

108TH CONGRESS  
1ST SESSION

# H. R. 12

To make changes to the Higher Education Act of 1965 incorporating the results of the FED UP Initiative, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2003

Mr. McKEON (for himself, Mr. BOEHNER, Mr. ISAKSON, Mr. PETRI, Mrs. MCCARTHY of New York, Mr. BALLENGER, Mr. SOUDER, Mr. KIND, Mr. TIBERI, Mr. KELLER, Mr. WU, Mr. OSBORNE, Mr. WILSON of South Carolina, and Mr. BOYD) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To make changes to the Higher Education Act of 1965 incorporating the results of the FED UP Initiative, and for other purposes.

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; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Fed Up Higher Education Technical Amendments Act  
6       of 2003”.

7       (b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Reference; effective date; implementation.

## TITLE I—TECHNICAL AMENDMENTS

- Sec. 101. Technical amendments.  
 Sec. 102. Clerical amendments.  
 Sec. 103. Study of teacher preparation.

## TITLE II—STUDENT LOAN FORGIVENESS

- Sec. 201. Cancellation of student loan indebtedness for spouses, surviving joint debtors, and parents.

TITLE III—OPPORTUNITIES FOR HIGHER EDUCATION VIA  
TELECOMMUNICATIONS

- Sec. 301. Exception to 50 percent correspondence course limitations.  
 Sec. 302. Evaluation and report.

1 **SEC. 2. REFERENCE; EFFECTIVE DATE; IMPLEMENTATION.**

2 (a) REFERENCE.—Except as otherwise expressly pro-  
 3 vided in this Act, whenever in this Act an amendment or  
 4 repeal is expressed in terms of an amendment to, or repeal  
 5 of, a section or other provision, the reference shall be con-  
 6 sidered to be made to a section or other provision of the  
 7 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

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

11 (c) IMPLEMENTATION.—Sections 482(c) and 492 of  
 12 the Higher Education Act of 1965 (20 U.S.C. 1089(c),  
 13 1098a) shall not apply to the regulations implementing the  
 14 amendments made by this Act.

15 **TITLE I—TECHNICAL**  
 16 **AMENDMENTS**

17 **SEC. 101. TECHNICAL AMENDMENTS.**

18 (a) AMENDMENTS TO TITLE I.—

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

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

“(A) IN GENERAL.—For the purpose of qualifying as an institution under paragraph (1)(C), the Secretary shall establish criteria by regulation for the approval of institutions outside the United States and for the determination that such institutions are comparable to an institution of higher education as defined in section 101 (except that a graduate medical school, or a veterinary school, located outside the United States shall not be required to meet the requirements of section 101(a)(4)). Such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B of title IV unless—

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

“(I)(aa) at least 60 percent of those enrolled in, and at least 60 per-

1 cent of the graduates of, the graduate  
2 medical school outside the United  
3 States were not persons described in  
4 section 484(a)(5) in the year pre-  
5 ceding the year for which a student is  
6 seeking a loan under part B of title  
7 IV; and

8 “(bb) at least 60 percent of the  
9 individuals who were students or  
10 graduates of the graduate medical  
11 school outside the United States or  
12 Canada (both nationals of the United  
13 States and others) taking the exami-  
14 nations administered by the Edu-  
15 cational Commission for Foreign Med-  
16 ical Graduates received a passing  
17 score in the year preceding the year  
18 for which a student is seeking a loan  
19 under part B of title IV; or

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

23 “(ii) in the case of a veterinary school  
24 located outside the United States that does  
25 not meet the requirements of section

1           101(a)(4), the institution’s students com-  
2           plete their clinical training at an approved  
3           veterinary school located in the United  
4           States.”.

5           (B) The amendment made by subparagraph (A)  
6           shall be effective as if enacted on October 7, 1998.

7           (3) Section 102(a)(3)(A) (20 U.S.C.  
8           1002(a)(3)(A)) is amended by striking “section  
9           521(4)(C) of the Carl D. Perkins Vocational and  
10          Applied Technology Education Act” and inserting  
11          “section 3(3)(C) of the Carl D. Perkins Vocational  
12          and Technical Education Act of 1998”.

13          (4) Paragraph (7) of section 103 (20 U.S.C.  
14          1003) is amended to read as follows:

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

18                         “(A) part B or part D of title IV means  
19                         an individual who on that date has no out-  
20                         standing balance of principal or interest owing  
21                         on any loan made, insured, or guaranteed under  
22                         either such part; and

23                         “(B) part E of title IV means an indi-  
24                         vidual who on that date has no outstanding bal-

1           ance of principal or interest owing on any loan  
2           made under such part.”.

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

4                 (A) in subsection (a)(3)(A)(iii)—

5                         (i) by striking “an undergraduate”  
6                         and inserting “a full-time undergraduate”;  
7                         and

8                         (ii) in subclause (I), by striking “sec-  
9                         tion 428(a)(2)(C)(i)” and inserting “sec-  
10                         tion 428(a)(2)(C)(ii)”;

11                 (B) in subsection (b), by striking “the  
12                 costs for typical” and inserting “the prices for,  
13                 and financial aid provided to, typical”;

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

16                 (D) in subsection (d)(1), by striking “3  
17                 years” and inserting “4 years”.

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

19                 (A) in subsection (a)(2)(B)—

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

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

25                 (B) in subsection (c)—

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

4 (ii) in paragraph (1)(B), by inserting  
 5 “secondary markets, guaranty agencies,”  
 6 after “lenders,”; and

7 (iii) in paragraph (2)(B), by striking  
 8 “Chief Financial Officer Act of 1990 and”  
 9 and inserting “Chief Financial Officers Act  
 10 of 1990,” and by inserting before the pe-  
 11 riod at the end the following: “, and other  
 12 relevant statutes”;

13 (C) in subsection (f)(3)(A), by striking  
 14 “paragraph (1)(A)” and inserting “paragraph  
 15 (1)”;

16 (D) in subsection (g)(3), by adding at the  
 17 end the following new sentence: “The names  
 18 and compensation for those individuals shall be  
 19 included in the annual report under subsection  
 20 (c)(2).”.

21 (b) AMENDMENTS TO TITLE II.—Section 207(f)(2)  
 22 (20 U.S.C. 1027(f)(2)) is amended by inserting “, includ-  
 23 ing by electronic means,” after “sent”.

24 (c) AMENDMENTS TO TITLE III.—

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

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

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

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

10                   (B) by striking “technology,” and insert-  
 11                   ing “technology,”.

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

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

18           (6) Section 1024 (20 U.S.C. 1135b–3), as  
 19           transferred by section 301(a)(5) of the Higher Edu-  
 20           cation Amendments of 1998 (Public Law 105–244;  
 21           112 Stat. 1636), is repealed.

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

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

25                           (A) in subsection (e)—



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

3 (ii) in paragraph (2), by striking  
 4 “(g)(2)” and inserting “(g)(4)”; and  
 5 (B) in subsection (g)—

6 (i) by redesignating paragraphs (1)  
 7 through (4) as paragraphs (3) through (6),  
 8 respectively; and

9 (ii) by inserting before paragraph (3),  
 10 as redesignated, the following:

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

13 “(A) is geographically apart from the main  
 14 campus of the institution;

15 “(B) is permanent in nature; and

16 “(C) offers courses in educational pro-  
 17 grams leading to a degree, certificate, or other  
 18 recognized educational credential.

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

23 “(A) separate and distinct from any other  
 24 population that the entity seeks to serve

1 through an application for funding under this  
2 chapter; or

3 “(B) while sharing some of the same char-  
4 acteristics as another population that the entity  
5 seeks to serve through an application for fund-  
6 ing under this chapter, has distinct needs for  
7 specialized services.”.

8 (2)(A) Section 404A(b) (20 U.S.C. 1070a–  
9 21(b)) is amended by adding at the end thereof the  
10 following new paragraph:

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

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

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

20 (4) Section 419C(b)(1) (20 U.S.C. 1070d–  
21 33(b)(1)) is amended by inserting “and” after the  
22 semicolon at the end thereof.

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

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

2 (1) Section 428(a)(2)(A) (20 U.S.C.  
3 1078(a)(2)(A)) is amended—

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

6 (B) by moving the margin of clause (iii)  
7 two ems to the left.

8 (2) Section 428(b)(1)(G) (20 U.S.C.  
9 1078(b)(1)(G)) is amended by inserting before the  
10 semicolon at the end the following: “and 100 percent  
11 of the unpaid principal amount of exempt claims as  
12 defined in subsection (c)(1)(G)”.

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

15 (A) in paragraph (1)—

16 (i) by redesignating subparagraph (G)  
17 as subparagraph (H), and moving such  
18 subparagraph 2 em spaces to the left; and

19 (ii) by inserting after subparagraph  
20 (F) the following new subparagraph:

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

1 “(I) the fourth sentence of subparagraph  
2 (A) by substituting ‘100 percent’ for ‘95 per-  
3 cent’;

4 “(II) subparagraph (B)(i) by substituting  
5 ‘100 percent’ for ‘85 percent’; and

6 “(III) subparagraph (B)(ii) by substituting  
7 ‘100 percent’ for ‘75 percent’.

8 “(ii) For purposes of clause (i) of this subpara-  
9 graph, the term ‘exempt claims’ means claims with  
10 respect to loans for which it is determined that the  
11 borrower (or the student on whose behalf a parent  
12 has borrowed), without the lender’s or the institu-  
13 tion’s knowledge at the time the loan was made, pro-  
14 vided false or erroneous information or took actions  
15 that caused the borrower or the student to be ineli-  
16 gible for all or a portion of the loan or for interest  
17 benefits thereon.”.

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

20 (C) by adding at the end the following new  
21 paragraph:

22 “(10) DOCUMENTATION OF FORBEARANCE  
23 AGREEMENTS.—For the purposes of paragraph (3),  
24 the terms of forbearance agreed to by the parties  
25 shall be documented by confirming the agreement of

1 the borrower by notice to the borrower from the  
2 lender, and by recording the terms in the borrower’s  
3 file.”.

4 (4) Section 428C(a)(3)(B) (20 U.S.C. 1078–  
5 3(a)(3)(B)) is amended by adding at the end the fol-  
6 lowing new clause:

7 “(ii) Loans made under this section shall, to  
8 the extent used to discharge loans made under this  
9 title, be counted against the applicable limitations on  
10 aggregate indebtedness contained in sections  
11 425(a)(2), 428(b)(1)(B), 428H(d), 455, and  
12 464(a)(2)(B).”.

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

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

16 (B) by redesignating paragraph (7) as  
17 paragraph (6).

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

20 (7) Section 432(m)(1)(B) (20 U.S.C.  
21 1082(m)(1)(B)) is amended—

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

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

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

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

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

6       (f) AMENDMENT TO PART D OF TITLE IV.—Section  
7   457(a)(1) (20 U.S.C. 1087g(a)(1)) is amended by striking  
8   “431” and inserting “437”.

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

10           (1) Section 462(g)(1)(E)(i)(I) (20 U.S.C.  
11   1087bb(g)(1)(E)(i)(I)) is amended by inserting  
12   “monthly” after “consecutive”.

13           (2) Section 464(c)(1)(D) (20 U.S.C.  
14   1087dd(c)(1)(D)) is amended by redesignating sub-  
15   clauses (I) and (II) as clauses (i) and (ii), respec-  
16   tively.

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

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

21                   (B) by inserting “, if such loan is consid-  
22       ered rehabilitated,” after “the Secretary)  
23       shall”.

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

1 (A) in subparagraph (A), by striking “sec-  
 2 tion 111(c)” and inserting “section  
 3 1113(a)(5)”; and

4 (B) in subparagraph (C), by striking  
 5 “With Disabilities” and inserting “with Disabil-  
 6 ities”.

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

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

12 (A) by striking “sections 602(a)(1) and  
 13 672(1)” and inserting “sections 602(3) and  
 14 632(5)”;

15 (B) by striking “qualified professional pro-  
 16 vider of early intervention services” and insert-  
 17 ing “early intervention services”; and

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

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

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

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

24 (B) by striking “meals away from home,  
 25 apparel and upkeep, transportation, and house-

1 keeping services” and inserting “food away  
2 from home, apparel, transportation, and house-  
3 hold furnishings and operations”.

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

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

8 “(a) AUTHORITY TO MAKE ADJUSTMENTS.—

9 “(1) ADJUSTMENTS FOR SPECIAL CIR-  
10 CUMSTANCES.—”;

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

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

14 (C) by inserting “a student’s status as a  
15 ward of the court at any time prior to attaining  
16 18 years of age,” after “487,”.

17 (D) by inserting before “Adequate docu-  
18 mentation” the following:

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

21 (E) by inserting before “No student” the  
22 following:

23 “(4) FEES FOR SUPPLEMENTARY INFORMATION  
24 PROHIBITED.—”.



1 (i) AMENDMENTS TO PARTS G AND H OF TITLE  
2 IV.—

3 (1) Section 483(d) (20 U.S.C. 1090(d)) is  
4 amended by striking “that is authorized under sec-  
5 tion 685(d)(2)(C)” and inserting “, or another ap-  
6 propriate provider of technical assistance and infor-  
7 mation on postsecondary educational services, that is  
8 supported under section 685”.

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

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

12 (B) in subsection (b)(2)—

13 (i) in the matter preceding subpara-  
14 graph (A), by striking “section 428A” and  
15 inserting “section 428H”;

16 (ii) in subparagraph (A), by inserting  
17 “and” after the semicolon at the end  
18 thereof;

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

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

22 (C) in subsection (l)(1)(B)(i), by striking  
23 “section 521(4)(C) of the Carl D. Perkins Vo-  
24 cational and Applied Technology Education  
25 Act” and inserting “section 3(3)(C) of the Carl

1           D. Perkins Vocational and Technical Education  
2           Act of 1998”.

3           (3)(A)    Section    484(r)(1)    (20    U.S.C.  
4    1091(r)(1)) is amended by striking everything pre-  
5    ceding the table and inserting the following:

6           “(1) IN GENERAL.—A student who is convicted  
7    of any offense under any Federal or State law in-  
8    volving the possession or sale of a controlled sub-  
9    stance for conduct that occurred during a period of  
10   enrollment for which the student was receiving any  
11   grant, loan, or work assistance under this title shall  
12   not be eligible to receive such grant, loan, or work  
13   assistance from the date of that conviction for the  
14   period of time specified in the following table:”.

15           (B) The amendment made by subparagraph (A)  
16   shall be effective on July 1, 2003.

17           (4)(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.—

3                   “(i) IN GENERAL.—Notwithstanding  
4                   subparagraphs (A) and (B), a student  
5                   shall only be required to return grant as-  
6                   sistance in the amount (if any) by which—

7                   “(I) the amount to be returned  
8                   by the student (as determined under  
9                   subparagraphs (A) and (B)), exceeds

10                  “(II) 50 percent of the total  
11                  grant assistance received by the stu-  
12                  dent under this title for the payment  
13                  period or period of enrollment.

14                  “(ii) MINIMUM.—A student shall not  
15                  be required to return amounts of \$50 or  
16                  less.”; and

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

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

1           (5) Section 485(a)(1) (20 U.S.C. 1092(a)(1)) is  
2       amended—

3           (A) in the second sentence, by striking  
4       “mailings, and” and inserting “mailings, or”;

5           (B) by striking “and” at the end of sub-  
6       paragraph (N);

7           (C) by striking the period at the end of  
8       subparagraph (O) and inserting “; and”; and

9           (D) by adding at the end the following new  
10      subparagraph:

11           “(P) the penalties contained in subsection  
12      484(r) regarding suspension of eligibility for  
13      drug related offenses.”.

14          (6) Section 485B(a) (20 U.S.C. 1092b(a)) is  
15      amended—

16           (A) by redesignating paragraphs (6)  
17      through (10) as paragraphs (7) through (11),  
18      respectively;

19           (B) by redesignating the paragraph (5) (as  
20      added by section 2008 of Public Law 101–239)  
21      as paragraph (6); and

22           (C) in paragraph (5) (as added by section  
23      204(3) of the National Community Service Act  
24      of 1990 (Public Law 101–610))—

1 (i) by striking “(22 U.S.C. 2501 et  
2 seq.),” and inserting “(22 U.S.C. 2501 et  
3 seq.),”; and

4 (ii) by striking the period at the end  
5 thereof and inserting a semicolon.

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

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

11 (B) in paragraph (23)—

12 (i) by moving subparagraph (C) two  
13 em spaces to the left; and

14 (ii) by adding after such subpara-  
15 graph the following new subparagraph:

16 “(D) An institution shall be considered in com-  
17 pliance with the requirements of subparagraph (A)  
18 for any student to whom the institution electroni-  
19 cally transmits a message containing a voter reg-  
20 istration form acceptable for use in the State in  
21 which the institution is located, or an Internet ad-  
22 dress where such a form can be downloaded, pro-  
23 vided such information is in an electronic message  
24 devoted to voter registration.”.

1           (8) Section 491(c) (20 U.S.C. 1098(c)) is  
2       amended by adding at the end the following new  
3       paragraph:

4       “(3) The appointment of members under subpara-  
5       graphs (A) and (B) of paragraph (1) shall be effective  
6       upon publication of the appointment in the Congressional  
7       Record.”.

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

10          (10) Section 498 (20 U.S.C. 1099c) is amend-  
11       ed—

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

14                (B) in subsection (d)(1)(B), by inserting  
15       “and” after the semicolon at the end thereof.

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

18               (1) by striking the following:

19       “(a) AWARD PERIOD.—

20       “(1) IN GENERAL.—The Secretary”

21       and inserting the following:

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

23               (2) by striking paragraph (2).

24       (k) AMENDMENTS TO TITLE VII.—

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

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

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

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

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

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

13           (C) by adding at the end the following new  
14 paragraphs:

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

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

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

24           “(B) who are eligible law school students  
25 who have successfully completed a comparable

1 summer institute program certified by the  
2 Council on Legal Educational Opportunity.”.

3 (l) AMENDMENT TO HIGHER EDUCATION AMEND-  
4 MENTS OF 1998.—Section 422(d) of the Higher Edu-  
5 cation Amendments of 1998 (Public Law 105–244; 112  
6 Stat. 1696) is amended by striking “, and ending on Sep-  
7 tember 30, 2002”.

8 **SEC. 102. CLERICAL AMENDMENTS.**

9 (a) DEFINITION.—Section 103 (20 U.S.C. 1003) is  
10 amended—

11 (1) by redesignating paragraphs (1) through  
12 (16) as paragraphs (2) through (17), respectively;  
13 and

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

16 “(1) AUTHORIZING COMMITTEES.—The term  
17 ‘authorizing committees’ means the Committee on  
18 Health, Education, Labor, and Pensions of the Sen-  
19 ate and the Committee on Education and the Work-  
20 force of the House of Representatives.”.

21 (b) COMMITTEES.—

22 (1) The following provisions are each amended  
23 by striking “Committee on Labor and Human Re-  
24 sources of the Senate and the Committee on Edu-  
25 cation and the Workforce of the House of Rep-



1        representatives” and inserting “authorizing commit-  
2        tees”:

3                (A) Section 131(a)(3)(B) (20 U.S.C.  
4        1015(a)(3)(B)).

5                (B) Section 131(c)(4) (20 U.S.C.  
6        1015(c)(4)).

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

8                (D) Section 207(c)(1) (20 U.S.C.  
9        1027(c)(1)).

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

11                (F) Section 428A(a)(4) (20 U.S.C. 1078–  
12        1(a)(4)).

13                (G) Section 428A(c)(2) (20 U.S.C. 1078–  
14        1(c)(2)).

15                (H) Section 428A(c)(3) (20 U.S.C. 1078–  
16        1(c)(3)).

17                (I) Section 428A(c)(5) (20 U.S.C. 1078–  
18        1(c)(5)).

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

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

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

23                (M) Section 486(f)(3)(A) (20 U.S.C.  
24        1093(f)(3)(A)).

1 (N) Section 486(f)(3)(B) (20 U.S.C.  
2 1093(f)(3)(B)).

3 (O) Section 487A(a)(5) (20 U.S.C.  
4 1094a(a)(5)).

5 (P) Section 487A(b)(2) (20 U.S.C.  
6 1094a(b)(2)).

7 (Q) Section 487A(b)(3)(B) (20 U.S.C.  
8 1094a(b)(3)(B)).

9 (R) Section 498B(d)(1) (20 U.S.C. 1099c–  
10 2(d)(1)).

11 (S) Section 498B(d)(2) (20 U.S.C. 1099c–  
12 2(d)(2)).

13 (2) The following provisions are each amended  
14 by striking “Committee on Education and the Work-  
15 force of the House of Representatives and the Com-  
16 mittee on Labor and Human Resources of the Sen-  
17 ate” and inserting “authorizing committees”.

18 (A) Section 141(d)(4)(B) (20 U.S.C.  
19 1018(d)(4)(B)).

20 (B) Section 428(n)(4) (20 U.S.C.  
21 1078(n)(4)).

22 (C) The last sentence of section 432(n) (20  
23 U.S.C. 1082(n)).

24 (D) Section 485(f)(5)(A) (20 U.S.C.  
25 1092(f)(5)(A)).

1                   (E) Section 485(g)(4)(B) (20 U.S.C.  
2                   1092(g)(4)(B)).

3                   (3) Section 206(a) (20 U.S.C. 1026(a)) is  
4                   amended by striking “, the Committee on Labor and  
5                   Human Resources of the Senate, and the Committee  
6                   on Education and the Workforce of the House of  
7                   Representatives” and inserting “and the authorizing  
8                   committees”.

9                   (4) Section 401(f)(3) (20 U.S.C. 1070a(f)(3))  
10                  is amended by striking “Committee on Appropria-  
11                  tions and the Committee on Labor and Human Re-  
12                  sources of the Senate and the Committee on Appro-  
13                  priations and the Committee on Education and the  
14                  Workforce of the House of Representatives” and in-  
15                  serting “Committees on Appropriations of the Sen-  
16                  ate and House of Representatives and the author-  
17                  izing committees”.

18                  (5) Section 428(c)(9)(K) (20 U.S.C.  
19                  1078(c)(9)(K)) is amended by striking “House Com-  
20                  mittee on Education and the Workforce and the  
21                  Senate Committee on Labor and Human Resources”  
22                  and inserting “authorizing committees”.

23                  (6) Section 428I(h) (20 U.S.C. 1078–9(h)) is  
24                  amended by striking “Chairman of the Senate Labor  
25                  and Human Resources Committee and the House

1 Committee on Education and Labor” and inserting  
2 “chairpersons of the authorizing committees”.

3 (7) Section 432(f)(1)(C) (20 U.S.C.  
4 1082(f)(1)(C)) is amended by striking “Committee  
5 on Education and the Workforce of the House of  
6 Representatives or the Committee on Labor and  
7 Human Resources of the Senate” and inserting “ei-  
8 ther of the authorizing committees”.

9 (8) Section 439(d)(1)(E)(iii) (20 U.S.C. 1087–  
10 2(d)(1)(E)(iii)) is amended by striking “Chairman  
11 and the Ranking Member on the Committee on  
12 Labor and Human Resources of the Senate and the  
13 Chairman and the Ranking Member of the Com-  
14 mittee on Education and Labor of the House of  
15 Representatives” and inserting “chairpersons and  
16 ranking minority members of the authorizing com-  
17 mittees”.

18 (9) Paragraphs (3) and (8)(C) of section 439(r)  
19 (20 U.S.C. 1087–2(r)) are each amended by striking  
20 “Chairman and ranking minority member of the  
21 Committee on Labor and Human Resources of the  
22 Senate, the Chairman and ranking minority member  
23 of the Committee on Education and Labor of the  
24 House of Representatives,” and inserting “chair-

1 persons and ranking minority members of the au-  
2 thorizing committees”.

3 (10) Paragraphs (5)(B) and (10) of section  
4 439(r) (20 U.S.C. 1087–2(r)) are each amended by  
5 striking “Chairman and ranking minority member of  
6 the Senate Committee on Labor and Human Re-  
7 sources and to the Chairman and ranking minority  
8 member of the House Committee on Education and  
9 Labor” and inserting “chairpersons and ranking mi-  
10 nority members of the authorizing committees”.

11 (11) Section 439(r)(6)(B) (20 U.S.C. 1087–  
12 2(r)(6)(B)) is amended by striking “Chairman and  
13 ranking minority member of the Committee on  
14 Labor and Human Resources of the Senate and to  
15 the Chairman and ranking minority member of the  
16 Committee on Education and Labor of the House  
17 of Representatives” and inserting “chairpersons and  
18 ranking minority members of the authorizing com-  
19 mittees”.

20 (12) Section 439(s)(2)(A) (20 U.S.C. 1087–  
21 2(s)(2)(A)) is amended by striking “Chairman and  
22 Ranking Member of the Committee on Labor and  
23 Human Resources of the Senate and the Chairman  
24 and Ranking Member of the Committee on Eco-  
25 nomic and Educational Opportunities of the House

1 of Representatives” and inserting “chairpersons and  
2 ranking minority members of the authorizing com-  
3 mittees”.

4 (13) Section 439(s)(2)(B) (20 U.S.C. 1087–  
5 2(s)(2)(B)) is amended by striking “Chairman and  
6 Ranking Minority Member of the Committee on  
7 Labor and Human Resources of the Senate and  
8 Chairman and Ranking Minority Member of the  
9 Committee on Economic and Educational Opportu-  
10 nities of the House of Representatives” and insert-  
11 ing “chairpersons and ranking minority members of  
12 the authorizing committees”.

13 (14) Section 482(d) (20 U.S.C. 1089(d)) is  
14 amended by striking “Committee on Labor and  
15 Human Resources of the Senate and the Committee  
16 on Education and Labor of the House of Represent-  
17 atives” and inserting “authorizing committees”.

18 (c) ADDITIONAL CLERICAL AMENDMENTS.—

19 (1) Clauses (i) and (ii) of section 425(a)(2)(A)  
20 (20 U.S.C. 1075(a)(2)(A)) are each amended by  
21 striking “428A or 428B” and inserting “428B or  
22 428H”.

23 (2) Section 428(a)(2)(E) (20 U.S.C.  
24 1078(a)(2)(E)) is amended by striking “428A or”.

1           (3) Clauses (i) and (ii) of section 428(b)(1)(B)  
2           (20 U.S.C. 1078(b)(1)(B)) are each amended by  
3           striking “428A or 428B” and inserting “428B or  
4           428H”.

5           (4) Section 428(b)(1)(Q) (20 U.S.C.  
6           1078(b)(1)(Q)) is amended by striking “sections  
7           428A and 428B” and inserting “section 428B or  
8           428H”.

9           (5) Section 428(b)(7)(C) (20 U.S.C.  
10          1078(b)(7)(C)) is amended by striking “428A,  
11          428B,” and inserting “428B”.

12          (6) Section 428G(c)(2) (20 U.S.C. 1078–  
13          7(c)(2)) is amended by striking “428A” and insert-  
14          ing “428H”.

15          (7) The heading for section 433(e) (20 U.S.C.  
16          1083(e)) is amended by striking “SLS LOANS AND”.

17          (8) Section 433(e) (20 U.S.C. 1083(e)) is  
18          amended by striking “428A, 428B,” and inserting  
19          “428B”.

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

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

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

1 (C) by redesignating subparagraph (C) as  
 2 subparagraph (B).

3 (10) Section 435(d)(1)(G) (20 U.S.C.  
 4 1085(d)(1)(G)) is amended by striking “428A(d),  
 5 428B(d), 428C,” and inserting “428B(d), 428C,  
 6 428H,”.

7 (11) Section 435(m) (20 U.S.C. 1085(m)) is  
 8 amended—

9 (A) in paragraph (1)(A), by striking “,  
 10 428A,”; and

11 (B) in paragraph (2)(D), by striking  
 12 “428A” each place it appears and inserting  
 13 “428H”.

14 (12) Section 438(c)(6) (20 U.S.C. 1087–  
 15 1(c)(6)) is amended—

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

18 (B) by striking “428A or”.

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

21 (14) Nothing in the amendments made by this  
 22 subsection shall be construed to alter the terms, con-  
 23 ditions, and benefits applicable to Federal supple-  
 24 mental loans for students (“SLS loans”) under sec-



1       tion 428A as in effect prior to July 1, 1994 (20  
2       U.S.C. 1078–1).

3   **SEC. 103. STUDY OF TEACHER PREPARATION.**

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

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

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

19          (3) which States and which institutions of high-  
20      er education award diplomas, degrees, or other cer-  
21      tificates to students in education or teaching, but  
22      subsequently only consider them to have successfully  
23      completed a teacher preparation or education pro-  
24      gram if they pass one or more State licensure  
25      exams;

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

(5) the extent to which the practices described in paragraphs (1) through (4) may mislead or incompletely inform students and policymakers concerning the quality of such teacher preparation programs; and

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

## **TITLE II—STUDENT LOAN FORGIVENESS**

### **SEC. 201. CANCELLATION OF STUDENT LOAN INDEBTED- NESS FOR SPOUSES, SURVIVING JOINT DEBT- ORS, AND PARENTS.**

(a) DEFINITIONS.—For purposes of this section:

(1) ELIGIBLE PUBLIC SERVANT.—The term “eligible public servant” means an individual who—

1 (A) served as a police officer, firefighter,  
2 other safety or rescue personnel, or as a mem-  
3 ber of the Armed Forces; and

4 (B) died (or dies) or became (or becomes)  
5 permanently and totally disabled due to injuries  
6 suffered in the terrorist attack on September  
7 11, 2001;

8 as determined in accordance with regulations of the  
9 Secretary.

10 (2) ELIGIBLE VICTIM.—The term “eligible vic-  
11 tim” means an individual who died (or dies) or be-  
12 came (or becomes) permanently and totally disabled  
13 due to injuries suffered in the terrorist attack on  
14 September 11, 2001, as determined in accordance  
15 with regulations of the Secretary.

16 (3) ELIGIBLE PARENT.—The term “eligible  
17 parent” means the parent of an eligible victim if—

18 (A) the parent owes a Federal student loan  
19 that is a consolidation loan that was used to  
20 repay a PLUS loan incurred on behalf of such  
21 eligible victim; or

22 (B) the parent owes a Federal student loan  
23 that is a PLUS loan incurred on behalf of an  
24 eligible victim who became (or becomes) perma-  
25 nently and totally disabled due to injuries suf-

1           ferred in the terrorist attack on September 11,  
2           2001.

3           (4) SECRETARY.—The term “Secretary” means  
4           the Secretary of Education.

5           (5) FEDERAL STUDENT LOAN.—The term  
6           “Federal student loan” means any loan made, in-  
7           sured, or guaranteed under part B, D, or E of title  
8           IV of the Higher Education Act of 1965.

9           (b) RELIEF FROM INDEBTEDNESS.—

10           (1) IN GENERAL.—The Secretary shall provide  
11           for the discharge or cancellation of—

12                   (A) the Federal student loan indebtedness  
13                   of the spouse of an eligible public servant, as  
14                   determined in accordance with regulations of  
15                   the Secretary, including any consolidation loan  
16                   that was used jointly by the eligible public serv-  
17                   ant and his or her spouse to repay the Federal  
18                   student loans of the spouse and the eligible  
19                   public servant;

20                   (B) the portion incurred on behalf of the  
21                   eligible victim (other than an eligible public  
22                   servant), of a Federal student loan that is a  
23                   consolidation loan that was used jointly by the  
24                   eligible victim and his or her spouse, as deter-  
25                   mined in accordance with regulations of the

1 Secretary, to repay the Federal student loans of  
2 the eligible victim and his or her spouse;

3 (C) the portion of the consolidation loan  
4 indebtedness of an eligible parent that was in-  
5 curred on behalf of an eligible victim; and

6 (D) the PLUS loan indebtedness of an eli-  
7 gible parent that was incurred on behalf of an  
8 eligible victim.

9 (2) METHOD OF DISCHARGE OR CANCELLA-  
10 TION.—A loan required to be discharged or canceled  
11 under paragraph (1) shall be discharged or canceled  
12 by the method used under section 437(a), 455(a)(1),  
13 or 464(c)(1)(F) of the Higher Education Act of  
14 1965 (20 U.S.C. 1087(a), 1087e(a)(1),  
15 1087dd(c)(1)(F)), whichever is applicable to such  
16 loan.

17 (c) FACILITATION OF CLAIMS.—The Secretary  
18 shall—

19 (1) establish procedures for the filing of appli-  
20 cations for discharge or cancellation under this sec-  
21 tion by regulations that shall be prescribed and pub-  
22 lished within 90 days after the date of enactment of  
23 this Act and without regard to the requirements of  
24 section 553 of title 5, United States Code; and

1           (2) take such actions as may be necessary to  
 2       publicize the availability of discharge or cancellation  
 3       of Federal student loan indebtedness under this sec-  
 4       tion.

5       (d) AVAILABILITY OF FUNDS FOR PAYMENTS.—  
 6       Funds available for the purposes of making payments to  
 7       lenders in accordance with section 437(a) for the dis-  
 8       charge of indebtedness of deceased or disabled individuals  
 9       shall be available for making payments under section  
 10      437(a) to lenders of loans as required by this section.

11      (e) APPLICABLE TO OUTSTANDING DEBT.—The pro-  
 12      visions of this section shall be applied to discharge or can-  
 13      cel only Federal student loans (including consolidation  
 14      loans) on which amounts were owed on September 11,  
 15      2001. Nothing in this section shall be construed to author-  
 16      ize any refunding of any repayment of a loan.

## 17   **TITLE III—OPPORTUNITIES FOR** 18       **HIGHER       EDUCATION       VIA** 19       **TELECOMMUNICATIONS**

### 20   **SEC. 301. EXCEPTION TO 50 PERCENT CORRESPONDENCE** 21       **COURSE LIMITATIONS.**

22      (a) DEFINITION OF INSTITUTION OF HIGHER EDU-  
 23      CATION FOR TITLE IV PURPOSES.—Section 102(a) (20  
 24      U.S.C. 1002(a)) is amended by adding at the end the fol-  
 25      lowing new paragraph:

1           “(7) EXCEPTION TO LIMITATION BASED ON  
2 COURSE OF STUDY.—

3           “(A) EXCEPTION.—Courses offered via  
4 telecommunications (as defined in section  
5 484(l)(4)) shall not be considered to be cor-  
6 respondence courses for purposes of subpara-  
7 graph (A) or (B) of paragraph (3) for any insti-  
8 tution that—

9           “(i) is participating in either or both  
10 of the loan programs under part B or D of  
11 title IV on the date of enactment of the  
12 Fed Up Higher Education Technical  
13 Amendments Act of 2003;

14           “(ii) has a cohort default rate (as de-  
15 termined under section 435(m)) for each of  
16 the 3 most recent fiscal years for which  
17 data are available that is less than 10 per-  
18 cent; and

19           “(iii)(I) has notified the Secretary, in  
20 a form and manner prescribed by the Sec-  
21 retary (including such information as the  
22 Secretary may require to meet the require-  
23 ments of subclause (II)), of the election by  
24 such institution to qualify as an institution

1 of higher education by means of the provi-  
 2 sions of this paragraph; and

3 “(II) the Secretary has not, within 90  
 4 days after such notice, and the receipt of  
 5 any information required under subclause  
 6 (i), notified the institution that the election  
 7 by such institution would pose a significant  
 8 risk to Federal funds and the integrity of  
 9 programs under title IV.

10 “(B) LOSS OF ELIGIBILITY FOR COHORT  
 11 DEFAULT RATE.—If an institution qualifies for  
 12 the exception provided by subparagraph (A),  
 13 but has a cohort default rate for a subsequent  
 14 fiscal year that equals or exceeds 10 percent,  
 15 such institution shall cease to be qualified for  
 16 such exception at the end of the award year in  
 17 which that cohort default rate was released.”.

18 (b) DEFINITION OF ELIGIBLE STUDENT.—Section  
 19 484(l)(1) (20 U.S.C. 1091(l)(1)) is amended by adding  
 20 at the end the following new subparagraph:

21 “(C) EXCEPTION TO 50 PERCENT LIMITA-  
 22 TION.—

23 “(i) EXCEPTION.—Notwithstanding  
 24 the 50 percent limitation in subparagraph  
 25 (A), a student enrolled in a course of in-



1 instruction described in such subparagraph  
2 shall not be considered to be enrolled in  
3 correspondence courses if the student is  
4 enrolled in an institution that—

5 “(I) is participating in either or  
6 both of the loan programs under part  
7 B or D of title IV on the date of en-  
8 actment of the Fed Up Higher Edu-  
9 cation Technical Amendments Act of  
10 2003;

11 “(II) has a cohort default rate  
12 (as determined under section 435(m))  
13 for each of the 3 most recent fiscal  
14 years for which data are available that  
15 is less than 10 percent; and

16 “(III)(aa) has notified the Sec-  
17 retary, in form and manner prescribed  
18 by the Secretary (including such in-  
19 formation as the Secretary may re-  
20 quire to meet the requirements of sub-  
21 clause (II)), of the election by such in-  
22 stitution to qualify its students as eli-  
23 gible students by means of the provi-  
24 sions of this subparagraph; and

1 “(bb) the Secretary has not,  
 2 within 90 days after such notice, and  
 3 the receipt of any information re-  
 4 quired under subclause (I), notified  
 5 the institution that the election by  
 6 such institution would pose a signifi-  
 7 cant risk to Federal funds and the in-  
 8 tegrity of programs under title IV.

9 “(ii) LOSS OF ELIGIBILITY FOR CO-  
 10 HORT DEFAULT RATE.—If an institution  
 11 qualifies for the exception provided by  
 12 clause (i), but has a cohort default rate for  
 13 a subsequent fiscal year that equals or ex-  
 14 ceeds 10 percent, such institution shall  
 15 cease to be qualified for such exception at  
 16 the end of the award year in which that co-  
 17 hort default rate was released.”.

18 **SEC. 302. EVALUATION AND REPORT.**

19 (a) INFORMATION FROM INSTITUTIONS.—

20 (1) INSTITUTIONS COVERED BY REQUIRE-  
 21 MENT.—The requirements of paragraph (2) apply to  
 22 any institution of higher education that has notified  
 23 the Secretary of Education of an election to qualify  
 24 for the exception to limitation based on course of  
 25 study in section 102(a)(7) of the Higher Education

1 Act of 1965 (20 U.S.C. 1002(a)(7)) or the exception  
2 to the 50 percent limitation in section 484(l)(1)(C)  
3 of such Act (20 U.S.C. 1091(l)(1)(C)).

4 (2) REQUIREMENTS.—Any institution of higher  
5 education to which this paragraph applies shall com-  
6 ply, on a timely basis, with the Secretary of Edu-  
7 cation’s reasonable requests for information on  
8 changes in—

9 (A) the amount or method of instruction  
10 offered;

11 (B) the types of programs or courses of-  
12 fered;

13 (C) enrollment by type of program or  
14 course;

15 (D) the amount and types of grant, loan,  
16 or work assistance provided under title IV of  
17 the Higher Education Act of 1965 that is re-  
18 ceived by students enrolled in programs con-  
19 ducted in nontraditional formats; and

20 (E) outcomes for students enrolled in such  
21 courses or programs.

22 (b) REPORT BY SECRETARY REQUIRED.—The Sec-  
23 retary of Education shall conduct by grant or contract a  
24 study of, and by March 31, 2005, submit to the Congress,  
25 a report on—

1           (1) the effect that the amendments made by  
2       section 301 of this Act have had on—

3           (A) the ability of institutions of higher  
4       education to provide distance learning opportu-  
5       nities to students; and

6           (B) program integrity;

7           (2) with respect to distance education or cor-  
8       respondence education courses at institutions of  
9       higher education to which the information require-  
10      ments of subsection (a)(2) apply, changes from year-  
11      to-year in—

12           (A) the amount or method of instruction  
13      offered and the types of programs or courses of-  
14      fered;

15           (B) the number and type of students en-  
16      rolled in distance education or correspondence  
17      education courses;

18           (C) the amount of student aid provided to  
19      such students, in total and as a percentage of  
20      the institution's revenue; and

21           (D) outcomes for students enrolled in dis-  
22      tance education or correspondence education  
23      courses, including graduation rates, job place-  
24      ment rates, and loan delinquencies and defaults;  
25      and

1           (3) any further improvements that should be  
2       made to the provisions amended by section 301 of  
3       this Act (and related provisions), in order to accom-  
4       modate nontraditional educational opportunities in  
5       the Federal student assistance programs while en-  
6       suring the integrity of those programs.

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