

105TH CONGRESS
1ST SESSION

H. R. 1511

To establish a National Commission on the Cost of Higher Education.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 1997

Mr. McKEON (for himself, Mr. GOODLING, Mr. GREENWOOD, Mr. SMITH of Michigan, Mr. LaFALCE, Mr. ENSIGN, Mr. KLUG, Mrs. KELLY, Mr. LUTHER, Mr. NORWOOD, Mr. PETERSON of Pennsylvania, Mr. GRAHAM, Mr. GORDON, Mr. PETRI, Mr. RIGGS, Mr. DEAL of Georgia, Mrs. ROUKEMA, Mr. BARRETT of Nebraska, Mr. UNDERWOOD, Mr. UPTON, Mr. LEWIS of California, Mr. BONILLA, Mr. HALL of Texas, Mr. SHAYS, Mr. MILLER of Florida, Mr. HORN, Mr. FROST, Mr. CALVERT, Mr. FATTAH, Mr. KASICH, Mr. CLEMENT, Mr. DELAY, and Mr. BOEHNER) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish a National Commission on the Cost of Higher Education.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Cost of Higher Education Review Act of 1997”.

6 (b) FINDINGS.—The Congress finds the following:

1 (1) According to a report issued by the General
2 Accounting Office, tuition at 4-year public colleges
3 and universities increased 234 percent from school
4 year 1980–1981 through school year 1994–1995,
5 while median household income rose 82 percent and
6 the cost of consumer goods as measured by the
7 Consumer Price Index rose 74 percent over the same
8 time period.

9 (2) A 1995 survey of college freshmen found
10 that concern about college affordability was the
11 highest it has been in the last 30 years.

12 (3) Paying for a college education now ranks as
13 one of the most costly investments for American
14 families.

15 **SEC. 2. ESTABLISHMENT OF NATIONAL COMMISSION ON**
16 **THE COST OF HIGHER EDUCATION.**

17 There is established a Commission to be known as
18 the “National Commission on the Cost of Higher Edu-
19 cation” (hereafter in this Act referred to as the “Commis-
20 sion”).

21 **SEC. 3. MEMBERSHIP OF COMMISSION.**

22 (a) APPOINTMENT.—The Commission shall be com-
23 posed of 7 members as follows:

24 (1) Two individuals shall be appointed by the
25 Speaker of the House.

1 (2) One individual shall be appointed by the Mi-
2 nority Leader of the House.

3 (3) Two individuals shall be appointed by the
4 Majority Leader of the Senate.

5 (4) One individual shall be appointed by the Mi-
6 nority Leader of the Senate.

7 (5) One individual shall be appointed by the
8 Secretary of Education.

9 (b) ADDITIONAL QUALIFICATIONS.—Each of the in-
10 dividuals appointed under subsection (a) shall be an indi-
11 vidual with expertise and experience in higher education
12 finance (including the financing of State institutions of
13 higher education), Federal financial aid programs, edu-
14 cation economics research, public or private higher edu-
15 cation administration, or management of business effi-
16 ciency and cost reduction programs.

17 (c) CHAIRPERSON AND VICE CHAIRPERSON.—The
18 members of the Commission shall elect a Chairman and
19 a Vice Chairperson. In the absence of the Chairperson,
20 the Vice Chairperson will assume the duties of the Chair-
21 person.

22 (d) QUORUM.—A majority of the members of the
23 Commission shall constitute a quorum for the transaction
24 of business.

1 (e) APPOINTMENTS.—All appointments under sub-
2 section (a) shall be made within 30 days after the date
3 of enactment of this Act. In the event that an officer au-
4 thorized to make an appointment under subsection (a) has
5 not made such appointment within such 30 days, the ap-
6 pointment may be made for such officer as follows:

7 (1) the Chairman of the Committee on Edu-
8 cation and the Workforce may act under such sub-
9 section for the Speaker of the House of Representa-
10 tives;

11 (2) the Ranking Minority Member of the Com-
12 mittee on Education and the Workforce may act
13 under such subsection for the Minority Leader of
14 the House of Representatives;

15 (3) the Chairman of the Committee on Labor
16 and Human Resources may act under such sub-
17 section for the Majority Leader of the Senate; and

18 (4) the Ranking Minority Member of the Com-
19 mittee on Labor and Human Resources may act
20 under such subsection for the Minority Leader of
21 the Senate.

22 (f) VOTING.—Each member of the Commission shall
23 be entitled to one vote, which shall be equal to the vote
24 of every other member of the Commission.

1 (g) VACANCIES.—Any vacancy on the Commission
2 shall not affect its powers, but shall be filled in the manner
3 in which the original appointment was made.

4 (h) PROHIBITION OF ADDITIONAL PAY.—Members of
5 the Commission shall receive no additional pay, allow-
6 ances, or benefits by reason of their service on the Com-
7 mission. Members appointed from among private citizens
8 of the United States may be allowed travel expenses, in-
9 cluding per diem, in lieu of subsistence, as authorized by
10 law for persons serving intermittently in the government
11 service to the extent funds are available for such expenses.

12 (i) INITIAL MEETING.—The initial meeting of the
13 Commission shall occur within 40 days after the date of
14 enactment of this Act.

15 **SEC. 4. FUNCTIONS OF COMMISSION.**

16 (a) SPECIFIC FINDINGS AND RECOMMENDATIONS.—
17 The Commission shall study and make findings and spe-
18 cific recommendations regarding the following:

19 (1) The increase in tuition compared with other
20 commodities and services.

21 (2) Innovative methods of reducing or stabiliz-
22 ing tuition.

23 (3) Trends in college and university administra-
24 tive costs, including administrative staffing, ratio of
25 administrative staff to instructors, ratio of adminis-

1 trative staff to students, remuneration of adminis-
2 trative staff, and remuneration of college and univer-
3 sity presidents or chancellors.

4 (4) Trends in (A) faculty workload and remu-
5 nation (including the use of adjunct faculty), (B)
6 faculty-to-student ratios, (C) number of hours spent
7 in the classroom by faculty, and (D) tenure prac-
8 tices, and the impact of such trends on tuition.

9 (5) Trends in (A) the construction and renova-
10 tion of academic and other collegiate facilities, and
11 (B) the modernization of facilities to access and uti-
12 lize new technologies, and the impact of such trends
13 on tuition.

14 (6) The extent to which institutional financial
15 aid and tuition discounting have affected tuition in-
16 creases, including the demographics of students re-
17 ceiving such aid, the extent to which such aid is pro-
18 vided to students with limited need in order to at-
19 tract such students to particular institutions or
20 major fields of study, and the extent to which Fed-
21 eral financial aid, including loan aid, has been used
22 to offset such increases.

23 (7) The extent to which Federal, State, and
24 local laws, regulations, or other mandates contribute

1 to increasing tuition, and recommendations on re-
2 ducing those mandates.

3 (8) The establishment of a mechanism for a
4 more timely and widespread distribution of data on
5 tuition trends and other costs of operating colleges
6 and universities.

7 (9) The extent to which student financial aid
8 programs have contributed to increased tuition.

9 (10) Other related topics determined to be ap-
10 propriate by the Commission.

11 (b) FINAL REPORT.—

12 (1) IN GENERAL.—Subject to paragraph (2),
13 the Commission shall submit to the President and to
14 the Congress, not later than 120 days after the date
15 of the first meeting of the Commission, a report
16 which shall contain a detailed statement of the find-
17 ings and conclusions of the Commission, including
18 the Commission's recommendations for administra-
19 tive and legislative action that the Commission con-
20 siders advisable.

21 (2) MAJORITY VOTE REQUIRED FOR REC-
22 OMMENDATIONS.—Any recommendation described in
23 paragraph (1) shall be made by the Commission to
24 the President and to the Congress only if such rec-
25 ommendation is adopted by a majority vote of the

1 members of the Commission who are present and
2 voting.

3 **SEC. 5. POWERS OF COMMISSION.**

4 (a) HEARINGS.—The Commission may, for the pur-
5 pose of carrying out this Act, hold such hearings and sit
6 and act at such times and places, as the Commission may
7 find advisable.

8 (b) RULES AND REGULATIONS.—The Commission
9 may adopt such rules and regulations as may be necessary
10 to establish the Commission's procedures and to govern
11 the manner of the Commission's operations, organization,
12 and personnel.

13 (c) ASSISTANCE FROM FEDERAL AGENCIES.—

14 (1) INFORMATION.—The Commission may re-
15 quest from the head of any Federal agency or in-
16 strumentality such information as the Commission
17 may require for the purpose of this Act. Each such
18 agency or instrumentality shall, to the extent per-
19 mitted by law and subject to the exceptions set forth
20 in section 552 of title 5, United States Code (com-
21 monly referred to as the Freedom of Information
22 Act), furnish such information to the Commission,
23 upon request made by the Chairperson of the Com-
24 mission.

1 (2) FACILITIES AND SERVICES, PERSONNEL DE-
2 TAIL AUTHORIZED.—Upon request of the Chair-
3 person of the Commission, the head of any Federal
4 agency or instrumentality shall, to the extent pos-
5 sible and subject to the discretion of such head—

6 (A) make any of the facilities and services
7 of such agency or instrumentality available to
8 the Commission; and

9 (B) detail any of the personnel of such
10 agency or instrumentality to the Commission,
11 on a nonreimbursable basis, to assist the Com-
12 mission in carrying out the Commission’s duties
13 under this Act.

14 (d) MAILS.—The Commission may use the United
15 States mails in the same manner and under the same con-
16 ditions as other Federal agencies.

17 (e) CONTRACTING.—The Commission, to such extent
18 and in such amounts as are provided in appropriation
19 Acts, may enter into contracts with State agencies, private
20 firms, institutions, and individuals for the purpose of con-
21 ducting research or surveys necessary to enable the Com-
22 mission to discharge the Commission’s duties under this
23 Act.

24 (f) STAFF.—Subject to such rules and regulations as
25 may be adopted by the Commission, and to such extent

1 and in such amounts as are provided in appropriation
2 Acts, the Chairperson of the Commission shall have the
3 power to appoint, terminate, and fix the compensation
4 (without regard to the provisions of title 5, United States
5 Code, governing appointments in the competitive service,
6 and without regard to the provisions of chapter 51 and
7 subchapter III of chapter 53 of such title, or of any other
8 provision, or of any other provision of law, relating to the
9 number, classification, and General Schedule rates) of an
10 Executive Director, and of such additional staff as the
11 Chairperson deems advisable to assist the Commission, at
12 rates not to exceed a rate equal to the maximum rate for
13 level IV of the Executive Schedule under section 5332 of
14 such title.

15 **SEC. 6. EXPENSES OF COMMISSION.**

16 There are authorized to be appropriated to pay any
17 expenses of the Commission such sums as may be nec-
18 essary not to exceed \$650,000. Any sums appropriated for
19 such purposes are authorized to remain available until ex-
20 pended, or until one year after the termination of the
21 Commission pursuant to section 7, whichever occurs first.

22 **SEC. 7. TERMINATION OF COMMISSION.**

23 The Commission shall cease to exist on the date that
24 is 60 days after the date on which the Commission is re-

- 1 quired to submit its final report in accordance with section
- 2 4(b).

