

115TH CONGRESS
1ST SESSION

H. R. 3784

To amend the Higher Education Act of 1965 to clarify the treatment of technical errors in applications for Federal TRIO programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2017

Mr. DAVIDSON (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. POLIQUIN, and Mr. ESPAILLAT) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Higher Education Act of 1965 to clarify the treatment of technical errors in applications for Federal TRIO programs, 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.**

4 This Act may be cited as the “Common Sense Oppor-
5 tunities Act”.

6 **SEC. 2. APPLICATION STATUS.**

7 Section 402A(c)(7) of the Higher Education Act of
8 1965 (20 U.S.C. 1070a–11(c)(7)) is amended by striking

1 “8 months” each place it appears and inserting “4
2 months”.

3 **SEC. 3. TREATMENT OF TECHNICAL ERRORS IN APPLICA-**
4 **TIONS.**

5 Section 402A(c)(8) of the Higher Education Act of
6 1965 (20 U.S.C. 1070a–11(c)(8)) is amended by adding
7 at the end the following:

8 “(D) TREATMENT OF TECHNICAL ERRORS
9 IN APPLICATIONS.—

10 “(i) IN GENERAL.—Except as pro-
11 vided in clause (ii), the Secretary may not
12 reject an application for a grant or con-
13 tract under this chapter solely because
14 such application contains a technical error.

15 “(ii) EXCEPTION.—The Secretary
16 may reject an application for a grant or
17 contract under this chapter solely because
18 such application contains a technical error
19 only if—

20 “(I) the Secretary provides notice
21 of the technical error by email and
22 phone to the primary contact person,
23 authorized representative, and project
24 director identified in the application
25 and, as part of such notice, specifi-

1 cally identifies the technical error in
2 the text of the application;

3 “(II) during a period of not
4 fewer than 7 business days after pro-
5 viding notice to the applicant under
6 subclause (I), and in accordance with
7 clause (iii), the Secretary allows the
8 applicant to submit a revised applica-
9 tion that corrects the technical error
10 identified in such notice; and

11 “(III) the applicant—

12 “(aa) does not submit to the
13 Secretary a revised application
14 that corrects the technical error
15 identified in the notice under
16 subclause (I) before the expira-
17 tion of the period described in
18 subclause (II); or

19 “(bb) submits to the Sec-
20 retary a revised application that
21 contains a new technical error or
22 does not correct the technical
23 error identified in the notice
24 under subclause (I).

1 “(iii) TREATMENT OF REVISED APPLI-
 2 CATIONS.—The Secretary shall treat a re-
 3 vised application submitted under clause
 4 (ii)(II) in the same manner as a timely
 5 submitted application that did not contain
 6 the technical error corrected in such re-
 7 vised application. The peer review score of
 8 a revised application submitted under
 9 clause (ii)(II) shall not be reviewable by
 10 any officer or employee of the Department
 11 of Education other than the Secretary.

12 “(iv) TECHNICAL ERROR DEFINED.—
 13 In this subparagraph, the term ‘technical
 14 error’ means a nonsubstantive error in an
 15 application, including an error in for-
 16 matting, spacing, number of pages, font
 17 size or style, and an error in rounding or
 18 any other typographical error in a pro-
 19 posed budget.”.

20 **SEC. 4. REPORTS TO CONGRESS.**

21 Section 402H(a)(1) of the Higher Education Act of
 22 1965 (20 U.S.C. 1070a–18(a)(1)) is amended—

23 (1) in subparagraph (D), by striking “and” at
 24 the end;

1 (2) in subparagraph (E), by striking the period
2 at the end; and

3 (3) by adding at the end the following:

4 “(F) identify each entity that received a
5 grant or contract under this chapter during the
6 period covered by the report and indicate the
7 dollar amount of each such grant or contract;

8 “(G) identify each entity that applied for,
9 but did not receive, a grant or contract under
10 this chapter during the period covered by the
11 report and indicate the reason that the entity
12 did not receive the grant or contract for which
13 it applied; and

14 “(H) set forth the information described in
15 subparagraphs (F) and (G) separately for each
16 State and local educational agency concerned.”.

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