

107TH CONGRESS  
2D SESSION

# H. R. 5072

To make technical amendments to the Higher Education Act of 1965  
incorporating the results of the Fed Up Initiative.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2002

Mr. McKEON (for himself and Mr. BOEHNER) introduced the following bill;  
which was referred to the Committee on Education and the Workforce

---

## A BILL

To make technical amendments to the Higher Education  
Act of 1965 incorporating the results of the Fed Up  
Initiative.

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; REFERENCE; EFFECTIVE DATE.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Fed Up Higher Education Technical Amendments of  
6       2002”.

7       (b) REFERENCE.—Except as otherwise expressly pro-  
8       vided in this Act, whenever in this Act an amendment or  
9       repeal is expressed in terms of an amendment to, or repeal  
10      of, a section or other provision, the reference shall be con-

1 sidered to be made to a section or other provision of the  
 2 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

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

6 **SEC. 2. TECHNICAL AMENDMENTS.**

7 (a) AMENDMENTS TO TITLE I.—

8 (1) Section 101(a)(1) (20 U.S.C. 1001(a)(1)) is  
 9 amended by inserting before the semicolon at the  
 10 end the following: “, or students who meet the re-  
 11 quirements of section 484(d)(3)”.

12 (2)(A) Section 102(a)(2)(A) (20 U.S.C.  
 13 1002(a)(2)(A)) is amended to read as follows:

14 “(A) IN GENERAL.—For the purpose of  
 15 qualifying as an institution under paragraph  
 16 (1)(C), the Secretary shall establish criteria by  
 17 regulation for the approval of institutions out-  
 18 side the United States and for the determina-  
 19 tion that such institutions are comparable to an  
 20 institution of higher education as defined in  
 21 section 101 (except that a graduate medical  
 22 school, or a veterinary school, located outside  
 23 the United States shall not be required to meet  
 24 the requirements of section 101(a)(4)). Such  
 25 criteria shall include a requirement that a stu-

1           dent attending such school outside the United  
2           States is ineligible for loans made, insured, or  
3           guaranteed under part B of title IV unless—

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

6                           “(I)(aa) at least 60 percent of  
7                           those enrolled in, and at least 60 per-  
8                           cent of the graduates of, the graduate  
9                           medical school outside the United  
10                          States were not persons described in  
11                          section 484(a)(5) in the year pre-  
12                          ceding the year for which a student is  
13                          seeking a loan under part B of title  
14                          IV; and

15                          “(bb) at least 60 percent of the  
16                          individuals who were students or  
17                          graduates of the graduate medical  
18                          school outside the United States or  
19                          Canada (both nationals of the United  
20                          States and others) taking the exami-  
21                          nations administered by the Edu-  
22                          cational Commission for Foreign Med-  
23                          ical Graduates received a passing  
24                          score in the year preceding the year

1 for which a student is seeking a loan  
2 under part B of title IV; or

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

6 “(ii) in the case of a veterinary school  
7 located outside the United States that does  
8 not meet the requirements of section  
9 101(a)(4)—

10 “(I) the institution was certified  
11 by the Secretary as eligible to partici-  
12 pate in the loan program under part  
13 B of title IV before October 1, 1999;  
14 and

15 “(II) the institution’s students  
16 complete their clinical training at an  
17 approved veterinary school located in  
18 the United States.”.

19 (B) The amendment made by subparagraph (A)  
20 shall be effective on and after October 1, 1998.

21 (3) Section 102(a)(3)(A) (20 U.S.C.  
22 1002(a)(3)(A)) is amended by striking “section  
23 521(4)(C) of the Carl D. Perkins Vocational and  
24 Applied Technology Education Act” and inserting

1 “section 3(3)(C) of the Carl D. Perkins Vocational  
2 and Technical Education Act of 1998”.

3 (4) Paragraph (7) of section 103 (20 U.S.C.  
4 1003) is amended to read as follows:

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

8 “(A) part B or part D of title IV means  
9 an individual who on that date has no out-  
10 standing balance of principal or interest owing  
11 on any loan made, insured, or guaranteed under  
12 either such part; and

13 “(B) part E of title IV means an indi-  
14 vidual who on that date has no outstanding bal-  
15 ance of principal or interest owing on any loan  
16 made under such part.”.

17 (5) Section 131 (20 U.S.C. 1015) is amended—

18 (A) in subsection (a)(3)(A)(iii)—

19 (i) by striking “an undergraduate”  
20 and inserting “a full-time undergraduate”;  
21 and

22 (ii) in subclause (I), by striking “sec-  
23 tion 428(a)(2)(C)(i)” and inserting “sec-  
24 tion 428(a)(2)(C)(ii)”;

1 (B) in subsection (b), by striking “the  
2 costs for typical” and inserting “the prices for,  
3 and financial aid provided to, typical”;

4 (C) in subsection (c)(2)(B), by striking  
5 “costs” and inserting “prices”; and

6 (D) in subsection (d)(1) is amended by  
7 striking “3 years” and inserting “4 years”.

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

9 (A) in subsection (a)(2)(B)—

10 (i) by inserting “unit” after “to re-  
11 duce the”; and

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

15 (B) in subsection (c)—

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

19 (ii) in paragraph (1)(B), by inserting  
20 “secondary markets, guaranty agencies,”  
21 after “lenders,”; and

22 (iii) in paragraph (2)(B), by striking  
23 “Chief Financial Officer Act of 1990 and”  
24 and inserting “Chief Financial Officers Act  
25 of 1990,” and by inserting before the pe-

1                   riod at the end the following: “, and other  
2                   relevant statutes”;

3                   (C) in subsection (f)(3)(A), by striking  
4                   “paragraph (1)(A)” and inserting “paragraph  
5                   (1)”; and

6                   (D) in subsection (g)(3), by adding at the  
7                   end the following new sentence: “The names  
8                   and compensation for those individuals shall be  
9                   included in the annual report under subsection  
10                  (c)(2).”.

11               (b) AMENDMENTS TO TITLE II.—Section 207(f)(2)  
12               (20 U.S.C. 1027(f)(2)) is amended by inserting “, includ-  
13               ing by electronic means,” after “sent”.

14               (c) AMENDMENTS TO TITLE III.—

15                   (1) Section 316(b)(3) (20 U.S.C. 1059c(b)(3))  
16                   is amended by striking “give” and inserting “given”.

17                   (2) Section 326(e)(1) (20 U.S.C. 1063b(e)(1))  
18                   is amended, in the matter preceding subparagraph  
19                   (A), by inserting a colon after “the following”.

20                   (3) Section 342(5)(C) (20 U.S.C. 1066a(5)(C))  
21                   is amended—

22                               (A) by inserting a comma after “equip-  
23                               ment” the first place it appears; and

24                               (B) by striking “technology,,” and insert-  
25                               ing “technology,”.

1           (4) Section 343(e) (20 U.S.C. 1066b(e)) is  
 2           amended by inserting after the subsection designa-  
 3           tion the following: “SALE OF QUALIFIED  
 4           BONDS.—”.

5           (5) Section 351(a) (20 U.S.C. 1067a(a)) is  
 6           amended by striking “of 1979”.

7           (6) Section 1024 (20 U.S.C. 1135b–3), as  
 8           transferred by section 301(a)(5) of the Higher Edu-  
 9           cation Amendments of 1998 (Public Law 105–244;  
 10          112 Stat. 1636), is repealed.

11          (d) AMENDMENTS TO PART A OF TITLE IV.—

12           (1) Section 402A (20 U.S.C. 1070a-11) is  
 13          amended—

14                   (A) in subsection (e)—

15                           (i) in paragraph (1), by striking  
 16                           “(g)(2)” and inserting “(g)(4)”; and

17                           (ii) in paragraph (2), by striking  
 18                           “(g)(2)” and inserting “(g)(4)”; and

19                   (B) in subsection (g)—

20                           (i) by redesignating paragraphs (1)  
 21                           through (4) as paragraphs (3) through (6),  
 22                           respectively; and

23                           (ii) by inserting before paragraph (3),  
 24                           as redesignated, the following:



1           “(1) DIFFERENT CAMPUS.—The term ‘different  
2       campus’ means an institutional site that—

3                   “(A) is geographically apart from the main  
4       campus of the institution;

5                   “(B) is permanent in nature; and

6                   “(C) offers courses in educational pro-  
7       grams leading to a degree, certificate, or other  
8       recognized educational credential.

9           “(2) DIFFERENT POPULATION.—The term ‘dif-  
10      ferent population’ means a group of individuals, with  
11      respect to whom an entity seeks to serve through an  
12      application for funding under this chapter, that is—

13                   “(A) separate and distinct from any other  
14      population that the entity seeks to serve  
15      through an application for funding under this  
16      chapter; or

17                   “(B) while sharing some of the same char-  
18      acteristics as another population that the entity  
19      seeks to serve through an application for fund-  
20      ing under this chapter, has distinct needs for  
21      specialized services.”.

22           (2)(A) Section 404A(b) (20 U.S.C. 1070a–  
23      21(b)) is amended by adding at the end thereof the  
24      following new paragraph:

1           “(3) DURATION.—An award made by the Sec-  
2       retary under this chapter to an eligible entity de-  
3       scribed in paragraph (1) or (2) of subsection (c)  
4       shall be for the period of 6 years.”.

5           (B) The amendment made by subparagraph (A)  
6       shall apply to awards made either before or after the  
7       date of enactment of this Act.

8           (3) Section 407E (20 U.S.C. 1070a–35) is re-  
9       designated as section 406E.

10          (4) Section 419C(b)(1) (20 U.S.C. 1070d–  
11       33(b)(1)) is amended by inserting “and” after the  
12       semicolon at the end thereof.

13          (5) Section 419D(d) (20 U.S.C. 1070d–34(d))  
14       is amended by striking “Public Law 95–1134” and  
15       inserting “Public Law 95–134”.

16       (e) AMENDMENTS TO PART B OF TITLE IV.—

17          (1) Section 428(a)(2)(A) (20 U.S.C.  
18       1078(a)(2)(A)) is amended—

19               (A) by striking “and” at the end of sub-  
20       clause (II) of clause (i); and

21               (B) by moving the margin of clause (iii)  
22       two ems to the left.

23          (2) Section 428(b)(1)(G) (20 U.S.C.  
24       1078(b)(1)(G)) is amended by inserting before the  
25       semicolon at the end the following: “and 100 percent

1 of the unpaid principal amount of exempt claims as  
2 defined in subsection (c)(1)(G)”.

3 (3) Section 428(c) (20 U.S.C. 1078(c)) is  
4 amended—

5 (A) in paragraph (1)—

6 (i) by redesignating subparagraph (G)  
7 as subparagraph (H), and moving such  
8 subparagraph 2 em spaces to the left; and

9 (ii) by inserting after subparagraph  
10 (F) the following new subparagraph:

11 “(G)(i) Notwithstanding any other provisions of  
12 this section, in the case of exempt claims, the Sec-  
13 retary shall apply the provisions of—

14 “(I) the fourth sentence of subparagraph  
15 (A) by substituting ‘100 percent’ for ‘95 per-  
16 cent’;

17 “(II) subparagraph (B)(i) by substituting  
18 ‘100 percent’ for ‘85 percent’; and

19 “(III) subparagraph (B)(ii) by substituting  
20 ‘100 percent’ for ‘75 percent’.

21 “(ii) For purposes of clause (i) of this subpara-  
22 graph, the term ‘exempt claims’ means claims with  
23 respect to loans for which it is determined that the  
24 borrower (or the student on whose behalf a parent  
25 has borrowed), without the lender’s or the institu-

1       tion’s knowledge at the time the loan was made, pro-  
2       vided false or erroneous information or took actions  
3       that caused the borrower or the student to be ineli-  
4       gible for all or a portion of the loan or for interest  
5       benefits thereon.”.

6               (B) in paragraph (3)(A)(i), by striking “in  
7       writing”; and

8               (C) by adding at the end the following new  
9       paragraph:

10       “(10)   DOCUMENTATION   OF   FORBEARANCE  
11       AGREEMENTS.—For the purposes of paragraph (3),  
12       the terms of forbearance agreed to by the parties  
13       shall be documented by confirming the agreement of  
14       the borrower by notice from the lender, and by re-  
15       cording the terms in the borrower’s file.”.

16       (4) Section 428C(a)(3)(B) (20 U.S.C. 1078–  
17       3(a)(3)(B)) is amended by adding at the end the fol-  
18       lowing new clause:

19       “(ii) Loans made under this section shall, to  
20       the extent used to discharge loans made under this  
21       title, be counted against the applicable limitations on  
22       aggregate indebtedness contained in sections  
23       425(a)(2), 428(b)(1)(B), 428H(d), 455, and  
24       464(a)(2)(B).”.

1           (5) Section 428H(e) (20 U.S.C. 1078–8(e)) is  
2       amended—

3                   (A) by striking paragraph (6); and

4                   (B) by redesignating paragraph (7) as  
5       paragraph (6).

6           (6) Section 428I(g) (20 U.S.C. 1078–9(g)) is  
7       amended by striking “Code,” and inserting “Code”.

8           (7) Section 432(m)(1)(B) (20 U.S.C.  
9       1082(m)(1)(B)) is amended—

10                   (A) in clause (i), by inserting “and” after  
11       the semicolon at the end; and

12                   (B) in clause (ii), by striking “; and” and  
13       inserting a period.

14           (8) Section 439(d) (20 U.S.C. 1087–2(d)) is  
15       amended—

16                   (A) by striking paragraph (3); and

17                   (B) by redesignating paragraphs (4) and  
18       (5) as paragraphs (3) and (4), respectively.

19       (f) AMENDMENT TO PART D.—Section 457(a)(1) (20  
20       U.S.C. 1087g(a)(1)) is amended by striking “431” and  
21       inserting “437”.

22       (g) AMENDMENTS TO PART E OF TITLE IV.—

23           (1) Section 462(g)(1)(E)(i)(I) (20 U.S.C.  
24       1087bb(g)(1)(E)(i)(I)) is amended by inserting  
25       “monthly” after “consecutive”.

1           (2)     Section     464(c)(1)(D)     (20     U.S.C.  
2     1087dd(c)(1)(D)) is amended by redesignating sub-  
3     clauses (I) and (II) as clauses (i) and (ii), respec-  
4     tively.

5           (3) Section 464(h)(1)(A) is amended—

6                 (A) by inserting “, if practicable (as deter-  
7                 mined in accordance with regulations of the  
8                 Secretary),” after “the loan shall”; and

9                 (B) by inserting “, if such loan is consid-  
10                ered rehabilitated,” after “the Secretary)  
11                shall”.

12           (4) Section 465(a)(2) (20 U.S.C. 1087ee(a)(2))  
13     is amended—

14                 (A) in subparagraph (A), by striking “sec-  
15                 tion 111(c)” and inserting “section  
16                 1113(a)(5)”; and

17                 (B) in subparagraph (C), by striking  
18                 “With Disabilities” and inserting “with Disabil-  
19                 ities”.

20           (5) Section 467(b) (20 U.S.C. 1087gg(b)) is  
21     amended by striking “(5)(A), (5)(B)(i), or (6)” and  
22     inserting “(4)(A), (4)(B), or (5)”.

23           (6) Section 469(c) (20 U.S.C. 1087ii(c)) is  
24     amended—

1 (A) by striking “sections 602(a)(1) and  
 2 672(1)” and inserting “sections 602(3) and  
 3 632(5)”;

4 (B) by striking “qualified professional pro-  
 5 vider of early intervention services” and insert-  
 6 ing “early intervention services”; and

7 (C) by striking “section 672(2)” and in-  
 8 serting “section 632(4)”.

9 (h) AMENDMENTS TO PART F OF TITLE IV.—

10 (1) Section 478(h) (20 U.S.C. 1087rr(h)) is  
 11 amended—

12 (A) by striking “476(b)(4)(B),”; and

13 (B) by striking “meals away from home,  
 14 apparel and upkeep, transportation, and house-  
 15 keeping services” and inserting “food away  
 16 from home, apparel, transportation, and house-  
 17 hold furnishings and operations”.

18 (2) Section 479A(a) (20 U.S.C. 1087tt(a)) is  
 19 amended—

20 (A) by striking “(a) IN GENERAL.—” and  
 21 inserting the following:

22 “(a) AUTHORITY TO MAKE ADJUSTMENTS.—

23 “(1) ADJUSTMENTS FOR SPECIAL CIR-  
 24 CUMSTANCES.—”;

1 (B) by inserting before “Special cir-  
2 cumstances may” the following:

3 “(2) SPECIAL CIRCUMSTANCES DEFINED.—”;

4 (C) by inserting “a student’s status as a  
5 ward of the court at any time prior to attaining  
6 18 years of age,” after “487,”.

7 (D) by inserting before “Adequate docu-  
8 mentation” the following:

9 “(3) DOCUMENTATION AND USE OF SUPPLE-  
10 MENTARY INFORMATION.—”; and

11 (E) by inserting before “No student” the  
12 following:

13 “(4) FEES FOR SUPPLEMENTARY INFORMATION  
14 PROHIBITED.—”.

15 (i) AMENDMENTS TO PARTS G AND H OF TITLE  
16 IV.—

17 (1) Section 483(d) (20 U.S.C. 1090(d)) is  
18 amended by striking “that is authorized under sec-  
19 tion 685(d)(2)(C)” and inserting “, or other appro-  
20 priate provider of technical assistance and informa-  
21 tion on postsecondary educational services, that is  
22 supported under section 685”.

23 (2) Section 484 (20 U.S.C. 1091) is amended—

24 (A) in subsection (a)(4), by striking “cer-  
25 tification,,” and inserting “certification,”;



1 (B) in subsection (b)(2)—

2 (i) in the matter preceding subpara-  
3 graph (A), by striking “section 428A” and  
4 inserting “section 428H”;

5 (ii) in subparagraph (A), by inserting  
6 “and” after the semicolon at the end  
7 thereof;

8 (iii) in subparagraph (B), by striking  
9 “; and” and inserting a period; and

10 (iv) by striking subparagraph (C); and

11 (C) in subsection (l)(1)(B)(i), by striking  
12 “section 521(4)(C) of the Carl D. Perkins Vo-  
13 cational and Applied Technology Education  
14 Act” and inserting “section 3(3)(C) of the Carl  
15 D. Perkins Vocational and Technical Education  
16 Act of 1998”.

17 (3)(A) Section 484B (20 U.S.C. 1091b) is  
18 amended—

19 (i) in subsection (a)(1), by inserting “sub-  
20 part 4 of part A or” after “received under”;

21 (ii) in subsection (a)(3)(B)(ii), by inserting  
22 “(as determined in accordance with subsection  
23 (d))” after “student has completed”;

24 (iii) in subsection (b)(2), by amending sub-  
25 paragraph (C) to read as follows:

1           “(C) GRANT OVERPAYMENT REQUIRE-  
 2           MENTS.—Notwithstanding subparagraphs (A)  
 3           and (B), a student shall only be required to re-  
 4           turn grant assistance in the amount (if any) by  
 5           which—

6                     “(i) the amount to be returned by the  
 7                     student (as determined under subpara-  
 8                     graphs (A) and (B)), exceeds

9                     “(ii) 50 percent of the total grant as-  
 10                    sistance received by the student under this  
 11                    title for the payment period or period of  
 12                    enrollment.

13           A student shall not be required to return  
 14           amounts of \$50 or less.”; and

15                    (iv) in subsection (d), by striking  
 16                    “(a)(3)(B)(i)” and inserting “(a)(3)(B)”.

17           (B) The amendments made by subparagraph  
 18           (A) shall be effective for academic years beginning  
 19           on or after July 1, 2003, except that, in the case of  
 20           an institution of higher education that chooses to  
 21           implement such amendments prior to that date, such  
 22           amendments shall be effective on the date of such  
 23           institution’s implementation.

1           (4) Section 485(a)(1) (20 U.S.C. 1092(a)(1)) is  
2       amended by striking “mailings, and” and inserting  
3       “mailings, or”.

4           (5) Section 485B(a) (20 U.S.C. 1092b(a)) is  
5       amended—

6           (A) by redesignating paragraphs (6)  
7       through (10) as paragraphs (7) through (11),  
8       respectively;

9           (B) by redesignating the paragraph (5) (as  
10       added by section 2008 of Public Law 101–239)  
11       as paragraph (6); and

12          (C) in paragraph (5) (as added by section  
13       204(3) of the National Community Service Act  
14       of 1990 (Public Law 101–610))—

15           (i) by striking “(22 U.S.C. 2501 et  
16       seq.),” and inserting “(22 U.S.C. 2501 et  
17       seq.),”; and

18           (ii) by striking the period at the end  
19       thereof and inserting a semicolon.

20          (6) Section 487(a) (20 U.S.C. 1094(a)) is  
21       amended—

22           (A) in paragraph (22), by striking “refund  
23       policy” and inserting “policy on the return of  
24       title IV funds”; and

25           (B) in paragraph (23)—

1 (i) by moving subparagraph (C) two  
2 em spaces to the left; and

3 (ii) by adding after such subpara-  
4 graph the following new subparagraph:

5 “(D) An institution shall be considered in com-  
6 pliance with the requirements of subparagraph (A)  
7 for any student to whom the institution electroni-  
8 cally transmits a message containing a voter reg-  
9 istration form acceptable for use in the State in  
10 which the institution is located, or an Internet ad-  
11 dress where such a form can be downloaded, pro-  
12 vided such information is in an electronic message  
13 devoted to voter registration.”.

14 (7) Section 491(c) (20 U.S.C. 1098(c)) is  
15 amended by adding at the end the following new  
16 paragraph:

17 “(3) The appointment of members under subpara-  
18 graphs (A) and (B) of paragraph (1) shall be effective  
19 upon publication of the appointment in the Congressional  
20 Record.”.

21 (8) Section 493A (20 U.S.C. 1098c) is re-  
22 pealed.

23 (9) Section 498 (20 U.S.C. 1099c) is  
24 amended—

1 (A) in subsection (c)(2), by striking “for  
2 profit,” and inserting “for-profit,”;

3 (B) in subsection (d)(1)(B), by inserting  
4 “and” at the end thereof.

5 (j) AMENDMENTS TO TITLE V.—Section 504(a) (20  
6 U.S.C. 1101c(a)) is amended—

7 (1) by striking the following:

8 “(a) AWARD PERIOD.—

9 “(1) IN GENERAL.—The Secretary”

10 and inserting the following:

11 “(a) AWARD PERIOD.—The Secretary”; and

12 (2) by striking paragraph (2).

13 (k) AMENDMENTS TO TITLE VII.—

14 (1) Section 714(c) (20 U.S.C. 1135c(c)) is  
15 amended—

16 (A) by striking “section 716(a)” and in-  
17 serting “section 715(a)”; and

18 (B) by striking “section 714(b)(2)” and in-  
19 serting “section 713(b)(2)”.

20 (2) Section 721(c) (20 U.S.C. 1136(c)) is  
21 amended—

22 (A) by striking “and” at the end of para-  
23 graph (4);

24 (B) by striking the period at the end of  
25 paragraph (5) and inserting a semicolon; and

1 (C) by adding at the end the following new  
2 paragraphs:

3 “(6) to assist such students with the develop-  
4 ment of analytical skills and study methods to en-  
5 hance their success in entry into and completion of  
6 law school; and

7 “(7) to award Thurgood Marshall Fellowships  
8 to eligible law school students—

9 “(A) who participated in summer institutes  
10 authorized by subsection (d) and who are en-  
11 rolled in an accredited law school; or

12 “(B) who are eligible law school students  
13 who have successfully completed a comparable  
14 summer institute program certified by the  
15 Council on Legal Educational Opportunity.”.

16 **SEC. 3. CLERICAL AMENDMENTS.**

17 (a) DEFINITION.—Section 103 (20 U.S.C. 1003), as  
18 amended by section 2(a)(4), is further amended—

19 (1) by redesignating paragraphs (1) through  
20 (16) as paragraphs (2) through (17), respectively;  
21 and

22 (2) by inserting before paragraph (2) (as so re-  
23 designated) the following new paragraph:

24 “(1) AUTHORIZING COMMITTEES.—The term  
25 ‘authorizing committees’ means the Committee on

1 Health, Education, Labor, and Pensions of the Sen-  
 2 ate and the Committee on Education and the Work-  
 3 force of the House of Representatives.”.

4 (b) COMMITTEES.—

5 (1) The following provisions are each amended  
 6 by striking “Committee on Labor and Human Re-  
 7 sources of the Senate and the Committee on Edu-  
 8 cation and the Workforce of the House of Rep-  
 9 resentatives” and inserting “authorizing commit-  
 10 tees”:

11 (A) Section 131(a)(3)(B) (20 U.S.C.  
 12 1015(a)(3)(B)).

13 (B) Section 131(c)(4) (20 U.S.C.  
 14 1015(c)(4)).

15 (C) Section 206(d) (20 U.S.C. 1026(d)).

16 (D) Section 207(c)(1) (20 U.S.C.  
 17 1027(c)(1)).

18 (E) Section 428(g) (20 U.S.C. 1078(g)).

19 (F) Section 428A(a)(4) (20 U.S.C. 1078–  
 20 1(a)(4)).

21 (G) Section 428A(c)(2) (20 U.S.C. 1078–  
 22 1(c)(2)).

23 (H) Section 428A(c)(3) (20 U.S.C. 1078–  
 24 1(c)(3)).

1 (I) Section 428A(c)(5) (20 U.S.C. 1078–  
2 1(c)(5)).

3 (J) Section 455(b)(8)(B) (20 U.S.C.  
4 1087e(b)(8)(B)).

5 (K) Section 483(c) (20 U.S.C. 1090(c)).

6 (L) Section 486(e) (20 U.S.C. 1093(e)).

7 (M) Section 486(f)(3)(A) (20 U.S.C.  
8 1093(f)(3)(A)).

9 (N) Section 486(f)(3)(B) (20 U.S.C.  
10 1093(f)(3)(B)).

11 (O) Section 487A(a)(5) (20 U.S.C.  
12 1094a(a)(5)).

13 (P) Section 487A(b)(2) (20 U.S.C.  
14 1094a(b)(2)).

15 (Q) Section 487A(b)(3)(B) (20 U.S.C.  
16 1094a(b)(3)(B)).

17 (R) Section 498B(d)(1) (20 U.S.C. 1099c–  
18 2(d)(1)).

19 (S) Section 498B(d)(2) (20 U.S.C. 1099c–  
20 2(d)(2)).

21 (2) The following provisions are each amended  
22 by striking “Committee on Education and the Work-  
23 force of the House of Representatives and the Com-  
24 mittee on Labor and Human Resources of the Sen-  
25 ate” and inserting “authorizing committees”.



1 (A) Section 141(d)(4)(B) (20 U.S.C.  
2 1018(d)(4)(B)).

3 (B) Section 428(n)(4) (20 U.S.C.  
4 1078(n)(4)).

5 (C) The last sentence of section 432(n) (20  
6 U.S.C. 1082(n)).

7 (D) Section 485(f)(5)(A) (20 U.S.C.  
8 1092(f)(5)(A)).

9 (E) Section 485(g)(4)(B) (20 U.S.C.  
10 1092(g)(4)(B)).

11 (3) Section 206(a) (20 U.S.C. 1026(a)) is  
12 amended by striking “, the Committee on Labor and  
13 Human Resources of the Senate, and the Committee  
14 on Education and the Workforce of the House of  
15 Representatives” and inserting “and the authorizing  
16 committees”.

17 (4) Section 401(f)(3) (20 U.S.C. 1070a(f)(3))  
18 is amended by striking “Committee on Appropria-  
19 tions and the Committee on Labor and Human Re-  
20 sources of the Senate and the Committee on Appro-  
21 priations and the Committee on Education and the  
22 Workforce of the House of Representatives” and in-  
23 serting “Committees on Appropriations of the Sen-  
24 ate and House of Representatives and the author-  
25 izing committees”.

1           (5)     Section     428(c)(9)(K)     (20     U.S.C.  
2     1078(c)(9)(K)) is amended by striking “House Com-  
3     mittee on Education and the Workforce and the  
4     Senate Committee on Labor and Human Resources”  
5     and inserting “authorizing committees”.

6           (6) Section 428I(h) (20 U.S.C. 1078–9(h)) is  
7     amended by striking “Chairman of the Senate Labor  
8     and Human Resources Committee and the House  
9     Committee on Education and Labor” and inserting  
10    “chairpersons of the authorizing committees”.

11          (7)     Section     432(f)(1)(C)     (20     U.S.C.  
12     1082(f)(1)(C)) is amended by striking “Committee  
13     on Education and the Workforce of the House of  
14     Representatives or the Committee on Labor and  
15     Human Resources of the Senate” and inserting “ei-  
16     ther of the authorizing committees”.

17          (8) Section 439(d)(1)(E)(iii) (20 U.S.C. 1087–  
18     2(d)(1)(E)(iii)) is amended by striking “Chairman  
19     and the Ranking Member on the Committee on  
20     Labor and Human Resources of the Senate and the  
21     Chairman and the Ranking Member of the Com-  
22     mittee on Education and Labor of the House of  
23     Representatives” and inserting “chairpersons and  
24     ranking minority members of the authorizing com-  
25     mittees”.

1           (9) Paragraphs (3) and (8)(C) of section 439(r)  
2           (20 U.S.C. 1087–2(r)) are each amended by striking  
3           “Chairman and ranking minority member of the  
4           Committee on Labor and Human Resources of the  
5           Senate, the Chairman and ranking minority member  
6           of the Committee on Education and Labor of the  
7           House of Representatives,” and inserting “chair-  
8           persons and ranking minority members of the au-  
9           thorizing committees”.

10           (10) Paragraphs (5)(B) and (10) of section  
11           439(r) (20 U.S.C. 1087–2(r)) are each amended by  
12           striking “Chairman and ranking minority member of  
13           the Senate Committee on Labor and Human Re-  
14           sources and to the Chairman and ranking minority  
15           member of the House Committee on Education and  
16           Labor” and inserting “chairpersons and ranking mi-  
17           nority members of the authorizing committees”.

18           (11) Section 439(r)(6)(B) (20 U.S.C. 1087–  
19           2(r)(6)(B)) is amended by striking “Chairman and  
20           ranking minority member of the Committee on  
21           Labor and Human Resources of the Senate and to  
22           the Chairman and ranking minority member of the  
23           Committee on Education and Labor of the House of  
24           Representatives” and inserting “chairpersons and

1 ranking minority members of the authorizing com-  
2 mittees”.

3 (12) Section 439(s)(2)(A) (20 U.S.C. 1087–  
4 2(s)(2)(A)) is amended by striking “Chairman and  
5 Ranking Member of the Committee on Labor and  
6 Human Resources of the Senate and the Chairman  
7 and Ranking Member of the Committee on Eco-  
8 nomic and Educational Opportunities of the House  
9 of Representatives” and inserting “chairpersons and  
10 ranking minority members of the authorizing com-  
11 mittees”.

12 (13) Section 439(s)(2)(B) (20 U.S.C. 1087–  
13 2(s)(2)(B)) is amended by striking “Chairman and  
14 Ranking Minority Member of the Committee on  
15 Labor and Human Resources of the Senate and  
16 Chairman and Ranking Minority Member of the  
17 Committee on Economic and Educational Opportu-  
18 nities of the House of Representatives” and insert-  
19 ing “chairpersons and ranking minority members of  
20 the authorizing committees”.

21 (14) Section 482(d) (20 U.S.C. 1089(d)) is  
22 amended by striking “Committee on Labor and  
23 Human Resources of the Senate and the Committee  
24 on Education and Labor of the House of Represent-  
25 atives” and inserting “authorizing committees”.

1 (c) ADDITIONAL CLERICAL AMENDMENTS.—

2 (1) Clauses (i) and (ii) of section 425(a)(2)(A)  
3 (20 U.S.C. 1075(a)(2)(A)) are each amended by  
4 striking “428A or 428B” and inserting “428B or  
5 428H”.

6 (2) Section 428(a)(2)(E) (20 U.S.C.  
7 1078(a)(2)(E)) is amended by striking “428A or”.

8 (3) Clauses (i) and (ii) of section 428(b)(1)(B)  
9 (20 U.S.C. 1078(b)(1)(B)) are each amended by  
10 striking “428A or 428B” and inserting “428B or  
11 428H”.

12 (4) Section 428(b)(1)(Q) (20 U.S.C.  
13 1078(b)(1)(Q)) is amended by striking “sections  
14 428A and 428B” and inserting “section 428B or  
15 428H”.

16 (5) Section 428(b)(7)(C) (20 U.S.C.  
17 1078(b)(7)(C)) is amended by striking “428A,  
18 428B,” and inserting “428B”.

19 (6) Section 428G(c)(2) (20 U.S.C. 1078–  
20 7(c)(2)) is amended by striking “428A” and insert-  
21 ing “428H”.

22 (7) The heading for section 433(e) (20 U.S.C.  
23 1083(e)) is amended by striking “SLS LOANS AND”.

1           (8) Section 433(e) (20 U.S.C. 1083(e)) is  
2           amended by striking “428A, 428B,” and inserting  
3           “428B”.

4           (9) Section 435(a)(3) (20 U.S.C. 1085(a)(3)) is  
5           amended—

6                   (A) by inserting “or” at the end of sub-  
7           paragraph (A);

8                   (B) by striking subparagraph (B); and

9                   (C) by redesignating subparagraph (C) as  
10          subparagraph (B).

11          (10) Section 435(d)(1)(G) (20 U.S.C.  
12          1085(d)(1)(G)) is amended by striking “428A(d),  
13          428B(d), 428C,” and inserting “428B(d), 428C,  
14          428H,”.

15          (11) Section 435(m) (20 U.S.C. 1085(m)) is  
16          amended—

17                   (A) in paragraph (1)(A), by striking “,  
18          428A,”; and

19                   (B) in paragraph (2)(D), by striking  
20          “428A” each place it appears and inserting  
21          “428H”.

22          (12) Section 438(c)(6) (20 U.S.C. 1087–  
23          1(c)(6)) is amended—

24                   (A) by striking “SLS AND PLUS” in the  
25          heading and inserting “PLUS”; and

1 (B) by striking “428A or”.

2 (13) Section 438(c)(7) (20 U.S.C. 1087–  
3 1(c)(7)) is amended by striking “428A or”.

4 (14) Nothing in the amendments made by this  
5 subsection shall be construed to alter the terms, con-  
6 ditions, and benefits applicable to Federal supple-  
7 mental loans for students (“SLS loans”) under sec-  
8 tion 428A as in effect prior to July 1, 1994 (20  
9 U.S.C. 1078–1).

10 (d) HIGHER EDUCATION AMENDMENTS OF 1998.—

11 (1) Section 801(d) of the Higher Education  
12 Amendments of 1998 (20 U.S.C. 1018 note) is  
13 amended by striking “Committee on Education and  
14 the Workforce of the House of Representatives, the  
15 Committee on Labor and Human Resources of the  
16 Senate,” and inserting “authorizing committees”.

17 (2) Section 802(b) of the Higher Education  
18 Amendments of 1998 is amended by striking “Com-  
19 mittee on Education and the Workforce of the  
20 House of Representatives and the Committee on  
21 Labor and Human Resources of the Senate” and in-  
22 serting “authorizing committees”.

23 (3) The following provisions of the Higher Edu-  
24 cation Amendments of 1998 are each amended by  
25 striking “Committee on Labor and Human Re-

1 sources of the Senate and the Committee on Edu-  
2 cation and the Workforce of the House of Rep-  
3 resentatives” and inserting “authorizing commit-  
4 tees”.

5 (A) Section 803(b) (20 U.S.C. 1015 note).

6 (B) Section 805(b) (20 U.S.C. 1001 note).

7 (C) Section 806(c).

8 (4) Section 804(b) of the Higher Education  
9 Amendments of 1998 (20 U.S.C. 1099b note) is  
10 amended by striking “Chairman and Ranking Mi-  
11 nority Member of the Committee on Education and  
12 the Workforce of the House of Representatives and  
13 the Committee on Labor and Human Resources of  
14 the Senate” and inserting “chairpersons and rank-  
15 ing minority members of the authorizing commit-  
16 tees”.

17 (5) Section 861(b) of the Higher Education  
18 Amendments of 1998 is amended by striking “Com-  
19 mittees on Ways and Means and on Education and  
20 the Workforce of the House of Representatives and  
21 the Committees on Finance and on Labor and  
22 Human Resources of the Senate” and inserting  
23 “Committee on Ways and Means of the House of  
24 Representatives, the Committee on Finance of the  
25 Senate, and the authorizing committees”.



1 **SEC. 4. NO DELAY IN IMPLEMENTATION.**

2 Sections 482(c) and 492 of the Higher Education Act  
3 of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to  
4 the regulations implementing the amendments made by  
5 this Act.

6 **SEC. 5. STUDY OF TEACHER PREPARATION.**

7 Within six months after the date of enactment of this  
8 Act, the Comptroller General shall conduct a study of and  
9 submit to Congress a report on—

10 (1) which States and which institutions of high-  
11 er education require passage on State teacher licen-  
12 sure exams in order for candidates to be admitted  
13 to a teacher preparation program or to declare an  
14 education major;

15 (2) which States and which institutions of high-  
16 er education award diplomas, degrees, or other cer-  
17 tificates to students in any subject area, but subse-  
18 quently only consider them to have successfully com-  
19 pleted a teacher preparation or other education pro-  
20 gram if they pass one or more State licensure  
21 exams;

22 (3) which States and which institutions of high-  
23 er education award diplomas, degrees, or other cer-  
24 tificates to students in education or teaching, but  
25 subsequently only consider them to have successfully  
26 completed a teacher preparation or education pro-

1       gram if they pass one or more State licensure  
2       exams;

3           (4) the extent to which States and institutions  
4       of higher education, through means other than (1),  
5       (2), or (3), are, for the purposes of section  
6       207(f)(1)(A) of the Higher Education Act of 1965  
7       (20 U.S.C. 1027(f)(1)(A)), treating as completing  
8       their teacher preparation programs only those stu-  
9       dents who pass State teacher licensure or certifi-  
10      cation assessments;

11          (5) the extent to which the practices described  
12      in paragraphs (1) through (4) may mislead or in-  
13      completely inform students and policymakers con-  
14      cerning the quality of such teacher preparation pro-  
15      grams; and

16          (6) what assistance, if any, the States or insti-  
17      tutions described in paragraphs (1) through (4) give  
18      to enrolled students and graduates who take but do  
19      not pass one or more teacher licensing exams.

○