare a report” and inserting “prepare a report biennially”.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—Section 628 (20 U.S.C. 1131f) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

SEC. 604. EVALUATION, OUTREACH, AND DISSEMINATION.

Part D of title VI is amended by inserting after section 631 (20 U.S.C. 1132) the following new section:

“SEC. 632. EVALUATION, OUTREACH, AND DISSEMINATION.

“The Secretary may use not more than one percent of the funds made available for this title for program evaluation, national outreach, and information dissemination activities.”.

SEC. 605. ADVISORY BOARD.

Part D of title VI is amended by inserting after section 632 (as added by section 604) the following new section:

“SEC. 633. INTERNATIONAL HIGHER EDUCATION ADVISORY BOARD.

“(a) **ESTABLISHMENT AND PURPOSE.**—

“(1) **ESTABLISHMENT.**—There is established in the Department an independent International Higher Education Advisory Board (hereafter in this section referred to as the ‘International Advisory Board’). The International Advisory Board shall provide advice, counsel, and recommendations to the Secretary and the Congress on international education issues for higher education.

“(2) **PURPOSE.**—The purpose of the International Advisory Board is—

“(A) to provide expertise in the area of national needs for proficiency in world regions, foreign languages, international affairs, and international business;

“(B) to make recommendations that will promote the excellence of international education programs and result in the growth and development of such programs at the postsecondary education level that will reflect diverse perspectives and a wide range of views on world regions, foreign language, international affairs, and international business; and

“(C) to advise the Secretary and the Congress with respect to needs for expertise in government, the private sector, and education in order to enhance America’s understanding of, and engagement in, the world.

“(b) **INDEPENDENCE OF INTERNATIONAL ADVISORY BOARD.**—In the exercise of its functions, powers, and duties, the International Advisory Board shall be independent of the Secretary and the other offices and officers of the Department. Except as provided in this subsection and subsection (f), the recommendations of the International Advisory Board shall not be subject to review or approval by any officer of the Federal Government. Nothing in this title shall be construed to authorize the International Advisory Board to mandate, direct, or control an institution of higher education’s specific instructional content, curriculum, or program of instruction or instructor. The International Advisory Board is authorized to assess a sample of activities supported under this title, using materials that have been submitted to the Department of Education by grant recipients under this title, in order to provide recommendations to the Secretary and the Congress for the improvement of programs under the title and to ensure programs meet the purposes of the title to promote the study of and expertise in foreign language and world regions, especially with respect to diplomacy, national security, and international business and trade competitiveness. The recommendations of the International Advisory Board may address any area in need of improvement, except that any recommendation of specific legislation to Congress shall be made only if the President deems it necessary and expedient.

“(c) **MEMBERSHIP.**—

“(1) **APPOINTMENT.**—The International Advisory Board shall have 7 members of whom—

“(A) 3 members shall be appointed by the Secretary;

“(B) 2 members shall be appointed by the Speaker of the House of Representatives, upon the recommendation of the Majority Leader and the Minority Leader; and

“(C) 2 members shall be appointed by the President pro tempore of the Senate, upon the recommendation of the Majority Leader and the Minority Leader.

“(2) **REPRESENTATION.**—Two of the members appointed by the Secretary under paragraph (1)(A) shall be appointed to represent

Federal agencies that have diplomacy, national security, international commerce, or other international activity responsibilities, after consultation with the heads of such agencies. The members of the International Advisory Board shall also include (but not be limited to) persons with international expertise representing States, institutions of higher education, cultural organizations, educational organizations, international business, local education agencies, students, and private citizens with expertise in international concerns.

“(3) **QUALIFICATION.**—Members of the International Advisory Board shall be individuals who have technical qualifications, professional standing, experience working in international affairs or foreign service or international business occupations, or demonstrated knowledge in the fields of higher education and international education, including foreign languages, world regions, or international affairs.

“(d) **FUNCTIONS OF THE INTERNATIONAL ADVISORY BOARD.**—

“(1) **IN GENERAL.**—The International Advisory Board shall provide recommendations in accordance with subsection (b) regarding improvement of programs under this title to the Secretary and the Congress for their review. The International Advisory Board may—

“(A) review and comment upon the regulations for grants under this title;

“(B) assess a sample of activities supported under this title based on the purposes and objectives of this title, using materials that have been submitted to the Department of Education by grant recipients under this title, in order to provide recommendations for improvement of the programs under this title;

“(C) make recommendations that will assist the Secretary and the Congress to improve the programs under this title to better reflect the national needs related to foreign languages, world regions, diplomacy, national security, and international business and trade competitiveness, including an assessment of the national needs and the training provided by the institutions of higher education that receive a grant under this title for expert and non-expert level foreign language training;

“(D) make recommendations to the Secretary and the Congress regarding such studies, surveys, and analyses of international education that will provide feedback about the programs under this title and assure that their relative authorized activities reflect diverse perspectives and a wide range of views on world regions, foreign languages, diplomacy, national security, and international business and trade competitiveness;

“(E) make recommendations that will strengthen the partnerships between local educational agencies, public and private elementary and secondary education schools, and grant recipients under this title to ensure that the research and knowledge about world regions, foreign languages, and international affairs is widely disseminated to local educational agencies;

“(F) make recommendations on how institutions of higher education that receive a grant under this title can encourage students to serve the Nation and meet national needs in an international affairs, international business, foreign language, or national security capacity;

“(G) make recommendations on how linkages between institutions of higher education and public and private organizations that are involved in international education, international business and trade competitiveness, language training, and international research capacities may fulfill the

manpower and information needs of United States businesses; and

“(H) make recommendations to the Secretary and the Congress about opportunities for underrepresented populations in the areas of foreign language study, diplomacy, international business and trade competitiveness, and international economics, in order to effectively carry out the activities of the Institute under part C.

“(2) HEARINGS.—The International Advisory Board shall provide for public hearing and comment regarding the matter contained in the recommendations described in paragraph (1), prior to the submission of those recommendations to the Secretary and the Congress.

“(e) OPERATIONS OF THE COMMITTEE.—

“(1) TERMS.—Each member of the International Advisory Board shall be appointed for a term of 3 years, except that, of the members first appointed (A) 4 shall be appointed for a term of 3 years, and (B) 3 shall be appointed for a term of 4 years, as designated at the time of appointment by the Secretary. A member of the International Advisory Board may be reappointed to successive terms on the International Advisory Board.

“(2) VACANCIES.—Any member appointed to fill a vacancy occurring prior to the expiration of the term of a predecessor shall be appointed only for the remainder of such term. A member of the International Advisory Board shall, upon the Secretary's request, continue to serve after the expiration of a term until a successor has been appointed.

“(3) NO GOVERNMENTAL MEMBERS.—Except for the members appointed by the Secretary under subsection (c)(1)(A), no officers or full-time employees of the Federal Government shall serve as members of the International Advisory Board.

“(4) MEETINGS.—The International Advisory Board shall meet not less than once each year. The International Advisory Board shall hold additional meetings at the call of the Chair or upon the written request of not less than 3 voting members of the International Advisory Board.

“(5) QUORUM.—A majority of the voting members of the International Advisory Board serving at the time of a meeting shall constitute a quorum.

“(6) CHAIR.—The International Advisory Board shall elect a Chairman or Chairwoman from among the members of the International Advisory Board.

“(f) SUBMISSION TO DEPARTMENT FOR COMMENT.—The International Advisory Board shall submit its proposed recommendations to the Secretary of Education for comment for a period not to exceed 30 days in each instance.

“(g) PERSONNEL AND RESOURCES.—

“(1) COMPENSATION AND EXPENSE.—Members of the International Advisory Board shall serve without pay for such service. Members of the International Advisory Board who are officers or employees of the United States may not receive additional pay, allowances, or benefits by reason of their service on the International Advisory Board. Members of the International Advisory Board may each receive reimbursement for travel expenses incident to attending International Advisory Board meetings, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

“(2) PERSONNEL.—The International Advisory Board may appoint such personnel as may be determined necessary by the Chairman without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of

chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual so appointed shall be paid in excess of the maximum rate payable under section 5376 of such title. The International Advisory Board may appoint not more than one full-time equivalent, nonpermanent, consultant without regard to the provisions of title 5, United States Code. The International Advisory Board shall not be required by the Secretary to reduce personnel to meet agency personnel reduction goals.

“(3) CONSULTATION.—In carrying out its duties under the Act, the International Advisory Board shall consult with other Federal agencies, representatives of State and local governments, and private organizations to the extent feasible.

“(4) ASSISTANCE FROM OTHER AGENCIES.—

“(A) INFORMATION.—The International Advisory Board is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this section and each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality is authorized and directed, to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the International Advisory Board, upon request made by the Chairman for the purpose of providing expertise in the area of national needs for the proficiency in world regions, foreign languages, and international affairs.

“(B) SERVICES AND PERSONNEL.—The head of each Federal agency shall, to the extent not prohibited by law, consult with the International Advisory Board in carrying out this section. The International Advisory Board is authorized to utilize, with their consent, the services, personnel, information, and facilities of other Federal, State, local, and private agencies with or without reimbursement, for the purpose of providing expertise in the area of national needs for the proficiency in world regions, foreign languages, and international affairs.

“(5) CONTRACTS; EXPERTS AND CONSULTANTS.—The International Advisory Board may enter into contracts for the acquisition of information, suggestions, estimates, and statistics for the purpose of this section. The International Advisory Board is authorized to obtain the services of experts and consultants without regard to section 3109 of title 5, United States Code and to set pay in accordance with such section.

“(h) TERMINATION.—Notwithstanding the sunset and charter provisions of the Federal Advisory Committee Act (5 U.S.C. App. I) or any other statute or regulation, the International Advisory Board shall be authorized through September 30, 2012.

“(i) FUNDS.—The Secretary shall use not more than one-half of the funds available to the Secretary under section 632 to carry out this section.”

SEC. 606. RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION; SAFETY.

Part D of title VI is amended by inserting after section 633 (as added by section 605) the following new sections:

“SEC. 634. RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

“Each institution of higher education that receives a grant under this title shall assure that—

“(1) recruiters of the United States Government and agencies thereof are given the same access to students as is provided generally to other institutions of higher education and prospective employers of those

students for the purpose of recruiting for graduate opportunities or prospective employment; and

“(2) no undue restrictions are placed upon students that seek employment with the United States Government or any agency thereof.

“SEC. 635. STUDENT SAFETY.

“Applicants seeking funds under this title to support student travel and study abroad shall submit as part of their grant application a description of safety policies and procedures for students participating in the program while abroad.”

SEC. 607. NATIONAL STUDY OF FOREIGN LANGUAGE HERITAGE COMMUNITIES.

Part D of title VI is further amended by inserting after section 635 (as added by section 606) the following new section:

“SEC. 636. NATIONAL STUDY OF FOREIGN LANGUAGE HERITAGE COMMUNITIES.

“(a) STUDY.—The Secretary of Education, in consultation with the International Advisory Board, shall conduct a study to identify foreign language heritage communities, particularly such communities that include speakers of languages that are critical to the national security of the United States.

“(b) FOREIGN LANGUAGE HERITAGE COMMUNITY.—For purposes of this section, the term ‘foreign language heritage community’ means a community of residents or citizens of the United States who are native speakers of, or who have partial fluency in, a foreign language.

“(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Education shall submit a report to the Congress on the results of the study conducted under this section.”

TITLE VII—TITLE VII AMENDMENTS

SEC. 701. JAVITS FELLOWSHIP PROGRAM.

(a) AUTHORITY AND TIMING OF AWARDS.—Section 701(a) (20 U.S.C. 1132a(a)) is amended by inserting after the second sentence the following: “For purposes of the exception in the preceding sentence, a master's degree in fine arts shall be considered a terminal degree.”

(b) INTERRUPTIONS OF STUDY.—Section 701(c) (20 U.S.C. 1134(c)) is amended by adding at the end the following new sentence: “In the case of other exceptional circumstances, such as active duty military service or personal or family member illness, the institution of higher education may also permit the fellowship recipient to interrupt periods of study for the duration of the tour of duty (in the case of military service) or not more than 12 months (in any other case), but without payment of the stipend.”

(c) ALLOCATION OF FELLOWSHIPS.—Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended—

(1) in the first sentence, by inserting “from diverse geographic regions” after “higher education”; and

(2) by adding at the end the following new sentence: “The Secretary shall also assure that at least one representative appointed to the Board represents an institution that is eligible for a grant under title III or V of this Act.”

(d) STIPENDS.—Section 703 (20 U.S.C. 1134b(a)) is amended—

(1) in subsection (a)—

(A) by striking “1999–2000” and inserting “2006–2007”;

(B) by striking “shall be set” and inserting “may be set”; and

(C) by striking “Foundation graduate fellowships” and inserting “Foundation Graduate Research Fellowship Program on February 1 of such academic year”; and

(2) in subsection (b), by amending paragraph (1)(A) to read as follows:

“(1) IN GENERAL.—(A) The Secretary shall (in addition to stipends paid to individuals

under this subpart) pay to the institution of higher education, for each individual awarded a fellowship under this subpart at such institution, an institutional allowance. Except as provided in subparagraph (B), such allowance shall be, for 2006-2007 and succeeding academic years, the same amount as the institutional payment made for 2005-2006 adjusted for 2006-2007 and annually thereafter in accordance with inflation as determined by the Department of Labor's Consumer Price Index for All Urban Consumers for the previous calendar year."

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 705 (20 U.S.C. 1134d) is amended by striking "fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years" and inserting "fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years".

SEC. 702. GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED.

(a) DESIGNATION OF AREAS OF NATIONAL NEED; PRIORITY.—Section 712 (20 U.S.C. 1135a) is amended—

(1) in the last sentence of subsection (b)—
(A) by striking "and an assessment" and inserting "an assessment"; and

(B) by inserting before the period at the end the following: "and the priority described in subsection (c) of this section"; and
(2) by adding at the end the following new subsection:

"(c) PRIORITY.—The Secretary shall establish a priority for grants in order to prepare individuals for the professoriate who will train highly-qualified elementary and secondary math and science teachers, special education teachers, and teachers who provide instruction for limited English proficient individuals. Such grants shall offer program assistance and graduate fellowships for—

"(1) post-baccalaureate study related to teacher preparation and pedagogy in math and science for students who have completed a master's degree or are pursuing a doctorate of philosophy in math and science;

"(2) post-baccalaureate study related to teacher preparation and pedagogy in special education and English language acquisition and academic proficiency for limited English proficient individuals; and

"(3) support of dissertation research in the fields of math, science, special education, or second language pedagogy and second language acquisition."

(b) COLLABORATION REQUIRED FOR CERTAIN APPLICATIONS.—Section 713(b) (20 U.S.C. 1135b) is amended—

(1) by striking "and" at the end of paragraph (9);

(2) by redesignating paragraph (10) as paragraph (11); and

(3) by inserting after paragraph (9) the following new paragraph:

"(10) in the case of an application for a grant by a department, program, or unit in education or teacher preparation, contain assurances that such department, program, or unit collaborates with departments, programs, or units in all content areas to assure a successful combination of training in both teaching and such content; and"

(c) STIPENDS.—Section 714(b) (20 U.S.C. 1135c(b)) is amended—

(1) by striking "1999-2000" and inserting "2006-2007";

(2) by striking "shall be set" and inserting "may be set"; and

(3) by striking "Foundation graduate fellowships" and inserting "Foundation Graduate Research Fellowship Program on February 1 of such academic year".

(d) ADDITIONAL ASSISTANCE.—Section 715(a)(1) (20 U.S.C. 1135d(a)(1)) is amended—

(1) by striking "1999-2000" and inserting "2006-2007";

(2) by striking "1998-1999" and inserting "2005-2006"; and

(3) by inserting "for All Urban Consumers" after "Price Index".

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 716 (20 U.S.C. 1135e) is amended by striking "fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years" and inserting "fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years".

(f) TECHNICAL AMENDMENTS.—Section 714(c) (20 U.S.C. 1135c(c)) is amended—

(1) by striking "section 716(a)" and inserting "section 715(a)"; and

(2) by striking "section 714(b)(2)" and inserting "section 713(b)(2)".

SEC. 703. THURGOOD MARSHALL LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.

(a) CONTRACT AND GRANT PURPOSES.—Section 721(c) (20 U.S.C. 1136(c)) is amended—

(1) by amending paragraph (2) to read as follows:

"(2) to prepare such students for study at accredited law schools and assist them with the development of analytical skills and study methods to enhance their success and promote completion of law school;"

(2) by striking "and" at the end of paragraph (4);

(3) by striking the period at the end of paragraph (5) and inserting "and"; and

(4) by adding at the end the following new paragraph:

"(6) to award Thurgood Marshall Fellowships to eligible law school students—

"(A) who participated in summer institutes authorized by subsection (d) and who are enrolled in an accredited law school; or

"(B) who are eligible law school students who have successfully completed a comparable summer institute program certified by the Council on Legal Educational Opportunity."

(b) SERVICES PROVIDED.—Section 721(d)(1)(D) (20 U.S.C. 1136(d)(1)(D)) is amended by inserting "in analytical skills and study methods" after "courses".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 721(h) (20 U.S.C. 1136(h)) is amended by striking "1999 and each of the 4 succeeding fiscal years" and inserting "2006 and each of the 5 succeeding fiscal years".

(d) GENERAL PROVISIONS.—Subsection (e) of section 731 (20 U.S.C. 1137(e)) is repealed.

SEC. 704. FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION.

(a) CONTRACT AND GRANT PURPOSES.—Section 741(a) (20 U.S.C. 1138(a)) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) the encouragement of the reform and improvement of, and innovation in, postsecondary education and the provision of educational opportunity for all, especially for the non-traditional student populations;"

(2) in paragraph (2), by inserting before the semicolon at the end the following: "for postsecondary students, especially institutions, programs, and joint efforts that provide academic credit for programs";

(3) by amending paragraph (3) to read as follows:

"(3) the establishment of institutions and programs based on the technology of communications, including delivery by distance education;"

(4) by amending paragraph (6) to read as follows:

"(6) the introduction of institutional reforms designed to expand individual opportunities for entering and reentering postsecondary institutions and pursuing programs of postsecondary study tailored to individual needs;"

(5) by striking "and" at the end of paragraph (7);

(6) by striking the period at the end of paragraph (8) and inserting a semicolon; and
(7) by adding at the end the following new paragraphs:

"(9) the provision of support and assistance to programs implementing integrated education reform services in order to improve secondary school graduation and college attendance and completion rates for disadvantaged students, and to programs that reduce postsecondary remediation rates, and improve degree attainment rates, for low-income students and former high school dropouts; and

"(10) the assessment, in partnership with a public or private nonprofit institution or agency, of the performance of teacher preparation programs within institutions of higher education in a State, using an assessment which provides comparisons across such schools within the State based upon indicators including teacher candidate knowledge in subject areas in which such candidate has been prepared to teach."

(b) PROHIBITION.—Section 741 (20 U.S.C. 1138) is further amended by adding at the end the following new subsection:

"(c) PROHIBITION.—No funds made available under this part may be used to provide financial assistance to students who do not meet the requirements of section 484(a)(5)."

(c) AREAS OF NATIONAL NEED.—Section 744(c) (20 U.S.C. 1138c(c)) is amended—

(1) by amending paragraph (2) to read as follows:

"(2)(A) Development of partnerships between local educational agencies and institutions of higher education to establish or expand existing dual enrollment programs at institutions of higher education that allow high school students to earn high school and transferable college credit.

"(B) Development of consortia of institutions of higher education to create dual enrollment programs including academic and student support agreements and comprehensive articulation agreements that would allow for the seamless and timeless acquisition of college credits and the transfer of postsecondary academic credits between such institutions, particularly from 2-year to 4-year institutions of higher education;"

and
(2) by striking paragraph (4) and inserting the following:

"(4) International cooperation, partnerships, or student exchange among postsecondary educational institutions in the United States and abroad.

"(5) Establishment of academic programs including graduate and undergraduate courses, seminars and lectures, support of research, and development of teaching materials for the purpose of supporting faculty and academic programs that teach traditional American history (including significant constitutional, political, intellectual, economic, diplomatic, and foreign policy trends, issues, and documents; the history, nature, and development of democratic institutions of which American democracy is a part; and significant events and individuals in the history of the United States).

"(6) Support for planning, applied research, training, resource exchanges or technology transfers, the delivery of services, or other activities the purpose of which is to design and implement programs to enable institutions of higher education to work with private and civic organizations to assist communities to meet and address their pressing and severe problems, including economic development, community infrastructure and housing, crime prevention, education, healthcare, self-sufficiency, and workforce preparation. Such activities may include support for the development of coordinated

curriculum and internship opportunities for students in disadvantaged communities.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 745 (20 U.S.C. 1138d) is amended by striking “\$30,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years” and inserting “\$40,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years”.

SEC. 705. URBAN COMMUNITY SERVICE.

Part C of title VII (20 U.S.C. 1139 et seq.) is repealed.

SEC. 706. DEMONSTRATION PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE A QUALITY HIGHER EDUCATION.

(a) SERVING ALL STUDENTS WITH DISABILITIES.—Section 762(a) (20 U.S.C. 1140a(a)) is amended by striking “students with learning disabilities” and inserting “students with disabilities”.

(b) AUTHORIZED ACTIVITIES.—

(1) AMENDMENT.—Section 762(b)(2) is amended—

(A) in subparagraph (A), by inserting “in order to improve retention and completion” after “disabilities”;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (E), respectively;

(C) by inserting after subparagraph (A) the following new subparagraph:

“(B) EFFECTIVE TRANSITION PRACTICES.—The development of innovative, effective, and efficient teaching methods and strategies to ensure the smooth transition of students with disabilities from high school to postsecondary education.”; and

(D) by inserting after subparagraph (C) (as redesignated by subparagraph (B) of this paragraph) the following new subparagraph:

“(D) DISTANCE LEARNING.—The development of innovative, effective, and efficient teaching methods and strategies to provide faculty and administrators with the ability to provide accessible distance education programs or classes that would enhance access of students with disabilities to higher education, including the use of electronic communication for instruction and advisement.”.

(2) CONFORMING AMENDMENT.—Section 762(b)(3) is amended by striking “subparagraphs (A) through (C)” and inserting “subparagraphs (A) through (E)”.

(c) APPLICATIONS.—Section 763 (20 U.S.C. 1140b) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) a description of how such institution plans to address the activities allowed under this part;”;

(2) by striking “and” at the end of paragraph (2);

(3) by striking the period at the end of paragraph (3) and inserting “; and”; and

(4) by adding at the end the following new paragraph:

“(4) a description of the extent to which an institution will work to replicate the best practices of institutions of higher education with demonstrated success in serving students with disabilities.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 765 (20 U.S.C. 1140d) is amended by striking “fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years” and inserting “fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years”.

TITLE VIII—CLERICAL AMENDMENTS

SEC. 801. CLERICAL AMENDMENTS.

(a) DEFINITION.—Section 103 (20 U.S.C. 1003) (as amended by section 102) is further amended—

(1) by redesignating paragraphs (1) through (16) as paragraphs (2) through (17), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

“(1) AUTHORIZING COMMITTEES.—The term ‘authorizing committees’ means the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.”.

(b) COMMITTEES.—

(1) The following provisions are each amended by striking “Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives” and inserting “authorizing committees”:

(A) Section 428(g) (20 U.S.C. 1078(g)).

(B) Section 428A(c)(2) (20 U.S.C. 1078-1(c)(2)).

(C) Section 428A(c)(5) (20 U.S.C. 1078-1(c)(5)).

(D) Section 455(b)(7)(B) (20 U.S.C. 1087e(b)(7)(B)), as redesignated by section 423(b)(3).

(E) Section 483(c) (20 U.S.C. 1090(c)).

(F) Section 486(e) (20 U.S.C. 1093(e)).

(G) Section 486(f)(3)(A) (20 U.S.C. 1093(f)(3)(A)).

(H) Section 486(f)(3)(B) (20 U.S.C. 1093(f)(3)(B)).

(I) Section 487A(a)(5) (20 U.S.C. 1094a(a)(5)).

(J) Section 487A(b)(2) (20 U.S.C. 1094a(b)(2)).

(K) Section 487A(b)(3)(B) (20 U.S.C. 1094a(b)(3)(B)).

(L) Section 498B(d)(1) (20 U.S.C. 1099c-2(d)(1)).

(M) Section 498B(d)(2) (20 U.S.C. 1099c-2(d)(2)).

(2) The following provisions are each amended by striking “Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate” and inserting “authorizing committees”:

(A) Section 141(d)(4)(B) (20 U.S.C. 1018(d)(4)(B)).

(B) Section 428(n)(4) (20 U.S.C. 1078(n)(4)).

(C) Section 437(c)(1) (20 U.S.C. 1087(c)(1)).

(D) Section 485(f)(5)(A) (20 U.S.C. 1092(f)(5)(A)).

(E) Section 485(g)(4)(B) (20 U.S.C. 1092(g)(4)(B)).

(3) Section 401(f)(3) (20 U.S.C. 1070a(f)(3)) is amended by striking “Committee on Appropriations and the Committee on Labor and Human Resources of the Senate and the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives” and inserting “Committees on Appropriations of the Senate and House of Representatives and the authorizing committees”.

(4) Section 428(c)(9)(K) (20 U.S.C. 1078(c)(9)(K)) is amended by striking “House Committee on Education and the Workforce and the Senate Committee on Labor and Human Resources” and inserting “authorizing committees”.

(5) Section 432(f)(1)(C) (20 U.S.C. 1082(f)(1)(C)) is amended by striking “Committee on Education and the Workforce of the House of Representatives or the Committee on Labor and Human Resources of the Senate” and inserting “either of the authorizing committees”.

(6) Section 439(d)(1)(E)(iii) (20 U.S.C. 1087-2(d)(1)(E)(iii)) is amended by striking “Chairman and the Ranking Member on the Committee on Labor and Human Resources of the Senate and the Chairman and the Ranking Member of the Committee on Education and Labor of the House of Representatives” and inserting “chairpersons and ranking minority members of the authorizing committees”.

(7) Paragraphs (3) and (8)(C) of section 439(r) (20 U.S.C. 1087-2(r)) are each amended by striking “Chairman and ranking minority member of the Committee on Labor and Human Resources of the Senate, the Chairman and ranking minority member of the Committee on Education and Labor of the House of Representatives,” and inserting “chairpersons and ranking minority members of the authorizing committees”.

(8) Paragraphs (5)(B) and (10) of section 439(r) (20 U.S.C. 1087-2(r)) are each amended by striking “Chairman and ranking minority member of the Senate Committee on Labor and Human Resources and to the Chairman and ranking minority member of the House Committee on Education and Labor” and inserting “chairpersons and ranking minority members of the authorizing committees”.

(9) Section 439(r)(6)(B) (20 U.S.C. 1087-2(r)(6)(B)) is amended by striking “Chairman and ranking minority member of the Committee on Labor and Human Resources of the Senate and to the Chairman and ranking minority member of the Committee on Education and Labor of the House of Representatives” and inserting “chairpersons and ranking minority members of the authorizing committees”.

(10) Section 439(s)(2)(A) (20 U.S.C. 1087-2(s)(2)(A)) is amended by striking “Chairman and Ranking Member of the Committee on Labor and Human Resources of the Senate and the Chairman and Ranking Member of the Committee on Economic and Educational Opportunities of the House of Representatives” and inserting “chairpersons and ranking minority members of the authorizing committees”.

(11) Section 439(s)(2)(B) (20 U.S.C. 1087-2(s)(2)(B)) is amended by striking “Chairman and Ranking Minority Member of the Committee on Labor and Human Resources of the Senate and Chairman and Ranking Minority Member of the Committee on Economic and Educational Opportunities of the House of Representatives” and inserting “chairpersons and ranking minority members of the authorizing committees”.

(12) Section 482(d) (20 U.S.C. 1089(d)) is amended by striking “Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives” and inserting “authorizing committees”.

(c) ADDITIONAL CLERICAL AMENDMENTS.—

(1) Clauses (i) and (ii) of section 425(a)(2)(A) (20 U.S.C. 1075(a)(2)(A)) are each amended by striking “428A or 428B” and inserting “428B or 428H”.

(2) Section 428(a)(2)(E) (20 U.S.C. 1078(a)(2)(E)) is amended by striking “428A or”.

(3) Clauses (i) and (ii) of section 428(b)(1)(B) (20 U.S.C. 1078(b)(1)(B)) are each amended by striking “428A or 428B” and inserting “428B or 428H”.

(4) Section 428(b)(1)(Q) (20 U.S.C. 1078(b)(1)(Q)) is amended by striking “sections 428A and 428B” and inserting “section 428B or 428H”.

(5) Section 428(b)(7)(C) (20 U.S.C. 1078(b)(7)(C)) is amended by striking “428A, 428B,” and inserting “428B”.

(6) Section 428G(c)(2) (20 U.S.C. 1078-7(c)(2)) is amended by striking “428A” and inserting “428H”.

(7) The heading for section 433(e) (20 U.S.C. 1083(e)) is amended by striking “SLS LOANS AND”.

(8) Section 433(e) (20 U.S.C. 1083(e)) is amended by striking “428A, 428B,” and inserting “428B”.

(9) Section 435(a)(3) (20 U.S.C. 1085(a)(3)) is amended—

(A) by inserting “or” at the end of subparagraph (A);

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

(10) Section 435(d)(1)(G) (20 U.S.C. 1085(d)(1)(G)) is amended by striking “428A(d), 428B(d), 428C,” and inserting “428B(d), 428C, 428H.”

(11) Section 435(m) (20 U.S.C. 1085(m)) is amended—

(A) in paragraph (1)(A), by striking “, 428A,”; and

(B) in paragraph (2)(D), by striking “428A” each place it appears and inserting “428H”.

(12) Section 438(b)(2)(D)(ii) (20 U.S.C. 1087-1(b)(2)(D)(ii)) is amended by striking “division (i) of this subparagraph” and inserting “clause (i) of this subparagraph”.

(13) Section 438(c)(6) (20 U.S.C. 1087-1(c)(6)) is amended—

(A) by striking “SLS AND PLUS” in the heading and inserting “PLUS”; and

(B) by striking “428A or”.

(14) Section 438(c)(7) (20 U.S.C. 1087-1(c)(7)) is amended by striking “428A or”.

(15) Nothing in the amendments made by this subsection shall be construed to alter the terms, conditions, and benefits applicable to Federal supplemental loans for students (“SLS loans”) under section 428A as in effect prior to July 1, 1994 (20 U.S.C. 1078-1).

TITLE IX—AMENDMENTS TO OTHER EDUCATION LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION CENTER.

(a) GENERAL AUTHORITY.—Section 104(a)(1)(A) of the Education of the Deaf Act of 1986 (20 U.S.C. 4304(a)(1)(A)) is amended by inserting after “maintain and operate” the following: “, at the Laurent Clerc National Deaf Education Center.”

(b) ADMINISTRATIVE REQUIREMENTS.—

(1) IN GENERAL.—Section 104(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4304(b)) is amended—

(A) in the matter preceding subparagraph (A) of paragraph (1), by striking “elementary and secondary education programs” and inserting “Laurent Clerc National Deaf Education Center”; and

(B) in paragraph (2), by striking “elementary and secondary education programs” and inserting “Laurent Clerc National Deaf Education Center”.

(2) ACADEMIC CONTENT STANDARDS, ACHIEVEMENT STANDARDS, AND ASSESSMENTS.—Section 104(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4304(b)) is amended by adding at the end the following new paragraph:

“(5) The University, in consultation with the Secretary and consistent with the mission of the elementary and secondary programs operated at the Laurent Clerc National Deaf Education Center, shall—

“(A) not later than the beginning of the 2007-2008 school year, adopt and implement academic content standards, academic achievement standards, and academic assessments as described in paragraphs (1) and (3) of section 1111(b) of the Elementary and Secondary Education Act of 1965 for such Center;

“(B) develop adequate yearly progress standards for such Center as described in section 1111(b)(2)(C) of such Act; and

“(C) publicly report the results of such assessments, except in such case in which such reporting would not yield statistically reliable information or would reveal personally identifiable information about an individual student.”.

SEC. 902. AUTHORITY.

Section 111 of the Education of the Deaf Act of 1986 (20 U.S.C. 4331) is amended by striking “the institution of higher education with which the Secretary has an agreement under this part” and inserting “the Rochester Institute of Technology”.

SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

(a) GENERAL AUTHORITY.—Section 112(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4332(a)) is amended—

(1) in paragraph (1)—

(A) in the first sentence—

(i) by striking “an institution of higher education” and inserting “the Rochester Institute of Technology, Rochester, New York,”; and

(ii) by striking “of a” and inserting “of the”; and

(B) by striking the second sentence; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “the institution of higher education with which the Secretary has an agreement under this section” and inserting “the Rochester Institute of Technology”; and

(B) in subparagraph (B), by striking “the institution” and inserting “the Rochester Institute of Technology”.

(b) PROVISIONS OF AGREEMENT.—Section 112(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4332(b)) is amended—

(1) in paragraph (2), by striking “or other governing body of the institution” and inserting “of the Rochester Institute of Technology”; and

(2) in paragraph (3)—

(A) by striking “or other governing body of the institution” and inserting “of the Rochester Institute of Technology”; and

(B) by striking “the institution of higher education under the agreement with the Secretary” and inserting “the Rochester Institute of Technology by the National Technical Institute for the Deaf”; and

(C) by striking “Committee on Education and Labor of the House of Representatives and to the Committee on Labor and Human Resources of the Senate” and inserting “Committee on Education and the Workforce of the House of Representatives and to the Committee on Health, Education, Labor, and Pensions of the Senate”.

(c) LIMITATION.—Section 112(c) of the Education of the Deaf Act of 1986 (20 U.S.C. 4332(c)) is amended in paragraphs (1) and (2) by striking “institution” each place it appears and inserting “Rochester Institute of Technology”.

SEC. 904. DEFINITIONS.

Section 201 of the Education of the Deaf Act of 1986 (20 U.S.C. 4351) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively; and

(3) by adding at the end the following new paragraph:

“(7) The term ‘RIT’ means the Rochester Institute of Technology.”.

SEC. 905. AUDIT.

(a) GOVERNMENT ACCOUNTABILITY OFFICE AUTHORITY.—Section 203(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(a)) is amended—

(1) in the heading, by striking “GENERAL ACCOUNTING OFFICE” and inserting “GOVERNMENT ACCOUNTABILITY OFFICE”; and

(2) in the matter following paragraph (2), by striking “General Accounting Office” and inserting “Government Accountability Office”.

(b) INDEPENDENT FINANCIAL AND COMPLIANCE AUDIT.—Section 203(b)(1) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(b)(1)) is amended by striking the second sentence and inserting the following: “NTID shall have an annual independent financial and compliance audit made of RIT programs and activities, including NTID programs and activities.”.

(c) COMPLIANCE.—Section 203(b)(2) of the Education of the Deaf Act of 1986 (20 U.S.C.

4353(b)(2)) is amended by striking “sections” and all that follows through “section 207” and inserting “sections 102(b), 105(b)(4), 112(b)(5), 203(c), 207(b)(2), subsections (c) through (f) of section 207”.

(d) SUBMISSION OF AUDITS.—Section 203(b)(3) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(b)(3)) is amended—

(1) by inserting after “Secretary” the following: “and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate”; and

(2) by striking “or the institution authorized to establish and operate the NTID under section 112(a)” and inserting “or RIT”.

(e) LIMITATIONS REGARDING EXPENDITURE OF FUNDS.—Section 203(c)(2)(A) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(c)(2)(A)) is amended in the fifth sentence by striking “the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate” and inserting “the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate”.

SEC. 906. REPORTS.

(a) TECHNICAL AMENDMENTS.—Section 204 of the Education of the Deaf Act of 1986 (20 U.S.C. 4354) is amended in the matter preceding paragraph (1)—

(1) by striking “or other governing body of the institution of higher education with which the Secretary has an agreement under section 112” and inserting “of RIT”; and

(2) by striking “Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate” and inserting “Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate”.

(b) CONTENTS OF REPORT.—Section 204 of the Education of the Deaf Act of 1986 (20 U.S.C. 4354) is amended—

(1) in paragraph (2)(C), by striking “upon graduation/completion” and inserting “within one year of graduation/completion”; and

(2) in paragraph (3)(B), by striking “of the institution of higher education with which the Secretary has an agreement under section 112, including specific schedules and analyses for all NTID funds, as required under section 203” and inserting “of RIT programs and activities”.

SEC. 907. LIAISON FOR EDUCATIONAL PROGRAMS.

Section 206(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4356(a)) is amended by striking “Not later than 30 days after the date of enactment of this Act, the” and inserting “The”.

SEC. 908. FEDERAL ENDOWMENT PROGRAMS FOR GALLAUDET UNIVERSITY AND THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

Section 207(a)(2) of the Education of the Deaf Act of 1986 (20 U.S.C. 4357(a)(2)) is amended by striking “or other governing body of the institution of higher education with which the Secretary has an agreement under section 112” and inserting “of RIT”.

SEC. 909. OVERSIGHT AND EFFECT OF AGREEMENTS.

Section 208(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359(a)) is amended—

(1) by striking “the institution of higher education with which the Secretary has an agreement under part B of title I” and inserting “RIT”; and

(2) by striking “Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce

of the House of Representatives” and inserting “Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate”.

SEC. 910. AUTHORIZATION OF APPROPRIATIONS.

(a) **MONITORING AND EVALUATION ACTIVITIES.**—Section 205(c) of the Education of the Deaf Act of 1986 (20 U.S.C. 4355(c)) is amended by striking “fiscal years 1998 through 2003” and inserting “fiscal years 2006 through 2011”.

(b) **FEDERAL ENDOWMENT PROGRAMS FOR GALLAUDET UNIVERSITY AND THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.**—Section 207(h) of the Education of the Deaf Act of 1986 (20 U.S.C. 4357(h)) is amended in paragraphs (1) and (2) by striking “fiscal years 1998 through 2003” each place it appears and inserting “fiscal years 2006 through 2011”.

(c) **GENERAL AUTHORIZATION OF APPROPRIATIONS.**—Section 212 of the Education of the Deaf Act of 1986 (20 U.S.C. 4360a) is amended—

(1) in the matter preceding paragraph (1) in subsection (a), by striking “fiscal years 1998 through 2003” and inserting “fiscal years 2006 through 2011”; and

(2) in subsection (b), by striking “fiscal years 1998 through 2003” and inserting “fiscal years 2006 through 2011”.

(d) **SHORT TITLE.**—

(1) **IN GENERAL.**—The Education of the Deaf Act of 1986 (20 U.S.C. 4301 note) is amended by striking the matter preceding title I and inserting the following:

“SEC. 1. SHORT TITLE.

“This Act may be cited as the ‘Gallaudet University and National Technical Institute for the Deaf Act’.”

(2) **OTHER REFERENCES.**— Any reference in a law, regulation, document, or other record of the United States to the Education of the Deaf Act of 1986 shall be deemed to be a reference to the Gallaudet University and National Technical Institute for the Deaf Act.

PART B—ADDITIONAL EDUCATION LAWS

SEC. 921. CANCELLATION OF STUDENT LOAN INDEBTEDNESS FOR SURVIVORS OF VICTIMS OF THE SEPTEMBER 11, 2001, ATTACKS.

(a) **DEFINITIONS.**—For purposes of this section:

(1) **ELIGIBLE PUBLIC SERVANT.**—The term “eligible public servant” means an individual who, as determined in accordance with regulations of the Secretary—

(A) served as a police officer, firefighter, other safety or rescue personnel, or as a member of the Armed Forces; and

(B) died (or dies) or became (or becomes) permanently and totally disabled due to injuries suffered in the terrorist attack on September 11, 2001.

(2) **ELIGIBLE VICTIM.**—The term “eligible victim” means an individual who, as determined in accordance with regulations of the Secretary, died (or dies) or became (or becomes) permanently and totally disabled due to injuries suffered in the terrorist attack on September 11, 2001.

(3) **ELIGIBLE PARENT.**—The term “eligible parent” means the parent of an eligible victim if—

(A) the parent owes a Federal student loan that is a consolidation loan that was used to repay a PLUS loan incurred on behalf of such eligible victim; or

(B) the parent owes a Federal student loan that is a PLUS loan incurred on behalf of an eligible victim.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

(5) **FEDERAL STUDENT LOAN.**—The term “Federal student loan” means any loan made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965.

(b) **RELIEF FROM INDEBTEDNESS.**—

(1) **IN GENERAL.**—The Secretary shall provide for the discharge or cancellation of—

(A) the Federal student loan indebtedness of the spouse of an eligible public servant, as determined in accordance with regulations of the Secretary, including any consolidation loan that was used jointly by the eligible public servant and his or her spouse to repay the Federal student loans of the spouse and the eligible public servant;

(B) the portion incurred on behalf of the eligible victim (other than an eligible public servant), of a Federal student loan that is a consolidation loan that was used jointly by the eligible victim and his or her spouse, as determined in accordance with regulations of the Secretary, to repay the Federal student loans of the eligible victim and his or her spouse;

(C) the portion of the consolidation loan indebtedness of an eligible parent that was incurred on behalf of an eligible victim; and

(D) the PLUS loan indebtedness of an eligible parent that was incurred on behalf of an eligible victim.

(2) **METHOD OF DISCHARGE OR CANCELLATION.**—A loan required to be discharged or canceled under paragraph (1) shall be discharged or canceled by the method used under section 437(a), 455(a)(1), or 464(c)(1)(F) of the Higher Education Act of 1965 (20 U.S.C. 1087(a), 1087e(a)(1), 1087dd(c)(1)(F)), whichever is applicable to such loan.

(c) **FACILITATION OF CLAIMS.**—The Secretary shall—

(1) establish procedures for the filing of applications for discharge or cancellation under this section by regulations that shall be prescribed and published within 90 days after the date of enactment of this Act and without regard to the requirements of section 553 of title 5, United States Code; and

(2) take such actions as may be necessary to publicize the availability of discharge or cancellation of Federal student loan indebtedness under this section.

(d) **AVAILABILITY OF FUNDS FOR PAYMENTS.**—Funds available for the purposes of making payments to lenders in accordance with section 437(a) for the discharge of indebtedness of deceased or disabled individuals shall be available for making payments under section 437(a) to lenders of loans as required by this section.

(e) **APPLICABLE TO OUTSTANDING DEBT.**—The provisions of this section shall be applied to discharge or cancel only Federal student loans (including consolidation loans) on which amounts were owed on September 11, 2001. Nothing in this section shall be construed to authorize any refunding of any repayment of a loan.

SEC. 922. AMENDMENT TO HIGHER EDUCATION AMENDMENTS OF 1998.

(a) **REPEALS OF EXPIRED AND EXECUTED PROVISIONS.**—The following provisions of the Higher Education Amendments of 1998 are repealed:

(1) **STUDY OF MARKET MECHANISMS IN FEDERAL STUDENT LOAN PROGRAMS.**—Section 801 (20 U.S.C. 1018 note).

(2) **STUDY OF FEASIBILITY OF ALTERNATE FINANCIAL INSTRUMENTS FOR DETERMINING LENDER YIELDS.**—Section 802.

(3) **STUDENT RELATED DEBT STUDY.**—Section 803 (20 U.S.C. 1015 note).

(4) **STUDY OF OPPORTUNITIES FOR PARTICIPATION IN ATHLETIC PROGRAMS.**—Section 805 (20 U.S.C. 1001 note).

(5) **COMMUNITY SCHOLARSHIP MOBILIZATION.**—Part C of title VIII (20 U.S.C. 1070 note).

(6) **INCARCERATED YOUTH.**—Part D of title VIII (20 U.S.C. 1151).

(7) **IMPROVING UNITED STATES UNDERSTANDING OF SCIENCE, ENGINEERING, AND TECH-**

NOLOGY IN EAST ASIA.—Part F of title VIII (42 U.S.C. 1862 note).

(8) **WEB-BASED EDUCATION COMMISSION.**—Part J of title VIII.

(b) **EXTENSIONS OF AUTHORIZATIONS AND STUDIES.**—

(1) **TRANSFER OF CREDIT.**—Section 804(b) of such Act (20 U.S.C. 1099b note) is amended—

(A) by striking “one year after the date of enactment of this Act” and inserting “September 30, 2007”; and

(B) by inserting “and policies of institutions of higher education” after “agencies or associations”.

(2) **COHORT DEFAULT RATE STUDY.**—Section 806 of such Act is amended—

(A) in subsection (a), by striking “higher education at which less” and inserting “higher education. The study shall also review the effect of cohort default rates specifically on institutions of higher education at which less”; and

(B) in subsection (c), by striking “September 30, 1999,” and inserting “September 30, 2007.”

(3) **VIOLENCE AGAINST WOMEN.**—Section 826 of such Act (20 U.S.C. 1152) is amended—

(A) in subsection (g), by striking “for each of the fiscal years 2001 through 2005” and inserting “fiscal year 2006 and each of the 5 succeeding fiscal years”; and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(4) **UNDERGROUND RAILROAD.**—Subsection (c) of section 841 (20 U.S.C. 1153(c)) is amended to read as follows:

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$3,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.”

SEC. 923. TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY ASSISTANCE ACT OF 1978.

(a) **TITLE I AUTHORIZATION.**—Section 110(a) of the Tribally Controlled Community College or University Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended—

(1) by striking “1999” each place it appears and inserting “2006”; and

(2) by striking “4 succeeding” each place it appears and inserting “5 succeeding”.

(b) **TITLE III REAUTHORIZATION.**—Section 306(a) of the Tribally Controlled Community College or University Assistance Act of 1978 (25 U.S.C. 1836(a)) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

(c) **TITLE IV REAUTHORIZATION.**—Section 403 of the Tribal Economic Development and Technology Related Education Assistance Act of 1990 (25 U.S.C. 1852) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

(d) **ADDITIONAL AMENDMENTS.**—The Tribally Controlled Community College or University Assistance Act of 1978 is further amended—

(1) in section 2(a)(6) (25 U.S.C. 1801(a)(6)), by striking “in the field of Indian education” and inserting “in the field of Tribal Colleges and Universities and Indian higher education”;

(2) in section 2(b), by striking paragraph (5) and inserting the following:

“(5) Eligible credits earned in a continuing education program shall be determined as one credit for every 10 contact hours for institutions on a quarter system, and 15 contact hours for institutions on a semester system, of participation in an organized continuing education experience under responsible sponsorship, capable direction, and

qualified instruction, as described in the criteria established by the International Association for Continuing Education and Training, and may not exceed 20 percent of an institution's total Indian student count.”; and (3) in section 103 (25 U.S.C. 1804), by striking “and” at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting “; and”, and by inserting after paragraph (3) the following new paragraph:

“(4) has been accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education to be a reliable authority as to the quality of training offered, or is, according to such an agency or association, making reasonable progress toward accreditation.”.

SEC. 924. NAVAJO COMMUNITY COLLEGE ACT.

Section 5(a)(1) of the Navajo Community College Act (25 U.S.C. 640c-1(a)(1)) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

SEC. 925. EDUCATION AMENDMENTS OF 1992.

Section 1543(d) of the Education Amendments of 1992 (20 U.S.C. 1070 note) is amended—

(1) by striking “1999” and inserting “2006”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

SEC. 926. STUDY OF STUDENT LEARNING OUTCOMES AND PUBLIC ACCOUNTABILITY.

(a) **STUDY REQUIRED.**—The Secretary shall provide for the conduct a study of the best practices of States in assessing undergraduate postsecondary student learning, particularly as such practices relate to public accountability systems.

(b) **CHARACTERISTICS OF THE ASSOCIATION.**—Such study shall be conducted by an association or organization with specific expertise and knowledge in state practices and access to necessary state officials (in this section referred to as the “association”). The association responsible for the study under this section shall be a national, non-partisan or bi-partisan entity representing States or State officials with expertise in evaluative and qualitative policy research for best practice models, the capacity to convene experts, and to formulate policy recommendations.

(c) **REQUIRED SUBJECTS OF STUDY.**—In performing the study, the association shall, at a minimum, examine the following:

(1) The current status of institutional and state efforts to embed student learning assessments into the state-level public accountability frameworks.

(2) The extent to which there is commonality among educators and accrediting agencies on learning standards for the associates and bachelors degrees.

(3) The reliability, rigor, and generalizability of available instruments to assess general education at the undergraduate level.

(4) Roles and responsibilities for public accountability for student learning.

(d) **CONSULTATION.**—

(1) **NATIONAL COMMITTEE.**—The association shall establish and consult with a national committee. The committee shall meet not less than twice a year to review the research, identify best practice models, and review recommendations.

(2) **MEMBERSHIP.**—The national advisory committee shall consist of a representative of the Secretary of Education and individuals with expertise in—

- (A) State accountability systems;
- (B) student learning assessments;
- (C) student flow data;

(D) transitions between K-12 and higher education; and

(E) Federal higher education policy.

(3) **ADDITIONAL EXPERTISE.**—The association may augment this committee with other expertise, as appropriate.

(e) **CONGRESSIONAL CONSULTATION.**—The association shall consult on a regular basis with the Committee on Education and the Workforce of the House of Representatives and the Committee on Health Education Labor and Pensions of the Senate in carrying out the study required by this section.

(f) **REPORT.**—The association shall, not later than two years after the date of enactment of this Act, prepare and submit a report on the study required by this section to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

SEC. 927. STUDY OF MINORITY GRADUATION RATES.

(a) **STUDY REQUIRED.**—The Secretary of Education shall—

(1) commission a national study on the decreasing numbers of underrepresented minority males, particularly African American males, entering and graduating from colleges and universities; and

(2) make specific recommendations to the Congress on new approaches to increase minority male graduation rates and the number of minority males going into careers where the population is underrepresented.

(b) **SUBMISSION OF REPORT.**—Not later than one year after the date of the enactment this Act, the Secretary shall submit a report on the study required by subsection (a)(1), together with the recommendations required by subsection (a)(2), to the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

SEC. 928. STUDY OF EDUCATION-RELATED INDEBTEDNESS OF MEDICAL SCHOOL GRADUATES.

(a) **STUDY REQUIRED.**—The Secretary of Education shall conduct a study to evaluate the higher education-related indebtedness of medical school graduates in the United States at the time of graduation.

(b) **DEADLINE.**—Not later than one year after the date of enactment of this Act, the Secretary shall submit a report on the study required by subsection (a) to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, and shall make the report widely available to the public. Additional reports may be periodically prepared and released as necessary.

SEC. 929. STUDY OF ADULT LEARNERS.

The Secretary of Education shall conduct a study of the developing trends in older adult learners attending college and how institutions of higher education are addressing the needs of this specific population in terms of outreach, accessibility, financing, and student support services, including online education. The Secretary shall submit a report on the study to the Committee on Education and the Workforce of the House of Representatives that includes recommendations on measures the Federal Government can take to address the needs in regards to education and job training for the aging population and the changing demographics of our country.

SEC. 930. INCREASE IN COLLEGE TEXTBOOK PRICES.

(a) **FINDINGS.**—The Committee on Education and the Workforce of the House of Representatives makes the following findings:

(1) The rising costs of higher education are making a postsecondary education inaccessible for many individuals.

(2) The rise in college textbook pricing contributes to the overall costs of higher education, and many factors have contributed to the rise in textbook pricing.

(b) **SENSE OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE.**—It is the sense of the Committee on Education and the Workforce of the House of Representatives that in order to make a higher education more accessible for all students, the following should occur to make college textbooks more affordable for students:

(1) The Congress encourages textbook publishers to provide students with the option of buying materials such as textbooks, CD-ROMs, access to websites, and workbooks, “a la carte” or “unbundled”.

(2) Textbook publishers should work with faculty to understand the cost to students of purchasing the recommended textbooks.

(3) College bookstores should work with faculty to review timelines and processes for ordering and stocking selected textbooks, and disclose textbook costs to faculty and students.

(4) Colleges and universities should be encouraged to implement numerous options to address textbook affordability.

The Acting CHAIRMAN. No amendment to that amendment is in order except those printed in House Report 109-399. Each amendment may be offered only in the order printed in the report; or as permitted under the order of the House by unanimous consent; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MCKEON
Mr. MCKEON. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 109-399 offered by Mr. MCKEON:

Page 15, line 12, insert “or had” after “has”.

Page 15, line 14, after “1992” insert the following: “, and continues to operate a clinical training program in at least one State, which is approved by that State”

Page 23, line 10, strike “2012” and insert “2013”.

Page 23, line 14, strike “2006” and insert “2007”.

Page 23, line 21, strike “2006 and” and insert “2007 and”.

Page 25, line 9, strike “Secretary” and insert “Commissioner of Education Statistics”.

Page 26, line 13, strike “assure” and insert “ensure”.

Page 26, beginning on line 10, strike “to institutions of higher education”.

Page 26, line 12, insert “from institutions of higher education” after “useful data”.

Page 26, line 22, strike “assuring that data is” and insert “ensuring that data are”.

Page 27, line 7, strike “Secretary” and insert “Commissioner of Education Statistics”.

Page 27, line 25, insert “, full-year” before “undergraduate”.

Page 28, beginning on line 1, strike “for such a student” and insert “for a first-time, full-time, full-year undergraduate student”.

Page 28, line 3, strike “cost” and insert “price”.

Page 28, line 4, insert “, full-year” before “undergraduate”.

Page 28, beginning on line 7, strike “first-time full-time undergraduate” and insert “first-year, full-time, full-year undergraduate”.

Page 28, line 15, insert “, full-year undergraduate” after “full-time”.

Page 28, beginning on line 18, strike subparagraph (F) (and redesignate the succeeding paragraphs accordingly).

Page 29, line 8, insert “of undergraduate students” after “rates”.

Page 30, line 1, strike “Secretary” and insert “Commissioner of Education Statistics”.

Page 30, line 2, strike “make available, at a minimum, the data collected” and insert “collect and publish data submitted by each institution”.

Page 30, beginning on line 5, strike the sentence beginning with “Such data” and insert “Such data shall be selected in accordance with the requirements of section 131(b).”.

Page 30, line 10, strike “typical full-time” and insert “typical first-time, full-time, full-year”.

Page 30, line 12, insert “Such data may be presented in combination with forms and information from the Free Application for Federal Student Aid (FAFSA) website.” before “The Secretary”.

Page 31, line 22, strike “2009” and insert “2010”.

Page 32, line 5, strike “students;” insert “students and the steps by which the institution is and will be taking to reduce its college affordability index; and”.

Page 32, beginning on line 6, strike subparagraphs (B) and (C) (and redesignate the succeeding subparagraph accordingly).

Page 32, beginning on line 19, strike paragraph (2) (and redesignate the succeeding paragraph accordingly).

Page 32, strike line 25 and insert the following:

(3) **QUALITY EFFICIENCY TASK FORCES.**—Each institution subject to paragraph (1) that has a college affordability index that is in the highest 10 percent of such indexes of all classes of institutions subject to paragraph (1) shall establish a quality-efficiency task force to review the costs and expenditures on tuition and fees charged to students and the operations of such institution.

Page 33, beginning on line 1, strike subparagraph (A) (and redesignate the succeeding subparagraphs accordingly).

Page 34, beginning on line 3, strike “has failed” and all that follows through “submission of such plans, and” on line 7.

Page 34, beginning on line 10, strike subparagraph (A); on line 15, redesignate subparagraph (B) as subparagraph (A); on line 18, insert “and” after the semicolon; on line 19, redesignate subparagraph (C) as subparagraph (B); on line 20, strike “; and” and insert a period; and beginning on line 21, strike subparagraph (D).

Page 35, line 2, strike “(1)(C)” and insert “(1)(B)”.

Page 36, line 5, strike “(B) or (C)” and insert “(A)”.

Page 36, beginning on line 14, strike “the actions required by subparagraph (B) or (C)” and insert “the explanation of how the institution plans to address its cost increase as required by subparagraph (A)”.

Page 37, after line 2, insert the following new paragraph:

“(8) **DATA REJECTION.**—Nothing in this subsection shall be construed as allowing the Secretary to reject the data submitted by an individual institution of higher education.

Page 37, after line 2, insert the following new subsection (and redesignate the succeeding subsections accordingly):

“(g) **INFORMATION TO THE PUBLIC.**—Upon receipt of an institution’s report required under subsection (f), the Secretary shall make the information in the report available to the public in accordance with subsection (d) on the COOL website under subsection (b).

Page 37, beginning on line 6, strike “described in” and insert “required by”.

Page 37, beginning on line 9, strike “on the cost and price of higher education under this section” and insert “under subsections (c) and (j)”.

Page 37, beginning on line 22, strike “, as determined under subsection (f)(6)(A).”.

Page 38, after line 14, insert the following new subparagraph (and redesignate the succeeding subparagraphs accordingly):

“(H) if the institution is a public institution, the relationship between State and local appropriations and the institution’s tuition and fees;

Page 40, line 12, strike “Secretary” and insert “Commissioner of Education Statistics”.

Page 42, after line 8, insert the following new section:

SEC. 111. TREATMENT OF TERRITORIES AND TERRITORIAL STUDENT ASSISTANCE.

Section 113 (20 U.S.C. 1011b) is amended—

(1) by striking “**TREATMENT OF TERRITORIES AND TERRITORIAL STUDENT ASSISTANCE**” in the heading of such section and inserting “**TERRITORIAL WAIVER AUTHORITY**”;

(2) by striking “(a) **WAIVER AUTHORITY.**—”;

and

(3) by striking subsection (b).

Page 69, line 6, insert “of 1965” after “Act”.

Page 70, line 14, strike “203(b)” and insert “203(b)(1)”.

Page 70, beginning on line 4, strike “made available” and insert “authorized”.

Page 73, line 20, strike “shall use” and insert “may, subject to appropriations, use”.

Page 78, line 1, insert “Education” after “Disabilities”.

Page 91, line 16, strike “2006” and insert “2007”.

Page 92, line 17, strike “2006” and insert “2007”.

Page 93, line 18, strike “defined” and insert “listed”.

Page 97, line 20, strike “2006” and insert “2007”.

Page 103, line 24, strike “2006” and insert “2007”.

Page 104, lines 21 and 22, insert “the” after “listed in”, and strike “Land Grant” and insert “Land-Grant”.

Page 105, line 19, strike “O’odham” and insert “O’odham”.

Page 105, line 23, insert “of higher education” after “institution”.

Page 106, line 25, insert “in” after “or”.

Page 108, line 16, strike “at” and insert “awarded by”.

Page 108, line 21, strike “\$400,000” and insert “\$500,000”.

Page 110, line 17, strike “Alaska Native” and insert “Alaska Native-serving institution”.

Page 111, strike lines 11 through 13, and insert the following:

(c) **APPLICATION PROCESS.**—Section 317(d)(2) is amended by striking everything after the first sentence.

Page 111, line 22, after “including” insert the following: “development or improvement of facilities for Internet use or other distance learning academic instruction capabilities and”.

Page 112, line 4, after “326(c)” insert “(20 U.S.C. 1063b(c))”.

Page 112, line 14, after “323(a)” insert “(20 U.S.C. 1062(a))”.

Page 113, line 10, strike “services”.

Page 113, line 12, strike “SERVICES”.

Page 113, line 13, strike “services”.

Page 113, beginning on line 20, strike subsection (c), and redesignate the succeeding subsections accordingly.

Page 114, line 5, strike “required” and insert “needed”.

Page 115, line 13, strike “and”; on lines 15, strike the period, the close quotation marks, and the following period and insert a semicolon, and after such line insert the following new subparagraphs:

“(W) Langston University qualified graduate program;

“(X) West Virginia State University qualified graduate program; and

“(Y) Fayetteville State University qualified graduate program.”.

Page 115, line 19, strike “2005” and insert “2006”.

Page 115, line 21, strike “(S), (T), (U), and (V)” and insert “(S) through (Y)”.

Page 116, beginning on line 10, strike “(S), (T), (U), and (V)” and insert “(S) through (Y)”.

Page 116, line 15, strike “(V)” and insert “(Y)”.

Page 118, line 1, strike “301(b)(2)” and insert “301(b)(5)”.

Page 118, line 23, strike “399(a)(2)” and insert “399(a)(2)(A)”.

Page 120, line 18, strike “2006” and insert “2007”.

Page 121, line 16, strike “2012” and insert “2013”.

Page 122, line 3, strike “2006–2007 through 2012–2013” and insert “2007–2008 through 2013–2014”.

Page 122, line 20, strike “two Pell grants during a single award year” and insert “not more than two Pell grants during an award year”.

Page 123, line 3, strike “in a single award year”.

Page 124, line 6, insert “forcible or nonforcible” before “sexual offense”.

Page 124, lines 7 and 8, strike “under regulations of the Secretary” and insert “in accordance with the Federal Bureau of Investigation’s Uniform Crime Reporting Program”.

Page 125, line 8, after subsection (h) insert the following new subsection (and redesignate the succeeding subsection accordingly):

(i) **ACADEMIC COMPETITIVENESS GRANT ELIGIBILITY.**—Section 401A(c)(3) (as added by section 8003 of the Higher Education Reconciliation Act of 2005) is amended by striking “established by a State or local educational agency and recognized as such by the Secretary” each place it appears and inserting “beyond the basic graduation requirements and recognized as such by the designated State official, or with respect to any private school or home school, the designated school official for such school”.

Page 125, beginning on line 11, strike “section 401 (20 U.S.C. 1070a)” and insert “section 401A (as added by section 8003 of the Higher Education Reconciliation Act of 2005)”.

Page 125, line 13, strike “401a” and insert “401b”.

Page 125, line 15, strike “From sums appropriated to carry out section 401, the Secretary shall” and insert “Beginning in academic award year 2007–2008, the Secretary is authorized to”.

Page 126, line 2, before the semicolon insert “after earning a high school diploma or its recognized equivalent”.

Page 126, beginning on line 12, strike “other student financial assistance available” and insert “estimated financial assistance not received under this title (as described in section 480(j))”.

Page 127, lines 17 and 18, strike “described in section 484(c)” and insert “as determined under the institution’s standards developed in accordance with regulations prescribed by the Secretary”.

Page 127, line 25, strike the close quotes and the period at the end.

Page 127, after line 25, insert the following new subsection:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2007 and each of the 5 succeeding fiscal years.”

Page 128, after line 3, insert the following new subsection:

(j) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to academic years beginning on or after July 1, 2007.

Page 129, beginning on line 13, strike subsection (c) through page 130, line 8, and redesignate the succeeding subsections accordingly.

Page 130, strike lines 9 through 11 and insert the following:

(d) APPLICATION STATUS; FOSTER CARE COORDINATION.—Paragraph (7) of section 402A(c) (20 U.S.C. 1070a-11(c)(7)) is amended to read as follows:

“(7) COORDINATION.—Each applicant for funds under the programs authorized by this chapter shall identify services to foster care youth as a permissible service in those programs, and ensure that such youth receive supportive services, including mentoring, tutoring, and other services provided by those programs.”

Page 131, line 5, strike “2006” and insert “2007”.

Page 134, beginning on line 13, strike “and, as appropriate, their parents”.

Page 137, after line 7, insert the following new subsection:

(n) GAO STUDY OF ALLOCATION OF FUNDS.—

(1) STUDY REQUIRED.—The Comptroller General shall conduct a study of the Federal TRIO Programs under chapter 1 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a-11 et seq.) to examine the allocation of funds procedures for such programs. Such study shall—

(A) examine the consideration of prior experience of service delivery and its impact on grant applicants who have prior experience as compared to those who do not have prior experience; and

(B) examine the impact of the prior experience consideration in distribution of funds across programs and the impact of maintaining continuation of older programs on the success rate of accomplishing the goals of the program.

(2) REPORT.—The Comptroller General shall submit a report on the study required by paragraph (1) within one year of the date of enactment of this Act to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

Page 137, beginning on line 21, strike “the services provided” and all that follows through “college students” on line 25 and insert the following: “these programs in supporting the attainment of higher education for students from disadvantaged backgrounds, particularly low-income individuals, prospective first-generation college students, and individuals with disabilities”.

Page 138, line 2, after “shall” insert “consider demographic and geographic variation and”.

Page 139, line 24, strike “as amended by section 402(c) and”.

Page 143, lines 17 and 18, strike “such activities available after the then most recent report” and insert “based on the most recent report available”.

Page 144, beginning on line 5, strike subsection (h) through page 146, line 5, and insert the following:

(h) EXPECT PROGRAM OUTCOMES.—

(1) Section 402B (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

“(c) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant’s performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

“(1) the rate of college enrollment of students served by the program;

“(2) the continued secondary school enrollment of participating students;

“(3) the graduation of participating students from secondary school;

“(4) the delivery of services described in the application approved by the Secretary; and

“(5) other such outcomes the Secretary may require.”

(2) Section 402C (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

“(f) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant’s performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

“(1) the rate of college enrollment of students served by the program;

“(2) the persistence of students in postsecondary education;

“(3) the delivery of services described in the application approved by the Secretary;

“(4) the academic achievement of participating students; and

“(5) other such outcomes the Secretary may require.”

(3) Section 402D (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

“(e) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant’s performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

“(1) the persistence in postsecondary education of all students served by the program;

“(2)(A) in the case of a grant recipient that is an institution of higher education offering a baccalaureate degree, the number of participating students who completed degree programs in which such students were enrolled; or

“(B) in the case of a grant recipient that is an institution of higher education not offering a baccalaureate degree, the number of participating students who—

“(i) completed degree or certificate programs; and

“(ii) transferred to institutions of higher education offering baccalaureate degrees;

“(3) the delivery of services described in the application approved by the Secretary; and

“(4) other such outcomes the Secretary may require.”

(4) Section 402E (20 U.S.C. 1070a-12) is amended by striking subsection (f) and inserting the following:

“(f) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant’s performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

“(1) the rate of graduate school enrollment of participating students;

“(2) the attainment of doctoral degrees by participating students;

“(3) the delivery of services described in the application approved by the Secretary; and

“(4) other such outcomes as required by the Secretary.”

(5) Section 402F (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

“(d) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant’s per-

formance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

“(1) the rate of college enrollment of participating students;

“(2) the provision of assistance to students served by the program in completing financial aid applications and college admission applications;

“(3) the delivery of services described in the application approved by the Secretary; and

“(4) other such outcomes as required by the Secretary.”

Page 150, after line 21, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(c) FOSTER CARE COORDINATION.—Section 404B(c) (20 U.S.C. 1070a-22(c)) is amended by adding at the end the following new sentence:

“Each applicant for funds under the programs authorized by this chapter shall identify services to foster care youth as a permissible service in those programs, and ensure that such youth receive supportive services, including mentoring, tutoring, and other services provided by those programs.”

Page 152, line 19, strike “2006” and insert “2007”.

Page 153, line 2, strike “2006” and insert “2007”.

Page 153, beginning on line 20, strike subsection (c) and insert the following:

(c) ELIGIBILITY FOR ADDITIONAL ALLOCATIONS.—Section 413D(a)(4) (20 U.S.C. 1070b-3(a)(4)) is amended by striking subparagraph (B) and inserting the following:

“(B) An otherwise eligible institution may receive a portion of the allocation described in subparagraph (A) if—

“(i) not less than 10 percent of the undergraduate, degree- or certificate-seeking students attending the institution receive Federal Pell Grants; and

“(ii)(I) in the case of an institution that offers programs of at least 4 years in duration, if its graduation rate for Federal Pell Grant recipients attending the institution and graduating within the period of time equal to normal duration of the longest undergraduate program offered by the institution, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(7)(C)); or

“(II) in the case of an institution that offers programs of at least 2, but less than 4, years in duration, if its rate for Federal Pell Grant recipients attending the institution and graduating or transferring to an institution that offers programs of at least 4 years in duration within the period of time equal to the normal duration of the program offered, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(7)(C)).”

Page 157, line 14, strike “2006” and insert “2007”.

Page 159, line 16, strike “2006” and insert “2007”.

Page 159, line 23, strike “2006” and insert “2007”.

Page 159, line 10, strike “and”; on line 25, strike the period and insert “; and”; and after line 25, insert the following new paragraph:

(11) by redesignating subsection (h) as subsections (i) and inserting before such subsection the following new subsection:

“(h) TECHNICAL ASSISTANCE.—The Secretary may reserve up to one-half of one percent of funds appropriated under subsection (i) for technical assistance activities for program improvement, including data collection and evaluation.”

Page 168, strike lines 1 and 2 and insert “to the field in which the student obtained the degree.”

Page 172, line 3, insert “(as defined in section 9101 of the Elementary and Secondary Education Act of 1965)” after “teacher”.

Page 178, line 24, strike “made available” and insert “authorized”.

Page 179, line 22, strike “as it pertains” and insert “pertaining”.

Page 183, line 5, strike “2006” and insert “2007”.

Page 183, line 10, strike “2006” and insert “2007”.

Page 184, line 13, strike “pursuant” and insert “subject”.

Page 185, beginning on line 3, strike “pursuant to the designation under subsection (c)” and insert “on behalf of borrowers employed in an area of national need described in subsection (c)”.

Page 186, line 8, strike “as a teacher” and insert “as a highly qualified teacher (as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965)”.

Page 190, line 5, strike “The Secretary” and insert “Subject to subsection (b)(2), the Secretary”.

Page 192, beginning on line 21, strike subparagraph (A) and insert the following:

“(A) The nurse graduated from an accredited school of nursing (as those terms are defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).”

Page 193, line 7, insert before the period the following: “or from an accredited school of nursing (as those terms are defined in section 801 of the Public Health Service Act (42 U.S.C. 296))”.

Page 194, beginning on line 8, strike “accredited by an agency or association recognized by the Secretary pursuant to section 496(a) of this Act”.

Page 194, line 17, strike “2006” and insert “2007”.

Page 195, line 20, strike “July 1, 2007” and insert “the date of enactment of this Act”.

Page 199, after line 11, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(h) STUDENT LOAN INFORMATION.—Section 435(m) (20 U.S.C. 1085(m)) is amended by adding at the end the following new paragraph:

“(5) STUDENT LOAN INFORMATION.—

“(A) Notwithstanding any other provision of law or regulation, a lender, secondary market, holder, or guaranty agency shall provide, free of charge and in a timely and effective manner, any student loan information maintained by that entity that is requested by an institution of higher education and any third-party servicer (as defined in section 481(c)) working on behalf of that institution to prevent student loan defaults.

“(B) An institution and any third-party servicer obtaining access to information under subparagraph (A) shall safeguard that information in order to prevent potential abuses of that information, including identity theft.

“(C) Any third party servicer that obtains information under this subparagraph shall only use the information in a manner directly related to the default prevention work the servicer is performing on behalf of the institution of higher education.”

Page 200, line 14, strike “2006” and insert “2007”.

Page 200, beginning on line 23, strike subsection (a) and insert the following:

(a) ELIGIBILITY FOR ADDITIONAL ALLOCATIONS.—Section 442(a)(4) (42 U.S.C. 2752(a)(4)) is amended by striking subparagraph (B) and inserting the following:

“(B) An otherwise eligible institution may receive a portion of the allocation described in subparagraph (A) if—

“(i) not less than 10 percent of the students attending the institution receive Federal Pell Grants; and

“(ii)(I) in the case of an institution that offers programs of at least 4 years in duration, if its graduation rate for Federal Pell Grant recipients attending the institution and graduating within the period of time equal to normal duration of the longest undergraduate program offered by the institution, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(7)(C)); or

“(II) in the case of an institution that offers programs of at least 2, but less than 4, years in duration, if its rate for Federal Pell Grant recipients attending the institution and graduating or transferring to an institution that offers programs of at least 4 years in duration within the period of time equal to the normal duration of the program offered, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(7)(C)).”

Page 206, line 9, strike “2006 and” and insert “2007 and”.

Page 206, line 24, strike “2006” and insert “2007”.

Page 207, lines 4 and 9, strike “2012” each place it appears and insert “2013”.

Page 207, line 9, strike “and”; on line 12, strike “2011.” and insert “2012; and”; and after line 12 insert the following:

(C) by striking “2012” in subsection (b) and inserting “2013”.

Page 207, beginning on line 13, strike subsection (b) and redesignate the succeeding subsection accordingly.

Page 211, beginning on line 15, strike paragraph (2), and redesignate the succeeding paragraphs accordingly.

Page 216, beginning on line 14, strike clause (i) and insert the following:

“(i) IN GENERAL.—The Secretary shall—
“(I) develop a form that uses skip logic to simplify the application process for applicants; and

“(II) make all efforts to encourage applicants to utilize the electronic forms described in paragraph (4).”

Page 221, line 11, after “Secretary,” insert the following: “and an expected family contribution has been calculated by the Secretary.”

Page 221, beginning on line 16, strike “without a signature, if a signature is subsequently submitted by the applicant” and insert “with an electronic signature”.

Page 228, line 2, insert “by any entity” after “charged a fee”.

Page 228, line 14, insert “, worksheet, or other document” after “form”.

Page 232, strike lines 9 through 12 and insert the following:

(b) REPUBLIC OF PALAU.—Section 484 (20 U.S.C. 1091) is amended—
(1) in subsection (a)—

(A) in paragraph (4), by striking “the Republic of the Marshall Islands, the Federated States of Micronesia, or”; and

(B) in paragraph (5), by striking “a citizen of any one of the Freely Associated States” and inserting “or, to the extent described in subsection (j), a citizen of the Republic of Palau”; and

(2) by amending subsection (j) to read as follows:

“(j) ASSISTANCE UNDER SUBPART 1 OF PART A FOR STUDENTS FROM PALAU.—Notwithstanding any other provision of law, a student shall be eligible until September 30, 2007, for assistance under subpart 1 of part A if the student is otherwise qualified and—
“(1) is a citizen of the Republic of Palau and attends an institution of higher education in a State or a public or nonprofit private institution of higher education in the Freely Associated States; or

“(2) meets the requirements of subsection (a)(5) and attends a public or nonprofit pri-

vate institution of higher education in any one of the Freely Associated States.”

Page 232, beginning on line 13, strike section 483 and insert the following:

SEC. 483. INSTITUTIONAL REFUNDS.

Section 484B(a)(1) (20 U.S.C. 1091b(a)(1)) is amended in subsection (a)(1), by inserting “subpart 4 of part A or” after “received under”.

Page 241, line 20, strike “make, keep,” and insert “establish”.

Page 247, line 15, strike “insure” and insert “ensure”.

Page 248, beginning on line 14, strike subparagraph (E), and redesignate the succeeding subparagraphs accordingly.

Page 250, line 25, strike “by virtue of” and insert “resulting from”.

Page 251, line 4, strike “virtue of”.

Page 251, beginning on line 7, strike “virtue of participation” and insert “participating”.

Page 253, line 6, strike “2011” and insert “2012”.

Page 253, line 23, strike “for” and insert “with respect to”.

Page 257, line 6, strike “under” and insert “established pursuant to”.

Page 262, line 6, strike “2011” and insert “2012”.

Page 262, after line 14, insert the following new section:

SEC. 489. PELL GRANT ELIGIBILITY PROVISION.

Section 484 is amended by adding at the end the following new subsection:

“(s) PELL GRANT ELIGIBILITY PROVISION.—A student who does not have a certificate of graduation from a school providing secondary education may be eligible for assistance under subpart 1 of Part A of this title for no more than two academic years, if such student—
“(1) meets all eligibility requirements for such assistance (other than not being enrolled in an elementary or secondary school) and is an academically gifted and talented student, as defined in section 9101 of the Elementary and Secondary Education Act;

“(2) is in the junior or senior year of secondary school, and has not received any assistance under this title;

“(3) is selected for participation and is enrolled full-time and resides on campus in a residential college gifted student program for early enrollment, leading to fully transferable college academic credit;

“(4) does not and will not participate in any secondary school course work during or after such program; and

“(5) has entered into an agreement that, if the student fails to complete the entirety of the academic program for which assistance under subpart 1 of Part A of this title was received, or participates in secondary school course work after participating in such program, the student will repay all funds received under such subpart pursuant to this subsection to the Federal Government in accordance with regulations promulgated by the Secretary.”

Page 262, after line 18, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

(1) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) is a State agency approved by the Secretary for the purpose described in subparagraph (A) and the State does not, for purposes of this title, directly or indirectly—
“(i) require any institution of higher education to obtain accreditation by such State agency, rather than another accrediting agency or association approved by the Secretary for the purpose described in subparagraph (A); or

“(ii) provide any exemption or other privilege or benefit to any institution of higher

education by reason of its accreditation by such State agency rather than another accrediting agency or association approved by the Secretary for the purpose described in subparagraph (A); or”;

Page 263, beginning on line 4, strike “missions of institutions of higher education, including such missions as inculcation of religious values” and insert “mission of the institution of higher education, including religious missions”.

Page 267, line 13, strike “subparagraph (H)” and insert “subparagraph (L)”.

Page 272, line 22, strike “programs identified under” and insert “programs that were identified pursuant to”.

Page 273, beginning on line 8, strike subparagraph (B) and insert the following:

(B) in subparagraph (B)—
(i) by striking “at the time of application,”; and

(ii) by inserting “at the end of the award year immediately preceding the date of application” after “Hispanic students”;

Page 280, lines 4 and 9, strike “2006” each place it appears and insert “2007”.

Page 289, line 15, strike “‘2006’” and insert “‘2007’”.

Page 290, line 22, and page 291, line 8, insert “, as determined by the Secretary” after “reduction” each place it appears.

Page 291, line 12, strike “‘2006’” and insert “‘2007’”.

Page 294, line 15, strike “‘2006’” and insert “‘2007’”.

Page 305, line 6, insert “grantee under this title,” after “from any”.

Page 305, line 10, insert “grantee,” after “each such”.

Page 310, line 8, strike “‘2006-2007’” and insert “‘2007-2008’”.

Page 310, line 23, strike “‘2006-2007’” and insert “‘2007-2008’”.

Page 310, beginning on line 25, strike “‘2005-2006 adjusted for 2006-2007’” and insert “‘2006-2007 adjusted for 2007-2008’”.

Page 311, line 8, strike “‘2006’” and insert “‘2007’”.

Page 313, lines 3 and 4, strike “for a grant by” and insert “from”.

Page 313, line 5, strike “contain” and insert “provide”.

Page 313, line 6, strike “collaborates” and insert “will collaborate”.

Page 313, line 8, strike “assure” and insert “ensure”.

Page 313, line 13, strike “‘2006-2007’” and insert “‘2007-2008’”.

Page 313, line 23, strike “‘2006-2007’” and insert “‘2007-2008’”.

Page 313, line 25, strike “‘2005-2006’” and insert “‘2006-2007’”.

Page 314, line 6, strike “‘2006’” and insert “‘2007’”.

Page 315, line 22, strike “‘2006 and’” and insert “‘2007 and’”.

Page 317, line 16, strike “and” at the end of the line; on line 25, strike the period, close quotation marks, and following period and insert “; and”; and after such line insert the following new paragraph:

“(1) supporting efforts to establish pilot programs and initiatives to help college campuses to reduce illegal downloading of copyrighted content, in order to improve the security and integrity of campus computer networks and save bandwidth costs.”

Page 318, line 22, strike “timeless” and insert “timely”.

Page 320, line 13, strike “‘2006’” and insert “‘2007’”.

Page 323, line 4, strike “‘2006’” and insert “‘2007’”.

Page 332, line 5, strike “and”.

Page 332, line 9, strike the period and insert “; and”.

Page 332, after line 9, insert the following new subparagraph:

(C) in paragraph (4)(C)—
(i) in clause (i), by striking “(6)” and inserting “(8)”;

(ii) in clause (vi), by striking “(m)” and inserting “(o)”.

Page 333, after line 8, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.

Section 105(b)(4) of the Education of the Deaf Act of 1986 (20 U.S.C. 4305) is amended—

(1) by striking “the Act of March 3, 1931 (40 U.S.C. 276a-276a-5)” and inserting “sections 3141 through 3148 of title 40, United States Code,”; and

(2) by striking “section 2 of the Act of June 13, 1934 (40 U.S.C. 276c)” and inserting “section 3145 of title 40, United States Code”.

Page 333, line 9, redesignate section 902 as section 903.

Page 333, line 15, redesignate section 903 as section 904.

Page 334, line 18, strike “and”.

Page 335, line 10, strike the period and insert “; and”.

Page 335, after line 10, insert the following new paragraph:

(3) in paragraph (5)—

(A) by striking “the Act of March 3, 1931 (40 U.S.C. 276a-276a-5)” and inserting “sections 3141 through 3148 of title 40, United States Code,”; and

(B) by striking “section 2 of the Act of June 13, 1934 (40 U.S.C. 276c)” and inserting “section 3145 of title 40, United States Code,”.

Page 335, strike line 11 and all that follows through line 15 and insert the following:

(c) LIMITATION.—Section 112(c) of the Education of the Deaf Act of 1986 (20 U.S.C. 4332(c)) is amended—

(1) in paragraphs (1) and (2), by striking “institution” each place it appears and inserting “Rochester Institute of Technology”; and

(2) in the matter following paragraph (2), by striking “the applicant” and inserting “RIT”.

Page 335, line 16, redesignate section 904 as section 905.

Page 336, line 1, redesignate section 905 as section 906.

Page 336, strike line 18 and all that follows through line 23 and insert the following:

(c) COMPLIANCE.—Section 203(b)(2) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(b)(2)) is amended by striking “sections” and all that follows and inserting “sections 102(b), 105(b)(4), 112(b)(5), 203(c), 207(b)(2), subsections (c) through (f) of section 207, and subsections (a), (b), and (c) of section 209.”.

Page 337, line 19, redesignate section 906 as section 907.

Page 338, after line 12, insert the following new paragraph:

(1) in paragraph (1), by striking “preparatory,”;

Page 338, line 13, redesignate paragraph (1) as paragraph (2).

Page 338, line 16, redesignate paragraph (2) as paragraph (3).

Page 338, after line 21, insert the following new section:

SEC. 908. MONITORING, EVALUATION, AND REPORTING.

Section 205(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4305) is amended in the first sentence by striking “preparatory,”.

Page 338, line 22, redesignate section 907 as section 909.

Page 339, line 3, redesignate section 908 as section 910.

Page 339, line 11, redesignate section 909 as section 911.

Page 339, after line 23, insert the following new sections:

SEC. 912. INTERNATIONAL STUDENTS.

(a) ENROLLMENT.—Section 209(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359a(a)) is amended by striking “preparatory, undergraduate,” and inserting “undergraduate”.

(b) TUITION SURCHARGE.—Section 209(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359a(b)) is amended by striking “preparatory, undergraduate” and inserting “undergraduate”.

(c) DEFINITION.—Section 209(d) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359a(d)) is amended by striking “1990 per capita income” and all that follows and inserting “per-capita income of not more than \$5,125, measured in 2002 United States dollars and adjusted by the Secretary to reflect inflation since 2002.”.

SEC. 913. RESEARCH PRIORITIES.

Section 210(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359b(b)) is amended by striking “Committee on Labor and Human Resources” and inserting “Committee on Health, Education, Labor, and Pensions”.

Page 340, line 1, redesignate section 910 as section 914.

Page 340, beginning on line 5, strike “‘2006 through 2011’” and insert “‘2007 through 2012’”.

Page 340, line 13, strike “‘2006 through 2011’” and insert “‘2007 through 2012’”.

Page 340, beginning on line 19, strike “‘2006 through 2011’” and insert “‘2007 through 2012’”.

Page 340, line 23, strike “‘2006 through 2011’” and insert “‘2007 through 2012’”.

Page 345, beginning on line 22, strike paragraph (4) and redesignate the succeeding paragraphs accordingly.

Page 347, beginning on line 6, strike paragraph (3) and redesignate the succeeding paragraph accordingly.

Page 347, line 19, strike “‘2006’” and insert “‘2007’”.

Page 348, lines 2, 9, and 17, strike “‘2006’” each place it appears and insert “‘2007’”.

Page 350, lines 6 and 13, strike “‘2006’” each place it appears and insert “‘2007’”.

At the end of the Amendment, add the following new sections:

SEC. 931. INDEPENDENT EVALUATION OF DISTANCE EDUCATION PROGRAMS.

(a) INDEPENDENT EVALUATION.—The Secretary of Education shall enter into an agreement with the National Academy of Sciences to conduct a scientifically correct and statistically valid evaluation of the quality of distance education programs, as compared to campus-based education programs, at institutions of higher education. Such evaluation shall include—

(1) identification of the elements by which the quality of distance education, as compared to campus-based education, can be assessed, including elements such as subject matter, interactivity, and student outcomes;

(2) identification of distance and campus-based education program success, with respect to student achievement, in relation to the mission of the institution of higher education; and

(3) identification of the types of students (including classification of types of students based on student age) who most benefit from distance education programs, the types of students who most benefit from campus-based education programs, and the types of students who do not benefit from distance education programs, by assessing elements including access to higher education, job placement rates, undergraduate graduation rates, and graduate and professional degree attainment rates.

(b) SCOPE.—The National Academy of Sciences shall select for participation in the evaluation under subsection (a) a diverse group of institutions of higher education with respect to size, mission, and geographic distribution.

(c) INTERIM AND FINAL REPORTS.—The agreement under subsection (a) shall require that the National Academy of Sciences submit to the Secretary of Education, the Committee on Health, Education, Labor and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives—

(1) an interim report regarding the evaluation under subsection (a) not later than December 31, 2007; and

(2) a final report regarding such evaluation not later than December 31, 2009.

SEC. 932. STUDY OF CAMPUS-BASED PROGRAM ALLOCATION OF FUNDS.

(a) STUDY REQUIRED.—The Comptroller General shall conduct a study of the Federal Supplemental Educational Opportunity Grant program, the Federal Work-Study program, and the Federal Perkins Loan program (authorized by subpart 3 of part A, and parts C and E, respectively, of title IV of the Higher Education Act of 1965)—

(1) to examine the procedure for allocating funds to institutions;

(2) to compare among participating institutions the amount of funds allocated and the amount of aid awarded to students on a per-student basis under these programs; and

(3) to suggest any modifications to the allocation procedures to ensure appropriate distribution of funds under these programs

(b) REPORT.—The Comptroller General shall submit a report on the study required by subsection (a) within one year of the date of enactment of this Act to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from California (Mr. MCKEON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I rise in support of this amendment to the College Access and Opportunity Act, and I would like to take a few moments to identify and clarify for Members a few points regarding the manager's amendment.

The process that we go through here is, somebody, after many hearings, writes a bill, and then it goes to our committee by direction of the Speaker, and then generally the subcommittee holds a markup giving all members a chance to participate and amend the bill, and then the full committee, and we go through the process again with all members on the committee able to add amendments, change the bill. It goes through a series of debate. And then, after that, between the time it goes to the committee and the time it comes to the floor, we continue working on the process, and the changes that are worked out at that time are added to a final manager's amendment, which we are now presenting on the floor.

And with respect to the College Affordability Index provisions of H.R. 609, which aim to shine a spotlight on hyperinflation and college costs, the manager's amendment, after this process, makes a couple of very important changes. First, it requires institutions whose affordability index ranking falls

in the highest 10 percent nationwide to establish a quality, efficient task force charged with comparing the operating costs of its institution with those of others. This is down from the highest 25 percent in the underlying bill, so we have reduced that 25 percent of the colleges that have increased their costs the most over the period of the 8 years that it affects, to be highlighted, and we have cut that from 25 down to 10 percent.

Furthermore, under the manager's amendment, one of the things that we had in the original bill was we could call on the Inspector General to do an audit of the school. We have removed that, and there will be nothing more than the reporting provisions that the schools will have to comply with connected to the College Affordability Index.

On accreditation, the manager's amendment explicitly clarifies that a State cannot require colleges and universities within its borders to be accredited by that State. There has been some misinformation out on that. We have clarified that in the manager's amendment.

Moreover, this amendment provides colleges and universities a clear choice regarding whose accreditation they seek.

□ 1315

It forces no accreditation decisions on any school or any State, period. If the State wants to get into the accrediting business, they have to go through the requirements that are offered for all other accreditors. They have to be approved by the Department of Education, and then the school picks what accrediting body they want to work with.

Finally, the manager's amendment retains current law with respect to campus-based aid programs, as well as the TRIO Federal college access programs. It requires new studies that will allow us to take a deeper look into these programs and determine what steps need to be taken in the future to ensure they are running as effectively and as efficiently as possible.

Mr. Chairman, the manager's amendment contains several other changes including many that are the products of negotiations with my friends on the other side of the aisle. I urge my colleagues to support both this amendment and the underlying bill.

Mr. Chairman, I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, we have seen the amendment and discussed it with the chairman, and we have no objections to the amendment.

The Acting CHAIRMAN (Mr. DENT). The question is on the amendment offered by the gentleman from California (Mr. MCKEON).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. FOSSELLA

Mr. FOSSELLA. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 printed in House Report 109-399 offered by Mr. FOSSELLA:

Page 317, line 16, strike "and" after the semicolon; on line 25, strike the period, close quotation marks, and following period and insert "; and"; and after line 25, insert the following new paragraph:

"(11) support increased fire safety in student housing—

"(A) by establishing a demonstration incentive program for qualified student housing in institutions of higher education;

"(B) by making grants for the purpose of installing fire alarm detection, prevention, and protection technologies in student housing, dormitories, and other buildings controlled by such entities; and

"(C) by requiring, as a condition of such grants—

"(i) that such technologies be installed professionally to technical standards of the National Fire Protection Association; and

"(ii) that the recipient shall provide non-Federal matching funds in an amount equal to the amount of the grant."

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from New York (Mr. FOSSELLA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. FOSSELLA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, according to the non-profit Center for Campus Fire Safety, between January 2000, and January 2006, 82 people from 25 States have been killed in student-housing fires. Common factors in these fatal fires are a lack of fire prevention technologies. Each year, an estimated 1,800 fires occur in dormitories and other college-owned houses. These fires are responsible for over \$8 million in property damage.

In New York alone, there was an average of more than 300 campus fires per year between 1997 and 2000, with roughly 160 of them annually in dormitories.

Mr. Chairman, more people are alive today because of fire detection and prevention technologies, and this amendment, I think, is an important one that can benefit both colleges and universities around the country. The amendment I offer does not create a new program or any additional cost to the Federal Government. It simply allows fire alarm detection, prevention and protection systems to be eligible for funding under the Fund for the Improvement of Post-Secondary Education. Fire detection plus fire suppression equals fire safety. I urge my colleagues to support this amendment.

As many know, and especially those who may have young sons or daughters at colleges or universities, the last thing you want to hear is a call that perhaps one of your children was injured or, even worse, lost their life in a tragic fire at a dorm or campus housing. We know of many colleges not just in New York but across the country

who would love to install and have in place fire prevention and detection systems given the new technology, and we would think that this is an amendment that could be supported to allow these colleges and universities to become eligible for these grants and also leverage those public grants with private resources.

Mr. Chairman, I yield back the balance of my time.

Mr. KILDEE. Mr. Chairman, I rise in support of the amendment and urge its adoption.

The Acting CHAIRMAN. Without objection, the gentleman will control 5 minutes.

There was no objection.

Mr. McKEON. Mr. Chairman, I would also like to say that we appreciate the gentleman's amendment. We think it makes the bill stronger. We thank him for his support and work on this issue.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. FOSSELLA).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 printed in House Report 109-399 offered by Mr. PORTER:

Page 189, after line 12, insert the following new subparagraph (and redesignate the succeeding subparagraph accordingly):

“(I) PUBLIC SERVICE EMPLOYMENT.—An individual who is employed full time in by a qualified public service employer.

Page 193, after line 23, insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

“(7) PUBLIC SERVICE EMPLOYMENT.—The term ‘qualified public service employer’ means any State, local government, Federal agency, or other organization (as such terms are defined by section 3371 of title 5, United States Code), any other office or entity of the legislative branch, and any employer that is exempt from taxation under section 501(c)(3) or section 501(c)(4) of title 26, United States Code.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Nevada (Mr. PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

I would first like to thank my colleagues, Mr. ANDREWS from New Jersey and Mr. RENZI from Arizona, for joining me in offering this commonsense, bipartisan amendment.

Many students graduate from college and professional schools, including those of social work, nursing, medicine, teaching and law, with crushing debt burdens. With the median entry-level public service law salary at \$35,000, a mortgage-size debt will bar most graduates from pursuing public service jobs, such as those with govern-

ment agencies or legal services programs.

Among the graduates who take such positions, many are forced to leave after 2 or 3 years of employment due to financial constraints. The Porter-Andrews-Renzi amendment amends section 421, the Loan Forgiveness for Service in Areas of National Need, of H.R. 609, by allowing public service employees to access funds in the loan forgiveness program.

Specifically, the language expands section 428K of the Higher Education Act to provide up to \$5,000 in loan forgiveness for individuals who have completed a baccalaureate or advanced degree and served for 5 consecutive years in areas of public service. This amendment will help encourage highly trained individuals to enter and continue in areas of public service by reducing the burden of student debt for Americans who dedicate their careers in areas of public service.

This amendment is especially important in rapidly growing communities like Southern Nevada. In my district, we have over 5,000 new people moving into our State each month, and it is critical that we ensure our workforce staff is equipped to handle our population growth.

For example, Federal agencies such as the Department of Justice, Social Security Administration, and the U.S. Attorney's office are continually faced with staffing needs to address the increased growth in our communities. By providing these incentives, we can help our communities staff positions for which there are significant needs such as public service employees.

This is an opportunity for Congress to make an existing Federal program more useful by providing an incentive for students to enter the fields of public service. It is a fiscally responsible solution that will support individuals who choose to enter areas of public service without imposing costly new mandates that will eat into our ability to provide other student benefits through higher education.

Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Chairman, I thank the gentleman from Nevada, my good friend, for yielding me this time. And I want to thank especially the chairman, Mr. McKEON, for his hard work and belief in this effort; Majority Leader BOEHNER, who helped us early on; and I have got to give credit to a good professor and doctor, Philip Schrag, over at Georgetown University, who for years has been fighting and championing this cause.

This amendment to the underlying bill provides much needed loan forgiveness for individuals involved in the public sector. Specifically, the language expands section 428 of the Higher Education Act to provide up to \$5,000 in loan forgiveness for individuals that have completed a baccalaureate or an advanced degree and are willing to

serve 5 consecutive years in public service. This will make a huge impact on our Native American reservations around America who need young people to come out in the field of doctors and lawyers and nurses to provide for our Native Americans, provide for many of our poorer communities. It is an opportunity for Congress to improve on an existing Federal program and provides incentives for students to enter the field of public service.

I urge my colleagues to support this amendment and help us attract and retain the best and brightest of America by providing them a little bit of an incentive.

Again, I want to thank my colleague, Mr. PORTER of Nevada, and our chairman so very much. I appreciate it.

Mr. PORTER. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. McKEON).

Mr. McKEON. Mr. Chairman, I would like to thank the gentleman for this amendment. It again makes the bill stronger, and I appreciate their working together in a bipartisan method to make this happen.

Mr. ANDREWS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from New Jersey will control 5 minutes.

There was no objection.

Mr. ANDREWS. Mr. Chairman, I rise to claim the time in opposition, although I am obviously in favor of the amendment.

I want to thank the chairman from California; my colleagues from Nevada and Arizona; our ranking member, Mr. GEORGE MILLER; and our subcommittee ranking member, Mr. KILDEE, for their cooperation.

This is really an unsung heroes amendment. It is for people who administer inoculation shots to children in health clinics. It is for people that work in senior centers serving meals to senior citizens. It is for lawyers who go to court and represent people who are too poor to otherwise afford a lawyer on their own when they are facing an eviction or a bankruptcy or domestic violence crisis. It is a modest way to encourage people to enter and stay in those fields.

If a person makes a long-term commitment, a minimum of 5 years, for public service fields, this amendment makes it possible that there will be a \$5,000 amount of forgiveness on the student loans that they owe.

Now, I wish, frankly, we could include more people. I wish that we could have a greater level of forgiveness. Some of the issues that Mr. MILLER was talking about earlier today really go to that point as to why there are not more resources available in this bill.

Having said that, this is a modest improvement. The average debt for a person graduating from a 4-year program is about \$18,000 a year now. So a \$5,000

loan forgiveness is quite relevant to a person in one of those fields and could be quite helpful. Frankly, although the help is welcome, it falls short for those who have gone beyond the baccalaureate degree to a graduate or professional school because their debt usually tends towards six figures, and although any little bit helps, this is most decidedly only a very little bit. Nevertheless, it is an improvement over the existing situation. It does help those unsung heroes.

I again thank the leadership of the committee on both sides for making this a possibility. And I would urge my colleagues to vote "yes" on this amendment.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I applaud the amendment offered by congressman JON PORTER and others today that would add Federal employees and other public servants to a Department of Education program that helps people in certain jobs pay off their student loans.

I am a longtime supporter of student loan relief programs for our valuable Federal workforce. The programs are an effective recruitment and retention tool, helping to keep the Federal Government competitive with the higher salaries of the private and non-profit sectors.

We have to take proactive steps to ensure the best and the brightest will be attracted to public sector employment. The average Federal worker is over 50—more has to be done to appeal to younger workers. Offering up to \$5,000 a year for student loan repayments, as this amendment does, is an obvious way to attract the attention of recent graduates and those with remaining educational balances.

As chairman of the House Government Reform Committee and as a representative from northern Virginia, I am keenly aware of the need to safeguard the health of the Federal workforce. These are talented, well educated people with a strong sense of duty. We likely will never be able to compete on a dollar-for-dollar basis with the private sector, but we do have to take steps to make government service a viable option.

We are debating the Higher Education Act today; the recurring theme of this legislation is the fact that tuition costs for college degrees are skyrocketing. For that young man or woman considering a civil service career, we have to make tools available that will allow them to forgo the higher salaries they could otherwise command.

Mr. Chairman, I am proud to support this amendment today, but we should go even further. Under current law, agencies can repay student loans on behalf of their employees—up to \$10,000 a year with a \$60,000 total cap per employee. My bill, the Generating Opportunity by Forgiving Educational Debt for Service, GOFEDS, Act, which I have introduced in the last two Congresses, would improve these benefits by making them tax free.

I encourage my colleagues to join with me in ensuring the American taxpayer has the benefit of a vibrant Federal workforce—truly the best and the brightest. You can start today by support this amendment.

Mr. WILSON of South Carolina. Mr. Chairman, I am pleased to rise today in support of the Porter Amendment, which would extend student loan forgiveness to individuals em-

ployed full-time by a qualified public service employer.

In order to receive this loan forgiveness, individuals would commit to serving in areas of national need for 5 years. The underlying bill extends teacher loan forgiveness to select other groups who play critical roles in bettering the lives of millions of America's youth. From social workers and nurses to medicine specialists and lawyers, thousands of America's roll models will benefit from this vital provision. By removing the burden of student loan debt, this amendment will encourage trained professionals to seek careers in public service fields.

In South Carolina, I am specifically impressed by the tremendous dedication of speech language pathologists. Fortunately, speech language pathologists are included in the underlying bill and would also be eligible to receive the crucial student loan forgiveness. These talented and caring professionals dedicate their lives to helping children throughout our community who struggle with speech, language, or hearing disorders. As American schools struggle to recruit teaching professionals, we must do more to help promote these important careers to our Nation's best and brightest. My friend Congressman PORTER's amendment is an important way to increase the incentive for students to enter public service fields. Please join me in supporting this amendment today.

In conclusion, God bless our troops and we will never forget September 11.

Mr. ANDREWS. Mr. Chairman, I yield back the balance of my time.

Mr. PORTER. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada (Mr. PORTER).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MRS. WILSON OF NEW MEXICO

Mrs. WILSON of New Mexico. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 printed in House Report 109-399 offered by Mrs. WILSON of New Mexico:

Page 177, line 24, strike "and" after the semicolon.

Page 178, line 5, insert "and" after the semicolon.

Page 178, after line 5, insert the following new paragraph:

"(4) supporting regional workshops designed to permit the sharing of successful research-based strategies to improve the achievement of students in mathematics and science.

Page 179, after line 24, insert the following new paragraph:

"(4) Supporting regional workshops designed to permit educators, administrators responsible for professional development and curriculum development, and faculty of teacher preparation programs to share successful research based strategies for—

"(A) carrying out the activities described in section 2202(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6662(c)) (as amended by the No Child Left Behind Act of 2001); and

"(B) otherwise improving student achievement in mathematics and science instruction in elementary and secondary schools.

Page 180, line 5, insert "", which may include a plan for establishing a regional working group to conduct regional workshops to share research-based information and approaches to improving the achievements of students in mathematics and science" after "funds".

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentlewoman from New Mexico (Mrs. WILSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Mrs. WILSON of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

I wanted to thank the chairman for bringing this bill forward today. There are several provisions of it that are very important to our colleges and universities and the students that they serve, particularly in our Hispanic Serving Institutions, and the base bill strengthens those programs substantially.

The amendment that I am offering today deals with the teaching of math and science. In the bill there are provisions for education coordinating councils, which are educators, business, and community leaders at the local level that develop strategies to improve math and science education, drawing on the resources in the community. Not just the public funding that comes for the schools but things like universities, national laboratories, high-tech industry, giving kids the opportunity to see mathematics and science in action and connect them with the possibility of a career in science or mathematics.

What my amendment does is add to the kinds of things that can be used with these funds for these councils. It is based on legislation that I introduced in November of 2005, and what it really does is allow these councils to fund regional workshops of teachers and university professors and curriculum developers so that people can share information about the best techniques and the resources available for the teaching of mathematics and science and strengthening our ability to teach math and science, particularly in the elementary and secondary levels.

Sometimes teaching can be an isolating thing, particularly if you are in a rural community and maybe you are the only science teacher that serves all of one particular middle school. Certainly practice is important for teaching, but also interaction with one's colleagues is important. And that is why allowing these regional interactions for professional development is particularly important.

If I have a choice about the kind of school that I want my kids to go to, if I have a choice between the best, newest, most well-equipped school and a good teacher standing under a cottonwood tree, for my kids, I choose the good teacher standing under the cottonwood tree.

□ 1330

This amendment that I am offering today will help teachers become better teachers through interaction with their peers in the teaching of mathematics and science.

Mr. Chairman, I would ask my colleagues to support this amendment today.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, we have read the amendment. We support the amendment. We urge passage.

The Acting CHAIRMAN (Mr. DENT). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield back the balance of my time.

Mrs. WILSON of New Mexico. Mr. Chairman, I have no more speakers, and I yield back the balance of my time.

The Acting CHAIRMAN (Mr. DENT). The question is on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 109-399 offered by Mr. BLUMENAUER:

At the end of title IX of the Amendment add the following new section:

SEC. ____ . SUMMIT ON SUSTAINABILITY.

No later than May 2007, the Secretary of Education shall convene a summit of higher education experts working in the area of sustainable operations and programs, representatives from the agencies of the Federal Government, and business and industry leaders to focus on efforts of national distinction that—

(1) encourage faculty, staff, and students at institutions of higher education to establish both administrative and educational sustainability programs on campus;

(2) enhance research by faculty and students at institutions of higher education in sustainability practices and innovations that assist and improve sustainability;

(3) encourage institutions of higher education to work with community partners from the business, government, and non-profit sectors to design and implement sustainability programs for application in the community and workplace; and

(4) identify opportunities for partnerships involving higher education institutions and the Federal Government to expand sustainable operations and academic programs focused on environmental and economic sustainability.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I am pleased to offer this amendment on behalf of my colleagues, Congressman EHLERS and Congressman WU, that would bring about a national summit on sustainability.

There is a quiet revolution that is occurring in communities across the country. Hospitals, businesses, local governments, many educational institutions are all involved with pioneering efforts to promote sustainable development, energy efficiency.

There is local produce that is being used by businesses and universities in their cafeterias. People are more sensitive to landscaping, carpet supplies, transportation alternatives. Time does not allow me to even list the programs in just my community, at Portland State University, the University of Portland, Lewis & Clark College, Nike, Intel, Kaiser Permanente. These institutions are putting into practice groundbreaking procedures that allow us to live more lightly on the land.

This is a great opportunity for the Department of Education to spotlight these best practices around the country, ways to save money, ways to live and practice our environmental values. And one wonders whether there is any better way for students to learn than to actually explore ways to put these elements into practice. I am confident that ultimately this process can help lead to more leadership, more investment, and stronger policies.

Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, the need for developing innovative and successful, sustainable development is becoming more critical as our population in urban areas grows. The higher education system is in a unique position to foster new knowledge, evaluate policies, and develop new technologies addressing sustainability and its benefits to our society.

I am very proud that my home State of Oregon is exhibiting, once again, independent, effective leadership on sustainability. Oregon is leading the Nation on sustainable architecture, the production of environmentally certified wood products, sustainable energy, nanotech, biotech, sustainable agriculture, and wind, hydroelectricity and solar energy.

Portland State University, in my congressional district, has undertaken the sustainability initiative featuring new educational offerings such as green capital construction, multidisciplinary research, public forums and community outreach projects on sustainability. I recently toured a brand-new building there, exhibiting energy efficiencies and rainwater and other recycling programs that lead the Nation.

For several years now, Portland State has been active in these efforts. In 2003, PSU launched a new program which draws on faculty and community expertise to teach 40 students the theory and practice of developing effective sustainability programs for their organizations.

In fact, this year, Portland State University is expected to save an additional \$275,000 in energy costs alone on campus simply by installing more energy-efficient equipment and lighting and adjusting temperature settings. These savings are equivalent to the tuition of 80 students at PSU. This is independent, effective leadership.

The amendment that I am offering today with Congressman EHLERS and Congressman BLUMENAUER would call on the Secretary of Education to convene a summit of higher education experts working in the area of sustainability to encourage the development of sustainability programs on campuses; research in this area; and to identify opportunities for partnerships.

Educating and training the next generation of scientists, engineers, planners, and business professionals can help in the development of new tools and strategies for environmental and resource conservation, energy efficiency and more sustainable development.

I look forward to folks following Oregon's independent, effective leadership and supporting this important amendment.

Mr. BLUMENAUER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I appreciate my colleague's comments and his spotlighting Portland State University.

Mr. Chairman, if this amendment is adopted, no later than May of next year, the Secretary of Education is to convene a summit of higher education experts working in these areas. We have a vast array of people available around the country.

As my colleague pointed out, this is cost effective. This is what America needs to do to face its energy challenges, clean air, clean water. And what better way than to have higher education lead and being able to model and employ some of the best practices that we see in local communities, in the business community, and in the pioneering leadership on behalf of students themselves?

Mr. Chairman, we respectfully hope that the House will not only adopt this amendment, but that we will find ways in other legislative vehicles to advance the principles that are involved here, not just for higher education. One longs for the day when the Federal Government itself models those important principles.

Mr. EHLERS. Mr. Chairman, I rise in support of the Blumenauer-Ehlers-Wu amendment, which calls for the Secretary of Education to convene a summit on sustainability. I would like to thank Chairman MCKEON and his staff for working with us to make this amendment in order for consideration.

Simply put, sustainability is meeting the needs of the present generation without compromising the ability of future generations to meet their needs. As population growth, urban development and growing energy use place stress on our ecosystem, it is imperative that we develop innovative and successful sustainable operations and programs.

For many years, businesses and universities in Michigan and throughout the nation have engaged in sustainability initiatives. The West

Michigan Sustainable Business Forum, a diverse group of 90 companies, academic institutions and government agencies works toward achieving the triple bottom line of environmental stewardship, economic vitality and social responsibility.

Universities are in a unique position to foster new knowledge, evaluate policies and discover new technologies to address sustainability. In fact, the University of Michigan, Michigan State University and Aquinas College have sustainability centers that have provided innovative research and have engaged students in sustainability thinking. Sustainable operations and programs on university campuses include water and energy conservation and recycling, as well as academic programs such as engineering courses that encourage innovative product designs, e.g., alternative fuels for cars and new types of packing that use fewer natural materials.

This amendment would convene a summit of higher education experts working in the area of sustainable operations and programs. It would encourage the Federal Government and university and business leaders to identify best practices in sustainability by encouraging current efforts, enhancing research and identifying opportunities for partnerships to expand sustainable operations and academic programs.

I respectfully urge Members to support this very important amendment.

Mr. BLUMENAUER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MISS MCMORRIS

Miss MCMORRIS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 printed in House Report 109-399 offered by Miss MCMORRIS:

Page 56, after line 2, insert the following new paragraph:

“(16) **ADVANCED PLACEMENT.**—Implementing strategies to increase the number of teachers qualified to teach advanced placement and pre-advanced placement courses in mathematics, science, and critical foreign languages, and other strategies to increase the availability of those courses, particularly for low-income students.

Page 69, after line 9, insert the following new paragraph:

“(16) **ADVANCED PLACEMENT.**—Implementing strategies to increase the number of teachers qualified to teach advanced placement and pre-advanced placement courses in mathematics, science, and critical foreign languages, and other strategies to increase the availability of those courses, particularly for low-income students.

Page 160, line 5, strike “**Honors Scholarship**” and insert “**American Competitiveness**”.

Page 162, line 18, and page 178, line 25, strike “419D” and insert “419F”.

Page 183, line 3, redesignate section 419D as section 419F, and before such line insert the following new sections:

“SEC. 419D. ADJUNCT TEACHER CORPS.

“(a) **PURPOSE.**—It is the purpose of this section to create opportunities for professionals and other individuals with subject-

matter expertise to teach secondary school courses in mathematics, science, and critical foreign languages, on an adjunct basis.

“(b) **PROGRAM AUTHORIZED.**—The Secretary is authorized to award grants to eligible entities to recruit and place well-qualified individuals to serve as adjunct teachers in secondary school mathematics, science, and critical foreign language courses.

“(c) **ELIGIBLE ENTITY.**—For the purpose of this section, an eligible entity is—

- “(1) a local educational agency;
- “(2) a public or private educational organization (which may be a State educational agency); or
- “(3) a partnership consisting of a local educational agency and a public or private educational organization.

“(d) **DURATION OF GRANTS.**—The Secretary may award grants under this section for a period of not more than five years.

“(e) **PRIORITIES.**—In awarding grants under this section, the Secretary shall give priority to eligible entities that propose to—

- “(1) serve local educational agencies that have a large number or percentage of students performing below grade level in mathematics, science, and critical foreign language courses;
- “(2) serve local educational agencies that have a large number or percentage of students from families with incomes below the poverty line; and
- “(3) recruit adjunct faculty to serve in schools that have an insufficient number of teachers in mathematics, science, and critical foreign languages.

“(f) **APPLICATIONS.**—

“(1) **APPLICATION REQUIRED.**—To be considered for a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(2) **CONTENTS.**—The Application shall, at a minimum, include a description of—

- “(A) the need for, and expected benefits of using, adjunct teachers in the participating schools, which may include information on the difficulty participating schools face in recruiting qualified faculty in mathematics, science, and critical foreign language courses;

“(B) measurable objectives for the project, including the number of adjunct teachers the eligible entity intends to place in classrooms and gains in academic achievement intended to be achieved;

“(C) how the eligible entity will recruit qualified individuals and public or private educational organizations to participate in the program;

“(D) how the eligible entity will use funds received under this section, including how the eligible entity will evaluate the success of its program;

“(E) how the eligible entity will support and continue the program after the grant has expired, including how it will seek support from other sources, such as State and local government, foundations, and the private sector;

“(F) how the eligible entity will address legal, contractual, or administrative barriers to employment of adjunct faculty in the participating State or local educational agency or agencies; and

“(G) how the eligible entity will provide pre-service training to selected adjunct teachers, including the on-going mentoring of such teachers by highly qualified teachers.

“(g) **USES OF FUNDS.**—An eligible entity that receives a grant under this section is authorized to use grant funds to carry out one or more of the following activities:

- “(1) To develop the capacity of the local educational agency or the State educational agency, or both, to identify, recruit, and

train qualified individuals outside of the elementary and secondary education system (including individuals in business and government, and individuals who would participate through distance-learning arrangements) to become adjunct teachers in mathematics, science, and critical foreign language courses.

“(2) To provide signing bonuses and other financial incentives to encourage individuals to become adjunct teachers in mathematics, science, and critical foreign language courses.

“(3) To provide pre-service training to adjunct teachers, including the on-going mentoring of such teachers by highly qualified teachers.

“(4) To reimburse outside entities for the costs associated with allowing an employee to serve as an adjunct teacher, except that these costs shall not exceed the total cost of salary and benefits for teachers with comparable experience or expertise in the local educational agency.

“(h) **MATCHING REQUIREMENT.**—Each eligible entity that receives a grant under this section shall provide, from non-Federal sources, an amount equal to 100 percent of the amount of the grant (in cash or in kind) to carry out the activities supported by the grant.

“(i) **PROGRAM PERFORMANCE.**—Each eligible entity receiving a grant under this section shall prepare and submit to the Secretary a final report on the results of the project that contains such information as the Secretary may require including improvements in academic achievement as a result of instruction from adjunct teachers.

“(j) **EVALUATION.**—The Secretary shall evaluate the activities funded under this section including the impact of the program on student academic achievement and shall report the results of the evaluation to the appropriate Committees of Congress.

“(k) **DEFINITIONS.**—As used in this section:

“(1) **ADJUNCT TEACHER.**—The term ‘adjunct teacher’ means a teacher who

“(A) possesses, at a minimum, a bachelor’s degree;

“(B) has demonstrated expertise in mathematics, science, or a critical foreign language by having met the requirements of section 9101(23)(B)(ii) of the Elementary and Secondary Education Act of 1965; and

“(C) is not required to meet the other requirements of section 9101(23) of the Elementary and Secondary Education Act of 1965.

“(2) **CRITICAL FOREIGN LANGUAGE.**—The term ‘critical foreign language’ has the same meaning given such term under section 428K(h).

“SEC. 419E. FOREIGN LANGUAGE PARTNERSHIPS.

“(a) **PURPOSE.**—The purpose of this section is to increase the number of highly qualified teachers in, and the number of United States’ students who achieve the highest level of proficiency in, foreign languages critical to the security and competitiveness of the Nation.

“(b) **PROGRAM AUTHORIZED.**—The Secretary is authorized to award grants to institutions of higher education, in partnership with one or more local educational agencies, to establish teacher preparation programs in critical foreign languages, and activities that will enable successful students to advance from elementary school through college to achieve proficiency in those languages.

“(c) **APPLICATIONS.**—

“(1) **APPLICATION REQUIRED.**—Any institution of higher education that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(2) **CONTENTS.**—Each Application shall—

“(A) identify each local educational agency partner and describe each such partner’s responsibilities (including how they will be involved in planning and implementing the program, what resources they will provide, and how they will ensure continuity of student progress from elementary school to the postsecondary level); and

“(B) describe how the applicant will support and continue the program after the grant has expired, including how it will seek support from other sources, such as State and local government, foundations, and the private sector.

“(d) USES OF FUNDS.—Funds awarded under this section shall be used to develop and implement programs consistent with the purpose of this section by carrying out one or more of the following activities:

“(1) To recruit highly qualified teachers in critical foreign languages and professional development activities for such teachers at the elementary through high school level.

“(2) To provide innovative opportunities for students that will allow for critical language learning, such as immersion environments, intensive study opportunities, internships, and distance learning.

“(e) MATCHING REQUIREMENT.—Each grantee under this section shall provide, from non-Federal sources, an amount equal to 100 percent of the amount of the grant (in cash or in kind) to carry out the activities supported by the grant.

“(f) EVALUATION.—The Secretary shall evaluate the activities funded under this section and report the results of the evaluation to the appropriate Committees of Congress.

“(g) DEFINITION.—As used in this section the term ‘critical foreign language’ has the same meaning given such term under section 428K(h)(2).

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentlewoman from Washington (Miss MCMORRIS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Washington.

Miss MCMORRIS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to support the McMorris-Holt-Dreier American Competitiveness amendment to H.R. 609.

We are pleased to offer this amendment that follows up on the President’s State of the Union proposal to enhance America’s leadership in science and technology. I applaud his American Competitiveness Initiative which recognizes the need for a well-educated and skilled workforce.

This amendment offers us the ability to grow our economy while retaining our cutting-edge placement as a leader in science and technology. I praise the President for his leadership on this issue, and my colleagues, and look forward to continuing to work on these issues that strengthen America and America’s future.

The McMorris-Holt-Dreier amendment is an important step in promoting that educational achievement and economic productivity. This amendment is very much a collaboration between business and education, Republicans and Democrats. It is supported by numerous groups, including the U.S. Chamber of Commerce, Na-

tional Association of Manufacturers, the Business Roundtable and the Information Technology Industry Council.

They all recognize the need to enhance America’s competitiveness. Today, over half of China’s undergraduate degrees are in math, science technology and engineering, yet only 16 percent of America’s undergraduates pursue these schools.

In 2002, foreign nationals accounted for over half of all engineering and math doctorates, and almost half of all computer science doctorates. If current trends continue, by 2010, more than 90 percent of all scientists and engineers will be living in Asia, not the United States.

To meet the demands of an increasingly advanced global market, we must better train and equip our Nation’s workforce. As we consider the College Access and Opportunity Act, H.R. 609, we will have the chance to take a critical step in that direction.

This amendment supports the College Access and Opportunity Act by allowing existing funds to be used to increase the number of teachers qualified to teach advanced placement courses. It also customizes the Byrd Honors Scholarship Program, which provides scholarships to students pursuing an undergraduate or graduate degree in science, mathematics or engineering, by authorizing adjunct teacher opportunities and critical foreign language activities.

The amendment we have submitted would build on these activities by authorizing the Secretary of Education to award grants to recruit and place well-qualified individuals to serve as adjunct teachers in secondary school mathematics, science, and critical foreign language courses.

We need to tap the resource of current and retiring science and math professionals that have both content mastery and the practical experience to serve as effective teachers. We need to ensure that our rural and small schools have the support they need to train and equip our young people.

In eastern Washington, our high-tech companies, such as ISR in Liberty Lake, have stressed that they must have access to a trained workforce in order to remain competitive in the global economy. Rural schools in my district also face difficulties in obtaining qualified teachers to teach math, science and foreign language courses.

Jenkins High School in Chewelah received national recognition as a Blue Ribbon School, the only high school in Washington State to receive this national award for academic achievement. This school is still working toward the goal of ensuring that highly qualified teachers are in the classroom, and this amendment will help them meet that need.

The Adjunct Teachers Corps will draw on the skills of well-qualified individuals with subject matter expertise to help meet specialized teaching needs in our Nation’s secondary schools.

Math and science fields are not the only areas where we see the United States lagging behind. Less than 1 percent of American high school students study the critical foreign languages of Arabic, Chinese, Japanese, Korean or Russian, combined. This amendment meets this need by authorizing the Secretary to award grants for teacher preparation programs in critical foreign languages and activities that will enable successful students to advance from elementary school through college to achieve proficiency in those languages.

I believe, by offering our students access to well-qualified teachers and encouraging them to participate in math, science and foreign language, our country and our 21st-century workforce will be better prepared to compete in the global marketplace.

Join us in supporting legislation to increase America’s competitiveness. We urge you to vote “yes” on this amendment and “yes” on H.R. 609.

Mr. Chairman, I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I ask to claim time in opposition.

The Acting CHAIRMAN. Does the gentleman oppose the amendment?

Mr. HOLT. No, Mr. Chairman.

The Acting CHAIRMAN. Without objection, the gentleman will control the time in opposition.

There was no objection.

The Acting CHAIRMAN. The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, indeed I am not opposing this amendment. In fact, I am joining the gentlewoman in this amendment and working with her, and I hope we will continue to work to perfect the amendment. It is particularly important that we do this.

The National Academy of Science’s report, for example, “Rising Above the Gathering Storm”; the Glenn Commission’s report, “Before It’s Too Late”; and many others point out the need for greater content knowledge in the areas of math and science.

There are also reports that make it clear that we need greater content knowledge in foreign languages. Our national deficiency in foreign languages is affecting the ability of American businesses to compete overseas and really compromising our very national security.

□ 1345

I think we hardly need spend time arguing the need for content knowledge in math, science and foreign languages.

The question is, what are we going to do about it? Well, this amendment seeks to address that. It seeks to bring content specialists. In the amendment, we call them adjunct teachers. These are content specialists who will come to the classroom to make up for some of that deficiency that is all too real in schools across the country.

The amendment also establishes something that is in the legislation

that I had introduced separately known as a K-16 Critical Language Pipeline. It will provide for instruction in foreign languages from kindergarten through university, a course across the curriculum.

Having been a teacher, a science teacher myself, I am well aware that the knowledge of a subject is only one part of helping students learn. Being an effective teacher is much more than that. This bill, this amendment to the bill, intends to bring experts into the classroom, but it recognizes these are not yet full-fledged teachers.

An adjunct teacher cannot be pulled from the job and immediately placed into the classroom and expect to do as well as an experienced teacher. They will need supervision. They will need training, first of all, and then supervision by experienced teachers, but it will raise the level of achievement in the classroom. These content specialists, with appropriate training, appropriate supervision and preparation, will be, I think, an important way of addressing this content need.

I want to emphasize that the adjunct teacher core program is not about replacing teachers. Schools that are in need of applying for these grants will design their program to suit their local needs, and the applications require that stakeholders in education participate as well.

I look forward to working with the author of this bill and the Chair of the committee as this legislation moves through a process to perfect it.

Mr. Chairman, I reserve the balance of my time.

Miss McMORRIS. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Chairman, I thank my friend from Washington for yielding. I would like to congratulate her on her great commitment when it comes to this issue of America's competitiveness. We all know that President Bush stood right here in this Chamber and, in his State of the Union message, talked about the need to ensure that the United States of America remains competitive.

I believe that, frankly, that vision that the President put forward is really one of the underlying priorities and the reason for us with this legislation to continue to pursue it.

If we look at the economic standing that the United States of America has today with a 4.8 percent unemployment rate, GDP growth last year that was at 3.5 percent, 4.8 percent projected GDP growth for the first quarter of this year, and the fact that household net worth has jumped 8 percent in the last calendar year, that being in 2005, to a level of \$52 trillion and recognition contrary to what we often hear around here, prosperity has improved in virtually every single demographic bracket.

What does it say? It says that we as a country are doing something that is right.

One of the things that we learned throughout our Nation's history and one of the things that we clearly learn with the vision that is put forth with this amendment that Miss McMORRIS is offering is we cannot sit on our laurels. We cannot as a Nation be complacent with all of those great things that we are able to point to, that we have accomplished in the last several years when it comes to economic growth and our competitiveness in the world.

What we need to do is we need to make sure that we have policies that keep us on the cutting edge. Nothing is more important in pursuit of that policy than our ensuring that we have the best quality education, the best teachers, and that we pursue science, technology, engineering and math, the so-called "stem package." I believe that is exactly what we are trying to do with this amendment. I hope very much that we are able to see strong bipartisan support for this.

As I said when I stood here earlier today, I hope very much that we will be able to see strong bipartisan support for this underlying legislation. I congratulate my friend for her fine work.

Miss McMORRIS. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I thank the gentlewoman and I would like to commend her, too, on her leadership in bringing this amendment forward along with the gentleman from New Jersey as well as the Rules Chairman from California.

I think it is important to note that there is a cry of unison here that we all must stand for the continued expansion of our American economy, the continued leadership of this country. It is my opinion we should hold as a goal that we should double this economy of ours in the next 10 years.

The way to do that is to promote math and science education. We have all seen the evidence of the fact that our competition is leaping ahead of us in terms of graduating math and science PhDs and other graduate students. We have got to get back in the game. This amendment will allow us to do just that. It will strengthen our ability to compete in the 24-7 global economy. I am glad to hear the other side, and the gentleman from New Jersey indicate that this will increase the level of discourse and discussion in the classroom by the participation of adjunct faculty.

This amendment does not create a new program. Rather, it is an innovative, fiscally responsible approach that overhauls and updates an existing program.

Over time, it will increase the number of science, technology, engineering and math graduates in America. I commend the gentlewoman for her leadership.

Mr. HOLT. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank my friend from New Jersey (Mr. HOLT). I

want to rise to speak in favor of this amendment and commend my colleagues for coming together in a bipartisan fashion to recognize one of the more urgent needs that we have as a Nation to prepare for the global competition that our children and grandchildren will face in the 21st Century.

I think this is a very responsible amendment in light of recent reports that we have had a chance to decipher and analyze, as members of the education committee, from virtually all sectors of business in this country, the National Academy of Sciences have weighed in on an extensive study about the need for us to ramp up our investment in math, science, engineering, technology.

What this amendment also recognizes is the critical link between foreign language studies and those entering the fields of math and science, which is growing even more critical given the complex, interdependent economic relationship that we have with so many people and so many countries and so many businesses throughout the world.

This is a critical need that this amendment recognizes and speaks to. I want to especially commend my friend from New Jersey for the leadership that he has provided, not only to those of us on the committee but for the entire Congress, given his background and qualifications and expertise to speak on the subject of content knowledge in math, science and engineering.

He can correct me if I am wrong, but I think one of his campaign bumper stickers that his volunteers and supporters were fond of handing out was that their Congressman is a rocket scientist. And we have had the pleasure of benefiting from that knowledge on the committee. And he along with Mr. EHLERS have been tireless in their advocacy for us to do more as an institution to ramp up the fields of study of math and science and engineering.

This is, as Mr. DREIER indicated, consistent with one of the calls the President made in the State of the Union address with the American Competitiveness Initiative. That is something that I hope we all can come together in a bipartisan fashion to support and move forward on, not just in a passing authorizing language but also the important appropriation in the funds to back up these programs.

The other issue that Mr. HOLT spoke to that I think is very important too is in regards to the adjunct teachers envisioned under this legislation. Teaching is different from private life. You just cannot pluck someone off the street no matter how good and no matter how knowledgeable they are in the realm of business or in the research labs, put them in a classroom and expect them to work miracles with the students. We are hoping as we move forward with this legislation, if it is accepted, that there be pre-in-service training and screening with these adjunct teachers before they enter the classroom, before they start working with these kids at such a crucial developmental age.

We have a long way to go as a Nation in light of the current trends around the globe. Many of us on the Education Committee last year had a chance for a couple of weeks to do a higher education tour of China to see where they are going. China and India are clearly two nations that are going to be very significant and influential in world events in the 21st century. We are already starting to see that influence today.

China is a country that is not content with just being good at copying and mass producing. They want be on the cutting edge of scientific and medical and technological discoveries. We need to recognize that in light of the competition it will pose to our students in the 21st century and be willing to support bipartisan amendments like this in order to make these steps to advance the cause of critical content knowledge in these critical fields that will hopefully enable us to retain our leadership in being the most innovative and creative nation in the world.

Again, I commend my colleagues for their leadership and vision on this amendment. I hope the rest of our colleagues will support it.

Miss McMORRIS. Mr. Chairman, I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. EHLERS) who, with me, comprises the Bipartisan Physicist Caucus.

Mr. EHLERS. Mr. Chairman, I thank my fellow physicist for yielding.

I rise with great pleasure to support this amendment. For 12 years I have been fighting within this chamber for improved math and science education, and I am delighted to see other individuals offering similar amendments, and that I am not the only one doing so.

I congratulate the gentlewoman from Washington State. This is precisely what we need. We must address this issue if we are going to remain competitive. I recognize full well that we are at this time quite competitive; but the Chinese and the Indians 20 years ago started a program to teach their children math and science. They did it well, and they have now become major competitors of us. If we do not get on the ball and once again get to the top in competing with them on math and science education, so that we are producing scientists, engineers, technicians, and mathematicians who can compete worldwide, then we will lose the competitiveness battle.

I am absolutely delighted the President had proposed the American Competitiveness Initiative. This amendment will be an important component of the President's initiative, along with the other things we have done in this bill and in other bills to improve math and science education in this country.

So thank you again to the gentleman from New Jersey for yielding me time. I commend him and the gentlewoman from Washington for initiating this amendment.

Mr. HOLT. Mr. Chairman, I yield myself the balance of my time.

I thank the gentlewoman from Washington for working with me on this amendment. It does address an important need that you have heard over and over again. It hardly bears repeating that we have a need in the schools for content specialists in science, in mathematics, in foreign languages. This will go part way toward addressing this need. And I think it will be an important test of the K-16 Language Pipeline Program and I think it will be an important exercise in seeing how we can bring this expertise into the schools without disrupting the schools, without displacing the trained teachers. We will do it in a way so that the specialists will learn the pedagogy and will be drawn into the full system so that the students will benefit, not just in the subject matter but in the pedagogy.

Mr. Chairman, I yield back the balance of my time.

□ 1400

Miss McMORRIS. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I want to thank Mr. HOLT for working with me on this amendment. It is an important issue that we are addressing in this country in a bipartisan fashion. I also want to recognize Mr. EHLERS and his work as the math-science expert in Congress and his tremendous leadership in this area.

We need to be working together to make sure that America remains competitive.

Miss McMORRIS. Mr. Chairman, I would like to enter the following letters from the Chamber of Commerce of the United States, the Business Roundtable, TechNet, the Information Technology Industry Council, and the American Chemical Society which state support for the McMorris-Holt-Dreier American Competitiveness Initiative, into today's CONGRESSIONAL RECORD.

TECHNET,

Washington, DC, March 29, 2006.

Hon. CATHY McMORRIS,
House of Representatives,
Washington DC.

Hon. RUSH HOLT,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES McMORRIS AND HOLT: TechNet is proud to lend its support to the "American Competitiveness Amendment" you will offer to the College Access & Opportunity Act, H.R. 609, this week. Maintaining our competitive edge is largely dependent upon a highly educated and skilled workforce, and your efforts to improve teaching and learning in our Nation's classrooms will help prepare today's students to be tomorrow's innovators.

As you know, TechNet is the bipartisan, political network of chief executive officers promoting the growth of technology and the innovation economy. TechNet's members represent more than one million employees in the fields of information technology, biotechnology, e-commerce and finance. TechNet is committed to working with Congress and the Administration to ensure the United States remains the world leader in economic and technological innovation.

Today, we face the reality that the demand for the best and brightest minds has become highly competitive and global in scope. With Congress and the Administration offering

numerous proposals for tapping America's potential and maintaining our competitive edge, your amendment to H.R. 609 is a timely and critical supplement to private sector investments for improving educational opportunities for students and teachers.

The "American Competitiveness Amendment" to H.R. 609 not only authorizes resources to improve teacher quality, it helps address the long term challenge of encouraging more young people here in the U.S. to pursue careers in science, technology, engineering and math, STEM. In short, with so many countries beginning to recognize their own economic development potential, the United States can no longer take its current leading position for granted.

We look forward to working with you and your staff to advance our shared goals of ensuring our nation's economic strength, growth and vitality.

Sincerely,

LEZLEE WESTINE,
President & CEO.

INFORMATION TECHNOLOGY INDUSTRY
COUNCIL,

Washington, DC, March 27, 2006.

Hon. DENNIS HASTERT,
Office of the Speaker,
Washington, DC.

DEAR MR. SPEAKER, On behalf of the Information Technology Industry Council, I would like to thank you for your leadership in bringing H.R. 609, the College Access and Opportunity Act to the floor for consideration. It is our understanding Representative Cathy McMorris intends to offer an amendment that will drive improvements in math and science education and, ultimately, strengthen America's competitive position in the global economy. ITI strongly supports the McMorris amendment and we anticipate scoring it in our 109th Congress High-Tech Voting Guide.

The United States is the most technologically and scientifically advanced country in the world, and our distinction as the global leader in innovation is driven by the ingenuity of our American scientists and engineers. The McMorris amendment will help sustain our position as the world leader by incorporating portions of the President's American Competitive Initiative to encourage advanced placement classes in high schools, create an adjunct teacher corps for middle and high schools, and enhance loan forgiveness programs.

We applaud your efforts to strengthen math and science education, and we encourage you to contact us if we may be of any assistance.

Best Regards,

RHETT DAWSON,
President, Information Technology
Industry Council.

AMERICAN CHEMICAL SOCIETY,
Washington, DC, March 29, 2006.

Hon. CATHY McMORRIS,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN McMORRIS: On behalf of the American Chemical Society, ACS, I am writing to thank you for your leadership in offering a bi-partisan floor amendment, the McMorris Amendment, to the College Access and Opportunity Act, H.R. 609, that would authorize the Department of Education to conduct the Adjunct Teacher Corps and Advanced Placement programs proposed by the President's American Competitiveness Initiative. The innovative, fiscally responsible approach your amendment would take comes at a time when the math and science education are a central focus of a vigorous national debate about future U.S. capacity for innovation and global competitiveness.

As you may know, the ACS is a nonprofit scientific and educational organization, chartered by Congress in 1938, with more than 158,000 chemical scientists and engineers as members. The world's largest scientific society, ACS advances the chemical enterprise, increases public understanding of chemistry, and brings its expertise to bear on state and national matters.

Throughout our Nation's history, American economic and technological strength has been built upon a large and highly-skilled domestic workforce of scientists, technicians, engineers, and mathematicians—the STEM workforce. A strong and growing consensus has emerged in the business, education, and scientific communities that our Nation's future economic prosperity and national security will increasingly depend on our ability to better educate our young people in math and science and to attract more of our best and brightest students into technological careers. To keep with our global competitors, we must step up our investment in math and science education.

We applaud your efforts to improve math and science education and your leadership on this issue. The American Chemical Society stands ready to work with you and others to make sure our children have the math and science skills that will enable our Nation to remain the world's most innovative.

Sincerely,

E. ANN NALLEY.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, March 27, 2006.
Hon. CATHY MCMORRIS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MCMORRIS: On behalf of the U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector and region, I write to express the Chamber's support of your American Competitiveness Amendment to H.R. 609, the College Access and Opportunity Act of 2006, which would reauthorize the Higher Education Act, HEA, of 1965. Your amendment and the enactment of this bill are critical in strengthening U.S. education performance and workforce competitiveness in the worldwide economy.

The U.S. Chamber of Commerce has long recognized the important role of quality education and workforce investment in keeping business successful and the American economy competitive. Yet the demographics of the impending retirements of the baby-boom generation and the current recognized skill shortage in the American workforce cause us to raise the priority of these issues to a new level. In the knowledge-based, global economy of the 21st century, the U.S. Chamber acknowledges that, working together, educators, business, and government at all levels must do better.

The Chamber's goals, and we believe, our Nation's goals, must be to prepare our students to be "college ready and workforce ready". Many new jobs will require more technical skills and a greater understanding of math and science—subjects in which American students fail to show a suitable level of competence or even interest. If America is to remain competitive, we need to expand the workforce and restore excellence in education and science. As a result, several months ago, the U.S. Chamber, along with other business organizations, began an initiative called Tapping America's Potential, which calls for the doubling of America's number of science, technology, engineering and math graduates by 2015. We believe that to succeed in today's economy, there must be a collaborative effort among

government, education institutions, employers and business.

In its commitment to reducing the education achievement gap, the Chamber supports your amendment and the goals behind it, and we look forward to working with you on this issue and in the future.

Sincerely,

R. BRUCE JOSTEN.

BUSINESS ROUNDTABLE,
Washington, DC, March 29, 2006.

Hon. CATHY MCMORRIS,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN MCMORRIS: On behalf of Business Roundtable, I commend you for introducing your American Competitiveness Amendment to the College Access and Opportunity Act, H.R. 609. Business Roundtable, www.businessroundtable.org, is an association of chief executive officers of leading U.S. companies with over \$4.5 trillion in annual revenues and more than 10 million employees. They are technology innovation leaders, with \$86 billion in annual research and development spending—nearly half of the total private R&D spending in the U.S.

Maintaining U.S. scientific and technological leadership is essential to our national security, economic growth and high standard of living. Innovation has fueled America's economic growth and extraordinary productivity gains of the last several decades. Although our capabilities are strong today, we are not making the strategic investments needed to keep pace with the rapidly improving capacity of our foreign competitors.

A world-class workforce is critical to our future success. Especially important are the scientists and engineers who will develop the next generation of technologies, push the frontiers of new discoveries and make critical scientific breakthroughs. But we face real challenges:

Fewer students are pursuing degrees in these critical disciplines;

The retirement of the baby boom generation will deplete the current science and engineering workforce by more than 50 percent; and

U.S. high school students perform near the bottom in international assessments of math skills.

For precisely this reason, 15 national business organizations, led by Business Roundtable, issued the "Tapping America's Potential", TAP, report in July 2005. The report included five overall recommendations:

Build public support for making science, technology, engineering and math improvement a national priority;

Motivate U.S. students and adults to study and enter science, technology, engineering and mathematics careers, with a special effort geared to those in currently underrepresented groups;

Upgrade K–12 math and science teaching to foster higher student achievement;

Reform visa and immigration policies to enable the U.S. to attract and retain the best and brightest science, technology, math and engineering students from around the world to study for advanced degrees and stay to work in the U.S.; and

Boost and sustain funding for basic research, especially in the physical sciences and engineering.

The McMorris Amendment updates Federal student aid and teacher training provisions by enabling funds to be used for training advanced placement teachers and creating adjunct teacher positions in order to strengthen math and science instruction in our schools. It makes sense for Congress to ensure that existing Federal education programs are enhancing national competitiveness as well as students' opportunities to succeed in the 21st century.

Business Roundtable urges all Members of Congress to support the McMorris Amendment to H.R. 609.

Sincerely,

JOHN J. CASTELLANI.

Mr. WILSON of South Carolina. Mr. Chairman, as the global economy becomes increasingly competitive, Americans must have the skills and knowledge necessary to compete against workers throughout the world.

Preparing American workers begins in American schools. If our students fail to excel at math, science, and foreign languages, tomorrow's generation of workers will simply not be able to overcome the challenges of the international workforce.

My friend Congresswoman CATHY MCMORRIS is addressing this issue by offering fiscally responsible legislation to update the current Higher Education Act provisions and adapt them to meet the needs of the 21st century workforce. Specifically, this amendment will: Increase the number of Advanced Placement teachers; recruit well-qualified Americans to serve as adjunct teachers in high school math, science, and critical foreign language classes; and establish competitive teacher preparation programs to encourage students to advance from elementary school through college while achieving proficiency in foreign languages.

I encourage all of my colleagues to support this visionary legislation which will help American students, workers, and our economy.

In conclusion, God bless our troops and we will never forget September 11.

Miss MCMORRIS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. DAVIS of Kentucky). The question is on the amendment offered by the gentlewoman from Washington (Miss MCMORRIS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Miss MCMORRIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Washington will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 printed in House Report 109–399 offered by Mr. BURTON of Indiana:

At the end of title VI of the Amendment, add the following new section:

SEC. ____ . CONDITIONS ON PROGRAM GRANTS AND CONTRACTS.

Title VI of the Higher Education Act of 1965 (20 U.S.C. 1122) is amended by adding at the end the following new section:

"SEC. 632. GIFT REPORTS BY RECIPIENT INSTITUTIONS.

"(a) REPORTING BY INSTITUTIONS.—

"(1) REPORT REQUIRED.—The Secretary shall require, as part of the Integrated Postsecondary Education Data System (IPEDS) annual data collection, that each institution receiving funds under this title include the following data:

"(A) the total cost of establishing or operating a program or center assisted under this title;

“(B) the names and addresses of all State and private sector corporations, foundations, or any other entities or individuals that contribute cash or any other property for the institution, programs, or centers receiving funds under this title;

“(C) the amount of cash or the fair market value of the property that each contributor contributes to the institution, programs, or centers receiving funds under this title; and

“(D) the use made of each contribution by each such contributor.

“(2) DEADLINE.—Any report under paragraph (1) shall be made no later than such date as the Secretary shall require.

“(3) CONSEQUENCES OF FAILURE TO REPORT.—In the case of any institution from which a report is requested under paragraph (1), if the Secretary does not receive a report in accordance with the deadline established under paragraph (2), the Secretary shall—

“(A) make a determination that the institution of higher education has failed to make the report required by this paragraph;

“(B) transmit a notice of the determination to Congress; and

“(C) publish in the Federal Register a notice of the determination and the effect of the determination on the eligibility of the institution of higher education for contracts and grants under this title.

“(b) REPORTS BY SECRETARY.—The Secretary shall annually prepare a report summarizing the information collected from institutions of higher education under subsection (a)(1), including all of the information required by subparagraphs (A) through (D) of such subsection. The Secretary of Education shall publish such report in the Federal Register and transmit a copy of such report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

“(c) RETROSPECTIVE INFORMATION.—The data collected from institutions of higher education under subsection (a)(1) in the first submission after the date of enactment of this section, and the Secretary's first report under subsection (b), shall include the information required by subparagraphs (B), (C), and (D) of subsection (a)(1) regarding contributions made on or after September 11, 2001, and before the end of the first reporting period under such subsection.”

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Indiana (Mr. BURTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

(Mr. BURTON of Indiana asked and was given permission to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Chairman, the war on terror goes beyond just worrying about our borders and fighting in other parts of the world against known terrorists.

Money from the Middle East has been coming into our universities in large amounts to try to indoctrinate young American students into taking a different position than our government has taken in fighting the war against terrorists and terror around the world.

One of the things that I think is extremely important is that while we are protecting first amendment rights for people to assemble and express them-

selves, even if they do not agree with our government, we ought to know where this money is coming from.

Millions and millions of dollars have been coming from Middle Eastern interests into colleges and universities around this country, espousing Middle Eastern positions and Middle Eastern studies. While not all of these Middle Eastern study programs are a problem, some of them are advocating the destruction of Israel and taking an opposing view to the United States Government's in dealing with the war against terror.

I think it is extremely important, Mr. Chairman, that we have a reporting policy so that we know where this money is coming from. I do not believe we should cut off people's first amendment right to assemble and discuss governmental policy, but I think we ought to know where the money is coming from.

All this amendment does is, it says very clearly that if money comes in from Middle Eastern interests or other interests around the world, the colleges and universities need to put it on a reporting form. This reporting form is also required once a year so we are not adding any additional workload to the colleges and universities.

All we are saying is, if you are getting money from Middle Eastern interests or other interests around the world, you have to report it. That gives our government the ability to watch what is going on and where the money is coming from, and if it is coming from proterrorist organizations, we can track it. We think it is extremely important for the protection of the United States and the security of the United States.

It does not cost any money. This amendment costs no money. It imposes no additional workload, and it does not violate the first amendment rights of the people of this country.

What it does do is it says we are going to find out where the money is coming from.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, you said several times “Middle Eastern.” The fact of the matter is that any money from any source would be reported; is that correct?

Mr. BURTON of Indiana. Yes.

Mr. GEORGE MILLER of California. We have read the amendment. We don't have a problem with it and we support its passage.

Mr. BURTON of Indiana. Mr. Chairman, I urge my colleagues to support this. I think it is a very important amendment.

Mr. NORWOOD. Mr. Chairman, I rise in strong support of the Burton amendment. This commonsense reform requires colleges and universities receiving Title VI funds to disclose contributions and gifts under a publicly searchable database known as the Integrated Post-secondary Education Data system.

I generally believe that institutions of higher learning ought to focus their time and energy on the business of educating young people, not complying with burdensome reporting requirements. However, this particular case demands as much sunlight as humanly possible.

Over the last several decades, American students and faculty members have been bombarded with a steady stream of rhetoric attacking American foreign policy in the Middle East and throughout the world. Many refer to this as the “Blame America First” philosophy that permeates throughout college campuses and takes root in small yet influential international studies programs.

And while the so-called “intellectuals” hired to staff these programs are well within their rights to engage in important foreign policy debates, it is important to note that much of this debate is bought and paid for by, foreign entities that do not have American interests in mind.

In fact, a wave of foreign money from oil-rich countries in the Middle East, including Saudi Arabia, is directly responsible for funding programs on college campuses that produce vicious rhetoric attacking American foreign policy in the Middle East and the War on Terrorism. These centers purportedly train teachers and professors, supply materials, and often preach a radical anti-democratic and anti-Semitic agenda in our classrooms at every level.

Allowing the American people to access information will help them discern fact from fiction in the field of “International Studies.” The Burton amendment accomplishes this goal by giving average Americans the ability to connect the dots. After all, if an oil-rich sheikh funds a Middle East Studies program in the U.S. with millions of dollars, it stands to reason he might have an ulterior motive.

The American people deserve a right to know.

Mr. BURTON of Indiana. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. BOUSTANY

Mr. BOUSTANY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 109-399 offered by Mr. BOUSTANY:

At the end of part B of title IX add the following new section:

SEC. ____ STUDY OF RESIDENCY APPLICATIONS.

(a) GAO STUDY REQUIRED.—The Comptroller General shall conduct a study to evaluate the decline, and any causes thereof, in the number of individuals who have been accepted into, or currently participate in, a

graduate medical education program or fellowship (or both) to provide health care services that—

(1) requires more than 5 years of total graduate medical training; and

(2) has fewer United States medical school graduate applicants than total number of training and fellowship positions.

(b) **DEADLINE.**—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit a report on the study required by subsection (a) to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and shall make the report widely available to the public. Additional reports may be periodically prepared and released as necessary.

The Acting **CHAIRMAN.** Pursuant to House Resolution 741, the gentleman from Louisiana (Mr. **BOUSTANY**) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. **BOUSTANY.** Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am proposing an amendment to H.R. 609, the College Access and Opportunity Act of 2005, along with the gentleman from New Jersey (Mr. **ANDREWS**), my good friend.

The amendment that I am proposing would require a GAO study to evaluate and determine the reasons for the decline in the number of medical school graduates entering residency programs lasting more than 5 years.

This amendment complements a study currently in H.R. 609 that the gentleman from Georgia (Mr. **PRICE**) has already offered. The gentleman from Georgia's proposal looks at student indebtedness. My amendment looks beyond that, and I am interested in identifying other primary reasons that students pick certain medical specialties.

In my experience and conversations with medical students, I found that student loan debt is certainly an important consideration, but other factors that might include length of residency training, locations to obtain training, salary issues, shortages or surpluses in certain medical specialties also play a role.

The concern among many health professionals is that certain specialties or subspecialties will have shortages in health professionals in the coming years. This could create a significant health access crisis that could take years to overcome because of workforce shortage.

Mr. Chairman, I believe this study that I am proposing, along with my colleague from New Jersey, and with Representative **PRICE**'s study will help provide evidence and alternatives for Congress to consider to ensure that we are taking steps to support education for critically needed health care professionals.

At this time, I also want to thank the Rules Committee and Chairman **MCKEON** for considering this amendment, and I urge my colleagues to support the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. **GEORGE MILLER** of California. Mr. Chairman, I claim the time in opposition, even though I am not opposed to the amendment.

The Acting **CHAIRMAN.** Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. **GEORGE MILLER** of California. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. **ANDREWS**).

Mr. **ANDREWS.** Mr. Chairman, I thank my friend for yielding me the time. I thank him, Mr. **KILDEE**, Chairman **MCKEON**, and Chairman **BOEHNER** before him, for their help in bringing this legislation to the floor. It is a pleasure to work with my friend from Louisiana on this issue.

I think this issue addresses a poorly thought-up health care policy we have in this country, which is to say that we want to discourage people from going into certain aspects of health care professions because we have a mismatch between the amount of debt they need to earn their education in that area and the amount of money they are going to make to pursue that area. A lot of critical specialties in the health care field, in the physician field especially, are underserved because the students cannot make that mismatch work in their lives.

The choice between incurring six-figure debt, which is typical of medical students, and then spending 5 years or more in a residency program that thoroughly underpays you and thoroughly overworks you is a policy which is driving people out of some very important, needed specializations.

My friend and I bring this to the floor as a hypothesis. What we want the GAO to do is to test that hypothesis and to look at the reasons why people are underenrolling in long-term residency programs. Mr. Chairman, I would be very surprised if the finding was anything other than the fact that the amount of debt that students are incurring is a major factor in their decision to avoid these longer-term residencies.

This is particularly important at a time when pediatric health and geriatric health are such huge issues in this country. Many of these specialties overlap with the care of our very young, prenatal and pediatric patients, and our elderly who are dealing with increasing issues of Alzheimer's, dementia and other problems.

So at a time when we most need people in these areas of specialization and when their residency, by definition, must be extended so we can truly learn the field, we are driving young physicians out of these fields because of this mismatch between student debt and the relatively meager income.

I thank my friend from Louisiana for working with us on this measure. I look forward to the GAO finishing its work; and hopefully, Mr. Chairman, we

can have a bipartisan effort down the road to make loan programs more robust and more reasonable from the point of view of students, so that we can proceed with that.

I thank my friend from California for the time.

Mr. **BOUSTANY.** Mr. Chairman, I yield myself such time as I may consume.

I thank my colleague again for bringing up some very important issues that will relate to access, particularly as we see an aging population who will require these specialty services, and certainly, we are going to have some projected shortages.

I believe this GAO study will play an instrumental role in helping to define why we are looking at some of these shortages over and beyond indebtedness, but also help us clarify what that degree of indebtedness would be.

Mr. Chairman, I am very pleased to yield 1 minute to my friend from Florida (Mr. **KELLER**).

Mr. **KELLER.** Mr. Chairman, I thank the gentleman for yielding.

Two of the specialties that we are talking about, really, are neurosurgery and thoracic surgery. There certainly is a shortage of neurosurgeons in my area in central Florida, and that is a big deal for someone who is in a car crash, for example, and is taken to a trauma center and needs appropriate and immediate assistance from a neurosurgeon within the first key hour.

Now, why is it that we have fewer neurosurgeons? Is it that it is so expensive? Is it that the specialty is so difficult? Is it that the insurance premiums they pay are too high? I do not have the answers today, but I do know this is a problem worth studying, and so I strongly support Dr. **BOUSTANY**'s amendment and urge my colleagues to also support it.

Mr. **GEORGE MILLER** of California. Mr. Chairman, I yield back the balance of my time.

Mr. **BOUSTANY.** Mr. Chairman, I yield back.

The Acting **CHAIRMAN.** The question is on the amendment offered by the gentleman from Louisiana (Mr. **BOUSTANY**).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. BOUSTANY

Mr. **BOUSTANY.** Mr. Chairman, I offer an amendment.

The Acting **CHAIRMAN.** The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 printed in House Report 109-399 offered by Mr. **BOUSTANY**:

Page 189, after line 12, insert the following new subparagraph (and redesignate the succeeding subparagraph accordingly):

“(I) **MEDICAL SPECIALISTS.**—An individual who—

“(i) has received his or her degree from an accredited medical school (as accredited by the Liaison Committee on Medical Education or as defined by this title IV); and

“(ii) (I) has been accepted to, or currently participates in, a graduate medical education training program or fellowship (or

both) to provide health care services (as recognized by the Accreditation Council for Graduate Medical Education); or

“(II) has been accepted into, or currently participates in, a graduate medical education program or fellowship (or both) to provide health care services that—

“(aa) requires more than 5 years of total graduate medical training; and

“(bb) has fewer United States medical school graduate applicants than the total number of training and fellowship positions available in the programs specified in subclause (I) of this clause.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Louisiana (Mr. BOUSTANY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. BOUSTANY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering an amendment, along with the gentleman from New Jersey (Mr. ANDREWS), again to the bill H.R. 609, and this would add language to section 421, the Loan Forgiveness for Service in Areas of National Need.

Currently, this section makes eligible for student loan forgiveness workers in several important jobs and one health care-related field, nursing. My amendment would make eligible for loan forgiveness those medical residents that are entering a program lasting more than 5 years and are entering a field that is facing a shortfall in filling those residency positions.

This amendment will provide medical students with a reason to consider other medical specialties that require more training. Many medical specialties require 3 or 4 years of training. However, there are certain specialties and subspecialties that require more training after the initial program. For instance, in my case, as a thoracic surgeon, I trained 5 years in general surgery and then another 3 years in thoracic surgery to become a cardiothoracic surgeon.

Current law only provides loan deferment for 3 years. For certain medical specialties, that means while students are in the middle of their residency they are paying back student loans. For many medical students, this is a concern and a reason to not pursue certain medical careers.

In the case of cardiothoracic surgery, there are currently about 20 open slots in these residency programs this year, and as each year goes by, we see fewer and fewer of these positions being filled.

The situation is similar in other specialties, as mentioned earlier with neurosurgery and certain subspecialties of plastic surgery.

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These are specialties that provide vital care to seniors, critically ill patients, and other vulnerable populations. If this trend continues, it will lead to a lack of health care access for

seniors, critically ill patients and other vulnerable populations. These patients may see a doctor but not necessarily one that has the experience and adequate training to provide the latest and most effective care. My amendment aims to prevent this decline in health care access by providing a small incentive for medical students to enter these professions with a critical need.

Again, I want to thank the Rules Committee and Chairman MCKEON for considering this amendment. I urge my colleagues to support this, and I also want to thank my colleague from New Jersey who has offered his support as well.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I ask unanimous consent to claim the time, but I am not opposed to the amendment.

The Acting CHAIRMAN (Mr. DAVIS of Kentucky). Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Thank you, Mr. MILLER. I appreciate your help, I appreciate your yielding the time, and I thank Mr. KILDEE, Chairman MCKEON, Chairman BOEHNER before him, and I thank my friend from Louisiana for offering this amendment.

This amendment recognizes that there is a public service value to the work of residents who go into a complex and long-term residency in the health care field. There is a recognition that these are individuals who are contributing to the public good in two very important ways: the first is the specialization with which they come out of school, which is incredibly important for the health of our population. The second is that in order to achieve those skills they are deferring their higher earning years for a very, very considerable period of time, in excess of 5 years.

These are people with families and household obligations who are working very long hours, working at a very intense occupation and specialization, and giving up a significant amount of wealth and economic opportunity to do so. This is a public service, and it is important to recognize the public benefit that comes from this.

So I think that Mr. BOUSTANY's idea, in which I heartily join, of requiring more than 5 years in the residency program in medical specialties that have shortages recognizes the public service that these men and women are providing and falls into the other categories of occupations that are already recognized in the existing section 421 of the law.

I believe that this amendment will result in more talented young men and women stepping forward and serving in critical and underserved areas of

health care in the country. This will result in an increase in the quality of our health care in our system and a more moderate degree of fairness in terms of loan forgiveness for the young men and women who do so. These are folks who work very, very long hours and incur a huge amount of debt and are foregoing and giving up benefits that other families are receiving, and I think it is a worthy consideration for us to extend this modest loan forgiveness under the right circumstances to these men and women.

So I would urge a “yes” vote on this amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield back the balance of my time.

Mr. BOUSTANY. Again, I thank my friend and colleague for his comments. I just want to add some statistics with regard to cardiothoracic surgery, for the record.

Currently, we have 3,500 practicing cardiothoracic surgeons in the country. Last year, there were a total of 104 applicants for 139 residency positions. This year, as of this past Friday, there were only 76 applicants for these 139 positions. Current survey data indicates that over the next decade we will have a 50 percent reduction in the current cardiovascular surgery workforce as the workforce hits retirement age.

Again, as we hit this aging population, the demographic tidal wave that we are facing, we are not going to have heart surgeons that can back up cardiologists in these hospitals providing life-preserving care.

So, again, I believe this amendment is a very important addition to H.R. 609. I appreciate my colleagues on the other side of the aisle supporting this.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. CASTLE

Mr. CASTLE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 printed in House Report 109-399 offered by Mr. CASTLE:

Page 104, after line 2, insert the following new section (and redesignate the succeeding section accordingly):

SECTION 205. NATIONAL TEACHER CORPS.

Title II (20 U.S.C. 1021 et seq.), as amended by section 204 of this Act, is further amended by adding at the end the following:

“PART E—NATIONAL TEACHER CORPS

“SEC. 251. PURPOSES.

“The purposes of this part are—

“(1) to raise the number of highly accomplished recent college graduates teaching in underserved urban and rural communities in the United States;

“(2) to increase the number of school districts and communities served by a nationally recruited corps of outstanding new teachers; and

“(3) to build a broader pipeline of talented and experienced future leaders in public education and education reform.

“SEC. 252. DEFINITIONS.

“In this part:

“(1) **IN GENERAL.**—The terms ‘highly qualified’, ‘local educational agency’, and ‘Secretary’ have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(2) **HIGH NEED.**—The term ‘high need’, when used with respect to a local educational agency, means a local educational agency experiencing a shortage of highly qualified teachers, as determined by the Secretary.

“SEC. 253. GRANT PROGRAM AUTHORIZED.

“The Secretary is authorized to award a grant to a highly-selective national teacher corps to implement and expand its program of recruiting, selecting, training, and supporting new teachers. The grantee shall be a highly-selective national teacher corps that—

“(1) focuses a national recruitment effort on recent college graduates from all academic majors;

“(2) trains such graduates through intensive summer institutes;

“(3) places such graduates as teachers in public schools in school districts of high need local educational agencies in urban and rural communities across multiple States; and

“(4) supports and measures the progress of such teachers through intensive professional development.

“SEC. 254. GRANT REQUIREMENTS.

“In carrying out the grant program under this part, the Secretary shall enter into an agreement with the grantee under which the grantee agrees to use the grant funds—

“(1) to provide highly qualified teachers to high need local educational agencies in urban and rural communities;

“(2) to pay the cost of recruiting, selecting, training, and supporting new teachers; and

“(3) to serve a substantial number and percentage of underserved students.

“SEC. 255. AUTHORIZED ACTIVITIES.

“Grant funds provided under this part shall be used by the grantee to carry out each of the following activities:

“(1) Recruiting and selecting teachers through a highly-selective national process.

“(2) Providing preservice training to selected teachers through a rigorous summer institute that includes hands-on teaching experience and significant exposure to education coursework and theory.

“(3) Placing selected teachers in schools and positions in high need local education agencies that serve a high percentage of low-income students.

“(4) Providing ongoing professional development activities for the selected teachers in the classroom, including regular classroom observations and feedback, and ongoing training and support.

“SEC. 256. EVALUATION.

“(a) **ANNUAL REPORT.**—The grantee shall provide to the Secretary an annual report that includes—

“(1) data on the number and quality of the teachers provided to local educational agencies through the grant under this part;

“(2) an externally conducted analysis of the satisfaction of local educational agencies and principals with the teachers so provided; and

“(3) comprehensive data on the background of the selected teachers, the training such teachers received, the placement sites of the teachers, the professional development of the teachers, and the retention of the teachers.

“(b) **STUDY.**—The Secretary shall provide for a study comparing the academic achievement of students taught by the teachers selected, trained, and placed under this part with the academic achievement of students taught by other teachers in the same schools and positions. The Secretary shall provide for such a study not less than once every 3 years, and each such study shall include multiple local education agencies. Each such study shall meet the peer-review standards of the education research community.

“SEC. 257. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part \$12,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year.”

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Delaware (Mr. CASTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CASTLE. Mr. Chairman, I yield myself such time as I may consume.

I am offering my amendment today with the cosponsorship of Congressmen REGULA, OSBORNE, VAN HOLLEN, and FORD. I support H.R. 609, and I believe with passage today we will be making some good reforms for our institutions of higher learning, parents, and students.

This amendment is intended to build upon these reforms and extend them into our Nation’s elementary and secondary schools. Specifically, our amendment would authorize funding to recruit, select, train and support a national corps of outstanding recent college graduates of all academic majors who commit to teach in low-income communities and who hopefully become lifelong leaders for education.

An example of a national teach corps that would be eligible for this funding would be Teach for America. This past summer I introduced legislation which authorizes Teach for America. Currently, funding for the program has been consistent but piecemeal. The purpose of the bill and amendment, should the organization be awarded a grant, would be to provide an efficient funding stream. Ultimately, this will help the organization grow from its current membership of 3,500 corps members in over 1,000 schools in 22 regions to 8,000 corps members teaching across 35 high-need communities.

The Teach for America legislation has the support of 145 cosponsors spanning the political spectrum. The Senate has also expressed support for the program and has included language in their reauthorization of the Higher Education Act. It is my hope that today the House will show our support by including this amendment to H.R. 609.

Support extends beyond Congress. This week I spent some time with Secretary Spellings who mentioned the importance of encouraging creative avenues to the classroom and specifically referenced Teach for America. The First Lady has also taught in a Teach for America classroom.

What we know to be true is that a highly qualified teacher is imperative to the achievement of our students. This amendment will help us to make that more possible across the country. A study by Mathematica Policy Research showed that corps members effected greater gains than would typically be expected in a year, especially in math.

This year, 19,000 individuals applied to Teach for America, including, for example, 10 percent of the senior classes of Yale, Dartmouth, and Spellman, and 7 percent of the senior class of Caltech. A majority of these students then stay on in the classroom.

As we as a Nation continue to focus on closing the achievement gap, I see no better complement than a national teacher corps. I encourage all my colleagues to join me in supporting the Castle-Regula-Osborne-Van Hollen-Ford amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I ask unanimous consent to claim the time, but I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I thank my colleague, the ranking member of the committee, and I am pleased to join with Mr. CASTLE and my other colleagues in supporting this amendment, and I want to commend the gentleman from Delaware for his leadership on this very, very important issue.

I think it is vital in our Nation that we encourage more and more young people graduating from college to go into the teaching profession, to teach throughout our communities, but also to encourage many of them to go into those communities where they are most needed, where you have many more at-risk youth than others. That is what this particular amendment does, and the Teach for America program is a great example of this idea in action. If you look at their history, you see it is one of making sure that we do do a better job of getting into communities with these young teachers.

By 2010, Teach for America will increase the number of highly accomplished recent college graduates teaching in underserved urban and rural communities in the United States from 3,500 to 8,000 reaching nearly 700,000 underserved kindergarten-12th grade students every day. It recruits at over 500 colleges and universities across the country, and this year 19,000 individuals of all academic majors applied for the Teach for America program. They come from colleges all over the country and are represented with the full geographic diversity of our Nation. I am personally proud to say that 138

seniors from the University of Maryland system applied for the Teach for America program.

And they do a great job of encouraging more people, as I said, to get into the classroom. If you take a survey, and they did, 10 percent of those who were accepted to the Teach for America program stated that they would not have considered a career in education if they had not participated in this program.

Currently, 60 percent of Teach for America's 10,000 alumni are working within education to effect fundamental change. Last year's 2005 National Teacher of the Year was a Teach for America alum and is still teaching math in the District of Columbia public school system, the same school system he began in 8 years ago. So we want to encourage these students as they graduate and become teachers to go into these communities and then stay in those communities.

So I think, Mr. Chairman, in closing, I just want to again commend my colleagues on both sides of the aisle for their efforts in this area. I think it is a very, very important initiative and one that I commend to all our colleagues in this House.

Mr. GEORGE MILLER of California. Reclaiming my time, Mr. Chairman, I want to thank my colleagues for this amendment. I have had wonderful experience with the Teach for America teachers in my congressional district.

This past week I was up in the Lakota Nation on the reservations of Rosebud and Pine Ridge, and met a number of Teach for America teachers there and the coordinators. And I think in that case, we always talk about them being for 2 years, I think almost 30 percent of the teachers are planning to extend themselves for another year on those reservations, in Indian and public schools on the Indian reservations, and they are doing a magnificent job.

So I would urge the passage of this amendment and thank Mr. CASTLE, Mr. OSBORNE, Mr. FORD, Mr. REGULA and Mr. VAN HOLLEN for offering this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. CASTLE. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Ohio (Mr. REGULA), the chairman of the appropriations subcommittee on Labor, HHS, and Education.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding me the time, and I want to give great credit to Mr. CASTLE and the other sponsors of this amendment because this is an important program. I also want to mention Wendy Kopp. She was the person who had the vision to start Teach for America, and it has had a tremendous impact. I won't go over the same things you have heard already, but it is

one of those things that is making a difference in classrooms across this Nation.

As chairman of the Labor, HHS and Education, I have visited classrooms with Teach for America teachers, and their enthusiasm, their involvement has been terrific. I think it will be a great asset to our Nation's education program to expand this and get more young people involved. I am just a totally strong supporter of the whole program.

Mr. Chairman, I rise in strong support of this amendment. I believe an investment in education is an investment in human capital.

Teachers are the heart and soul of education, and we must ensure that every classroom has a good teacher. This amendment would authorize funding to recruit, select, train and support a national corps of outstanding recent college graduates of all academic majors who commit two years to teach in low-income communities and become lifelong leaders of education reform. This year, 19,000 individuals applied to Teach for America and roughly 4,000 were selected to teach in schools.

As many of you know, America faces a growing shortage of qualified math and science teachers. In a recent international assessment of 15-year-olds' math problem skills, the United States had the smallest percentage of top performers and the largest percentage of low performers compared to the other participating countries.

I've long been a supporter of Teach for America and it is worth noting that a highly regarded study by Mathematica Policy Research showed that students taught by Teach for America corps made greater gains than those of veteran, fully certified teachers.

As the U.S. economy becomes even more reliant on workers with greater knowledge and technological expertise, it is incumbent upon us to prepare our students to meet the future demands of the workforce.

As a former teacher, I am very impressed by the Teach for America program and would urge strong support of my colleagues for this amendment.

Mr. CASTLE. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Nebraska (Mr. OSBORNE), who in many ways has probably taught more students, more young people than any of us.

Mr. OSBORNE. Thank you, Mr. Chairman, and I too urge support of this important amendment.

As we have learned from implementation of No Child Left Behind, in many cases school districts with the greatest needs have the most trouble attracting highly qualified teachers to their communities. This is true particularly in the inner cities, urban areas, and then in a district like mine, which is almost entirely rural. So to have more teachers available, a larger pool, is critical.

As has been mentioned, Teach for America currently has 3,500 members. And the thing I do not think has been mentioned is that they are serving roughly 300,000 students around the country. So this is one program that

enables us to capture some of our best and our brightest young people coming out of college.

This has been a tremendously successful program, and I am very pleased that the chairman and other members of the committee have chosen to offer this amendment. I also appreciate Mr. REGULA's support. That is also very important.

Mr. CASTLE. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from California (Mr. DREIER).

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. I thank my friend for yielding and, Mr. Chairman, I would simply like to rise in strong support of this amendment.

I believe that the whole concept of Teach for America, which is designed to incentivize the top men and women who are gaining their educations to get out and provide education in communities where it is desperately needed, is the right thing to do.

And I want to congratulate my good friend from California, Don Fisher, who has been a driving force behind this, and Wendy Kopp, who has been working very hard on it. I have met with her and a number of other people, and I believe this is the kind of model program that will help us deal with this challenge of ensuring that the United States of America maintains its competitive edge.

□ 1430

The Acting CHAIRMAN (Mr. DAVIS of Kentucky). The question is on the amendment offered by the gentleman from Delaware (Mr. CASTLE).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. CUELLAR

Mr. CUELLAR. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 printed in House Report 109-399 offered by Mr. CUELLAR:

Page 272, after line 25, insert the following new section:

SEC. 497. REPORT TO CONGRESS ON COMPLIANCE WITH THE PAPERWORK REDUCTION ACT OF 1995.

Title IV is further amended by adding after section 499, as added by section 496 of this Act, the following new section:

“SEC. 499A. REPORT TO CONGRESS ON THE COMPLIANCE OF THE STUDENT AID APPLICATION PROCESS WITH THE REQUIREMENTS OF THE PAPERWORK REDUCTION ACT OF 1995.

“(a) STUDY AND REPORT.—The Secretary shall commission a nonpartisan, comprehensive study on the degree to which the student aid application process under title IV complies with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 101 note). Not later one year after the date of the enactment of the College Access and Opportunity Act of 2006, the Secretary shall report the results of such study to the Congress.

“(b) SCOPE.—The study and report to the Congress under subsection (a) shall thoroughly identify and address the following:

“(1) The impact of the technical and computer literacy of prospective college students on the existing electronic capabilities offered by the student aid application process under title IV, including the Free Application for Federal Student Aid System (FAFSA).

“(2) The effectiveness of the policies and requirements of the FAFSA system that are intended to reduce the need for paper and ease the application process.

“(3) Areas in which the electronic system can be improved to help facilitate a ‘one-stop shopping’ goal for students seeking financial assistance.”.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CUELLAR. Mr. Chairman, I yield myself such time as I may consume.

First of all, I want to thank Mr. KELLER and Mr. MILLER for the work they have been doing on this particular bill, H.R. 609.

My amendment is a very straightforward amendment that allows the student aid application process to be simple and straightforward and make sure that it complies with the Paperwork Reduction Act of 1995, to make sure that it meets the expectations of today's students.

We want to make sure that we reduce the paperwork, and when we talk about student aid, that we minimize the amount of paperwork involved; and especially when we work on trying to get the free application for Federal student aid paperwork and the other work to make sure that when a student is trying to get this information, we reduce the paperwork and make it as simple as possible.

The second part of the amendment calls for a one-stop center for finding financial aid for students. As Members know, in order to get this information, whether you are talking about students, parents, or counselors across the Nation, it is sometimes difficult to get this information. The more we can enhance the one-stop center so the information is in one place, this will make it easier on the students and make sure that we do one thing, and that is, make student aid opportunities as accessible and as simple as possible for the students, the parents and the counselors.

I believe this amendment is acceptable to both Mr. GEORGE MILLER and Mr. KELLER.

Mr. Chairman, I yield back the balance of my time.

Mr. KELLER. Madam Chairman, I claim the time in opposition, although I am not in opposition to the amendment.

The Acting CHAIRMAN (Mrs. MILLER of Michigan). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. KELLER. Madam Chairman, I yield myself such time as I may consume.

Simplifying the financial aid process and applying for Pell Grants is such a

worthy objective, something we have been working on very closely, and we have made a lot of progress in this underlying legislation to simplify the process.

This amendment makes it an even better bill, and I wholeheartedly support the amendment and urge my colleagues to do so as well.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. CUELLAR

Mr. CUELLAR. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 printed in House Report 109-399 offered by Mr. CUELLAR:

Page 125, line 25, insert “or a certification program” after “education”.

Page 126, line 2, insert “or a certification program” after “education”.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CUELLAR. Madam Chairman, I yield myself such time as I may consume.

Again, I thank Mr. KELLER and Mr. MILLER for allowing me to present this particular amendment. This amendment is very simple. It deals with the Pell Grant Plus. The Pell Grant Plus is an excellent program that allows extra financial aid to students that take the extra recommended courses or the college preparatory courses.

Studies show that students who take the college preparatory courses, two things are going to happen: one, their success rate in college increases, and the second part is that the probability or the possibility of those students going off to college will increase. So providing this incentive through Pell Grant Plus to make sure that they take the college preparatory courses is good for all students across the Nation.

This amendment, what it does is instead of just allowing the academic courses from universities, this allows students to take the certificates from universities or colleges across the Nation to be allowed to take this Pell Grant Plus and to be eligible to receive Federal student aid.

Examples of certificate programs from my district and across the United States, Palo Alto College provides certificate programs in accounting and electromechanical technology. Texas A&M International University in Laredo allows education certificates in early, middle school and high school education, and other universities also do this. This allows the students who take those certificate programs to be eligible for the Pell Grant Plus.

Again, the Pell Grant Plus is an excellent incentive, and what I am trying to do is make sure that students across the board take those college preparatory courses. This will be good for education in general.

Again, I believe this amendment is acceptable to Mr. KELLER and to Mr. MILLER also.

Madam Chairman, I yield back the balance of my time.

Mr. KELLER. Madam Chairman, I claim the time in opposition, although I am not in opposition.

The Acting CHAIRMAN. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. KELLER. Madam Chairman, I yield myself such time as I may consume.

I was proud to offer the Pell Grant Plus section that was included in the underlying legislation which is going to reward those high-achieving, low-income students with a few extra dollars to encourage them to continue their education.

I support this amendment to also allow those folks who are getting a certificate as part of their education because that would include, for example, people studying to be skilled nurses. We have a dramatic nursing shortage throughout the country, and particularly in my home State of Florida.

Again, this is a good amendment. I would urge my colleagues to support it.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MS. HART

Ms. HART. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 printed in House Report 109-399 offered by Ms. HART:

Page 317, line 16, strike “and” after the semicolon; on line 25, strike the period, close quotation marks, and following period and insert “; and”; and after line 25, insert the following new paragraph:

“(11) establishing and operating pregnant and parenting student services offices that—
“(A) will serve students who are pregnant or parenting, prospective parenting students who are anticipating a birth or adoption, and students who are placing or have placed a child for adoption; and

“(B) will help students with locating and utilizing child care, family housing, flexible academic scheduling such as telecommuting programs, parenting classes and programs, and post-partum counseling and support groups.”.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentlewoman from Pennsylvania (Ms. HART) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

Ms. HART. Madam Chairman, I yield myself such time as I may consume.

I rise in support of the amendment and ask that my colleagues support it as well, because this amendment would encourage institutions of higher education to establish and operate pregnant and parenting student services offices for pregnant students, parenting students, prospective parenting students who are anticipating a birth or adoption, and also students who are placing or who have placed their children up for adoption.

The student servicing center will help students with locating and utilizing child care, family housing, flexible academic scheduling such as telecommuting programs, parenting classes, and programs in postpartum counseling and support groups.

This language will be added as an additional authority under the Fund for the Improvement of Post-Secondary Education, the FIPSE, which was established to improve post-secondary education activities.

Madam Chair, 27 percent of all undergraduates are parents; 34 percent of all graduate students are parents; one-half of undergraduate students are single parents; and about a third of graduate students are single parents. This means that approximately 4.5 million undergraduate and graduate students are parents.

Forty-five percent of the women who have abortions are college-age women. Many, unfortunately, have them because they fear that they cannot complete their study. They fear they cannot support the child, and there are no resources to help them continue their education while having their child. They also lack the financial resources to afford child care. The amendment is an important step in providing much-needed services for these students so they will bear their children and also finish their education.

Right now there is a lack of campus necessary resources for pregnant and parenting students. This amendment will be an important first step in providing these students with these much-needed services, including family housing; affordable on-campus child care; babysitters; co-ops; telecommuting options; on-campus parking; maternity coverage in the student health plans; desks accessible to pregnant women; diaper decks in men's and women's restrooms; clean, comfortable places for women to breast feed in private if they choose to do so; and also financial aid, especially for women living independently from their parents.

This amendment is especially important because families are profoundly impacted by the education attainment level of the parents. No other single indicator has the same ability to predict social, economic and educational outcomes for the children and the families as the parental education. Education improves the quality of life for these families, providing increased financial security and socioeconomic mobility, as well as directly impacting the K-12 performance and post-secondary edu-

cation attainment rates of their children.

If we want to move Americans forward, this is something we need to support. Higher education increases the workplace competitiveness of these parents in the increasingly complex job market that they face today and ensures a better educated and diverse workforce.

It also shows that we value our families and we also value meaningful workplace and school place policies. We believe that by empowering parents to go to college, we can directly impact the children and effect social change in families and the larger community in a positive way.

Student parents face enormous challenges in balancing the demands of school with family responsibilities. As a result, these parents suffer high dropout rates, particularly during the first year. In fact, the U.S. Department of Education studies indicate that when student parents are able to persevere through the first critical year of school, their chances of completion are similar to other student groups. These parents need specialized resources to help them succeed.

The programs that I have outlined are included in this amendment. For these reasons, I ask my colleagues to support this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I ask unanimous consent to claim the time, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Madam Chairman, we support the amendment, and I yield back the balance of my time.

Ms. HART. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Pennsylvania (Ms. HART).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 printed in House Report 109-399 offered by Mrs. MUSGRAVE:

Page 165, line 4, strike "and"; on line 9, strike the period and insert "; and"; and after line 9, insert the following:

"(7) shall not develop a criteria that discriminates against a student based on the type of program in which the student completed his or her secondary education.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentlewoman from Colorado (Mrs. MUSGRAVE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Mrs. MUSGRAVE. Madam Chairman, I yield myself such time as I may consume.

My amendment ensures that all home school students will be considered as eligible applicants for the Robert C. Byrd Honors Scholarship Program. The Robert Byrd Honors Scholarship Program recognizes high school seniors who show the promise of continued excellence in post-secondary education.

Currently, only those students who were graduates of a public or private school are eligible for this prestigious scholarship. Students graduating from alternative programs such as home schools are ineligible for this scholarship. All graduates should be able to compete for this scholarship regardless of what type of secondary program the student has completed.

Studies show that home school students are excellent students. In recent independent studies, home-schooled students consistently scored, on average, in the 80th percentile on standard achievement tests. And yet these excellent students are regularly denied the opportunity to compete for the Byrd scholarship.

During Senate consideration of the higher education bill several months ago, this matter was brought to the attention of Senator BYRD from West Virginia. The Senate acted, with Senator BYRD's support, approving an amendment to the Byrd scholarship that would make home school graduates eligible to apply for this important scholarship program.

This amendment I offer today ensures that under the House's new Robert Byrd Scholarship proposal, managing agents may not discriminate against students based upon the type of program in which the student completed his or her secondary education, including a public school, private school or home school.

I urge my colleagues to support this amendment.

Mr. McKEON. Madam Chairman, will the gentlewoman yield?

Mrs. MUSGRAVE. I yield to the gentleman from California.

Mr. McKEON. Madam Chairman, I rise to thank the gentlewoman for her amendment.

One of my daughters has home schooled some of her children, and we have many friends who home school their children and do a fantastic job, and I am really happy that they will be able to participate in this scholarship. I think this improves the bill.

Mr. GEORGE MILLER of California. Madam Chairman, I ask unanimous consent to claim the time, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Madam Chairman, we support the

amendment, and I yield back the balance of my time.

□ 1445

Mrs. MUSGRAVE. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mrs. MILLER of Michigan). All time having expired, the question is on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. SESSIONS

Mr. SESSIONS. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 printed in House Report 109-399 offered by Mr. SESSIONS:

Page 206, after line 11, insert the following new section:

SEC. 447. WORK ASSISTANCE FOR STUDENTS IN COMPREHENSIVE POSTSECONDARY PROGRAMS FOR STUDENTS WITH MENTAL RETARDATION.

(a) AMENDMENT.—Part C of title IV (42 U.S.C. 2751 et seq.) is further amended by adding at the end thereof the following new section:

“SEC. 449. WORK ASSISTANCE FOR STUDENTS IN COMPREHENSIVE POSTSECONDARY PROGRAMS FOR STUDENTS WITH MENTAL RETARDATION.

“(a) PURPOSE.—It is the purpose of this section to enable an institution participating under this part that offers a comprehensive postsecondary program for students with mental retardation to provide work assistance to such students enrolled in that program in order to assist these students with the costs of postsecondary education and improve their academic and personal skills, independence, and employability.

“(b) PROGRAM AUTHORITY.—(1) An institution of higher education participating under this part may, pursuant to a plan developed in accordance with subsection (c) and approved by the Secretary, transfer funds allocated under section 442 for use under this section to award work assistance to students with mental retardation who are enrolled and maintaining satisfactory progress in a comprehensive postsecondary program for students with mental retardation at that institution.

“(2)(A) Notwithstanding any other provisions of this Act, the following requirements do not apply to students seeking work assistance under this section:

“(i) Student eligibility requirements relating to enrollment in a program leading to a recognized education credential under section 484(a)(1).

“(ii) Satisfactory progress requirements under sections 484(a)(2) and (c).

“(iii) Student eligibility requirements relating to the satisfaction of secondary education standards under section 484(d).

“(iv) Determination of need in accordance with part F.

“(v) The common financial reporting form developed and processed pursuant to section 483, and any related aid processing, disbursement, and delivery requirements as the Secretary may specify.

“(vi) Any reporting requirements that the Secretary may specify.

“(B) Notwithstanding any other provisions of this Act, the requirement that a program lead to a degree or certificate, or meet the requirements of section 481(b), shall not apply to comprehensive postsecondary pro-

grams for students with mental retardation at institutions of higher education that are otherwise eligible to participate under this part.

“(c) AGREEMENT WITH THE SECRETARY.—An institution of higher education that wishes to provide work assistance under this section shall prepare, and submit to the Secretary for approval, a plan describing how work assistance will be awarded under this section to students with mental retardation who are enrolled in a comprehensive postsecondary program for students with mental retardation at that institution. That plan shall include—

“(1) a description of how the institution will determine which students in the program will receive work assistance, including what criteria will be used for determining the student's financial need for the assistance in lieu of a determination under part F;

“(2) a description of the types of jobs in which students in the program will be employed, at what rates of compensation, and the number of hours that a student may work;

“(3) the maximum dollar amount of assistance that the institution may award to a student in the program; and

“(4) a requirement that the Federal share of the compensation of a student in the program shall not exceed 75 percent.

“(d) DEFINITIONS.—For the purpose of this section:

“(1) COMPREHENSIVE POSTSECONDARY PROGRAM FOR STUDENTS WITH MENTAL RETARDATION.—The term ‘comprehensive postsecondary program for students with mental retardation’ means a degree, certificate, or nondegree program offered by an institution of higher education that—

“(A) is designed for students with mental retardation who seek to continue academic, vocational, and independent living instruction at the institution to prepare for gainful employment;

“(B) includes an advising and curriculum structure; and

“(C) includes enrollment by the student (through regular enrollment, auditing courses, participation in internships, or enrollment in noncredit, nondegree courses) in the equivalent of not less than half-time enrollment, as defined by the institution.

“(2) STUDENT WITH MENTAL RETARDATION.—The term ‘student with mental retardation’ means a student with significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance.

“(3) SATISFACTORY PROGRESS.—A student with mental retardation enrolled in a comprehensive postsecondary program for students with mental retardation is maintaining satisfactory progress if—

“(A) the institution at which that student is enrolled reviews the progress of the student at the end of each academic year, or its equivalent, as determined by the institution; and

“(B) the institution determines that the student is meeting or exceeding the program requirements and adequately progressing toward program completion.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for academic year 2007–2008 and succeeding academic years.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Madam Chairman, I would like to, before I really begin my remarks, thank the gentleman, the chairman of the committee and his staff who have been very helpful not only in working with me on this amendment but being supportive of it. I would like to thank the gentleman from California.

Madam Chairman, I rise today to offer my amendment that would grant students with intellectual disabilities access to Federal work study funds for enrollment in comprehensive postsecondary educational programs. The reauthorization of the Individuals With Disabilities Education Act, known as IDEA, in 2004 helped ensure that students with intellectual disabilities are provided every resource necessary to address their elementary through high school education goals.

However, education for people with disabilities should not end in high school, which is why this amendment is so important. My amendment provides these young adults with an opportunity to participate in postsecondary education programs along with their peers.

Madam Chairman, approximately 94 universities and colleges currently offer programs for students with intellectual disabilities, enabling these students to lead productive and independent lives. For example, Laura Lee, a student with Downs Syndrome, is a junior at George Mason University's LIFE program, or known as the Learning into the Future Environments program. She is one of the first students in this innovative post-secondary program for young adults with intellectual disabilities, providing these students with not only the experience of college life in a supportive environment, but also with important life and employment skills. Laura is taking courses in computers, banking, employment skills and other subjects that will help her to become as self-sufficient as possible and to use her future education for employment endeavors.

I am very proud of Laura's success in the LIFE program at George Mason University. While Laura is fortunate enough to have the financial resources to enroll in this program, many students with intellectual disabilities do not. These students are unable to assess Federal financial aid because these programs typically do not lead to a post-secondary degree, or the student may not have a traditional high school diploma. This amendment recognizes the unique nature of these programs and removes the barriers in current law from providing work study funds to each of these students.

My amendment would allow these students to assess work study funds without creating a new program and, therefore, adding no additional cost to the government.

This amendment provides flexibility to institutions, granting them the power to decide if it is appropriate to award work study funds to students

with intellectual disabilities enrolled in comprehensive programs on their campus.

Madam Chairman, I have seen firsthand how IDEA has benefited my own son, Alex, who is a student at Lakewood Elementary School in Dallas, Texas. Alex, who is 12 years old, has Downs Syndrome, and he has made significant academic progress and has been provided with many of the same educational opportunities as his peers as a result of IDEA. I know that IDEA will serve as an incredible opportunity for Alex throughout his K-12 education.

However, I also realize that IDEA will not be there to serve his needs after high school. Therefore, I am very pleased to stand here today in recognition of those colleges and universities who are filling the post-IDEA void for so many young Americans. I am proud to offer this amendment that will provide many young adults with intellectual disabilities the ability to access the vital postsecondary programs that lead to a very fulfilling life.

Madam Chairman, I yield 2 minutes to the gentleman from California (Mr. McKEON), the chairman of the committee.

Mr. McKEON. Madam Chairman, I thank the gentleman for yielding. And I want to thank him for his leadership on this issue. We have worked together on this issue before. I am getting toward the end of my life. I am a lot older than a lot of the people around here. But in my youth, I remember when families that had children with Downs Syndrome used to keep them out of sight. And we have made so much progress. And I have a nephew that has Downs Syndrome, and I see the love that he has brought into their family. He is 12 also. And to think that we have come so far and yet we have an opportunity to go further. And this amendment makes that possible. And I just want to thank the gentleman for his efforts in this, and on behalf of all children with Downs Syndrome to give them the opportunity to go as far as they can, because I think that is something that, again, improves and enhances the bill. And I appreciate the gentleman's efforts.

Mr. SESSIONS. Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I ask unanimous consent to claim the time, but I am not opposed to the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEORGE MILLER of California. Madam Chairman, I yield myself such time as I may consume.

I want to thank the gentleman for offering this amendment. I think it is an important addition to this legislation, and I urge my colleagues to support it.

Madam Chairman, I yield back the balance of my time.

Mr. SESSIONS. Madam Chairman, I yield myself such time as I may consume.

In addition to the chairman's remarks, I would like to add, if I could, that from time to time, my son, Alex, is on the floor of the House of Representatives, and I believe that Alex is a fine representation, as well as the Members of this body, who take time to recognize the individual and special talents that not only Alex possesses as a result of him being a young adult with Downs Syndrome, but also his love that he extends to people. And this body has always gone out of their way to express to Alex and make him feel like he was a part of this body also.

And I would thank the gentleman, both the gentlemen from California, not only for their agreement with this bill today, but also I think it extends the knowledge that this body has with the capacity to understand that thousands of other families that have their own Alex, that they, if their children have the ability to do something when they get out of high school, that there would be a program like this. And so I would like to thank the ranking member and the chairman of our committee.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The amendment was agreed to.

Mr. McKEON. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SESSIONS) having assumed the chair, Mrs. MILLER of Michigan, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 609) to amend and extend the Higher Education Act of 1965, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later today.

EXPRESSING SENSE OF THE HOUSE REGARDING RELIGIOUS PERSECUTION IN AFGHANISTAN

Mr. PENCE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 736) expressing the sense of the House of Representatives that legal action in Afghanistan against citizens who have already converted or plan to convert to other religions is deplorable and unjust.

The Clerk read as follows:

H. RES. 736

Whereas the United States, at great cost in blood and treasure, helped the people of Afghanistan liberate themselves from the tyranny of the Taliban and adopt free institutions and practices, including respect for rule of law and internationally recognized human rights;

Whereas the preamble of the Constitution of the Islamic Republic of Afghanistan affirms that the people of Afghanistan are "for creation of a civil society free of oppression, atrocity, discrimination, and violence and based on the rule of law, social justice, protection of human rights, and dignity, and ensuring the fundamental rights and freedoms of the people";

Whereas Article 7 of the Constitution of the Islamic Republic of Afghanistan provides that "the state shall observe the United Nations Charter, inter-state agreements, as well as international treaties to which Afghanistan has joined, and the Universal Declaration of Human Rights," which includes the right to freedom of thought, conscience, and religion and the freedom to change one's religion or belief;

Whereas Article 18 of the International Covenant on Civil and Political Rights, to which Afghanistan has acceded, provides that "[e]veryone shall have the right to freedom of thought, conscience and religion . . . [t]his right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching"; and

Whereas the President of the United States has expressed his concern about the Abdul Rahman apostasy case, stating that "[i]t is deeply troubling that a country we helped liberate would hold a person to account, because they chose a particular religion over another": Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns, in the strongest possible terms, the enforcement of laws against apostasy;

(2) requests the President to continue to work with the Government of Afghanistan to establish better protections for religious minorities, including converts to minority religions, and to enhance human rights protections in Afghanistan; and

(3) calls upon the Government of Afghanistan, and especially President Hamid Karzai, to continue to conform Afghan laws to Afghanistan's international human rights treaty obligations, thereby protecting Afghan citizens who have converted or plan to convert to other religions from prosecution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. PENCE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. PENCE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. PENCE. Madam Speaker, I yield myself such time as I may consume.