

116TH CONGRESS
2D SESSION

S. 5079

To amend the Higher Education Act of 1965 to repeal the suspension of eligibility for grants, loans, and work assistance for drug-related offenses.

IN THE SENATE OF THE UNITED STATES

DECEMBER 21, 2020

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to repeal the suspension of eligibility for grants, loans, and work assistance for drug-related offenses.

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 “Stopping Unfair Col-
5 lateral Consequences from Ending Student Success Act”
6 or the “SUCCESS Act”.

1 **SEC. 2. REPEAL OF SUSPENSION OF ELIGIBILITY UNDER**
 2 **THE HIGHER EDUCATION ACT OF 1965 FOR**
 3 **GRANTS, LOANS, AND WORK ASSISTANCE FOR**
 4 **DRUG-RELATED OFFENSES.**

5 (a) REPEAL.—Subsection (r) of section 484 of the
 6 Higher Education Act of 1965 (20 U.S.C. 1091(r)) is re-
 7 pealed.

8 (b) REVISION OF FAFSA FORM.—Section 483 of the
 9 Higher Education Act of 1965 (20 U.S.C. 1090) is
 10 amended by adding at the end the following:

11 “(i) CONVICTIONS.—The Secretary shall not include
 12 any question about the conviction of an applicant for the
 13 possession or sale of illegal drugs on the FAFSA (or any
 14 other form developed under subsection (a)).”.

15 (c) CONFORMING AMENDMENTS.—The Higher Edu-
 16 cation Act of 1965 is amended—

17 (1) in section 428(b)(3) (20 U.S.C.
 18 1078(b)(3))—

19 (A) in subparagraph (C), by striking
 20 “485(l)” and inserting “485(k)”; and

21 (B) in subparagraph (D), by striking
 22 “485(l)” and inserting “485(k)”; and

23 (2) in section 435(d)(5) (20 U.S.C.
 24 1085(d)(5))—

25 (A) in subparagraph (E), by striking
 26 “485(l)” and inserting “485(k)”; and

1 (B) in subparagraph (F), by striking
2 “485(l)” and inserting “485(k)”;

3 (3) in section 484 (20 U.S.C. 1091), by redesi-
4 gnating subsections (s) and (t) as subsections (q)
5 and (r), respectively;

6 (4) in section 485 (20 U.S.C. 1092)—

7 (A) by striking subsection (k); and

8 (B) by redesignating subsections (l) and
9 (m) as subsections (k) and (l), respectively; and

10 (5) in section 487(e)(2)(B)(ii)(IV) (20 U.S.C.
11 1094(e)(2)(B)(ii)(IV)), by striking “(l) of section
12 485” and inserting “(k) of section 485”.

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