

# CRS Report for Congress

## Higher Education Act Reauthorization in the 110<sup>th</sup> Congress: A Comparison of Major Proposals

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**Prepared for Members and  
Committees of Congress**

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## Summary

The Higher Education Act of 1965 (HEA) as amended, authorizes the federal government's major federal student aid programs (Title IV), as well as other programs which provide institutional aid and support (Titles II, III and V). In addition, the HEA authorizes services and support to less-advantaged students (select Title IV programs), and to students pursuing international education and certain graduate and professional degrees (Titles VI and VII). The programs authorized by the HEA are administered by the U.S. Department of Education (ED), and made available an estimated 66% (\$86 billion) of all federal, state and institutional aid awarded to postsecondary students in 2006-2007 (excluding tax benefits).

The 108<sup>th</sup> and 109<sup>th</sup> Congresses each considered but did not complete the HEA reauthorization process. For the 110<sup>th</sup> Congress, the Higher Education Amendments of 2007 (S. 1642) was introduced by Senator Kennedy on June 18, 2007, approved by the Senate Health, Education, Labor, and Pensions Committee (HELP) on July 10<sup>th</sup>, and passed by the full Senate on July 24, 2007. Similarly, Representative Miller, of the House Education and Labor Committee, introduced the College Opportunity and Affordability Act of 2007 (H.R. 4137) on November 9, 2007, and it was approved by the committee on November 15, 2007.

This report provides a side-by-side comparison of the HEA reauthorization proposals in the Senate-passed version of S. 1642 and the House committee-passed version of H.R. 4137 to current law. The side-by-side is generally organized to correspond with the organization of S. 1642. As a reminder that the side-by-side compares a Senate-passed bill to a House committee-reported bill, we have presented the text discussing provisions in H.R. 4137 in italics.

This report will be updated following major legislative developments.

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# Higher Education Act Reauthorization in the 110<sup>th</sup> Congress: A Comparison of Major Proposals

The Higher Education Act of 1965 (HEA) as amended, authorizes the federal government's major federal student aid programs (Title IV), as well as other programs which provide institutional aid and support (Titles II, III, and V). In addition, the HEA authorizes services and support to less-advantaged students (select Title IV programs) and to students pursuing international education and certain graduate and professional degrees (Titles VI and VII). The programs authorized by the HEA are administered by the U.S. Department of Education (ED), and made available an estimated 66% (\$86 billion) of all federal, state, and institutional aid awarded to postsecondary students in 2006-2007 (excluding tax benefits).<sup>1</sup> For additional information about the HEA see CRS Report RL34214, *A Primer on the Higher Education Act*, by Charmaine Mercer and Rebecca Skinner.

The HEA was last comprehensively reauthorized by the Higher Education Amendments of 1998 (P.L. 105-244), which expired September 30, 2003. Since the initial expiration of the authorization, there have been several temporary extensions.<sup>2</sup> Most recently, the HEA was extended by the Third Higher Education Extension Act of 2007 (P.L. 110-109), which authorizes the programs and activities of the HEA through March 31, 2008.

The 108<sup>th</sup> and 109<sup>th</sup> Congresses each considered but did not complete the HEA reauthorization process. For the 110<sup>th</sup> Congress, the Higher Education Amendments of 2007 (S. 1642) was introduced by Senator Kennedy, chairman of the Senate Health, Education, Labor, and Pensions (HELP) Committee, on June 18, 2007, approved by the HELP Committee on July 10, 2007, and passed by the full Senate on July 24, 2007. Similarly, Representative Miller, chairman of the House Education and Labor Committee, introduced the College Opportunity and Affordability Act of 2007 (H.R. 4137) on November 9, 2007, and it was approved by the committee on November 15, 2007.

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<sup>1</sup> The College Board, *Trends in Student Aid 2007*.

<sup>2</sup> The original termination date for most of the provisions of the HEA was September 30, 2003, which was the original date enacted by the Higher Education Amendments of 1998. This termination date was extended through FY2004 by the General Education Provisions Act (GEPA). A series of subsequent measures — P.L. 108-366, P.L. 109-81, P.L. 109-150, P.L. 109-212, P.L. 109-238, P.L. 109-292, P.L. 110-44, P.L. 110-51, and P.L. 110-109 — have temporarily extended the HEA program and provision authority.

Similar to the occurrence during the 109<sup>th</sup> Congress, during the first session of the 110<sup>th</sup> Congress the reauthorization of the HEA became heavily intertwined with the budget reconciliation process, as both the Senate HELP Committee and the House Education and Labor Committee reported reconciliation recommendations that made numerous changes to programs and provisions contained in the HEA. The College Cost Reduction and Access Act (CCRAA) of 2007 (P.L. 110-84) was signed into law on September 27, 2007.<sup>3</sup> The CCRAA made significant changes to the Federal Family Education Loan (FFEL) program, the William D. Ford Direct Loan (DL) program, Pell Grant program, and the federal need analysis formula. Notably, the CCRAA also reauthorized the Pell Grant program through Fiscal Year (FY) 2017. The Higher Education Reconciliation Act (HERA), passed as part of the Deficit Reduction Act of 2005 (P.L. 109-171), which was signed into law on February 8, 2006, extended several program authorization provisions within the FFEL and DL programs.<sup>4</sup> Sweeping amendments affecting some of the HEA's major programs have been adopted through the two aforementioned reconciliation measures. As a result, the current reauthorization bills are less focused on some of the larger HEA programs than has typically been the case in other reauthorizations.

It should also be noted that changes adopted through the CCRAA were passed by the full Senate on July 20, 2007, four days prior to the passage of the Senate HEA reauthorization bill; thus some of the provisions contained in S. 1642 were addressed in the CCRAA. These provisions are noted where applicable.

This report provides a side-by-side comparison of the HEA reauthorization proposals in the Senate-passed version of S. 1642 and the House committee-reported version of H.R. 4137 to current law. As a reminder that the side-by-side compares a Senate-passed bill to a House committee-reported bill, we have presented the text discussing the provisions in H.R. 4137 in italics. Additionally, the side-by-side generally corresponds with the organization of S. 1642, thus the provisions included in **Table 1** correspond to the layout of the S. 1642. To locate a particular program or provision in **Table 1**, it is suggested that you locate the program/provision in the table of contents, which includes a specific page number for all HEA titles, both existing and proposed titles, as well as the major programs and provisions that are being reauthorized.

The report begins with a brief overview of the titles and major programs of the HEA, and includes a short summary of the larger issues and proposed changes in S. 1642 and H.R. 4137 for each title. Unless otherwise noted, the proposed changes identified in the section that follows are contained in both the Senate and House reauthorization bills.

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<sup>3</sup> For additional information about the changes made to HEA programs through the CCRAA, see CRS Report RL34077, *Student Loans, Student Aid, and FY2008 Budget Reconciliation*, by Adam Stoll, David P. Smole, and Charmaine Mercer.

<sup>4</sup> For additional information about the changes made to HEA programs through the HERA, see CRS Report RS22308, *Student Loans and FY2006 Budget Reconciliation*, by Adam Stoll.

It is important to note that the side-by-side comparison, which is presented in **Table 1**, is intended to provide a summary of the larger issues and changes addressed in the two bills as they compare to current law. Thus, this analysis does not attempt to capture all of the changes that would be made by the proposed bills. The phrase “Similar to Senate/House provision” is used in **Table 1** to denote that the proposed provision in one bill is substantively comparable to the other bill, and there are no major differences, unless otherwise noted. Finally, S. 1642 and H.R. 4137 both include provisions that extend the authorization of appropriations for most HEA programs for several years, often until FY2013. Specific program authorizations, however, are not discussed in this report.

## Overview

There are seven titles of the HEA that authorize numerous programs and provisions designed to provide assistance to postsecondary students and institutions. The seven titles of the HEA are as follows:

- Title I — General Provisions
- Title II — Teacher Quality Enhancement
- Title III — Institutional Aid
- Title IV — Student Assistance
- Title V — Developing Institutions
- Title VI — International Education Programs; and
- Title VII — Graduate and Postsecondary Improvement Programs.

**Title I.** Title I primarily provides the general provisions and definitions that govern most of the programs authorized by the HEA. For example, it includes many of the institutional reporting requirements, important definitions such as “institution of higher education” (IHE) and authorizes a performance based organization (PBO) to administer federal student aid within ED. The major changes proposed include the following:

- Modification of the definitions of an IHE, including elimination of the requirement that proprietary institutions earn at least 10% of their revenue from non-Title IV sources (referred to as the 90/10 rule) as a condition of Title IV eligibility.
- Establishment of new requirements related to making college tuition information available to the public, including the development of higher education price indices and net price calculators.
- Establishment of new requirements for lenders and institutions participating in educational loan arrangements.

**Title II.** Title II is the source of grants for improving teacher education programs, strengthening teacher recruitment efforts, and providing training for prospective teachers. This title also includes the reporting requirements for states and IHEs regarding quality of teacher education programs. The major changes proposed include the following:

- Elimination of the State and Recruitment grants and all Title II-A funds that are directed to the current Partnership grant program.
- Introduction of additional accountability, evaluation, and reporting requirements regarding traditional teacher preparation programs and new requirements for programs offering alternative routes to certification.

**Titles III and V.** Titles III and V are the primary sources of institutional support authorized by the HEA. Both titles award grants to IHEs to strengthen their academic, administrative, and financial capabilities. Title III includes provisions for IHEs that serve large numbers of needy students, tribal colleges and universities, Alaska Native and Native Hawaiian-serving institutions, and historically black colleges and universities. Title V authorizes funds for Hispanic-serving institutions. The major changes proposed include:

- Establishment of the Promoting Postbaccalaureate Opportunities for Hispanic Students program.
- In the Senate bill, establishment of a new program, the Native American-serving non-tribal institution program.

**Title IV.** Programs authorized under Title IV are the primary source of federal aid to support postsecondary education. The largest Title IV student aid programs are the Pell Grant program and the FFEL and DL programs. Additionally, there are several other smaller student aid programs, Federal Supplemental Educational Opportunity Grants (FSEOG), Federal Work-Study (FWS), and Federal Perkins Loans — collectively known as the campus-based programs, and the Leveraging Educational Assistance Partnership (LEAP) program. Title IV also authorizes programs for student services. The federal TRIO programs and the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) both provide less-advantaged students with support services to help them complete high school, and enter and persist through college. The major changes proposed include the following.

***Part A: Grants to Students.***

- Authorization of up to two Pell Grant awards in a single academic year for select students.
- In the Senate bill, expansion of eligibility for Academic Competitiveness and National Science and Mathematics Access to Retain Talent (SMART) grants to include students who are enrolled half-time, pursuing a one-year or two-year certificate, or are enrolled in programs that require five years of study.

***Part B: Federal Family Education Loan Program.***

- Establishment of additional requirements pertaining to the disclosure of additional information to borrowers regarding the capitalization of interest on federal student loans and the consequences of consolidating federal student loans.

- In the House bill, establishment of a Loan Forgiveness for Service in Areas of National Need program and a Loan Repayment for Civil Legal Assistance Attorneys program.

***Part E: Perkins Loans.***

- Expansion of the types of public service occupations for which Perkins Loans may be canceled.
- In the House bill, increasing the annual and aggregate loan limits for Perkins Loans.

***Part F: Need Analysis.***

- Modification of the definition of room and board to include a room and board allowance for students who live in housing located on a military base or who receive a basic allowance for housing.
- Exclusion of the value of military housing or a military housing allowance received by a student or his/her parent from consideration as untaxed income or benefits in the need analysis formula.

***Part G: General Provisions.***

- Addition of several requirements regarding information IHEs must make available to enrolled and prospective students, including the institution's transfer of credit policy, copyright infringement policies, campus emergency response and evacuation policies, and fire safety practices and standards.
- Addition of new requirements for the Program Participation Agreement (PPA), such as the inclusion of the 90/10 rule for proprietary schools.

***Part H: Program Integrity.***

- Addition of several new accreditation provisions including those related to the stated mission of the IHE, distance education, public disclosure of an IHE's transfer of credit policy, and due process requirements for an IHE opposing an adverse action taken by an accrediting agency.

**Title VI.** Title VI authorizes a variety of grants to IHEs and related entities to enhance instruction in foreign language and area studies. The international education program reflects the special priority placed by the federal government on foreign language and area studies, especially with respect to diplomacy, national security, and trade competitiveness. The major changes proposed include

- Addition of a requirement that undergraduate students engaged in intermediate or advanced study be eligible for fellowships currently limited to graduate students.

**Title VII.** There are three graduate fellowship programs authorized under Title VII that are focused on specific graduate and professional degrees. In addition, the title authorizes the Fund for the Improvement of Postsecondary Education (FIPSE). The major changes proposed include the following:

- Establishment of new programs and authorized uses of funds under FIPSE, including a scholarship program for families of veterans and members of the military.

In addition to these seven titles, both S. 1642 and H.R. 4137 would establish a new title to the HEA, Title VIII, which would include many new programs and other miscellaneous provisions. Title IX of both bills and Title X of the House bill would not create a new title of the HEA, but would amend other acts (including non-HEA programs and provisions created by the Higher Education Amendments of 1998). These three titles are discussed last in **Table 1** to denote that they currently are not a part of the HEA.

**Table 1. Comparison of Current Law, S. 1642 and H.R. 4137**

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Title I: General Provisions.</b>		
<b><i>Institutions of Higher Education (IHEs).</i></b>		
<p>Selected provisions from the Section 101 definition of an IHE:</p> <ul style="list-style-type: none"> <li>• An IHE must provide a program for which the institution awards a bachelor’s degree or provides not less than a two-year program of study that is acceptable for full credit toward a bachelor’s degree.</li> <li>• Admits as regular students only individuals who have a certificate of graduation from a secondary school or its recognized equivalent; persons above the age of compulsory attendance may also be admitted as regular students.</li> </ul>	<p>Includes the following changes to this definition:</p> <ul style="list-style-type: none"> <li>• Expands criteria for institutional eligibility under Section 101 to IHEs that provide a degree that is acceptable for admission to a graduate or professional degree program if reviewed and approved by the Secretary.</li> <li>• Expands criteria for students who may be admitted as regular students to include students dually or concurrently enrolled in an IHE and a secondary school.</li> </ul>	<p><i>Similar to Senate provision.</i></p>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>For institutions outside the United States (U.S.) that are considered an IHE for the purposes of Title IV in the federal family educational loan program (FFEL), the Secretary shall establish criteria for the approval of these institutions and for the determination that such institutions are comparable to an IHE as defined in section 101, except that a graduate medical school or a veterinary school located outside of the U.S. is not required to be a public or private nonprofit institution.</p>	<p>Retains current law.</p>	<p><i>Adds nursing schools to the types of institutions located outside of the U.S. that are not required to be public or private nonprofit institutions.</i></p>
<p>Graduate medical schools located outside the U.S. may participate in the FFEL program if: (1) the institution meets specific requirements related to student enrollment and passage rates on a particular examination; or (2) the institution has a clinical training program that was approved by a state as of January 1, 1992.</p>	<p>Extends the second criterion to require that the institution has also continuously operated a clinical training program in at least one state and that is approved by such state.</p>	<p><i>Similar to Senate provision, except also adds a third set of criteria for graduate medical schools located outside of the U.S. to meet to participate in FFEL. The requirements include having a clinical training program approved by a state before January 1, 2008; certifying only unsubsidized Stafford or PLUS loans to graduate and professional students; and agreeing to reimburse the Secretary for the cost of any loan defaults for students included in the institution's cohort default rate for the previous fiscal year.</i></p> <p><i>(Note: See also proposed changes to calculation of cohort default rates in "Federal Family Education Loan (FFEL) Program and William D. Ford Direct Loan (DL) Program" under Title IV in Table 1.)</i></p>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<p><i>Adds the following criteria that nursing schools located outside the U. S. must meet to participate in FFEL: (1) have an agreement with hospitals or eligible nursing schools in the U.S.; (2) have students complete their clinical training at these hospitals or nursing schools; (3) certify only unsubsidized Stafford or PLUS loans for enrolled students; and (4) agree to reimburse the Secretary for the cost of any loan defaults to the extent that the institution’s cohort default rate exceeds 5%.</i></p> <p><i>(Note: See also proposed changes to calculation of cohort default rates in “Federal Family Education Loan (FFEL) Program and William D. Ford Direct Loan (DL) Program” under Title IV in Table 1.)</i></p>
Proprietary institutions are required to derive at least 10% of their revenue from non-Title IV sources of funds. (Commonly referred to as the 90/10 rule.)	<p>Eliminates the 90/10 rules as a condition of institutional eligibility for proprietary institutions.</p> <p><b>(Note:</b> The 90/10 rule is relocated to the PPA).</p>	<i>Similar to Senate provision.</i>
To participate in Title IV, both proprietary institutions and postsecondary vocational institutions must admit as regular students, only individuals who have a certificate of graduation from a secondary school or its recognized equivalent. Persons above the age of compulsory attendance may also be admitted as regular students.	Expands admission criteria to include students dually or concurrently enrolled in an IHE and a secondary school.	<i>Similar to Senate provision.</i>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Additional Definitions.</i></b>		
No similar provision.	Defines “authorizing committees,” “critical foreign language,” “distance education,” and “poverty line.”	<i>Similar to Senate provision, except does not define “poverty line.” Also, adds definitions for “high-need school,” “limited English proficient,” “universal design,” and “universal design for learning.”</i>
<b><i>Protection of Student Speech and Association Rights.</i></b>		
A sense of Congress addresses the protection of student speech and association rights.	Expands the current sense of Congress in several ways, including specifying that the diversity of institutions and educational missions is a strength of U.S. higher education, IHEs should design their academic programs in accordance with their education goals; colleges should facilitate the free and open exchange of ideas; students should not be intimidated, harassed, or discouraged from speaking out; and students should be treated “equally and fairly.” Modifies existing language to require that the imposition of any sanctions of students be done “objectively and fairly.”	<i>Retains current law.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>National Advisory Committee on Institutional Quality and Integrity (NACIQI).</i></b>		
<p>The Secretary appoints the 15 members of NACIQI for three-year terms of office. The committee advises the Secretary in several areas related to accreditation, including providing guidance related to the establishment and enforcement of the standards of accrediting agencies for Title IV purposes, advising the Secretary regarding the recognition of a specific accrediting agency, and development of a list of nationally recognized accrediting agencies, developing and recommending standards and criteria for specific categories of institutions for which no recognized accrediting agency exists, making recommendations related to the eligibility and certification process, and advising the Secretary regarding the relationship between accreditation and the certification and eligibility of IHEs, and IHEs and state licensing.</p>	<ul style="list-style-type: none"> <li>• Renames NACIQI the Accreditation and Institutional Quality and Integrity Advisory Committee.</li> <li>• Specifies that 5 members would be appointed by the Secretary, 5 members appointed by the House of Representatives, and 5 members appointed by the Senate.</li> <li>• Each member serves for six years.</li> <li>• Eliminates as a responsibility, development of standards and criteria for specific categories of institutions for which no recognized accrediting agency exists.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Retains current committee name.</i></li> <li>• <i>Specifies that there will be 17 members, with 6 members being appointed by the Secretary, 6 appointed by the House of Representatives (majority and minority leader each recommend 3 members), and 6 appointed by the Senate (majority and minority leader each recommend 3 members).</i></li> </ul> <p><i>(Note: The number of members to be appointed by the Secretary, House, and Senate exceeds the total number of committee members).</i></p> <ul style="list-style-type: none"> <li>• <i>Similar to Senate provision.</i></li> <li>• <i>Similar to Senate provision, except adds that the committee will take into consideration complaints and the resolution of such complaints by the Accreditation Ombudsman when advising the Secretary.</i></li> </ul>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<p><i>States that the committee may not deny an application for recognition by an accrediting agency for any reason other than those included in section 596.</i></p> <p><i>(Note: This should probably be a reference to section 496 which includes the statutory requirements for recognition.)</i></p>
<b><i>Drug and Alcohol Abuse Prevention.</i></b>		
No similar provision.	Requires IHEs to determine the number of drug and alcohol-related incidents and fatalities that occur on the IHE’s property or as part of the IHE’s activities and are reported to the IHE. Also requires IHEs to determine the number and type of sanctions imposed in response to drug and alcohol-related incidents and fatalities that occur on the IHE’s property or as part of the IHE’s activities.	<i>Similar to Senate provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>State Commitment to Affordable College Education.</b>		
No similar provision.	No similar provision.	<i>Requires states to meet maintenance of effort (MOE) requirements related to state funding for public institutions. The MOE provision requires state support for public institutions to equal or exceed the average amount provided to public institutions during the five most recent academic years or during the preceding academic year. Failure to meet MOE requirements results in the state losing funds available to it under the Leveraging Educational Assistance Partnership program.</i>
No similar provision.	No similar provision.	<i>Authorizes the Secretary to identify cost containment strategies being used by institutions, to disseminate such information, to recognize institutions doing an effective job at cost containment, and to work with institutions to implement effective strategies.</i>
<b>Transparency in College Tuition for Consumers.</b>		
No similar provision.	Requires the Commissioner of the Bureau of Labor Statistics (BLS) to develop higher education price indices that accurately reflect the annual change in tuition and fees for undergraduate students by specific institutional sectors (i.e., level and control of the institution).	<i>Similar to Senate provision, except Secretary authorized to use an “alternative, comparable index” while the required indices are being developed. Also expands the list of institutional sectors for which indices must be developed.</i>

Current Law	Senate-Passed (S. 1642)	House Education and Labor Committee-Passed (H.R. 4137)
No similar provision.	Requires the Secretary to annually publish a national list and a list for each state, that ranks IHEs based on the percentage and dollar changes in tuition and fees over the preceding two years. Data must be reported by institutional sector.	<i>Similar to Senate provision, except specifies that the list must be published on the College Navigator site. The list must also be sortable by state, institutional sector, percentage change in tuition and fees, and dollar change in tuition and fees.</i>
No similar provision.	IHEs whose increase in tuition and fees exceeds that of its applicable higher education price index would be placed on the “Higher Education Price Increase Watch List.” These lists must include the full price of tuition and fees, net price, and the average price of room and board on campus, if applicable.	<i>Similar to Senate provision, but lists must also include data on common expenditures for institutions.</i>
No similar provision.	No similar provision.	<i>Each IHE placed on the higher education price increase watch list must establish a quality-efficiency task force to review the operations of the institution, including examining operating costs compared with other IHEs. The results of the review must be made available on the College Navigator.</i>
No similar provision.	No similar provision.	<i>Includes exemptions related to the watch lists for: an IHE whose price is in the lowest quartile of institutions in its sector; or for an institution that exceeds its relevant price index by a dollar amount that is less than \$500; or whose increase in price is no more than the average of the index plus \$500 per year.</i>

CRS-15

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b><i>House Education and Labor Committee-Passed (H.R. 4137)</i></b>
No similar provision.	Requires the Secretary to annually report for each state a comparison of the percentage change in state appropriations per enrolled student in public IHEs to the percentage change in tuition and fees for each public IHE for the previous five years. Also requires Secretary to report the total amount of need-based and merit-based aid provided by the state to students enrolled in each public IHE.	<i>Similar to Senate provision.</i>
No similar provision.	Requires the Secretary to develop net price calculators for each institutional sector no later than one year after the date of enactment. Not later than three years after the date of enactment, IHEs receiving federal funds under the HEA must adopt and use a net price calculator developed by ED or by the IHE.	<i>Similar to Senate provision.</i>
No similar provision.	Requires an IHE receiving funds authorized by the HEA to include in its application materials the most recent information regarding the net price of the institution calculated for each income quartile based on the income of the students' parents (dependent students) or the income of the students (independent students) for each of the two academic years preceding the academic year for which the application is produced.	<i>Similar to Senate provision.</i>

CRS-16

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	<p>Requires the Secretary to contract with an independent organization with expertise in the development of consumer-friendly websites to develop improvements to the College Opportunities On-Line (COOL) website. No later than one year after the date of enactment, the Secretary must implement these recommendations.</p> <p>(<b>Note:</b> Since this bill was passed, COOL has been renamed the College Navigator.)</p>	<i>No similar provision.</i>
No similar provision.	Requires the Secretary to create a model document, the University and College Accountability Network (U-CAN), that IHEs may use to annually report basic institutional information. IHEs are not required to participate in this data collection effort.	<i>Similar to Senate provision, but adds three additional data elements (e.g., number of students receiving Pell Grants).</i>
No similar provision.	Requires the Government Accountability Office (GAO) to examine the institutional time and cost burden associated with completing the Integrated Postsecondary Education Data System (IPEDS) survey.	<i>No similar provision.</i>
Provides for a survey of student aid recipients on a regular basis, at least once every three years.	Retains current law.	<i>Requires that the survey be conducted at least once every four years. Expands the purposes of the study to examine the affect of debt burden on career choices, the role of price in the choice of a postsecondary education institution, and how the increased cost of textbooks affects costs for students.</i>

CRS-17

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Textbook Information.</i></b>		
No similar provision.	No similar provision.	<i>Creates a textbook information program designed to ensure that students have better and more timely access to course materials. Requires, for example, publishers to provide specific information about pricing and adhere to new requirements related to the bundling of materials.</i>
<b><i>Student Information Databases.</i></b>		
No similar provision.	Prohibits the development of a federal database of student information, except for specific exempted purposes, such as the National Student Loan Data System. This prohibition does not extend to the development of state databases of student information.	<i>Similar to Senate provision.</i>
<b><i>Easy-to-Find Information on Student Financial Aid.</i></b>		
No similar provision.	Requires a link to student financial aid information be displayed on ED's homepage.	<i>Similar to Senate provision. Also authorizes administrative funds for operations and expenses to be used for promoting the availability of the student aid website.</i>
No similar provision.	Requires the Secretary to contract with an organization with expertise in consumer-friendly websites to improve the usefulness and accessibility of ED information on college planning and student financial aid. No later than one year after enactment, the Secretary must implement the improvements and publicize the availability of information.	<i>No similar provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to compile relevant information about student financial assistance programs available through other federal agencies and make the information accessible through the federal student financial aid website.</i>
<b>State Higher Education Information System Pilot Program.</b>		
No similar provision.	Creates a competitive grant program to assist up to five states with developing state level postsecondary student data systems.	<i>No similar provision.</i>
<b>Performance Based Organization (PBO).</b>		
Establishes that the Performance-Based Organization (PBO) shall be a discrete management unit responsible for managing the operational functions supporting the programs authorized under Title IV.	Establishes that the functions of the PBO in ED are now referred to as “administrative and oversight” functions, not “operational.” The PBO will also be responsible for the administration of federal student financial assistance programs.	<i>Retains current law.</i>
No similar provision.	Directs the PBO to utilize procurement systems that streamline operations, improve internal controls, and enhance management.	<i>No similar provision.</i>
<b>Requirements for Lenders and Institutions Participating in Educational Loan Arrangements.</b>		
No similar provision.	Requires Title IV-eligible institutions that receive federal funding or assistance (referred to as “covered IHEs”), and enter into a loan arrangement with a lender — under which the IHE recommends the lender’s loans and receives a material benefit from the lender — to disclose the name of the lender in loan documentation.	<i>Similar to Senate provision except specifies that IHEs cannot allow a lender to use the IHE’s name or identity for marketing purposes in any way that implies an institutional endorsement of private loans.</i>

CRS-19

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Requires FFEL program lenders that participate in one or more preferred lender arrangements to annually certify compliance with the requirements of the HEA.</i>
Eligible lenders must provide a note or other written agreement providing certain information about the loan (section 435(d)). Additionally, IHEs are required to provide exit counseling to borrowers (section 485(b)).	Requires Title IV lenders to provide written disclosures to prospective borrowers about the terms and conditions of loans, including interest rates, loan costs and fees, capitalization of interest, repayment plans, and repayment benefits, prior to making a loan.	<ul style="list-style-type: none"> <li>• <i>Similar to Senate provision except lenders must disclose certain loan information to borrowers before and during repayment; and contact borrowers each year after 5 years has passed since a borrower elected to repay to ascertain if a plan with a shorter repayment period would reduce total interest payments for the borrower.</i></li> <li>• <i>Requires IHEs to provide student loan counseling to prospective borrowers.</i></li> <li>• <i>Requires the Secretary to make student loan counseling information available to IHEs.</i></li> </ul>
No similar provision.	Requires Title IV lenders to annually report to the Secretary, any reasonable expenses paid or given to IHE personnel with responsibilities for educational loans. Secretary must annually compile and transmit this information to the authorizing committees.	<i>No similar provision.</i>

CRS-20

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Requires covered IHEs that provide information to students or their parents about private educational loans to also inform them about their eligibility for assistance and loans under Title IV, and to specify the terms and conditions of such private educational loans that may be less favorable than the terms and conditions of educational loans for which they may be eligible. Requires the presentation of information on private educational loans to be distinct from information on Title IV loans.</i>

CRS-21

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>No similar provision.</p>	<p>Requires the reporting of information on educational loan arrangements, including:</p> <ul style="list-style-type: none"> <li>• reporting by the Secretary on the adequacy of information about educational loans provided to students and their families;</li> <li>• development by the Secretary of a model format for use by lenders and covered IHEs to report information about educational loans;</li> <li>• annual reporting by lenders to the Secretary and each covered IHE with which they have a student loan arrangement, of the information included in the model format for each type of loan they provided to students attending covered IHEs; and</li> <li>• annual reporting by covered IHEs to the Secretary, and public release of the information provided to them by each lender with which they have a student loan arrangement, and a detailed explanation of why terms and conditions are better for the student.</li> </ul>	<p><i>Similar to Senate provisions except that the model format for use by lenders and covered IHEs to report information about educational loans applies to private loans as well.</i></p>

CRS-22

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<p><i>Requires covered IHEs to disclose certain information on their websites and in informational materials, including</i></p> <ul style="list-style-type: none"> <li><i>• that students are neither limited nor required to use the lenders recommended by the IHE, and that the IHE is required to process federal education loan documents from any eligible lender;</i></li> <li><i>• all information from the model disclosure form with respect to any lender recommended by the IHE for federal or private educational loans;</i></li> <li><i>• maximum amounts of federal grant and loan aid available to students; and</i></li> <li><i>• the IHE's cost of attendance (COA).</i></li> </ul>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>No similar provision.</p>	<p>No similar provision.</p> <p>(<b>Note:</b> A fairly comparable provision is included in “Program Participation Agreement (PPA)” under Title IV of <b>Table 1.</b>)</p>	<p><i>Requires IHEs that participate in federal student loan programs or that have students who obtain private educational loans to develop, publish, administer, and enforce a Code of Conduct pertaining to educational loans, which shall:</i></p> <ul style="list-style-type: none"> <li><i>• Prohibit conflicts of interest with respect to educational loans;</i></li> <li><i>• Prohibit personnel with responsibilities for educational loans from soliciting or accepting gifts from lenders, guarantors, or servicers of educational loans; and require the Inspector General to investigate any reported violations.</i></li> <li><i>• Prohibit contracting arrangements between responsible personnel (with certain exceptions) from receiving compensation for any type of consulting arrangement.</i></li> <li><i>• Prohibit covered IHEs from entering into a revenue sharing agreement with any lender.</i></li> <li><i>• Prohibit covered IHEs from requesting or accepting call center or financial aid office staffing assistance from any lender.</i></li> </ul>

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
No similar provision.	No similar provision.	<i>Requires covered IHEs and lenders to comply with Lender and Institutional Requirements Relating to Educational Loans as a condition of receiving federal funds or assistance. In the case of noncompliance, the Secretary may limit, terminate, or suspend participation in Title IV loan programs; and impose a civil penalty of not more than \$25,000 for lenders, and for covered IHEs that do not participate in a Title IV loan program.</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to study and report on the feasibility of developing a National Electronic Student Loan Marketplace, which would make available a range of information on federal and private educational loans.</i>
<b>Title II: Teacher Quality Enhancement.</b>		
<b><i>Teacher Quality Partnership Grants.</i></b>		
Defines “Eligible Partnership” as an entity that shall include “(i) a partner institution; (ii) a school of arts and sciences; and (iii) a high-need local educational agency.” The definition also includes a list of eligible partners including charter schools, businesses, and teacher organizations.	Amends the definition of a high need LEA to read as follows: “shall include — (i) a high-need local educational agency; (ii) a high-need school or a consortium of high-need schools served by the high-need local educational agency or, as applicable, a high-need early childhood education program; (iii) a partner institution; (iv) a school, department, or program of education within such partner institution; and (v) a school or department of arts and sciences within such partner institution.”	<i>Similar to Senate provision except that part (iv) reads: “a school, department, or program of education within such partner institution or a teacher professional development program within such partner institution.” The House provision also includes alternative certification programs in the list of eligible partners.</i>

CRS-25

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>Defines “High-Need Local Educational Agency” as one that serves a school in, “an area in which there is: (A) a high percentage of individuals from families with incomes below the poverty line; (B) a high percentage of secondary school teachers not teaching in the content area in which the teachers were trained to teach; or (C) a high teacher turnover rate.”</p>	<p>Amends the definition of a high-need LEA to read as follows: “a local educational agency — (A)(i) for which not less than 20 percent of the children served by the agency are children from low-income families; (ii) that serves not fewer than 10,000 children from low-income families; 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 6, 7, or 8, as determined by the Secretary; and (B)(i) for which there is a high percentage of teachers not teaching in the academic subject areas or grade levels in which the teachers were trained to teach; or (ii) for which there is a high teacher turnover rate or a high percentage of teachers with emergency, provisional, or temporary certification or licensure.”</p>	<p><i>Similar to Senate provision except the House uses different locale codes and refers to them by their labels rather than by their numbers; i.e., part (A)(iii) of the House definition reads, “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 ‘Rural: Fringe,’ ‘Rural: Distant,’ or ‘Rural: Remote,’ as determined by the Secretary.”</i></p>
<p>Defines “Partner Institution” as a private independent or State-supported public IHE that demonstrates that graduates from its teacher training program exhibit strong performance on state qualifying assessments and are required to participate in intensive clinical experience.</p>	<p>Amends the definition as follows: “may include a 2-year institution of higher education offering a dual program with a 4-year institution of higher education.”</p>	<p><i>Same as the Senate provision.</i></p>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	Defines the following terms: “Children from Low-Income Families,” “Core Academic Subjects,” “Early Childhood Education Program,” “Early Childhood Educator,” “Educational Service Agency,” “Essential Components of Reading Instruction,” “Exemplary Teacher,” “High-Need Early Childhood Education Program,” “High-Need School,” “Highly Competent,” “Highly Qualified,” “Induction Program,” “Limited English Proficient,” “Principals of Scientific Research,” “Professional Development,” “Scientifically Valid Research,” “Teacher Mentoring,” “Teaching Skills,” and “Teaching Residency Program.”	<i>Similar to Senate provision except the House does not include definitions for “Limited English Proficient” or “Principals of Scientific Research.” The House also states that the “Teacher Mentoring” program, “provides paid release time for mentors.”</i>
No similar provision.	No similar provision.	<i>Includes a “Rule of Construction” which states, “Nothing in this title shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded to the employees of local educational agencies under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers, including, but not limited to, the right of employees of local educational agencies to engage in collective bargaining with their employers.”</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Partnership Grants.</i></b>		
<p>Funds appropriated for Title II, Part A are for state, partnership, and recruitment grants awarded on a competitive basis.</p>	<p>Eliminates the state and recruitment grants and changes the title of Part A to “Teacher Quality Partnership Grants.”</p>	<p><i>Same as the Senate provision.</i></p>
<p>Authorizes the Secretary to award competitive grants to eligible partnerships. Requires funds to be used for implementing reform of teacher preparation programs, providing clinical experience including mentoring of prospective teachers, and providing professional development that improves content knowledge for current teachers. Also allows funds to be used for preparing teachers to work with diverse populations, involving parents in program reform, disseminating information, coordinating reform efforts, developing school management and leadership, and recruiting new teachers into the profession.</p>	<p>Requires funds to be used for carrying out a program for the Pre-Baccalaureate Preparation of Teachers, a Teaching Residency Program, or both.</p> <ul style="list-style-type: none"> <li>• Pre-Baccalaureate Program is similar to the partnership program but adds more detailed language on accountability and use of funds for reforms. Expands the required uses of funds for clinical experience and adds new required uses for induction, support, and recruitment.</li> <li>• Teaching Residency Program gives new teachers and prospective mid-career professionals a one-year stipend to receive intensive training toward a master’s degree and requires that they teach for a minimum of three years in a high-need school. The program would also give experienced teachers the opportunity to serve as mentor teachers in exchange for full relief from their usual teaching duties.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Similar to the Senate provision except the House includes several provisions that describe the purposes of the program and use of funds for training rural, multi-subject, AP/IB teachers, or those who work with students who are learning (or otherwise) disabled, limited English proficient, or from underrepresented populations.</i></li> <li>• <i>Provides additional language regarding the use of funds for teacher recruitment in the Pre-Baccalaureate program including underrepresented populations, rural communities, shortage subject areas, mid-career professions, former military personnel, and recent college graduates. Also includes an additional use of funds for literacy training.</i></li> <li>• <i>House specifies that the Teacher Residency Program may include consideration of applicants who reflect the communities in which they will teach.</i></li> </ul>

CRS-28

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
No similar provision.	Adds a new allowable use of Partnership grant funds for grantees to partner with a television public broadcast station to improve teacher preparation.	<i>No similar provision.</i>
No similar provision.	No similar provision.	<i>Adds a new Development of Leadership Program for partnerships which prepare superintendents, principals, and other school administrators. Eligible participants must be enrolled or a recent graduate from an IHE, mid-career professionals with strong content knowledge or record of professional accomplishment, current teachers desiring to become principals, or current principals desiring to become superintendents.</i>
Grantees may receive an award under each of the state, partnership, and recruitment programs only once.	Partnerships may receive only one grant during a five-year period; however, an eligible partner may be a member of multiple partnerships.	<i>Same as Senate provision.</i>
Priority for awards is given to partnerships that include businesses and requires the Secretary to consider an equitable geographic distribution of the grants throughout the U.S.	Priority for awards is given to partnerships that include businesses and community organizations, and promote an equitable geographic distribution of grants among rural and urban areas.	<i>Priority for awards is given to partnerships whose teacher preparation programs have a rigorous selection process, and partnerships that include businesses and community organizations, or promote an equitable geographic distribution of grants among rural and urban areas.</i>
Requires grantees to provide matching funds, from non-federal sources, in an amount equal to 25% of the grant for the first year of the grant, 35% for the second year, and 50% for each succeeding year.	Requires grantees to provide matching funds, from non-federal sources, in an amount equal to 100% of the amount of the grant and gives the Secretary authority to waive this requirement for any fiscal year in which it would result in serious hardship or an inability to carry out the authorized activities.	<i>Same as Senate provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Accountability for Programs that Prepare Teachers.</i></b>		
<p>Requires that IHEs that conduct traditional teacher preparation programs and enroll students receiving federal assistance under the HEA to annually produce a Report Card on the status of passage rates for teacher preparation students taking assessments within three years of leaving the program, program and accreditation information, and designation of low-performing programs among other things.</p>	<p>Adds programs that offer alternative routes to state certification and licensure to the list of programs that must report this information. Requires that the Report Card include “scaled scores” in addition to passage rates of those still enrolled in a program or who have completed in the last two years, to disaggregate program information by race and gender, and to describe activities employed to prepare teachers to use technology.</p>	<p><i>Similar to Senate provision except the House requires that the Report Card also include information on teacher training for those who teach students with disabilities.</i></p>
<p>Requires states that receive funds under the HEA to produce a Report Card on the quality of teacher preparation programs in the state including a description of assessments used for certification, pass rates on such assessments, alternative routes to certification, and criteria for assessing program performance.</p>	<p>Adds to the descriptions of the required information that must be included on the Report Card and prohibits the Secretary from creating a national list or ranking states or schools based on these reports.</p>	<p><i>Similar to Senate provision except the House adds information on preparation for teaching disabled and limited English proficient students to the reporting requirements as well as language on data quality.</i></p>
<p>No similar provision.</p>	<p>Requires IHEs and programs for alternative routes to certification that enroll students receiving federal assistance under the HEA to (1) set annual quantifiable goals for meeting teacher shortages, (2) provide assurances to the Secretary that the training provided addresses these goals, and (3) publicly report whether the goals have been met.</p>	<p><i>Same as Senate provision.</i></p>
<p>Requires states receiving funds under the HEA annually provide the Secretary a list of low-performing teacher preparation programs that includes an identification of those programs at risk of being placed on such list. Makes state-designated, low-performing programs ineligible for ED professional development funds and unable to enroll students receiving Title IV aid.</p>	<p>Specifies that students who are enrolled in a program at the time of termination of financial support shall receive “transitional support.”</p>	<p><i>Similar to Senate provision except the House provides additional criteria on which the state may determine levels of performance.</i></p>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	Requires state education agencies receiving funds under the HEA to release all pertinent education-related information requested by a teacher preparation program concerning the program's graduates or the program itself.	<i>Same as Senate provision.</i>
<b><i>Preparing Tomorrow's Teachers to Use Technology.</i></b>		
Funds appropriated for Title II, Part B are used to award 5-year competitive grants to consortia of public and private entities to prepare teachers to use technology. Grantees are required to cover at least 50% of the cost of the program from non-federal sources. Grantees are required to use funds to prepare prospective teachers to use advanced technology to prepare all students to meet state and local academic standards and to evaluate program effectiveness. Grantees may use funds to prepare teachers in wider aspects of the use of technology in curricula and instruction, to develop alternative teacher development paths and achievement-based standards, and to provide technical assistance.	Retains current law.	<i>Changes title to "Preparing Teachers for Digital Age Learners." Limits awards to \$2,000,000, over 3-years with a possible 1-year renewal. Eliminates the 50% non-federal matching requirement. Also provides more details about the program goals and use of funds.</i>
<b><i>Enhancing Teacher Education.</i></b>		
No similar provision.	No similar provision.	<i>Authorizes a new "Recruiting Teachers with Math, Science, or Language Majors" program which would award grants to IHEs to provide incentives for students in these majors to go into teaching, upgrade curriculum, integrate faculty, and retrain teachers.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Authorizes a new “Community Colleges as Partners in Teacher Education Grants” program which would award grants to partnerships of community colleges, 4-year IHEs, and either an SEA, LEA, or teacher organization. Funds may be used for a number of activities including curriculum development, clinical experience, professional development, and articulation agreements between community colleges and 4-year institutions.</i>
No similar provision.	No similar provision.	<i>Authorizes a new “Hawkins Centers of Educational Excellence” program which would award grants to certain minority-serving institutions (MSIs) to reform teacher preparation programs, provide clinical experience, promote teacher retention, and award scholarships.</i>
No similar provision.	The House authorizes a program entitled “Teach for America” under Title II. The Senate authorizes a similar program under Title VIII. A side-by-side comparison of these provisions is located under the section entitled “Teach for America” in Title VIII of <b>Table 1</b> .	
No similar provision.	The House authorizes a program entitled "Early Childhood Education Professional Development and Career Task Force" under Title II. The Senate authorizes a similar program under Title VIII. A side-by-side comparison of these provisions is located under the section entitled "Early Childhood Education Professional Development and Career Task Force" in Title VIII of Table 1.	
<b>Title III: Institutional Aid.</b>		
<b><i>Strengthening Institutions.</i></b>		
Secretary may award grants to any eligible institution with an application approved under section 351 (Minority Science and Engineering Improvement Program).	Expands eligibility to include any eligible institution with an application approved under all other sections of Title III.	<i>Same as Senate provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	Expands authorized activities to include remedial education, English language instruction courses, and education or counseling services designed to improve financial literacy and economic literacy of students or students' parents, among other things.	<i>Similar to Senate provision.</i>
<b><i>American Indian Tribally Controlled Colleges and Universities.</i></b>		
Tribal College or University (TCU) has the same meaning as tribally controlled college or university in Section 2 of the Tribally Controlled College or University Assistance Act of 1978 (TCCUAA) and includes institutions listed in the Equity in Educational Land-Grant Status Act of 1994 (EELGSA).	Defines a TCU as: an institution that qualifies for funding under the TCCUAA or the Navajo Community College Assistance Act of 1978 or, is cited in section 532 of the EELGSA.	<i>Same as Senate provision.</i>
No similar provision.	Expands authorized activities to include acquisition of real property and education or counseling services designed to improve financial literacy and economic literacy of students or students' parents, among other things.	<i>Expands authorized activities to include construction, maintenance, and renovation of classrooms, libraries and other instructional facilities, and to improve facilities for Internet use or other distance learning purposes.</i>
The Secretary shall ensure maximum and equitable distribution of funds among all eligible institutions.	Establishes a new allocation formula whereby the Secretary can reserve 30% of the appropriation for one-year construction grants. Remaining funds should be allocated as follows: 60% based on Indian student count and 40% equally distributed among eligible TCUs. The minimum grant would be \$500,000.	<i>Similar to Senate provision except there is no provision for the one-year construction grants.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Alaska Native and Native Hawaiian-Serving Institutions.</i></b>		
No similar provision.	Expands the authorized activities to include education or counseling services designed to improve financial literacy and economic literacy of students or students' parents, among other things.	<i>No similar provision.</i>
<b><i>Native American-Serving, Non-Tribal Institutions.</i></b>		
<p>The Native American-serving, non-tribal institutions program provides grants to eligible IHEs. Eligible institutions must have at least 10% Native American students and cannot be a TCU as defined in Section 316. Native American defined as an individual who is of a tribe, people or culture indigenous to the U.S. Establishes program in Title IV.</p> <p>(Note: This program was added by the CCRAA, P.L. 110-84.)</p>	Similar to program created by CCRAA, except specifies that the minimum grant would be \$200,000 and establishes the program in Title III.	<i>Similar to program created by CCRAA (with no minimum grant specified), and establishes the program in Title III.</i>
<b><i>Historically Black Colleges and Universities (HBCUs).</i></b>		
The phrase "professional and academic areas in which Blacks are underrepresented" shall be determined by the Secretary and the Commissioner of the BLS, on the basis of the most recent available satisfactory data, as professional and academic areas in which the percentage of Black Americans who have been educated, trained, and employed is less than the percentage of Blacks in the general population.	Requires the Secretary to also consult with the Commissioner for Education Statistics.	<i>Same as Senate provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	Expands the authorized activities to include education or counseling services designed to improve financial literacy and economic literacy of students or students' parents, among other things.	<i>Similar to Senate provision.</i>
Provides formula for allotting funds.	Adds new requirement that to receive the annual allotment, HBCUs must annually provide data on the following: number of Pell Grant recipients, number of graduates from the preceding year, and the number of students who enrolled in a graduate or professional program within last five years.	<ul style="list-style-type: none"> <li>• <i>States that if the Part B institution did not enroll any Pell Grant recipients, or graduate any students in the previous academic year, or send any students to graduate or professional school, the IHE shall not receive a grant.</i></li> <li>• <i>Specifies that if the data submitted to receive the allotment are insufficient to justify an award in excess of \$500,000, the IHE would receive \$500,000, except if the amount of the award as determined by the formula would be less than \$250,000 the IHE would receive \$250,000.</i></li> </ul>
<b><i>Historically Black Colleges and Universities, Professional or Graduate Institutions.</i></b>		
No similar provision.	Expands the authorized activities to include education or counseling services designed to improve financial literacy and economic literacy of students or students' parents, among other things.	<i>Similar to Senate provision.</i>

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<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
There are 18 existing eligible grantees.	Expands the list of eligible graduate and professional schools/programs (Part B, Section 326) to include Alabama State University; Coppin State University; Delaware State University; Prairie View A&M University; Langston University; West Virginia State University; and Grambling State University, Kentucky State University, Fayetteville State University.	<i>Similar to the Senate provision except the following IHEs are added: Alabama State University; Bowie State University; Delaware State University; Langston University; Prairie View A&amp;M University; and University of the District of Columbia Law School.</i>
Annually, the first \$26.6 million appropriated is reserved for the 16 institutions in the program prior to the 1998 amendments; the next \$2 million is reserved for two institutions added by the 1998 amendments.	Retains current law.	<i>Changes funding structure to reserve the first \$54.5 million appropriated for the 18 grantees that existed prior to 2008. From additional amounts appropriated \$6.0 million for the 6 newly added IHEs.</i>
<b><i>Historically Black College and University Capital Financing Program.</i></b>		
No similar provision.	Requires the Secretary to submit an annual report to the authorizing committees no later than 90 days after the date of enactment, that provides ED's progress in implementing the recommendations made by the GAO for improving the HBCU Capital Financing Program.	<i>No similar provision.</i>
Total outstanding principal and unpaid accrued interest on the loans cannot exceed \$375 million (of this amount, \$250 million is allotted for private HBCUs and \$125 million is for public HBCUs).	Retains current law.	<i>Increases the amount authorized for outstanding loan principal and interest to \$1.1 billion. Also increases the amount that is reserved for private IHEs to approximately \$733 million, and approximately \$366 million for public IHEs.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Predominantly Black Institutions (PBIs).</i></b>		
<p>A program entitled, “Predominantly Black Institutions” was added by the College Cost Reduction and Access Act, P.L. 110-84. The House authorizes a similar program for PBIs under Title III. The Senate authorizes a similar program under Title VIII. A side-by-side comparison of these provisions is located under the section entitled “Predominantly Black Institutions” in Title VIII of <b>Table 1</b>.</p>		
<b><i>Asian American and Native American Pacific Islander-Serving Institutions.</i></b>		
<p>Asian American and Native American Pacific Islander-serving institutions.</p> <p>Eligible institutions must be eligible under section 312(b) and at the time of application have at least 10% Asian American and Native American Pacific Islander undergraduate students.</p> <p>Establishes program in Title IV.</p> <p>(Note: This program was added by the CCRAA, P.L. 110-84.)</p>	<p>No similar provision.</p>	<p><i>Similar to program created by CCRAA (with no minimum grant specified), and establishes the program in Title III.</i></p>
<b><i>Endowment Challenge Grants for Institutions Eligible Under Part A or Part B.</i></b>		
<p>The purposes of the endowment challenge grants are to either establish or increase endowments, and to increase independence and self-sufficiency. Grants cannot exceed \$500,000 and the minimum grant is \$50,000.</p>	<p>Retains current law.</p>	<p><i>Increases the maximum grant amount to \$1.0 million and increases the minimum grant amount to \$500,000.</i></p>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Programs in STEM Fields.</b>		
No similar provision.	No similar provision.	<i>Creates new program, YES Partnership Grant program, that provides support to eligible partnerships to support minority youth engagement in science, technology, engineering and mathematics, through out-reach and hands-on experiential learning. Partnership must include at least one IHE eligible for assistance under Title III or V; at least one high need LEA; and at least two community organizations. Minimum grant would be \$500,000.</i>
<b>Waiver Authority.</b>		
No similar provision.	No similar provision.	<i>Allows the Secretary to waive select requirements for IHEs affected by a Gulf Hurricane disaster. Specifically the Secretary shall waive the following for each fiscal year 2009 through 2013:</i> <ul style="list-style-type: none"> <li><i>• data requirements for eligibility under section 312(b);</i></li> <li><i>• wait-out period for Part A grants;</i></li> <li><i>• allotment requirements for Part B; and</i></li> <li><i>• the use of the funding formula for the HBCU graduate and professional institutions.</i></li> </ul>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Title IV: Student Assistance.</b>		
<b><i>Federal Pell Grants.</i></b>		
<p>The tuition sensitivity provision as previously implemented, reduced the amount of the Pell award for a small number of low-income students attending IHEs with very low tuition charges.</p> <p>(<b>Note:</b> This provision was eliminated by the College Cost Reduction and Access Act, P.L. 110-84.)</p>	Includes provision to eliminate tuition sensitivity.	<i>No similar provision.</i>
<p>Program authority expires in FY2017. The most recent authorized maximum Pell Grant (Pell) award is \$5,800 for academic year 2003-2004.</p> <p>(<b>Note:</b> The program's authority was extended by the College Cost Reduction and Access Act, P.L. 110-84.)</p>	The program authority for Pell is extended to 2013. The authorized maximum Pell award is as follows: \$5,400 for academic year 2008-2009; \$5,700 for 2009-2010; \$6,000 for 2010-2011; and \$6,300 for 2011-2012.	<i>Similar to Senate provision except that the authorized maximum Pell award is \$9,000 for each of the academic years.</i>
Minimum authorized Pell award is \$400.	Changes the minimum Pell award to 10% of the appropriated maximum Pell award, unless a recipient qualifies for an award between 5% and 10% in which case recipient would receive 10%.	<i>No similar provision.</i>
No similar provision.	Provides up to two Pell Grant awards in a single academic year for students who enroll at least half-time in a four-year or two-year institution.	<i>Similar to Senate provision except the House provision does not specify that a student must be enrolled at least half-time.</i>
No similar provision.	Limits Pell receipt to 18 semesters or equivalent determined by the Secretary. Limit is determined without regard for attendance status (full-time or part-time) and would include time prior to the date of enactment.	<i>No similar provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Individuals who are involuntarily subjected to civil commitment upon completion of incarceration for forcible or non-forcible sexual offenses are ineligible for a Pell Grant.</i>
<b>Academic Competitiveness (AC) and Science Mathematics Access to Retain Talent (SMART) Grants.</b>		
Secretary is authorized to award grants to Pell-eligible U.S. citizens, who are enrolled full-time in an undergraduate program. First and second year undergraduates receive an AC grant and students in their third or fourth year receive a SMART grant.	Removes the term “academic” from all references to year of study in the AC and SMART grant program provisions. Extends eligibility to eligible non-citizens and those enrolled on at least a half-time basis.	<i>Similar to Senate provision.</i>
First-year students who were previously enrolled in an undergraduate program are ineligible for AC or SMART.	Retains current law.	<i>Extends eligibility to students who were previously enrolled in a program of undergraduate education as a part of their secondary education.</i>
No similar provision.	Extends eligibility to students enrolled in certificate programs lasting at least one year (AC grant) or lasting at least two years (SMART grant).	<i>No similar provision.</i>
No similar provision.	Extends eligibility for SMART grants to students studying qualified subjects who are enrolled in IHEs that do not permit declaration of a major.	<i>Same as Senate provision.</i>
No similar provision.	Extends a fifth year of eligibility for SMART grants to students in programs that require five full years of course work.	<i>No similar provision.</i>
No similar provision.	Requires that IHEs make payments for AC and SMART grants in the same manner as Pell .	<i>No similar provision.</i>

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
Rigorous curriculum must be established by a State or LEA and recognized by the Secretary.	Retains current law.	<i>Requires that the rigorous curriculum must prepare students for college and work beyond the basic graduation requirements, and that it is recognized by the designated State official. Also, states that for private school or home school, the designated school official must recognize the curriculum and that it must be consistent with State law.</i>
Any foreign language that the Secretary, in consultation with the Director of National Intelligence, determines is critical to the national security of the U.S., is an acceptable major for the SMART program.	Removes the requirement that the foreign language must be approved by the Secretary and the Director of National Intelligence, and states that the foreign language must be critical.	<i>Same as Senate provision.</i>
<b><i>Federal TRIO Programs.</i></b>		
Authorizes the Secretary to award grants for the following TRIO programs: Talent Search, Upward Bound, Student Support Services, McNair Postbaccalaureate Achievement, and Educational Opportunity Centers for a four-year period with a minimum grant amount between \$170,000 and \$190,000.	Extends the grant period to five years and increases the minimum grant amount to \$200,000 for all programs except the staff development grants, which has a minimum of \$170,000.	<i>Same as Senate provision.</i>
No similar provision.	Requires the Secretary to establish outcome criteria for measuring the quality and effectiveness of the TRIO programs. Outcome criteria must be disaggregated by the following categories: low-income, first generation, and individuals with disabilities. Further requires that programs be assessed on how they meet or exceed their objectives as measured against an eligible entity's stated target outcomes.	<i>Same as Senate provision.</i>

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<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b><i>House Education and Labor Committee-Passed (H.R. 4137)</i></b>
<p>Authorizes numerous services for TRIO programs, including assistance with academic matters, applications for college admission, financial aid, and personal and career counseling.</p>	<p>Creates a new set of required services for each of the TRIO programs that includes assistance with academic matters, applications for college admission, financial aid, and financial literacy.</p>	<p><i>No similar provision.</i></p>
<p>No similar provision.</p>	<p>Establishes priority for Upward Bound projects that include at least 30% of first-time students who have a high risk of academic failure. Prohibits the Secretary from denying participation in Upward Bound to a student who enters the program for the first time after the ninth grade.</p>	<p><i>Requires Secretary to rescind absolute priority for Upward Bound participant selection (that at least 30% of first-time students who have a high risk of academic failure and limiting initial program enrollment to 9<sup>th</sup> and 10<sup>th</sup> graders) and evaluation published in Federal Register on September 22, 2006.</i></p>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>Secretary is authorized to award contracts to evaluate the effectiveness of the TRIO programs and disseminate the results of these evaluations.</p>	<p>Requires the Secretary to submit an annual report on the program’s delivery of services, participating students’ secondary and postsecondary school enrollment and completion, and academic performance. The report must include the following:</p> <ul style="list-style-type: none"> <li>• Disaggregated data by individual project performance, including descriptive, longitudinal, and multi-cohort information, and be comparable to the national population of low-income, first generation students and students with disabilities.</li> <li>• National performance data with the primary purpose of identifying and highlighting best practices for increasing college access and persistence through implementation of the programs.</li> </ul> <p>Secretary prohibited from requiring an eligible TRIO grant applicant to recruit students to serve as a control group in an evaluation. However, the Secretary is allowed to give priority to entities that voluntarily elect to participate in an evaluation using a control group.</p>	<p><i>Similar to Senate provision except the House specifies that the Secretary shall consider the burden placed on the program participants and approval by the IHE’s approval board when designing the evaluation.</i></p> <p><i>Also modifies evaluation requirements, including a prohibition against requiring grantees to recruit students to serve as an evaluation control group.</i></p>
<p><b><i>Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP).</i></b></p>		
<p>The Secretary is required to give priority to eligible entities that previously carried out GEAR UP programs prior to the Higher Education Amendments of 1998.</p>	<p>Eliminates this priority.</p>	<p><i>Changes priority to include all entities that carried out GEAR UP programs prior to the date of enactment.</i></p>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
Requires the Secretary to allocate at least 33% of available funds for both State and Partnership grants.	Eliminates this requirement and requires the Secretary to consider the geographic distribution and the distribution of awards between urban and rural applicants.	<i>Retains current law.</i>
Limits the amount of funds that State and Partnership grantees can use for early intervention to not less than 25% and not more than 50% of the amount available for distribution.	Applies this limitation only to State grantees. Also gives the Secretary authority to allow State grantees to exceed the 50% use of funds for early intervention.	<i>Retains current law.</i>
No similar provision.	Grantees must ensure that grants will be used to supplement and not supplant federal, state and other local funds used for similar activities and programming.	<i>No similar provision.</i>
Eligible entities must submit a plan to the Secretary which contains a description of “the activities for which assistance is sought” and “provides such additional assurances as the Secretary determines necessary.”	Specifies that the contents of an application must include a description of how the entity meets the scholarship requirements, a demonstration of adequate staffing for coordinating activities, an assurance that activities would not displace employees or eliminate positions at schools, a description of how the entity defines the targeted cohort and serves the cohort through grade 12, and a description of program coordination with existing federal, state, and local projects.	<i>Retains current law.</i>
Requires State grantees to establish and maintain a scholarship component that provides students with funds equal to 75% of the state’s COA or the maximum Pell award.	Requires grantees to notify students of the eligibility requirements to receive a scholarship and to create or organize a trust for each cohort of students.	<i>Retains current law.</i>
No similar provision.	No similar provision.	<i>Requires that grantees provide continuous services through the first year at an IHE.</i>

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
Eligible entities must match not less than 50% of the cost of the program, with state, local , and institutional funds.	No similar provision.	<i>Authorizes grantees and applicants to request a reduction of the matching percentage requirement if they can demonstrate a change in circumstances.</i>
No similar provision.	No similar provision.	<i>Encourages IHEs to provide student aid to participants in their first year at an IHE by treating every non-federal dollar as two dollars for the purpose of satisfying the matching requirement.</i>
<b>Academic Achievement Incentive Scholarships.</b>		
Scholarships to students during the first two academic years of undergraduate education. Students must be Pell-eligible and have graduated in the top 10% of their secondary school graduating class.	Retains current law.	<i>Repeals provision.</i>
<b>Federal Supplemental Educational Opportunity Grants (FSEOG).</b>		
The Secretary is authorized to allocate up to 10% of the amount appropriated for programs authorized under Title IV, Part A when the appropriation exceeds \$700 million, among IHEs from which 50% or more Pell recipients either graduate or transfer to four-year IHEs.	Removes this provision.	<i>Retains current law.</i>
The allowance for books and supplies used in calculating each IHE's average COA for purposes of allocating funds to IHEs according to "fair share" allocation procedures is \$450.	Increases the allowance for books and supplies to \$600.	<i>Same as Senate provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Leveraging Educational Assistance Partnership (LEAP) Program.</i></b>		
Grants to students may not exceed \$5,000 per academic year.	Increases maximum grant per academic year to the lesser of \$12,500 or the student’s COA.	<i>Similar to Senate provision except no reference to COA.</i>
<p>The funding for Special Leveraging Educational Assistance Partnership (SLEAP) is authorized from amounts appropriated for LEAP that are in excess of \$30 million.</p> <p>State SLEAP programs may consist of the following activities: increasing the dollar amount of grants under the LEAP program; carrying out transition programs from secondary school to postsecondary education for needy students; carrying out early intervention, mentoring, and career education programs; and awarding merit or academic scholarships to needy students. The federal share of funds may not exceed 33⅓% and states must meet MOE requirements.</p>	<p>Replaces SLEAP with “Grants for Access and Persistence” program.</p> <ul style="list-style-type: none"> <li>• Authorized activities include partnerships with IHEs, private corporations, philanthropic organizations, and other entities to coordinate financial assistance to low-income students; encouraging the participation of low-income students in early information and intervention mentoring, or outreach programs.</li> <li>• States must apply in partnership with private corporations or philanthropic organizations, and IHEs.</li> <li>• The federal share of funds is 50% for states that apply in partnership with IHEs whose combined enrollment represents less than half of all students enrolled in the state; and 57% for states that apply in partnership with IHEs whose combined enrollment represents more than half of all students enrolled in the state.</li> </ul>	<p><i>Similar to Senate provision, except the federal share of funds is 57% for states that apply in partnership with IHEs whose combined enrollment represents less than half of all students enrolled in the state; and 66.6% for states that apply in partnership with IHEs whose combined enrollment represents more than half of all students enrolled in the state.</i></p>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Special Programs for Students Whose Families are Engaged in Migrant and Seasonal Farmwork.</i></b>		
Under the High School Equivalency Program (HEP) and the College Assistance Migrant Program (CAMP), recruitment services may be used to reach individuals who have themselves or whose parents have spent a minimum of 75 days during the past 24 months in migrant or seasonal farmwork.	Changes provision to include immediate family who have spent a minimum of 75 days during the past 24 months in migrant or seasonal farmwork.	<i>Similar to Senate provision.</i>
CAMP grant recipients must provide followup services for migrant students after they complete their first year of college.	Adds requirements that grant recipients must coordinate services with non-program services and aid provided by community based organizations, and that grant recipients must encourage students to transfer from 2-year IHEs to 4-year IHEs and monitor transfer rates.	<i>Similar to Senate provision.</i>
The minimum grant amount for HEP or CAMP is \$150,000.	Increases minimum grant amount for both programs to \$180,000.	<i>Similar to Senate provision.</i>
No similar provision.	Allows the Secretary to retain up to ½ of 1% of funds appropriated for HEP and CAMP for outreach activities, technical assistance, and professional development programs.	<i>Similar to Senate provision.</i>
Requires the National Center for Education Statistics to collect postsecondary education data on migrant students.	Specifies that data must be collected and the specific data that must be collected. Also requires the Secretary to submit a report to Congress at least once every 2 years.	<i>Similar to Senate provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Robert C. Byrd Honors Scholarship Program.</i></b>		
<p>Four-year, merit-based scholarships are awarded by the state, to high school students who demonstrate academic achievement and show promise of continued achievement.</p>	<p>Expands eligibility to include home-schooled students.</p>	<ul style="list-style-type: none"> <li>• <i>Redesignates program as “Robert C. Byrd Mathematics and Science Honors Scholarship Program” and changes eligibility criteria to students studying for baccalaureate and graduate degrees in physical, life, or computer sciences; mathematics; or engineering.</i></li> <li>• <i>Establishes a nonprofit organization as a managing agent of the program.</i></li> <li>• <i>Extends award eligibility (subject to satisfactory academic progress and program length) from 4 to 5 years.</i></li> <li>• <i>Mandates that students who do not complete their degree program or who do not work in a related field for 5 years must repay the award to the managing agent.</i></li> </ul>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Mathematics and Science Incentive Program.</b>		
No similar provision.	No similar provision.	<i>Establishes a new Mathematics and Science Incentive program, under which the Secretary will pay up to \$5,000 in interest on FFEL and DL program loans for new borrowers who agree to serve for 5 consecutive years as highly qualified teachers of science, technology, engineering, or mathematics in high need LEAs; or as mathematics, science, or engineering professionals.</i>
<b>Foreign Language Partnerships.</b>		
No similar provision.	No similar provision.	<i>Establishes the Foreign Language Partnership program which authorizes the Secretary to award competitive grants to IHEs in partnership with one or more LEAs to establish teacher preparation programs in critical foreign languages. Funds are to be used to recruit teachers and provide learning opportunities for students. Grantees must fulfill a 100% non-federal matching requirement.</i>
<b>Child Care Access Means Parents in School.</b>		
The Secretary is authorized to provide grants to assist IHEs in providing campus-based child care services to low-income students. An IHE is eligible for a grant if the total amount of Pell funds awarded to students enrolled at the IHE equals or exceeds \$350,000. The minimum grant is \$10,000.	Specifies a minimum grant award of \$30,000 when the appropriation exceeds \$20 million. Also, expands definition of a low-income students to include those who would be eligible for Pell but for enrollment in graduate level programs or for temporary U.S. status.	<i>Raises minimum grant to \$30,000. Lowers total level of Pell funds to \$250,000 for IHE eligibility. Expands definition of low-income students to include those “whose income qualifies for eligibility for Pell.”</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Learning Anytime Anywhere Partnerships.</i></b>		
The Secretary is authorized to make grants to partnerships to enhance the delivery and quality of career-oriented lifelong learning through technology.	Program is repealed.	<i>Same as Senate provision.</i>
<b><i>Teacher Education Assistance for College and Higher Education (TEACH) Grants.</i></b>		
The Secretary is authorized to disperse grants to IHEs or directly to eligible teacher candidates. Grant converts to loan if recipient does not fulfill agreement to teach full-time in a high-need field for four years.  (Note: This program was added by the CCRAA, P.L. 110-84.)	No similar provision.	<i>Makes technical amendments and requires the Secretary to conduct an evaluation of the program.</i>
<b><i>Federal Family Education Loan (FFEL) Program and William D. Ford Direct Loan (DL) Program.</i></b>		
Authority to make subsidized loans expires September 30, 2012; except for new loans to existing borrowers, in which case authority expires September 20, 2016.	Retains current law.	<i>Extends authority to make subsidized FFEL loans through September 30, 2013; except for new loans to existing borrowers, in which case authority is extended through September 20, 2017.</i>

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Current Law	Senate-Passed (S. 1642)	House Education and Labor Committee-Passed (H.R. 4137)
No similar provision.	No similar provision.	<i>Requires FFEL lenders, secondary markets, holders, and guaranty agencies, if requested by an IHE or third party servicer working for the IHE to prevent defaults, to provide to the requestor, free of charge, any student loan information maintained by the entity pertaining to Title IV loans made to a borrower. Requires safeguarding of student loan information; and restricts the use and sharing of such information by third party servicers.</i>
No similar provision.	Requires FFEL lenders to provide borrowers of unsubsidized Stafford loans who are eligible for a deferment with information on how the capitalization of interest may impact the total amount to be repaid.	<i>No similar provision.  (Note: A fairly comparable provision is included in “Requirements for Lenders and Institutions Participating in Educational Loan Arrangements” under Title I of <b>Table 1</b>.)</i>
Certain restrictions on inducements, mailings, and advertising apply to FFEL guaranty agencies.	Revises restrictions on inducement, payments, mailings, and advertising by guaranty agencies to include other items, such as stock or other securities, prizes, travel, entertainment expenses, and tuition payment. Revises the prohibition on unsolicited mailings to apply to mailings by postal or electronic means. Prohibits guaranty agencies from performing or paying another person to perform any function the IHE is required to perform under Title IV, Parts B, D, or G.	<i>Retains current law.</i>
FFEL guaranty agreements must contain certain provisions regarding the form of forbearance granted by lenders.	Adds requirement for lenders to provide borrowers with specific information when granting forbearance, including information about the impact of the capitalization of interest; and, at least once every 180 days, information on the accrual of interest.	<i>Retains current law.</i>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
Certain requirements apply to agreements with lenders regarding consolidation loans.	Requires lenders to disclose in a clear and conspicuous manner, information on any loan benefits that would be lost by borrowers who consolidate loans that were made under Title IV, Parts B, D, or E.	<i>Similar to Senate provision except House provision limits applicability to loans made under Title IV, Part E.</i>
The Secretary, guaranty agencies, lenders, and subsequent loan holders are required to enter into agreements with credit bureaus to exchange information concerning student borrowers.	Replaces “credit bureaus” with “consumer reporting agencies;” and requires reporting of the type of loan, the repayment status of the loan, and any other information required by federal law.	<i>Retains current law.</i>
The Secretary’s financial transactions and the settlement of claims approved by the Secretary are final.	Retains current law.	<i>Prohibits the Secretary from entering into any settlement agreement of any claim that exceeds \$1 million, unless the Secretary has asked for a review and opinion by the Attorney General.</i>
Eligible FFEL lenders are required to disclose certain information to borrowers regarding the terms and conditions of their loans.	In addition to existing requirements, permits eligible lenders subject to Title V-A of the Gramm-Leach-Bliley Act to only use, release, disclose, sell, transfer, or give student information (e.g., name, address, social security number, or amount borrowed) as permitted by that subtitle.	<i>Retains current law.</i>
Eligible FFEL lenders are required to disclose certain information to borrowers regarding the terms and conditions of their loans.	Requires eligible lenders, loan holders, and servicers to provide borrowers with certain information on borrower benefits they offer, such as interest rate reductions and any limitations on such benefits.	<i>(Note: A fairly comparable provision, that would apply to IHEs in addition to lenders and loan holders, is included in “Requirements for Lenders and Institutions Participating in Educational Loan Arrangements” under Title I of Table 1.)</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>No similar provision.</p>	<p>Requires FFEL guaranty agencies working with IHEs they serve; and the Secretary working with IHEs in the DL program, to develop programs and materials for providing students with training on budgeting, financial management, debt management, and financial literacy. Such activities shall be considered default reduction activities for purposes of section 422.</p>	<p><i>Same as Senate provision, but also requires guaranty agencies to develop specific programs designed to prevent delinquencies and avert defaults.</i></p>
<p>Generally, an eligible lender is defined as a national or state chartered bank, a mutual savings bank, a savings and loan association, a stock savings bank, or a credit union.</p> <p>A lender can be disqualified for various reasons, including offering, directly or indirectly, points, premiums, payments, or other inducements, to any IHE or other party to secure applicants for FFEL loans.</p>	<ul style="list-style-type: none"> <li>● Revises restrictions on inducement, payments, mailings, and advertising by eligible lenders to address other items, such as payments for referrals, finder fees, prizes, stock or other securities, travel, entertainment expenses, tuition payment, and additional financial aid funds. Expands the prohibition on unsolicited mailings to apply to mailings by postal or electronic means.</li> <li>● Prohibits eligible lenders from entering into consulting arrangements or other contracts with employees of IHEs' financial aid offices; and from performing any function the IHE is required to perform under HEA, Parts B, D, or G.</li> <li>● Restricts compensation provided by lenders to students and employees of IHEs' financial aid offices.</li> </ul>	<ul style="list-style-type: none"> <li>● <i>Revises the definition of "eligible lender" to include national and state chartered banks with assets of less than \$1 billion.</i></li> </ul> <p><i>(Note: A fairly comparable provision, that would apply to IHEs rather than lenders and requires IHEs to develop, publish, administer, and enforce a Code of Conduct, is included in "Requirements for Lenders and Institutions Participating in Educational Loan Arrangements" under Title I of Table 1.)</i></p>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
IHEs may be eligible lenders; and eligible lenders may serve as trustees for IHEs.	Terminates this authority on June 30, 2012.	<i>Retains current law.</i>
<ul style="list-style-type: none"> <li>• Cohort default rates are calculated on the basis of borrowers who default on their loans by the end of the first fiscal year after they enter repayment.</li> <li>• The Secretary is required to annually publish cohort default rate data for categories of IHEs.</li> </ul>	Retains current law.	<ul style="list-style-type: none"> <li>• <i>Revises calculation of cohort default rate to be calculated on the basis of borrowers who default on their loans before the third fiscal year after the fiscal year in which they enter repayment.</i></li> <li>• <i>Similar to current law except the Secretary must also publish “life of cohort default rate” data, which show the percentage of borrowers who default on their loans before the end of each succeeding fiscal year.</i></li> </ul>
FFEL and DL loans borrowers who die or become permanently and totally disabled (as determined in accordance with regulations) may have their loans discharged.	Specifies that borrowers who are unable to engage in gainful activity due to a medically determinable physical or mental impairment, expected to result in death, which has lasted or is expected to last continuously for 60 months, shall have their loans discharged.	<i>Specifies that borrowers who receive a permanent total disability rating from the Secretary of Veterans Affairs, and provide such documentation to the Secretary, shall be considered permanently and totally disabled for the discharge of student loans, and shall not be required to present additional documentation.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<p><i>Establishes a Loan Forgiveness for Service in Areas of National Need program, and authorizes the Secretary to forgive up to \$2,000 in FFEL or DL student loan debt (other than PLUS Loans borrowed on behalf of a dependent student), per year of full-time employment in an area of national need, with a maximum of \$10,000 over 5 years of service.</i></p> <p><i>Areas of national need include early childhood educators, nurses, foreign language specialists, librarians, certain highly qualified teachers, child welfare workers, speech-language pathologists, national service participants, school counselors, certain public sector employees, nutrition professionals, medical specialists, and mental health professionals.</i></p>
No similar provision.	No similar provision.	<p><i>Establishes a Loan Repayment for Civil Legal Assistance Attorneys, under which the Secretary would assume the obligation to repay loans made under Title IV, Parts B, D, or E, for borrowers employed full-time, for not less than 3 years, as civil legal assistance attorney. The Secretary may repay up to \$6,000 per year; with an aggregate total of \$40,000.</i></p>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<ul style="list-style-type: none"> <li>• <i>Requires a financial and compliance audit of all DL program loans owned by ED; and all contracts pertaining to the DL program.</i></li> <li>• <i>Requires the Secretary to make available annual budget justifications and quarterly reports pertaining to the administration of the DL program.</i></li> <li>• <i>Requires the Secretary to report annually to Congress on the impact of the DL program on the national debt.</i></li> </ul>
No similar provision.	No similar provision.	<i>Requires the Secretary and the Secretary of the Treasury to conduct a joint evaluation of the Competitive Loan Auction Pilot program; and to submit reports to the authorizing committees.</i>
<b><i>Federal Work-Study (FWS) Programs.</i></b>		
The allowance for books and supplies used in calculating each IHE's average COA for the purpose of allocating funds according to the "fair share" allocation procedures is \$450.	Increases the allowance for books and supplies to \$600.	<i>Similar to Senate provision.</i>
IHEs must use at least 7% of their FWS allocation to compensate students employed in community service; and must operate at least one tutoring or family literacy project. These requirements may be waived if the Secretary determines that enforcement would cause hardship for students at the IHE.	Revises the criteria upon which the Secretary may grant a waiver, such that waivers may be granted if enforcement would cause hardship for students at the IHE; or if the IHE certifies that 15% or more of its full-time students participate in specified community service or tutoring and literacy activities.	<i>Revises the definition of "community services" to include "responding to the needs of the community, which may include activities in preparation for and during emergencies and natural disasters."</i>

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<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
No similar provision.	No similar provision.	<i>Authorizes the Secretary to award grants to IHEs to recruit and compensate students for off-campus community service employment, with priority for the support of early childhood education activities, and activities in preparation for and during emergencies and natural disasters.</i>
IHEs may use not more than 10% or \$50,000 of their FWS allocations for job location and development programs.	Permits IHEs to use not more than 10% or \$75,000 of their FWS allocations for job location and development programs.	<i>Retains current law.</i>
Certain requirements apply to “work-learning” programs operated by work colleges.	Revises requirements applicable to work colleges, including: <ul style="list-style-type: none"> <li>• referring to programs as “comprehensive work-learning-service programs;”</li> <li>• limiting eligibility to public or private four-year, degree-granting IHEs; and</li> <li>• requiring resident students to participate in comprehensive work-learning-service programs for not less than 5 hours per week, or 80 hours per period of enrollment.</li> </ul>	<i>Similar to Senate provision.</i>
<b>Federal Perkins Loans.</b>		
The allowance for books and supplies used in calculating each IHE’s average COA for the purpose of allocating funds according to the “fair share” allocation procedures is \$450.	Increases the allowance for books and supplies to \$600.	<i>Similar to Senate provision.</i>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>According to agreements with IHEs for the payment of federal capital contributions, if an IHE has not knowingly failed to maintain an acceptable collection record with respect to a defaulted loan, the Secretary may allow the IHE to</p> <ul style="list-style-type: none"> <li>• transfer the loan to the Secretary for collection and the proceeds (less collection costs) may be reallocated to other IHEs, or</li> <li>• refer the loan to the Secretary for collection and the proceeds (less collection costs) shall be repaid to the IHE and treated as an additional capital contribution.</li> </ul>	<p>Retains current law.</p>	<ul style="list-style-type: none"> <li>• <i>Revises the agreements to authorize the Secretary to allow an IHE to refer a loan to the Secretary for collection and the proceeds (less collection costs) shall be repaid to the IHE and treated as additional capital contribution.</i></li> <li>• <i>Restricts the authority of the Secretary to prescribe fiscal controls requiring IHEs to assign Perkins Loans to the Department, except in circumstances specified at HEA, sections 463(a)(4)&amp;(5).</i></li> </ul>
<p>Perkins Loan limits are</p> <ul style="list-style-type: none"> <li>• \$4,000 per year for undergraduate students; and \$6,000 per year for graduate and professional students.</li> <li>• \$20,000 aggregate for undergraduate students who have completed two years of study; \$40,000 aggregate for graduate and professional students; and \$8,000 aggregate for all other students.</li> </ul>	<p>Retains current law.</p>	<p><i>Increases loan limits to</i></p> <ul style="list-style-type: none"> <li>• <i>\$5,500 per year for undergraduate students; and \$8,000 per year for graduate and professional students.</i></li> <li>• <i>\$27,500 aggregate for undergraduate students who have completed two years of study; \$60,000 aggregate for graduate and professional students; and \$11,000 aggregate for all other students.</i></li> </ul>
<p>Perkins Loan borrowers must request a forbearance in writing.</p>	<p>Eliminates this provision.</p>	<p><i>Same as Senate provision.</i></p>
<p>Perkins Loan borrowers may rehabilitate a defaulted loan by making 12 on-time, consecutive, monthly payments.</p>	<p>Retains current law.</p>	<p><i>Reduces the amount of time to 9 on-time, consecutive, monthly payments.</i></p>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>Perkins Loans may be cancelled for employment in certain types of public service jobs.</p>	<p>Expands occupations for which Perkins Loans may be cancelled to include a</p> <ul style="list-style-type: none"> <li>• full-time staff member in a pre-kindergarten or child care program that is licensed or regulated by the state;</li> <li>• full-time faculty member at a TCU;</li> <li>• librarian with a master’s degree in library science, and employed in a school served under Title I of the ESEA, or a public library serving a Title I school; and</li> <li>• full-time speech language therapist with a master’s degree working exclusively in Title I schools.</li> </ul> <p>Provides loan cancellation for these occupations, and for service as a member of the armed forces in an area of hostility, at the rate of 15% for the 1<sup>st</sup> and 2<sup>nd</sup> years of service; 20% for the 3<sup>rd</sup> and 4<sup>th</sup> years of service; and 30% for the 5<sup>th</sup> year of service.</p>	<p><i>Similar to Senate provision, except loan cancellation is also provided to full-time fire fighters.</i></p>
<p>Perkins Loans borrowers who die or become permanently and totally disabled (as determined in accordance with regulations) may have their loans discharged.</p>	<p>Specifies that borrowers who are unable to engage in gainful activity due to a medically determinable physical or mental impairment expected to result in death, which has lasted or is expected to last continuously for 60 months, shall have their loans discharged.</p>	<p><i>Specifies that borrowers who receive a permanent total disability rating from the Secretary of Veterans Affairs, and who provide such documentation to the Secretary, shall be considered permanently and totally disabled for the discharge of student loans; and that such borrowers shall not be required to present additional documentation.</i></p>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Need Analysis: Cost of attendance.</i></b>		
Defines an allowance for room and board costs incurred by a student without dependents who resides at home and for students who live on-campus in institutionally owned and operated housing.	Expands definition to include a room and board allowance for students who live in housing located on a military base or who receive a basic allowance for housing. The allowance would be based on the reasonable expenses incurred solely for board, not for room.	<i>Same as Senate provision.</i>
<b><i>Need Analysis: Definitions.</i></b>		
Untaxed Income and Benefits: The term untaxed income and benefits means, "... housing, food, and other allowances for military, clergy, and others."	Excludes the value of military housing or a military housing allowance received by a student or his/her parent, from consideration as untaxed income or benefits in the need analysis formula.	<i>Same as Senate provision.</i>
Total income is equal to adjusted gross income plus untaxed income and benefits for the preceding tax year minus excludable income.	Retains current law.	<i>Specifies that the term "total income" with respect to dislocated workers is equal to estimated untaxed income and benefits for the current tax year minus estimated excludable income for the current year.</i>
<b><i>Definition of an Academic Year.</i></b>		
On a case-by-case basis, the Secretary may reduce the minimum number of weeks of instruction in an academic year from 30 weeks to 26 weeks, for good cause, for IHEs providing a two-year or four-year program of instruction for which the institution awards an associate's or bachelor's degree.	Clarifies that the Secretary may only reduce the number of weeks of instruction for programs that measure program length in credit hours or clock hours. The Secretary may not waive the requirement for IHEs that solely measure student learning based on direct assessment.	<i>No similar provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Compliance Calendar.</i></b>		
No similar provision.	Requires the Secretary prior to the beginning of each award year, to provide IHEs with a list of all reports and disclosures required under the HEA, including the date each report or disclosure is due, required recipients of each report or disclosure, the required content of each report or disclosure, references to statutory authority, and applicable regulations.	<i>Similar to Senate provision.</i>
<b><i>Forms and Regulations.</i></b>		
No similar provision.	Requires the Secretary to develop an EZ-Free Application for Federal Student Aid (FAFSA) for individuals eligible for automatic-zero expected family contribution (auto-zero EFC). The form shall only contain elements necessary to determine student eligibility for federal student aid and if the applicant is eligible for auto-zero EFC. Secretary shall include state specific data on the EZ-FAFSA, if state allows residents to use EZ-FAFSA to apply for state aid.	<i>Similar to Senate provision except the House provision would apply to individuals who are eligible for auto-zero EFC and simplified needs test (SNT).</i>
No similar provision.	Develops a simplified electronic form for auto-zero EFC and SNT-eligible applicants. Secretary shall only include state specific data on the simplified electronic version if State allows residents to use simplified version to apply for state aid.	<i>Same as Senate provision.</i>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	The Secretary shall phase-out printing the full paper FAFSA at such time as he/she determines it is not cost effective to print the full version. Prior to the phase-out and after, the Secretary shall maintain a paper form on the Internet. Any savings produced shall be used to help to improve access to electronic forms for students who qualify for auto-zero EFC.	<i>Similar to Senate provision except House does not include a provision for phasing out printing the full paper FAFSA.</i>
No similar provision.	The Secretary shall encourage states to utilize the simplified forms to award state aid. States that do not permit the use of the forms must inform the Secretary of the reason(s) for not allowing. If state fails to inform the Secretary, Secretary can allow applicants from that state to complete the simplified application and not answer the state-specific questions.	<i>Same as Senate provision.</i>
No similar provision.	Within 180 days of the date of enactment, the Secretary shall implement a real-time data match between the Social Security Administration and ED to minimize the time required to receive a personal identification number.	<i>No similar provision.</i>
No similar provision.	The Secretary shall determine, in cooperation with the states, IHEs and organizations involved in student financial assistance, the data elements that can be updated from the previous year's FAFSA.	<i>No similar provision.</i>
No similar provision.	Applicants can complete FAFSA in the years prior to enrolling in postsecondary education to obtain a non-binding expected family contribution (EFC).	<i>Same as Senate provision.</i>
No similar provision.	The Secretary is authorized to include space for parent's social security number and date of birth on the FAFSA.	<i>No similar provision.</i>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	Any entity that provides any value-added service such as completion or submission of the FAFSA shall provide a clear and conspicuous notice that the FAFSA is free; can be completed without professional assistance; and provide a link to ED's website. Also, such entities cannot charge recipients who qualify for SNT or auto-zero EFC.	<i>Similar to Senate provision except the House does not specify that entities cannot charge recipients who qualify for SNT or auto-zero EFC.</i>
No similar provision.	The Secretary shall implement an early application demonstration study program that enables dependent students to complete a FAFSA two years prior to enrollment in an IHE. The Secretary shall partner with states, IHEs and secondary schools.	<i>Same as Senate provision.</i>
No similar provision.	The Secretary shall evaluate the demonstration program to measure the program's benefits and adverse effects. The evaluation should: identify whether financial awards or estimates, as applicable, have a positive impact on the higher education aspirations and plans of the student; determine whether using income data from two years prior would impact the state's and IHEs ability to make financial aid awards and commitments; focus on simplifying the financial aid application process; and developing alternative approaches to calculating the EFC.	<i>Similar to Senate provision.</i>

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
No similar provision.	Upon conclusion of the study the Secretary in joint decision with the Secretary of the Treasury may use Internal Revenue Service (IRS) data to pre-populate the FAFSA if such use would not negatively impact students, IHEs, states or the federal government on each of the following criteria: program costs; re-distributive effects on students; accuracy of aid determinations. Also should reduce burden to FAFSA filers.	<i>Sense of the Congress that ED and the Secretary of Treasury should work together to develop a process by which ED would be able to obtain student's financial information from the IRS, with the student's permission, to assist with completing the FAFSA. Secretary should also report to Congress within one year on the progress of these efforts.</i>
No similar provision.	No similar provision.	<i>The Secretary shall prepare a report on the adequacy of the financial aid offer letters IHEs provide to students and their family. Included in the report should be a model form which includes COA, tuition and fees, books and supplies, amount of aid that does not have to be repaid, types and amounts of loans, etc.</i>
<b>Student Eligibility.</b>		
A student is considered to have satisfactorily completed a drug rehabilitation program if it includes two unannounced drug tests.	Retains current law.	<i>Specifies that the student must successfully pass the two unannounced drug tests.</i>
No similar provision.	No similar provision.	<i>Secretary shall require all IHEs to provide each student upon enrollment with a separate clear and conspicuous notice about the penalties associated with drug convictions.</i>
Students from the Republic of the Marshall Islands (RMI), the Federated States of Micronesia (FSM), and the Republic of Palau (Palau) do not have to provide their social security number when applying for federal student aid.	Retains current law.	<i>Eliminates the exemption for students from the Republic of the Marshall Islands and the Federated States of Micronesia.</i>

Current Law	Senate-Passed (S. 1642)	House Education and Labor Committee-Passed (H.R. 4137)
<p>Students who are citizens of RMI, FSM, and Palau shall be eligible for assistance under subparts 1 and 3 of part A and part C until September 30, 2004.</p>	<p>No similar provision.</p>	<p><i>Specifies that this provision applies to students from Palau, and only for federal student aid under Title IV subpart 1 of part A. The provision would expire September 30, 2009.</i></p> <p><i>(Note: The Compact of Free Association Amendments of 2003, P.L. 108-188 makes similar provisions for RMI and FSM until fiscal year 2023)</i></p>
<p>A student who is not a high school graduate may be eligible for federal student aid if it is determined that the student has the ability to benefit from postsecondary education based on the student’s score on a specific examination, by meeting a state’s standards for making this determination, or by completing secondary school through home schooling.</p>	<p>Allows IHEs to determine that a student has the ability to benefit from postsecondary education if the student satisfactorily completes six credit hours or the equivalent coursework applicable toward a degree or certificate offered by the IHE.</p>	<p><i>Retains current law.</i></p>
<p>A student enrolled in a course of instruction at an IHE that is offered in whole or in part through telecommunications and leads to a recognized certificate or degree shall not be considered to be enrolled in correspondence courses.</p>	<p>Changes the current law reference of “telecommunications” to “distance education” to be consistent with the newly added definition of distance education and specifies that students enrolled in a course of instruction offered “principally through distance education” that leads to a recognized degree or certificate would not be considered to be enrolled in correspondence courses.</p>	<p><i>Similar to Senate provision.</i></p>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>No similar provision.</p>	<ul style="list-style-type: none"> <li>• Authorizes students with intellectual disabilities, who would not otherwise qualify, as eligible for federal grant or work assistance under subparts 1 and 3 of Part A and Part C of Title IV.</li> <li>• Eliminates certain student eligibility requirements to receive aid including being accepted for enrollment in a program leading to a recognized credential and maintaining satisfactory academic progress.</li> <li>• Intellectual disability defined as a person who: has a cognitive impairment that substantially affects intellectual and cognitive functioning; is eligible for assistance under the Individuals with Disabilities and Education and Improvement Act (IDEA) and completed secondary school or who is no longer eligible for IDEA because of age; and is enrolled or accepted for enrollment in a comprehensive transition or postsecondary education program that meets requirements such as preparing students for gainful employment.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Similar to Senate provision but limits participation to federal grant or work assistance under section 401 and subpart 3 of part A and part C of Title IV.</i></li> <li>• <i>In addition to the exemptions in the Senate bill, the House also exempts students who are not high school graduates. Requires the Secretary to issue regulations for programs enrolling students with intellectual disabilities to enable the programs to be considered eligible programs for the purposes of the aforementioned federal student aid programs even if they do not meet existing program eligibility requirements for these aid programs (e.g., instructional time requirements.)</i></li> </ul>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Data Analysis on Access to Federal Student Aid for Certain Populations.</b>		
No similar provision.	No similar provision.	<i>Requires the Secretary in consultation with the Central Processing System, to analyze FAFSA data, specifically the number and characteristics of students who were denied federal student aid due to a drug conviction. Data are to be maintained annually, and updated at least once per year.</i>
<b>Statute of Limitations and State Court Judgments.</b>		
<p>Certain provisions ensure that obligations to repay loans and grant overpayments are enforced. For example, in collecting on a defaulted FFEL program loan, a guaranty agency or the Secretary shall not be subject to a defense raised by a borrower based on a claim of <i>infancy</i> due to having borrowed a loan prior to reaching the age of legal majority.</p>	<ul style="list-style-type: none"> <li>• Protects IHEs that participate in the Perkins Loan program against a defense raised by a borrower based on a claim of infancy.</li> <li>• In the case of a deceased student, neither the student’s estate nor the student’s estate shall be required to repay any Title IV aid, student loan interest, or collection costs.</li> </ul>	<i>Same as Senate provision except no provision for deceased students.</i>
<b>Institutional Refunds.</b>		
<p>If an IHE determines that a student did not begin the withdrawal process or failed to notify the institution of his/her intent to withdraw due to student illness, accident, or other circumstances beyond the student’s control, the IHE may determine the appropriate withdrawal date.</p>	<p>Provides an IHE with the option of also determining that the HEA requirements related to the return of Title IV funds do not apply to the student.</p>	<i>Retains current law.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Institutional and Financial Assistance Information for Students.</i></b>		
Establishes requirements for information that must be disclosed to prospective and current students.	Requires institutions to also disclose information about any plans the institution has for improving its academic programs.	<i>Retains current law.</i>
No similar provision.	Requires IHEs to develop policies and sanctions related to copyright infringement.	<i>Similar to Senate provision.</i>
No similar provision.	Requires IHEs to provide current and prospective students information on student body diversity, employment of graduates, types of graduate and professional education pursued by graduates of four-year degree programs, and student retention rates.	<i>No similar provision.</i>
Requires IHEs to provide current and prospective students with data on the completion or graduation rates of certificate or degree-seeking, full-time undergraduate students.	Requires IHEs to disaggregate data by gender, race/ethnicity, receipt of Pell, receipt of specific federal student loans, and receipt of other federal aid.	<i>No similar provision.</i>
IHEs must provide exit counseling for borrowers, which must include a discussion of the average anticipated monthly repayment amount, a review of repayment options, and information on partial cancellations or deferment of repayments. Each institution must require students receiving Title IV loans to participate in an exit interview.	Adds additional requirements to be discussed through exit counseling, including loan prepayment requirements, consequences of default, information about loan consolidation, and information about the National Student Loan Data System (NSLDS). Requires that the IHE provide the borrower with a “clear and conspicuous notice” regarding the effects of using a consolidation loan.	<i>Retains current law.</i>  <i>(Note: A fairly comparable provision, that would apply to lenders rather than IHEs, is included in “Requirements for Lenders and Institutions Participating in Educational Loan Arrangements” under Title I of Table 1.)</i>
The Secretary must compile and disseminate information on state and other prepaid tuition and savings plans.	Requires the Secretary to also collect and disseminate information on state grant assistance.	<i>Retains current law.</i>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
IHEs may exclude from their reports on the completion and graduation rates of students and student athletes, students or student athletes who leave school to serve in the armed forces, on official church missions, or with a recognized foreign aid service of the federal government.	Adds that if these students represent 20% or more of certificate or degree-seeking, full-time, undergraduate students, the IHE may recalculate the completion and graduation rates of such students by excluding the time period during which they were not enrolled due to service in the armed forces, on an official church mission, or with a recognized foreign aid service of the federal government.	<i>Retains current law.</i>
All IHEs participating in Title IV must disclose their campus security policies and campus crime statistics.	Excludes foreign institutions from this requirement.	<i>Similar to Senate provision.</i>
Requires institutions to provide statistics on nine types of criminal offenses (e.g., murder, robbery).	Retains current law.	<i>Expands the list of crimes to include intimidation; larceny-theft; destruction, damage, or vandalism of property; and simple assault.</i>
Requires institutions to report whether the victim of a crime was intentionally selected because of the individual's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.	Retains current law.	<i>Requires hate crime statistics to be reported by degree-granting institutions only.</i>

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Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	Requires IHEs to include a statement of their policies regarding immediate emergency response and evacuation procedures. Among other things, these policies must include procedures to notify the campus community in a “timely and responsive manner” in the event of an emergency or dangerous situation occurring on-campus and procedures to test emergency response and evacuation procedures annually.	<i>Similar to Senate provision but requires the campus community to be notified within 30 minutes in the event of an emergency or dangerous situation occurring on-campus, off-campus, or on public property.</i>
No similar provision.	Requires the Secretary to annually report to the authorizing committees regarding institutional compliance with the disclosure of campus security policies and crime statistics, and the Secretary’s monitoring of such compliance.	<i>Similar to Senate provision.</i>
No similar provision.	Allows the Secretary to work with the Attorney General to address the development and dissemination of information about best practices related to campus crime and safety.	<i>Similar to Senate provision.</i>
No similar provision.	No similar provision.	<i>Prohibits retaliation by an IHE or its employees, officers, and agents against an individual for the purpose of interfering with the implementation of campus security policies or crime statistics reporting provisions or because an individual has complained, testified, assisted, or otherwise participated in an investigation, proceeding, or hearing.</i>

CRS-70

Current Law	Senate-Passed (S. 1642)	House Education and Labor Committee-Passed (H.R. 4137)
No similar provision.	Requires each IHE to publicly disclose its transfer of credit policies, which must include the disclosure of any criteria used to evaluate the transfer of credit (e.g., the accreditation held by the sending institution and a list of IHEs with which the IHE has established articulation agreements).	<i>Similar to Senate provision.</i>
No similar provision.	Prohibits the Secretary or the Accreditation and Institutional Quality and Integrity Advisory Committee (formerly NACIQI) from requiring particular policies, procedures, or practices by IHEs regarding transfer of credit.	<i>Prohibits the Secretary or NACIQI from requiring particular policies, procedures, or practices by IHEs regarding transfer of credit.</i>
No similar provision.	States that the disclosure of the transfer of credit policy by the IHE does not: (1) permit ED to exercise any direction, supervision, or control over the curriculum, instruction, administration, or personnel at any IHE or over any accrediting agency; (2) limit the application of the General Education Provisions Act; or (3) provide students with legally enforceable rights to require an IHE to accept a transfer of credit.	<i>Similar to Senate provision.</i>
No similar provision.	Requires IHEs to annually disclose information on fire safety practices and standards.	<i>Similar to Senate provision but adds a requirement prohibiting retaliation by an IHE or its employees, officers, and agents against an individual for the purpose of interfering with the implementation of fire safety standards and measures or because an individual has complained, testified, assisted, or otherwise participated in an investigation, proceeding, or hearing.</i>
No similar provision.	No similar provision.	<i>Requires IHE to implement missing person procedures.</i>

CRS-71

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Creates a program to encourage the development, enhancement, and implementation of articulation agreements among public institutions to the extent practicable by 2010. Requires the Secretary to study articulation agreements at public, private nonprofit, and private for-profit institutions.</i>
No similar provision.	Requires IHEs to provide entrance counseling for first-time student borrowers of Title IV part B or part D loans.	<i>No similar provision.</i>
<b><i>Program Participation Agreement (PPA).</i></b>		
No similar provision.	Requires IHEs to establish and make publicly available a code of conduct regarding student loans that addresses issues such as, revenue sharing, contracting arrangements, and advisory board compensation.	<i>No similar provision is added to the PPA.  (Note: A fairly comparable provision is included in “Requirements for Lenders and Institutions Participating in Educational Loan Arrangements” under Title I of <b>Table 1.</b>)</i>
Requires institutions to provide voter registration information to students.	Allows propriety institutions to comply with the requirement by transmitting voter registration information electronically.	<i>Similar to Senate provision except would apply to all IHEs.</i>
Proprietary institutions are required to earn 10% of their revenue from non-Title IV sources of revenue as a condition of institutional eligibility; also referred to as the 90/10 rule.	Moves the 90/10 rule from Title I to the PPA, and subjects proprietary institutions violating this rule to sanctions. <b>(Note:</b> By making this change, the 90/10 rule is no longer an institutional eligibility requirement.)	<i>Similar to Senate provision.</i>

CRS-72

Current Law	Senate-Passed (S. 1642)	House Education and Labor Committee-Passed (H.R. 4137)
No similar provision.	Adds requirements related to preferred lender lists maintained by IHEs. For example, IHEs must disclose why each lender is on the preferred lender list.	<p><i>No similar provision is added to the PPA.</i></p> <p><i>(Note: A fairly comparable provision is included in “Requirements for Lenders and Institutions Participating in Educational Loan Arrangements” under Title I of <b>Table 1.</b>)</i></p>
Requires the Secretary to issue regulations regarding financial and compliance audits of institutions.	Permits the Secretary to modify the requirements for a foreign institution.	<p><i>Similar to Senate provision but also provides the Secretary with the option of waiving requirements for foreign institutions whose students receive less than \$500,000 in Title IV loans.</i></p>
No similar provision.	Adds requirements for IHEs related to teach-outs. Defines a teach-out plan as a written plan providing for the equitable treatment of students if an IHE ceases operations before all students have completed their program of study.	<p><i>No similar provision.</i></p>
No similar provision.	Requires that IHEs that violate their code of conduct regarding students loans have their eligibility to participate in the federal student loan programs limited, suspended, or terminated.	<p><i>No similar provision is added to the PPA.</i></p> <p><i>(Note: A fairly comparable provision is included in “Requirements for Lenders and Institutions Participating in Educational Loan Arrangements” under Title I of <b>Table 1.</b>)</i></p>
No similar provision.	No similar provision.	<p><i>Requires institutions to annually report on the number and percent of students: taking classes online or through distance education, taking courses exclusively online or through distance education, and the number and percent of courses offered online or through distance education.</i></p>

CRS-73

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Requires institutions to disclose to the alleged victim of a violent crime or non-forcible sex offense the final results of any disciplinary proceedings conducted by the institution against the alleged perpetrator.</i>
No similar provision.  (Note: Requirements related to the 90/10 rule are currently addressed through regulations.)	Requires the cash basis of accounting to be used for purposes of determining compliance with the 90/10 rule.	<i>Similar to Senate provision.</i>

CRS-74

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>No similar provision.</p>	<p>Permits institutions to count the following funds as non-Title IV revenue for purposes of determining compliance with the 90/10 rule:</p> <ul style="list-style-type: none"> <li>• non-Title IV aid used by students to pay their institutional charges;</li> <li>• funds used by institutions to satisfy matching requirements for Title IV programs;</li> <li>• funds used by students from a 529 plan to pay institutional charges;</li> <li>• funds paid by a student to the institution for a training program that is not eligible for Title IV funds but is approved or licensed by the appropriate state agency or accrediting agency; recognized by the Secretary</li> <li>• funds generated by the institution from activities that are necessary for the education and training of students;</li> <li>• amount of loan repayment received by the institution during the relevant fiscal year;</li> <li>• institutional scholarship funds distributed from an established restricted account; and</li> <li>• tuition discounts provided based on academic merit or financial need.</li> </ul>	<p><i>Similar to Senate provisions except the House:</i></p> <ul style="list-style-type: none"> <li>• <i>Specifically prohibits the IHE from counting funds that it uses to satisfy matching requirements for Title IV programs; and</i></li> <li>• <i>Does not include a provision for using tuition discounts that it provides that are based on academic merit or financial need.</i></li> </ul>

CRS-75

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Specifies funds that may not be included in determining compliance with the 90/10 rule (e.g., LEAP funds and institutional funds used to match Title IV program funds).</i>
No similar provision.	Requires institutions that fail to comply with the 90/10 rule in any year to be placed on provisional certification and subjected to increased monitoring and reporting requirements.	<i>Similar to Senate provision but also requires an institution to demonstrate its compliance with financial responsibility requirements.</i>
No similar provision.	Institutions that fail to comply with the 90/10 rule for two consecutive years lose their Title IV eligibility until the institution demonstrates compliance with the 90/10 rule.	<i>Similar to Senate provision but institutions must demonstrate compliance with all eligibility requirements for at least three fiscal years prior to regaining Title IV eligibility.</i>
No similar provision.	Requires the Secretary to publicly disclose the name of any institution that fails to comply with the 90/10 rule in a given year.	<i>Similar to Senate provision.</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to annually submit to Congress the 90/10 rule revenue calculations for each institution required to comply with the 90/10 rule.</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to issue regulations to provide for the review of an institution's compliance with provisions governing the enrollment of students who are not high school graduates if it is determined through required financial and compliance audits that more than 5% of the institution's enrollment qualified for Title IV aid based on ability to benefit from postsecondary education provisions.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Regulatory Relief and Improvement: Quality Assurance Program (QAP).</b>		
The QAP provides participating IHEs with an alternative management approach by which individual IHEs can develop their own systems for processing and disbursing student financial aid, verifying financial data, and providing entrance and exit interviews.	Authorizes the Secretary to continue the voluntary participation of experimental sites in existence prior to the enactment of this act. Any activities approved by the Secretary prior to that date that have not fulfilled the purpose of the program must be discontinued by June 30, 2008. Also requires the Secretary to review and submit a biennial report to the authorizing committees on the experience of participating IHEs. Authorizes the Secretary to periodically select additional IHEs for voluntary participation in the QAP.	<i>Similar to Senate provision, but requires the termination of any currently participating sites determined by the Secretary to not have fulfilled the purpose of the program by June 30, 2009.</i>
<b>Transfer of Allotments.</b>		
IHEs may transfer up to 25% of their Perkins Loan FCC allotment to FSEOG and/or FWS; and up to 25% of their FWS allotment to FSEOG.	Allows IHEs to transfer up to 25% of their FSEOG allotment to FWS.	<i>No similar provision.</i>
<b>Advisory Committee on Student Financial Assistance (ACSFA).</b>		
ACSFA currently provides extensive knowledge and understanding of federal, state, and institutional programs for postsecondary student assistance, among other things.	Expands the purpose of the ACSFA to include providing knowledge and understanding of early intervention programs and making recommendations that will result in early awareness for low and moderate-income students of their eligibility for assistance.	<i>Same as Senate provision.</i>
No similar provision.	Requires the ACSFA to conduct a study of innovative pathways to baccalaureate degree attainment, such as dual enrollment, Pell program changes, and compressed or modular scheduling, among other things.	<i>No similar provision.</i>

CRS-77

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Campus-Based Digital Theft Prevention.</i></b>		
No similar provision.	No similar provision.	<i>Requires each IHE to make information available about policies and procedures related to illegal downloading and distribution of copyrighted materials. Authorizes the Secretary to make grants to IHEs or consortia of IHEs or enter into contracts with IHEs, consortia of IHEs, or other organizations to support prevention and education programs designed to reduce and eliminate illegal downloading and distribution of intellectual property.</i>
<b><i>Recognition of Accrediting Agency or Association.</i></b>		
Accrediting agencies are required to consistently apply and enforce standards to ensure courses and programs, including distance education courses and programs, are of sufficient quality to achieve their stated objectives for the duration of the accreditation period.	Requires accrediting agencies to respect the stated mission of the institution, including religious missions, when applying and enforcing standards.	<i>Similar to Senate provision.</i>
No similar provision.	Requires an accrediting agency that already has or seeks to include the evaluation of distance education programs within its scope of recognition to demonstrate to the Secretary that its standards effectively address the quality of distance education programs in the same areas in which it evaluates classroom-based programs. It does not require IHEs to have separate standards for courses or programs offered by distance education.	<i>Similar to Senate provision.</i>

CRS-78

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	Requires an accrediting agency to require that IHEs offering distance education programs establish that a student registered for a distance education course is the same student that participates in, completes, and receives credit for the course.	<i>Similar to Senate provision.</i>
Accrediting agencies are required to assess the IHE's success regarding student achievement in relation to the institution's mission, including, as appropriate, course completion, state licensing exams, and job placement rates.	Requires accrediting agencies to examine an IHE's success regarding student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of state licensing examinations and job placement rates.	<i>Retains current law.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>Accrediting agencies are required to apply procedures throughout the accrediting process that comply with due process including:</p> <ul style="list-style-type: none"> <li>• adequate specification of requirements and deficiencies at the IHE or program being evaluated;</li> <li>• notice of an opportunity for a hearing by any such IHE;</li> <li>• right to appeal an adverse action against any such IHE; and</li> <li>• right to representation by counsel for any such IHE.</li> </ul>	<p>Modifies due process requirements for an institution opposing an adverse action to include:</p> <ul style="list-style-type: none"> <li>• opportunity for a written response that would be included, prior to final action, in the evaluation and withdrawal proceedings;</li> <li>• upon written request by the IHE, an opportunity to appeal any adverse action at a hearing prior to the action becoming final, before an appeals panel that does not include members of the accrediting agency's decision-making body that made the adverse decision and that is subject to a conflict of interest policy; and</li> <li>• right to representation by counsel during an appeal of an adverse action.</li> </ul>	<p><i>Similar to Senate provisions except:</i></p> <ul style="list-style-type: none"> <li>• <i>adds that the specification of requirements must include clear and consistent standards for an institution to be accredited</i></li> </ul>

CRS-80

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>An accrediting agency must make a summary of any review that results in final denial, termination, or suspension of accreditation, and the comments of the affected institution, available to the public, upon request, and to the Secretary and state licensing or authorizing agency.</p>	<p>Requires the agency to make the summary publicly available and available to the state licensing or authorizing agency, and submit to the Secretary, a summary of agency actions including:</p> <ul style="list-style-type: none"> <li>• the award of accreditation or reaccreditation;</li> <li>• final denial, withdrawal, suspension, or termination of accreditation, or placement on probation of an IHE, and any findings made in relation to the action taken, and any official comments of the affected IHE; and</li> <li>• any other adverse action taken with respect to an IHE.</li> </ul>	<p><i>Similar to Senate provision.</i></p>
<p>Requires an accrediting agency to ensure that accreditation team members are well-trained and knowledgeable regarding their responsibilities.</p>	<p>Specifies that accreditation team members should also be well-trained and knowledgeable about their responsibilities related to distance education.</p>	<p><i>Similar to Senate provision.</i></p>
<p>No similar provision.</p>	<p>Requires on-site evaluations to include a review of the federally required information that the institution or program must provide to current and prospective students.</p>	<p><i>No similar provision.</i></p>
<p>No similar provision.</p>	<p>Requires accrediting agencies to monitor programs at IHEs that are experiencing significant enrollment growth.</p>	<p><i>Similar to Senate provision.</i></p>
<p>No similar provision.</p>	<p>Requires an IHE to submit a teach-out plan for approval by the accrediting agency if specific events occur, such as the accrediting agency withdraws accreditation or the IHE notifies the accrediting agency that it will be closing.</p>	<p><i>Similar to Senate provision.</i></p>

CRS-81

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
No similar provision.	Requires accrediting agencies, as part of accreditation or re-accreditation reviews, to confirm that the IHE has publicly disclosed its transfer of credit policy and that the policy specifically states the criteria used by the IHE regarding transfer of credit from another IHE.	<i>Similar to Senate provision.</i>
No similar provision.	No similar provision.	<i>Requires the accrediting agency to review and consider an IHE's response to an accreditation decision and include a written statement addressing the IHE's response that states the basis for the determination and includes a copy of the IHE's response.</i>
No similar provision.	No similar provision.	<i>Prohibits an accrediting agency from making a determination including an adverse action based upon an unpublished or undocumented policy, practice, or precedent.</i>
No similar provision.	Prohibits the Secretary from establishing any criteria that “specifies, denies, or prescribes” the standards an accrediting agency will use to assess an institution’s success with respect to student achievement.	<i>Similar to Senate provision.</i>
No similar provision.	Prohibits the Secretary from issuing regulations related to standards used by the accrediting agency to evaluate the institution with respect to student achievement, curricula, faculty, etc. (section 496(a)(5)).	<i>Similar to Senate provision.</i>
<b><i>Administrative Capacity Standard.</i></b>		
No similar provision.	Adds provisions related to the use of a closed IHE as a location for conducting a teach-out.	<i>No similar provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Accreditation Ombudsman.</i></b>		
No similar provision.	No similar provision.	<i>Creates an Accreditation Ombudsman to provide timely assistance to IHEs, accrediting agencies, and other participants in the accreditation process who have a grievance related to the accreditation process.</i>
<b><i>Program Review and Data.</i></b>		
The Secretary must conduct program reviews of IHEs.	Adds that the Secretary must provide an IHE with an adequate opportunity to review and respond to review report and relevant materials before a final program review is issued. The IHE's response must be reviewed and considered in any final program review or audit determination. The report or determination must include a written statement addressing the IHE's response, a statement of the basis for the report or determination, and a copy of the IHE's response. The confidentiality of any program review report must be maintained until these steps are taken and a final program review is issued, except to inform the state or accrediting agency when the Secretary takes an action against an IHE. Requires the Secretary to promptly disclose all program review reports to the institution under consideration.	<i>Similar to Senate provision but requires that audit findings be open to review.</i>  <i>House provision does not include an exception to the confidentiality requirements to inform the state or accrediting agency when the Secretary takes action against an institution.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Timely Information About Loans.</i></b>		
No similar provision.	Requires lenders of a loan made, insured, or guaranteed under Title IV to provide specific information to the borrower at designated times, including pertinent information about the loan for each payment installment period, information at least one month prior to the commencement of repayment, information provided during delinquency, and information provided at least twice during default.	<i>No similar provision.</i>  <i>(Note: A fairly comparable provision, that would apply to IHEs rather than lenders, is included in “Requirements for Lenders and Institutions Participating in Educational Loan Arrangements” under Title I of Table 1.)</i>
<b>Title V: Developing Institutions.</b>		
<b><i>Hispanic Serving Institutions (HSIs).</i></b>		
Lists authorized activities for grants to HSIs.	Expands authorized activities to include education or counseling services designed to improve financial literacy and economic literacy of students or students’ parents and articulation agreements and student support programs designed to facilitate the transfer from a two-year to a four-year IHE.	<i>No similar provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	Establishes the Promoting Postbaccalaureate Opportunities for Hispanic Students. The program would provide competitive grants for HSIs offering postbaccalaureate degrees and certificates. Program would be similar in nature to the existing program for HBCUs.	<i>Same as Senate provision.</i>
<b>Title VI: International Education Programs.</b>		
<b><i>International and Foreign Language Studies.</i></b>		
Findings state that the “dramatic post-Cold War changes in the world’s geopolitical and economic landscape” are justification for federal support for programs of international and foreign language studies.	Removes “post-Cold War” and adds language on “linkages with overseas institutions.”	<i>Similar to Senate provision except the House also adds “international business and competitiveness” to the list of areas of study to be coordinated with “programs of the federal government.”</i>
No similar provision.	Requires the Secretary to consult with appropriate federal agencies to determine national priorities and assist programs funded under this title to develop surveys of participants to determine placement after graduation.	<i>No similar provision.</i>
<b><i>Graduate and Undergraduate Language and Area Centers and Programs.</i></b>		
Language and Area Centers support: activities to improve teaching and research materials; curriculum planning and development; linkages with overseas institutions; travel support for visiting scholars; professional development; and summer institutes.	Adds “support for instructors of less commonly taught languages” to the list of authorized activities.	<i>Similar to Senate provision except the House adds “projects that support in students an understanding of science and technology in coordination with foreign language proficiency” to the list of authorized activities.</i>
Outreach Grants provide additional grants to Centers to support linkages and outreach to various educational, governmental, and trade organizations.	Adds state and local educational agencies and federal or state scholarship programs to the list of entities with which Centers should provide linkages and outreach.	<i>Similar to Senate provision except the House also adds colleges of education and teacher professional development as authorized partners.</i>

CRS-85

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
Graduate Fellowship for Foreign Language and Area or International Studies awards are reserved for graduate students.	Removes “graduate” from the name of these fellowships and expands eligibility to undergraduate students engaged in “intermediate or advanced study of a less commonly taught language.”	<i>Similar to Senate provision.</i>
No similar provision.	Allows undergraduate stipends to be used for educational programs abroad that are linked to their course of study and promote foreign language fluency.	<i>No similar provision.</i>
No similar provision.	Requires IHEs seeking a grant under Language and Area Centers and Programs to include an explanation of how the activities funded by the grant will reflect diverse perspectives and a wide range of views.	<i>No similar provision.</i>
Undergraduate International Studies and Foreign Language Grants to IHEs may be used for a number of activities to enhance undergraduate international and foreign language studies.	Expands the list of activities for which grantees may use funds to include education programs abroad (provided they are linked to the overall goals of the undergraduate program and promote foreign language fluency) and limits the use of funds for this purpose to not more than 10% of grant funds.	<i>Similar to Senate provision.</i>
Specifies several assurances that must be included in a grant application.	Adds four additional application requirements including how the funded activities “will reflect diverse perspectives and a wide range of views.”	<i>Retains current law.</i>
Not more than 10% of the Part A appropriation may be used to support undergraduate programs.	Increases the amount to 20% of the Part A appropriation .	<i>Eliminates this provision.</i>

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
Authorizes the Secretary to conduct research that contributes to achieving the purposes of Part A.	Adds the following to the description, “evaluation of the extent to which programs funded under this title reflect diverse perspectives and generate debate on world regions and international affairs” and “systematic collection, analysis, and dissemination of data.”	<i>Similar to Senate provision with regard to data but does not include the language on diverse perspectives.</i>
The Secretary is authorized to make Technological Innovation grants to IHEs, public or non-profit private libraries, or consortia of such institutions or libraries to collect, organize, preserve, and widely disseminate information on world regions.	Amends the definition of a consortium to include an IHE and one other entity which may be a “non-profit educational organization” and adds to the list of authorized activities to include establishing linkages between IHEs and non-profit educational organizations.	<i>Similar to Senate provision.</i>
No similar provision.	No similar provision.	<i>Authorizes the Secretary to waive or reduce the non-federal matching requirement for institutions eligible to receive assistance under Titles III or V.</i>
Requires the Secretary to set selection criteria for grants made under Section 602 which “meet the differing objectives of graduate and undergraduate institutions.”	Requires the Secretary to “also consider an applicant’s record of placing students into service in areas of national need and an applicant’s stated efforts to increase the number of such students that go into such service.”	<i>Requires the Secretary to “take into account the degree to which activities of centers, programs, and fellowships at institutions of higher education address national needs, generate and disseminate information, and foster debate on international issues.”</i>
<b><i>Business and International Education Programs.</i></b>		
Authorizes the Secretary to award grants to Centers for International Business which support the teaching of international business and foreign language training.	Retains current law.	<i>Amends the authorized activities to include “technological management and manufacturing software systems,” and adds outreach to IHEs eligible for funds under Titles III or V. Secretary can also waive or reduce the non-federal matching requirement for institutions eligible to receive assistance under Titles III or Title V.</i>

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
Authorizes the Secretary to award Education and Training grants to IHEs to promote linkages between these institutions and the American business community engaged in international economic activity.	Retains current law.	<i>Authorizes the Secretary to waive or reduce the non-Federal matching requirement for institutions eligible to receive assistance under Titles III or V.</i>
No similar provision.	Requires submitted applications to include “an assurance that, where applicable, the activities funded by the grant will reflect diverse perspectives and a wide range of views on world regions and international affairs.”	<i>No similar provision.</i>
<b><i>Institute for International Public Policy.</i></b>		
The Institute for International Public Policy (Institute) conducts the Minority Foreign Service Professional Development program at certain MSIs to “increase the numbers of African American and other underrepresented minorities in the international service.”	Retains current law.	<i>Changes the name to “Program for Foreign Service Professionals” and expands the purpose to include increasing the participation of underrepresented populations in the international service. Also specifies that tribally controlled colleges, Alaska native and native Hawaiian-serving institutions, and HSIs are eligible recipients.</i>
Authorizes the Secretary to determine the form, timing, and content of applications.	Requires that applications include “a description of how the activities funded by the grant will reflect diverse perspectives and a wide range of views.” Secretary authorized to waive the 50% non-federal matching requirement.	<i>Retains current law.</i>
Requires the Institute to award Institutional Development grants to certain MSIs.	Adds collaboration among institutions to the description of these grants.	<i>Similar to Senate provision.</i>
Requires the Institute to conduct a Study Abroad program for students who attend a MSI in their junior year.	Retains current law.	<i>Specifies that Alaska native, native Hawaiian-serving institutions, and HSIs are to be included.</i>

CRS-88

Current Law	Senate-Passed (S. 1642)	House Education and Labor Committee-Passed (H.R. 4137)
Requires the Institute to provide a master's degree in International Relations program.	Replaces "masters" with "advanced" degree in the program name and description and authorizes doctoral study in "exceptional circumstances."	<i>Similar to Senate provision.</i>
Requires the Institute to provide internships for students attending certain MSIs and establishes an Interagency Committee on Minority Careers in International Affairs.	Retains current law.	<i>Adds Alaskan native, Hawaiian native, and HSIs to the description of the program; eliminates the Interagency Committee; and names student interns "Ralph J. Bunche Fellows."</i>
No similar provision.	Authorizes the Institute to provide financial assistance to students in the form of summer stipends of up to \$3,000 or Ralph Bunche scholarships of up to \$5,000 per academic year.	<i>No similar provision.</i>
No similar provision.	No similar provision.	<i>Establishes a new "Preparing for Early Foreign Language Instruction" program that authorizes the Secretary to award 5-year competitive grants to partnerships between foreign language departments and LEAs. Priority would be given to "high-need" LEAs.</i>
No similar provision.	No similar provision.	<i>Establishes a new "Science and Technology Advanced Foreign Language Education Grant" program that authorizes the Secretary to award grants to IHEs to support programs that combine understanding of science and technology, foreign language proficiency, and international scientific collaboration.</i>
No similar provision.	Establishes new assessment, evaluation, and reporting requirements for all of Title VI. Not more than 1% of funds appropriated for Title VI may be used for evaluation.	<i>Similar to Senate bill.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Title VII: Graduate and Postsecondary Improvement Programs.</b>		
<b><i>Graduate Student and Program Assistance.</i></b>		
Jacob K. Javits Fellowship Program — The Secretary is authorized to award fellowships for graduate study in the arts, humanities, and social sciences.	Requires that the Fellowship Board include members from diverse institutions and geographic regions and at least one member from an institution eligible for a grant under Titles III or V.	<i>Similar to Senate provision.</i>
Graduate Assistance in Areas of National Need (GAANN) — The Secretary is authorized to award grants to IHEs and other entities to support graduate programs in areas of national need.	Amends procedure for designating areas of national need, specifying consultation with the National Science Foundation, the Departments of Defense and Homeland Security, the National Academy of Sciences, and the BLS.	<i>Amends procedure for designating areas of national need, specifying a priority for grants that train teachers in fields of math, science, special education, or limited English proficiency.</i>
Thurgood Marshall Legal Educational Opportunity Program — The Secretary is authorized to award grants to provide low-income, minority, or disadvantaged college students with financial assistance to gain access to and complete law school.	Expands scope of authorized activities to include service to secondary school students, to emphasize undergraduates’ preparation for admission to law school, and to pay stipends to participants.	<i>Expands scope of authorized activities to pay stipends to participants.</i>
No similar provision.	The House authorizes a program entitled “Patsy T. Mink Fellowship Program” under Title VII. The Senate authorizes a similar program under Title VIII. A side-by-side comparison of these provisions is located under the section entitled “Patsy T. Mink Fellowship Program” in Title VIII of <b>Table 1</b> .	

CRS-90

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Fund for the Improvement of Postsecondary Education (FIPSE).</b>		
The Secretary is authorized to make grants and enter into awards for contracts under FIPSE.	Adds authorized uses of funds to include (1) establish and continue technologically-mediated collaborations; (2) reform remedial and English language instruction; and (3) create consortia of IHEs to establish interdisciplinary programs on poverty.	<i>Similar to Senate provision, with additional authorized uses to include (4) assessment of teacher education programs; (5) pilot programs to reduce illegal downloading of copyrighted content; (6) support of increased fire safety; (7) feasibility study of creating an organization to monitor gender and racial equality in faculty and administration; (8) demonstration housing programs for homeless and foster youth; and (9) promotion of cultural diversity in entertainment.</i>
No similar provision.	Establishes a new program to support integrated secondary-postsecondary graduation reform programs, with funds going to Project GRAD USA (a non-profit).	<i>Similar to Senate provision, except that the House authorizes the program under Title VIII. (See section entitled, "Project GRAD" under Title VIII of <b>Table 1.</b>)</i>
No similar provision.	Establishes a new program to create, at an IHE, a Center for Best Practices to Support Single-Parent Students.	<i>Similar to Senate provision.</i>
No similar provision.	Establishes a new program to create, at an IHE, a clearinghouse for Understanding the Federal Regulatory Impact on Higher Education.	<i>No similar provision.</i>
No similar provision.	Establishes a new FIPSE program to create, through a non-profit organization, a scholarship program for family members of veterans or members of the military.	<i>Similar to Senate provision.</i>

CRS-91

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	Amends areas of national need for which grants for special projects may be awarded by adding instructional improvement and assessment and specifying model programs to include model core curricula.	<i>Adds to areas of national need for which grants for special projects may be awarded to include projects to teach “traditional American history.”</i>
<b><i>Urban Community Service Program.</i></b>		
Program provides funds to IHEs in urban areas to enable them to work with organizations to devise and implement solutions to the problems in their communities.	Repeals this program.	<i>Replaces with grant program for “Urban-Serving Research Institutions” to expand research and other urban-service initiatives in partnerships with other public and non-profit organizations.</i>
<b><i>Demonstration Projects to Ensure Students with Disabilities Receive a Quality Higher Education.</i></b>		
Program provides funds to support demonstration projects that provide technical assistance and professional development for faculty and administrators in IHEs to provide individuals with disabilities a quality postsecondary education.	Expands authorized activities to include the development of innovative teaching methods and strategies to ensure the smooth transition of students with disabilities from high school to postsecondary education; and strategies to make distance education programs or classes more available to students with disabilities.	<i>Similar to Senate provision</i>
No similar provision.	Adds a new subpart that establishes a grant program and coordinating center transition programs for students with intellectual disabilities.	<i>Similar to Senate provision</i>
No similar provision.	No similar provision.	<i>Adds a new subpart that creates a national technical assistance center to improve the post-secondary recruitment, retention, and completion of students with disabilities; creates an advisory commission on accessibility of post-secondary instructional materials; and authorizes model demonstration programs to improve access to such materials.</i>

CRS-92

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Research Grants.</b>		
No similar provision.	Authorizes the Secretary to award competitive grants “to develop or improve valid and reliable measures of student achievement for use by IHEs to measure and evaluate learning in higher education.”	<i>No similar provision.</i>
<b>Nursing Education.</b>		
No similar provision.	The House authorizes a program entitled “Additional Capacity for R.N. Students or Graduate-Level Nursing Students” under Title VII. The Senate authorizes a similar program under Title VIII. A side-by-side comparison of these provisions is located under the section entitled “Additional Capacity for R.N. Students or Graduate-Level Nursing Students” in Title VIII of <b>Table 1</b> .	
No similar provision.	No similar provision.	<i>Establishes a Nurse Faculty Pilot Project which authorizes the Secretary to award competitive grants to fund scholarships and release time for nurses studying for advanced degrees with the intention of becoming faculty.</i>
<b>Title VIII: Miscellaneous Additional Programs.</b>		
<b>Mathematics and Science Scholars Program.</b>		
No similar provision.	Establishes a new program that authorizes the Secretary to award competitive grants to states. States would award \$1,000 to first and second-year undergraduate students who complete a rigorous high school program in math and science. States must match 50% of federal funds.	<i>No similar provision.</i>

CRS-93

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Postsecondary Education Assessment.</i></b>		
No similar provision.	Authorizes the Secretary to contract with a bipartisan organization to study the cost factors associated with tuition at IHEs.	<i>No similar provision.</i>
<b><i>Job Skill Training in High-Growth Occupations or Industries.</i></b>		
No similar provision.	Establishes a new program that authorizes the Secretary to award competitive grants to IHEs and local workforce board partnerships for development of job training programs in high-growth industries.	<i>No similar provision.</i>
<b><i>Additional Capacity for R.N. Students or Graduate-Level Nursing Students.</i></b>		
No similar provision.	Establishes a new program that authorizes the Secretary to award competitive grants to nursing programs to expand faculty and facilities.	<i>Similar to Senate provision, except that the House authorizes the program under Title VII. (See section entitled, "Nursing Education" under Title VII of Table 1.)</i>
<b><i>American History for Freedom.</i></b>		
No similar provision.	Establishes a new program that authorizes the Secretary to award competitive grants to IHEs to establish or strengthen programs that promote: "(1) traditional American history; (2) the history and nature of, and threats to, free institutions; or (3) the history and achievements of Western Civilization."	<i>No similar provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Teach For America.</i></b>		
No similar provision.	The Secretary is authorized to award a grant to Teach For America, Inc., to implement and expand its program of recruiting, selecting, training, and supporting new teachers; and to study the program’s effectiveness.	<i>Similar to Senate provision, except that the House authorizes the program under Title II. (See section entitled, “Enhancing Teacher Education” under Title II of Table 1.)</i>
<b><i>Patsy T. Mink Fellowship Program.</i></b>		
No similar provision.	Establishes a new program to award competitive grants to IHEs for fellowships to minorities and women seeking doctoral degrees with the intent of entering the professoriate. Fellowship recipients must sign a service agreement. At least 30% of funds would be reserved for IHEs eligible for a grant under Titles III or V.	<i>Similar to Senate provision, except that at least 50% of funds would be reserved for IHEs eligible for a grant under Titles III or V and the House authorizes the program under Title VII. (See section entitled, “Graduate Student and Program Assistance” under Title VII of Table 1.)</i>
<b><i>Improving College Enrollment by Secondary Schools.</i></b>		
No similar provision.	Authorizes the Secretary to contract with a non-profit organization to conduct a needs assessment and provide comprehensive services to urban school districts and rural states in order to improve college-going rates of participating schools.	<i>Similar to Senate provision.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Predominantly Black Institutions (PBIs).</i></b>		
<p>The predominantly black institutions program (PBIs) provides funds to eligible IHEs. PBI is defined as: an IHE with a minimum of 1,000 undergraduate students; 40% must be black; 50% must be either low-income or first-generation; and at least 50% must be enrolled in an educational program leading to an associates or baccalaureate degree.</p> <p>Funds are allocated as follows: 50% of the funds are based upon the PBI's number of Pell Grant recipients compared with the number of Pell Grant recipients at all PBIs. 25% is for the number of graduates at the respective PBI as a proportion of all graduates from PBIs. Final 25% is contingent upon the percentage of the PBI's graduates who within two years of graduating from the PBI enroll in a baccalaureate degree program or graduate or professional degree program in a discipline in which blacks are underrepresented, compared with the percentage at all PBIs.</p> <p>Program currently authorized by Title IV.</p> <p>(<b>Note:</b> This program was added by the CCRAA, P.L. 110-84.)</p>	<p>Similar to program created by CCRAA, except specifies that the minimum grant would be \$250,000 and establishes the program in Title VIII.</p>	<p><i>Similar to Senate provision, except that the House authorizes the program under Title III. (See section entitled, "Predominantly Black Institutions" under Title III of <b>Table 1.</b>)</i></p>

CRS-96

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Early Childhood Education Professional Development and Career Task Force.</i></b>		
No similar provision.	Establishes a new program that authorizes the Secretary to award competitive grants to states to establish task forces to develop comprehensive statewide plans for professional development and careers for early childhood education providers, including scholarships to students for up to \$17,500. Grants are for 5 years.	<i>Similar to Senate provision, except that the House authorizes the program under Title II and specifies grants last for 3 years. (See section entitled, "Enhancing Teacher Education" under Title II of Table 1.</i>
<b><i>Improving Science, Technology, Engineering, and Mathematics (STEM) Education with a Focus on Alaska Native and Native Hawaiian Students.</i></b>		
No similar provision.	Establishes a new program that authorizes the Secretary to award competitive grants to partnerships (STEM schools/colleges, two-year IHEs, and private career organizations) to develop or expand STEM programs and academic support services and internships for STEM students, with a focus on Alaska Native and Native Hawaiian students.	<i>Similar to Senate provision.</i>
<b><i>Pilot Program to Increase Persistence in Community Colleges.</i></b>		
No similar provision.	Establishes a pilot program that authorizes the Secretary to award competitive grants to IHEs for scholarships (\$2,000 per year for two years) and counseling services for low-income students with dependents. The program is to be evaluated using a random assignment experimental design.	<i>No similar provision.</i>

CRS-97

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Student Safety and Campus Emergency Management.</i></b>		
No similar provision.	Establishes a new program that authorizes the Secretary, in consultation with the Attorney General and the Secretary of Homeland Security, as appropriate, to award two-year competitive grants to IHEs, to be matched by non-federal sources, for emergency communication systems or improved safety training and response.	<i>Similar to Senate provision.</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to develop a disaster relief plan to ensure that procedures are in place to address the needs of IHEs in the event the President declares a major disaster or emergency.</i>
No similar provision.	No similar provision.	<i>Establishes an Education Disaster and Emergency Relief Loan Program for IHEs that incur a loss as a result of a federally declared major disaster or emergency. Funds received by IHEs can be used for construction, replacement, and renovation; faculty salaries and retention incentives; and reimbursement for lost revenue, including lost tuition revenue. IHEs affected by the Gulf Coast hurricanes of 2005 are eligible to receive this assistance.</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to provide guidelines on the role of IHEs regarding the disclosure of education records in the event a student poses a significant risk or harm to himself/herself or others. The guidelines must state that IHEs cannot be held liable for information disclosed in "good faith."</i>

CRS-98

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>School of Veterinary Medicine Competitive Grant Program.</b>		
No similar provision.	Establishes a new program that authorizes the Secretary of Health and Human Services to award competitive grants to veterinary schools or residency programs for veterinarians to increase the number of veterinarians in the workforce.	<i>No similar provision.</i>
<b>Early Federal Pell Grant Commitment Demonstration Program.</b>		
No similar provision.	Authorizes the Secretary to establish an Early federal Pell Commitment Demonstration Program and award grants to four state educational agencies to pay the administrative expenses of program participation. The program would provide 8 <sup>th</sup> grade students who are eligible for free or reduced price lunch with a commitment to receive a Pell Grant during their first year of undergraduate study, provided the student applies for federal financial aid during the student's senior year of high school. Each state would identify two cohorts of 8 <sup>th</sup> grade students to participate in the program.	<i>No similar provision.</i>
<b>Henry Kuualoha Giugni Kupuna Memorial Archives.</b>		
No similar provision.	Authorizes the Secretary to award a grant to the University of Hawaii Academy for Creative Media for the establishment, maintenance, and periodic modernization of the memorial archives.	<i>No similar provision.</i>

CRS-99

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Student Loan Clearinghouse.</i></b>		
No similar provision.	<p>Requires the Secretary to establish at least one clearinghouse of information on student loans, including Title IV student loans and private loans, for undergraduate and graduate students that provides information on available interest rates and other terms from lenders.</p> <p>IHEs receiving federal assistance under the HEA that designate one or more lenders as preferred, suggested, or recommended, must include a disclosure on all materials that reference such lenders, that informs students they may be able to find a more attractive loan by visiting the clearinghouse.</p>	<i>No similar provision.</i>
<b><i>Minority Serving Institutions for Advanced Technology and Education.</i></b>		
No similar provision.	Establishes a new program that authorizes the Secretary to award competitive grants, with a matching requirement, to MSIs to strengthen their ability to provide capacity for instruction in digital and wireless technologies and to increase the national investment in telecommunications and technology infrastructure at MSIs.	<i>Similar to Senate provision, except the House names the program the “Minority Serving Institution Digital and Wireless Technology Opportunity Program; and authorizes the program in Title IX. (See section entitled, “Stevenson-Wydler Technology Innovation Act of 1980” under Title IX of <b>Table 1.</b>)</i>

CRS-100

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Low Tuition.</b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to IHEs that have an annual percentage increase in net tuition that is equal to or lower than the percentage change in the relevant higher education price index for that sector. Funds received by the institution must be used to provide need-based aid to Pell-eligible students.</i>
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award non-competitive grants to IHEs that comply with specific caps on the annual percentage increase in net tuition over a specified number of years. Funds received by the institution must be used to provide need-based aid to Pell-eligible students.</i>
No similar provision.	No similar provision.	<i>Establishes reporting requirements for IHEs that have an annual percentage increase in net tuition that exceeds the percentage increase in the relevant higher education price index for that sector.</i>
<b>Cooperative Education.</b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to IHEs or combinations of IHEs that would pay a share of the cost of planning, establishing, expanding, or implementing cooperative education programs. Maximum grant would be \$500,000.</i>

CRS-101

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to IHEs operating an existing cooperating education program to pay for planning, establishing, expanding, or implementing cooperative education programs. Grant amounts are determined based on an IHE's share of all students placed in cooperative education jobs during the preceding fiscal year. The minimum grant amount is \$1,000, and the maximum grant amount is \$75,000, and may not exceed 25% of an IHE's cooperative education program's personnel and operation budget for the preceding fiscal year.</i>
No similar provision.	No similar provision.	<i>Authorizes the Secretary to make grants or enter into contracts for demonstration programs, training and resource centers, and research related to cooperative education.</i>
<b>College Partnership Grants.</b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to eligible partnerships of IHEs to support the development and implementation of articulation agreements.</i>

CRS-102

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Student Success Grants.</b>		
No similar provision.	No similar provision.	<i>Establishes a pilot program that authorizes the Secretary to award competitive grants to eligible IHEs to help low-income students persist and complete postsecondary education and training programs through coaching programs. Grants would be \$1,500 per student, per year, for 5 years, with a 25% non-federal matching requirement. The program is to be evaluated with an experimental or quasi-experimental design.</i>
<b>Jobs to Careers.</b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to IHEs to create workforce bridge programs from developmental coursework to occupational certificate programs. Grants are 3 to 5 years, with a priority for IHEs with more than half of students enrolling in developmental coursework.</i>
<b>Project GRAD.</b>		
No similar provision.	The House authorizes a program entitled “Project GRAD” under Title VIII. The Senate authorizes a similar program under Title VII. A side-by-side comparison of these provisions is located under the section entitled “Fund for the Improvement of Postsecondary Education (FIPSE)” in Title VII of <b>Table 1</b> .	
<b>Diploma Mill Prevention.</b>		
No similar provision.	No similar provision.	<i>Establishes a program to protect IHEs, businesses, individuals, and others from any individual claiming to possess a legitimate academic degree that was actually issued by an entity functioning as a diploma mill.</i>

CRS-103

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to provide the Secretary of Homeland Security as well as other federal agencies, with lists of recognized accrediting agencies, Title IV eligible institutions, and, to the extent possible, foreign degree-granting institutions meeting specific requirements to enable federal agencies to determine, for immigration and federal employment and hiring, the legitimacy of degree-granting institutions and their degrees.</i>
No similar provision.	No similar provision.	<i>Establishes the Diploma Mill Task Force to develop guidelines to be used for developing federal legislation to identify degree-granting institutions as legitimate or fraudulent for federal purposes. Requires the Task Force to develop a “strategic diploma integrity protection plan” to address the sale and use of fraudulent degrees for federal purposes.</i>
No similar provision.	No similar provision.	<i>Includes a sense of Congress statement that each state should implement a “strategic diploma integrity plan” similar to any plan enacted by Congress.</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to request the Federal Trade Commission to develop a plan to address diploma mills based on section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) which addresses unfair or deceptive acts or practices in or affecting commerce.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Rural Development Grants for Rural Colleges and Universities.</i></b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to rural IHEs in partnership with rural LEAs, rural educational service agencies, regional employers, or non-profit organizations. Grants must be used to improve enrollment rates among graduates of rural high schools and nontraditional students at rural IHEs.</i>
<b><i>National Database on Financial Assistance for Study of Science, Technology, Engineering, and Mathematics.</i></b>		
No similar provision.	No similar provision.	<i>Requires the Secretary to establish and maintain on the ED website a searchable database of scholarships, fellowships, and other assistance for undergraduate and graduate students in STEM fields.</i>
<b><i>Training for Realtime Writers.</i></b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary of Commerce to award competitive grants to IHEs for training and placing students in realtime writing jobs. Grants may not exceed \$1,500,000 over two years.</i>
<b><i>Centers of Excellence in Veteran Student Success.</i></b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to IHEs to establish model programs for serving the needs students who are veterans.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>University Sustainability Programs.</b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to IHEs and partnerships to design and implement environmental sustainability practices. Grant amounts are between \$250,000 and \$2,000,000 over 4 years.</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to convene a summit on sustainability in higher education not later than September 30, 2008.</i>
<b>Modeling and Simulation Programs.</b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to IHEs to create and enhance modeling and simulation programs. Grants are for not less than \$750,000 for at least 3 years, and have 25% by non-federal source matching requirement.</i>
No similar provision.	No similar provision.	<i>Requires the Secretary to establish a task force to raise awareness of and define the study of modeling and simulation.</i>
<b>Business Workforce Partnerships.</b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to IHEs in partnership with businesses, local workforce investment boards, and labor organizations to develop pathways from education and training to high-demand occupations. Grants are between 3 and 5 years.</i>

CRS-106

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Requires Secretaries of Education and of Labor to report to Congress within 3 years of enactment, with recommendations for amending the HEA and related vocational, education, and training acts to facilitate linkages between colleges and workforce development.</i>
<b><i>National Undergraduate Fellows Program.</i></b>		
No similar provision.	No similar provision.	<i>Establishes a new program that authorizes the Secretary to award competitive grants to IHEs to facilitate careers in student affairs administration for underrepresented students. Requires the Secretary to award a competitive grant to a national organization to support the program.</i>
<b><i>Readmission Requirements for Service Members.</i></b>		
No similar provision.	No similar provision.	<i>Any IHE that requires reservists or members of the Armed Forces in retired status who are called or ordered to active duty, resulting in the interruption of their education, to reapply for admission after the conclusion of such active duty must justify this requirement in writing to the Secretary.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Studies and Reports.</i></b>		
No similar provision.	No similar provision.	<p><i>Requires the Secretary, through grants, contracts, or agreements with other agencies to conduct studies and issue related reports, including:</i></p> <ul style="list-style-type: none"> <li>• <i>Feasibility of “IDEA Loan” income-contingent repayment through tax withholding;</i></li> <li>• <i>Evaluation of distance education versus traditional education;</i></li> <li>• <i>Compliance costs of environmental, health, safety standards;</i></li> <li>• <i>Minority male academic achievement;</i></li> <li>• <i>Identifying any race, ethnicity, and gender bias in standardized tests;</i></li> <li>• <i>Feasibility study on selecting or renegotiating interest terms on student loans;</i></li> <li>• <i>Institutional endowments composition, growth, and spending; and</i></li> <li>• <i>Longitudinal study on the correctional postsecondary education.</i></li> </ul>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Title IX: Amendments to Other Laws.</b>		
<b><i>Education of the Deaf Act of 1986 (EDA).</i></b>		
Section 104 of the EDA refers to elementary and secondary education programs.	Renames the section the “Laurent Clerc National Deaf Education Center” and all references to elementary and secondary education programs are replaced by references to the “Clerc Center.”	<i>Same as Senate provision.</i>
Subsections lists administrative requirements for Center.	Creates an additional requirement to the subsection on “Administrative requirements” requiring Gallaudet University to select and implement a state’s academic standards and assessments for programs at the Center and determine and publicize whether programs are making adequate yearly progress based on these standards.	<i>Similar as Senate provision. Would add option for Gallaudet University to develop the standards and assessment, subject to the Secretary’s approval. Adds exception to report requirement if results are not statistically reliable or if individual information would be revealed.</i>
Authorizes the National Technical Institute for the Deaf (NTID).	The current operator of the center, Rochester Institute of Technology (RIT) would be specified in the act.	<i>Similar to Senate provision but would not specify RIT in the Act</i>
No similar provision.	Requires the Secretary to re-compete the operation of NTID if either the Secretary or RIT terminates the agreement.	<i>Same as Senate provision.</i>
No similar provision.	Creates a new section that authorizes the Secretary to make grants to eligible non-profit entities for “cultural experiences” for deaf children and adults.	<i>No similar provision.</i>

CRS-109

<b>Current Law</b>	<b>Senate-Passed (S. 1642)</b>	<b>House Education and Labor Committee-Passed (H.R. 4137)</b>
Provides for enrollment of international students at Gallaudet and NTID and caps the number of such students.	Adds a new provision exempting international students participating in distance learning through Gallaudet or NTID from counting against the enrollment cap except that such students shall not displace a U.S. citizen applying for such courses. In addition, international students participating in distance learning would not be charged the tuition surcharge other international students at these institutions must pay.	<i>Same as Senate provision.</i>
International students must pay a tuition surcharge of 100% except for certain students from “developing countries” for whom the institution may reduce the surcharge to 50%.	The 100% surcharge would be continued for students from “non-developing countries.” The 50% surcharge for students from “developing countries” would be mandated, rather than being at the institution’s discretion for certain students. Beginning with the 2008-2009 academic year, the surcharges would be reduced to 50% and 25%, respectively, for students who demonstrate “need” and make “a good faith effort” to obtain aid from their home governments.	<i>Same as Senate provision.</i>
“Developing country” is defined as having not more than a per capita income of \$4,000 in 1990 dollars.	Definition would be updated to \$4,825 in 1999 dollars.	<i>Same as Senate provision.</i>
Authorizes a national study on the education of the deaf.	Retains current law.	<i>Amends and reauthorize this study for FY2008 and FY2009.</i>

CRS-110

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Higher Education Amendments of 1998.</b>		
<p>The Secretary is required to conduct numerous studies of selected topics.</p>	<p>Repeals provisions for the following studies:</p> <ul style="list-style-type: none"> <li>• Study of Market Mechanisms in the Federal Student Loan programs</li> <li>• Study of the Feasibility of Alternative Financial Instruments for Determining Lender Yields</li> <li>• Student Related Debt Study</li> <li>• Study of Transfer of Credits</li> <li>• Study of Opportunities for Participation in Athletics Programs</li> <li>• Study of the Effectiveness of Cohort Default Rates for Institutions with few Student Loan Borrowers</li> <li>• Education Welfare Study</li> </ul>	<p><i>Similar to Senate provision except the House only repeals the first four studies.</i></p>
<p>Title VIII authorizes various types of programs, and includes a Sense of the Congress regarding good character.</p>	<p>Repeals the following programs and provisions:</p> <ul style="list-style-type: none"> <li>• Community Scholarship Mobilization;</li> <li>• Improving United States Understanding of Science Engineering and Technology in East Asia</li> <li>• Sense of the Congress regarding good character</li> </ul>	<p><i>Similar to Senate provision except the House only repeals the first two provisions. House also repeals the Web-based education commission.</i></p>

CRS-111

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b>Grants to States for Workplace and Community Transition Training for Incarcerated Youth Offenders.</b>		
Youth are currently defined as persons 25 or younger.	Changes the definition of “youth” to include persons under the age of 35.	<i>Expands eligibility from youth to all incarcerated individuals. Also, changes the name to “Grants for Improved Workplace and Community Transition Training for Incarcerated Individuals.”</i>
Each state can receive \$1,500 maximum, annually for each eligible student for tuition, books, and essential materials.	Increases the amount that each state can receive for each eligible student to \$3,000 annually, for tuition, books, and essential materials.	<i>Same as Senate provision.</i>
<b>Tribally Controlled College or University Assistance Act of 1978.</b>		
No similar provision.	Defines “Indian student” to mean a student who is: a member of an Indian tribe; or a biological child of a member of an Indian tribe.	<i>Same as Senate provision.</i>
No similar provision.	Expands the definition of an eligible grantee to specify that the tribally controlled college must also be accredited by a nationally recognized accrediting association or an association recognized by the Secretary.	<i>Same as Senate provision.</i>
Grant amount of \$6,000 per Indian student.	Increases the grant amount per Indian student count to \$8,000.	<i>Same as Senate provision.</i>
No similar provision.	Creates a new Subtitle V on Tribally Controlled Postsecondary Career and Technical Institutions. “Tribally controlled postsecondary career and technical institution” aligns with the definition of the term in the Carl D. Perkins Career and Technical Education Act.	<i>Same as Senate provision.</i>

CRS-112

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>Navajo Community College Act.</i></b>		
The purpose of the act is to provide support for the education of members of the Navajo tribe, by supporting the Navajo Community College.	Strikes Navajo Community College and specifies that the support will be directed to Diné College.	<i>Same as Senate provision.</i>
<b><i>Loan Repayment for Prosecutors and Public Defenders.</i></b>		
No similar provision.	No similar provision.	<i>Amends Title I of the Omnibus Crime Control and Safe Streets Act of 1968 to establish a Loan Repayment for Prosecutors and Public Defenders program. The Attorney General would assume the obligation to repay federal student loans owed by full-time state and local prosecutors and public defenders who agree to service agreements of at least 3 years. A maximum of \$10,000 per year, and \$60,000 aggregate may be repaid.</i>
No similar provision.	No similar provision.	<i>Authorizes the Attorney General to award grants to establish and operate a National Center for Campus Public Safety.</i>
Individuals employed by the government and entities that pay or supplement the salaries of government employees are subject to penalties for bribery, gifts, and conflicts of interest. The section also identifies certain types of pay and benefit transactions that are not prohibited.	No similar provision.	<i>Specifies that this section does not prohibit IHEs from providing, nor employees of the federal executive branch, independent agencies, or the District of Columbia government, from receiving from an IHE, student loan repayment or forbearance for the performance of public service.</i>

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<b><i>National Center for Campus Public Safety.</i></b>		
No similar provision.	No similar provision.	<i>Authorizes the Attorney General to make grants through the Office of Community Oriented Policy Services to establish and operate a National Center for Campus Public Safety.</i>
<b><i>Stevenson-Wydler Technology Innovation Act of 1980.</i></b>		
No similar provision.	The House authorizes a program entitled “Minority Serving Institution Digital and Wireless Technology Opportunity Program” under Title IX. The Senate authorizes a similar program under Title VIII. A side-by-side comparison of these provisions is located under the section entitled “Minority Serving Institutions for Advanced Technology and Education” in Title VIII of <b>Table 1</b> .	
<b>Title X: Private Student Loan Transparency and Improvement.</b>		
The Truth in Lending Act (TILA) requires creditors to disclose certain information about covered financial transactions so that consumers may make informed decisions about the use of and cost of credit.	Retains current law.	<i>Amends the TILA to</i> <ul style="list-style-type: none"> <li>• <i>impose a gift ban on private educational lenders;</i></li> <li>• <i>prohibit covered IHEs from engaging in revenue sharing;</i></li> <li>• <i>prohibit co-branding of private educational loans between covered IHEs and private educational lenders;</i></li> <li>• <i>prohibit IHE personnel with responsibility for private educational loans from serving on lender advisory councils;</i></li> <li><i>and</i></li> <li>• <i>prohibit pre-payment fees on private educational loans.</i></li> </ul>

CRS-114

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
<p>The TILA requires creditors to disclose certain information regarding consumer credit not under open end credit plans.</p>	<p>Retains current law.</p>	<p><i>Amends the TILA to</i></p> <ul style="list-style-type: none"> <li>• <i>require the disclosure of certain information about the cost of credit regarding private educational loans in loan applications and solicitations, and upon loan approval and consummation;</i></li> <li>• <i>require private educational lenders to notify IHEs in writing of any proposed extension of credit to borrowers of \$1,000 or more;</i></li> <li>• <i>grants borrowers of private educational loans 30 days after approval to accept the terms of the loan and to consummate the transaction without change; and</i></li> <li>• <i>grant borrowers of private educational loans a 3 day right to cancel.</i></li> </ul>
<p>Credit transactions in which the total amount financed exceeds \$25,000, (with certain exceptions), are exempted transactions to which TILA does not apply.</p>	<p>Retains current law.</p>	<p><i>Amends TILA to exclude private educational loans from exempted transactions, under TILA.</i></p>
<p>No similar provision.</p>	<p>No similar provision.</p>	<p><i>Requires the Secretary of the Treasury and appropriate member agencies of the Financial Literacy and Education Commission to coordinate financial literacy education efforts; and to report to Congress on the state of financial education among students enrolled at IHEs.</i></p>

CRS-115

Current Law	Senate-Passed (S. 1642)	<i>House Education and Labor Committee-Passed (H.R. 4137)</i>
No similar provision.	No similar provision.	<i>Requires the Comptroller General to study and report to Congress on the inclusion of nonindividual factors (e.g., IHE cohort default rates, accreditation, and graduation rates) in the underwriting criteria used to determine the pricing of private educational loans.</i>
The Community Reinvestment Act (CRA) requires federal financial supervisory agencies to examine how the institutions they regulate meet the credit needs of the entire community they serve, including low- and moderate-income neighborhoods.	Retains current law.	<i>Amends the CRA to require federal financial supervisory agencies to consider low-cost educational loans provided to low-income borrowers in their examinations of the institutions they regulate.</i>