

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4137, HIGHER EDUCATION OPPORTUNITY ACT

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1389 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1389

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4137) to amend and extend the Higher Education Act of 1965, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida, my friend, Mr. DIAZ-BALART. All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1389.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, House Resolution 1389 provides for consideration of the conference report on H.R. 4137, the Higher Education Opportunity Act. The rule, which is a traditional conference report rule, waives all points of order against the conference report and against its consideration, and provides that the conference report shall be considered as read.

It should be noted that despite the blanket waiver, the conference report does not violate either clause 9 or 10 of rule XXI. The conference report fully complies with the earmark and PAYGO rules of the House.

Mr. Speaker, I want to congratulate Chairman MILLER on his dedication to bringing this bill before us. I also want to thank Ranking Member MCKEON and the rest of the Education and Labor Committee for their work on this bill. I also want to acknowledge Senator KENNEDY for his hard work and constant commitment to this important issue.

It has been 10 years since the Higher Education Act was authorized, and with this conference agreement Congress will continue the vision of Lyndon Johnson's great society where college is accessible and affordable to every American.

As our Nation continues to experience economic uncertainty, it is imperative that we make a college education more affordable. The unfortunate reality is that skyrocketing costs are putting a college education out of the reach for many middle-class families.

According to a recent College Board report, over the last 5 years tuition and fees at 4-year public institutions have increased 31 percent after inflation. At private universities, tuition has increased 17 percent.

In addition to rising tuition, students and their families face a cumbersome Federal student aid application process that is overly complex and difficult to manage. Mr. Speaker, the Higher Education Opportunity Act will resolve many of these issues, thereby continuing this Congress' efforts to make college more affordable and accessible.

Nearly one year ago, the President signed into law landmark changes to lender subsidies and student aid, followed shortly after by a law to ensure access to loans and increase loan limits. And now, we are reauthorizing legislation that will, for the first time in 10 years, reform our higher education system so that it operates in the best interest of students and families.

Specifically, the bill will require colleges to report reasons for any tuition hikes, and plans for lowering student costs. H.R. 4137 will reform and simplify the student loan system by requiring institutions and lenders to adopt strict codes of conduct, many of which were included in the Sunshine Act which passed the House last year.

In an effort to be consumer friendly and provide full disclosure of all options available for each student, the bill requires the Secretary to develop a Web-based calculator to allow families to compare the costs of different colleges. And it also requires lenders to provide students with complete disclosure of the borrowing options, giving them 30 days after the approval of loans to find better deals.

Equally important, the bill provides for an increase in Pell Grant funding from \$5,800 to \$8,000. This will give more of our youth the opportunity to attend a university. The bill will also expand college access and support for low-income and minority students by allowing students to receive Pell Grant scholarship aid year around.

H.R. 4137 will also expand college opportunities for disabled citizens by expanding eligibility for Pell Grant scholarships and establishing a national center to provide support services.

During times of war, it is extremely important to ensure that our military families and returning veterans have the support services they deserve. This bill will increase college aid and support for veterans and military families, create a new scholarship program for active duty military personnel and their family members, and ensure fairness in student and housing aid for veterans.

The bill also encourages students who graduate from college to enter into public service in high-need areas by granting loan forgiveness. It also provides up to \$2,000 a year for 5 years for nurses, teachers, mental health professionals, and other low-paying but

crucial professionals. I know this loan assistance and forgiveness will help my home of State of California that is suffering from a lack of nurses, teachers, and other vital support professionals who protect and assist our children and most reliant Americans.

Simply put, this conference report will not only advance the opportunity for every American to go to college, but will also put us on track toward creating a better America.

As Lyndon Johnson said, "We must open the doors of opportunity, but we must also equip our people to walk through those doors." Our Constitution creates those doors of opportunity, and today this bill will equip our constituents to walk through those doors.

I want to thank once again Chairman MILLER and Ranking Member MCKEON for coming together on this important legislation. I stand strongly in support of the Higher Education Opportunity Act. This is long overdue, and I encourage all of my colleagues to support the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my good friend the gentlewoman from California (Ms. MATSUI) for the time, and I yield myself such time as I may consume.

Increasing the affordability, accessibility, and reliability of our Nation's institutions of higher education is critical to our economic growth and the role of the United States in the global economy. Now more than ever we need to reassure our Nation's youth that we are willing to invest in their future. I believe that we must do all we can to make education more affordable so that more Americans can achieve the dream of graduating from college.

This year alone, over \$90 billion in Federal financial aid is available to students. However, with tuition costs on the rise, students and their families continue to face really the question of how to pay for a college education.

This legislation, the Higher Education Opportunity Act, is a bipartisan effort that reauthorizes the Higher Education Act for 5 years and reforms America's higher education system, expanding college access.

Seeking to address the college cost dilemma, the conference report puts in place college affordability comparison tools that put college costs information in the hands of consumers. Students will be able to search, sort, and compare key cost indicators for every college in the country. I believe we must do everything possible to enhance our students' ability to obtain student loans and obtain the aid necessary to complete their college education.

This bill helps to do that by simplifying the financial aid application process, abbreviating the free Application for Federal Student Aid form, and making financial aid information available to students earlier in the college planning process.

I am especially pleased that the conference report will strengthen our Nation's Pell Grants programs by increasing the maximum authorized Pell Grant amount to \$8,000, and by giving students access to Pell Grants year round, a measure that will undoubtedly help many students.

I think we as a nation have the responsibility to support those in every way possible who have served this country in the Armed Forces. That is why I am pleased that this legislation includes measures to specifically meet the unique needs of student soldiers.

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I am also pleased that the conference report expands opportunities for minority students by providing increased funding for graduate student programs, by reauthorizing programs such as GEAR UP and TRIO. These programs serve our Nation's most under-represented groups and provide the necessary guidance, support and awareness to provide minority students the tools needed to succeed.

This conference report is a testament to the fact that Congress can work in a bipartisan manner to produce quality legislation. Since the Education Committee began working on the Higher Education Reauthorization legislation, both sides of the aisle have worked together to bridge their concerns and worked together to give students a quality education.

I think it is appropriate to thank both the chairman, Mr. MILLER, and the ranking member, Mr. MCKEON for their work on this important legislation.

I know that the ranking member of the Higher Education Subcommittee, Mr. KELLER, has done admirable work on this legislation, and I thank him as well, in addition to the subcommittee chairman.

I also wish to note the conference report has come to the floor for final approval through the normal legislative and conference process, allowing Members from both the minority and the majority to debate and consider the issues of contention in the legislation.

Unfortunately, the majority, Mr. Speaker, in the 110th Congress, has often used a procedure known as amendments between the two Houses to avoid conference and subvert the rights of the minority. So I am pleased that, in this instance, they have decided to use the regular order, the normal conference procedure, and I would urge them to use the conference procedure as well in the future. So while it is unique, what they have done with this legislation, it is commendable.

I reserve the balance of our time.

Ms. MATSUI. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania, my friend, Mr. FATTAH.

Mr. FATTAH. Mr. Speaker, it is not so much the next election that will determine our Nation's future. It is the next generation. And this bill focuses on the needs of growing leadership in

our country through providing a higher education to our citizens.

I want to commend Chairman MILLER and the chairman on the Senate side, Senator KENNEDY, and on the Republican side, my good friend, BUCK MCKEON and MARK SOUDER, and the ranking Republican on the Subcommittee on Higher Education, Mr. KELLER. They have done a magnificent job putting together a bill that addresses a whole range of issues that are supported in the higher education and broader business community in our country. It represents the real needs of moving our kids on to college.

I think cutting the FAFSA form from seven pages down to two, increasing the Pell Grant from \$4,800 this year to \$6,000 in 2009, up to \$8,000 in 2014, in terms of authorization, are very important parts of this reauthorization.

But in 1998, when the reauthorization of Higher Ed was signed into law by President Clinton, we established the GEAR UP program. Now, I am credited with being the architect of that program, but the truth is all of us worked together. It was a bipartisan effort, and the House and Senate, Senator SPECTER and Senator KENNEDY, all of us working together.

Now some 2 million young people have been served over the last 10 years. 85 percent of them have graduated from high school, from the toughest schools in our country, and in the most difficult circumstances.

Featured on the front page of Philadelphia's newspaper is a young man, Nicholas Shanks, who, unfortunately, spent years in a homeless shelter, but has graduated at the head of his class, 3.9 average. He is a GEAR UP student, and there are millions of them across country who have done so well.

This is the most successful college awareness program in the country's history. It is reauthorized in this legislation. It is expanded. The appropriation or the authorizing level is doubled.

And I just want to thank the members of the conference committee for its support of GEAR UP. It has proven its worth in some 48 States and in all of our territories, in Guam and Puerto Rico, in terms of developing young people who are economically disadvantaged but academically have every ability to succeed. And we see that in the college-going rates, which exceed the national average for all students and exceed the high school graduation rates for all students.

So it is a great program, even if I am the author of it, and I want to thank the conferees for including it, expanding it, and having it reach more and more young people in important ways through reauthorization.

[From the philly.com, July 26, 2008]

FORMERLY HOMELESS TEEN ROLE MODEL

(By Ashwin Verghese)

Standing in a room full of homeless teenagers yesterday, Nicholas Shanks was hopeful that he could be a role model.

"I really do hope I can help them some way, by setting an example," said Shanks, a

friendly, soft-spoken 18-year-old who overcame homelessness in his high school years to become his class valedictorian.

Shanks, who graduated from Martin Luther King High School this year with a 3.91 GPA, was at work yesterday as a counselor at the Traveler's Aid Society's summer program, a camp for teens who have experienced homelessness. "It sounds like some of them really do appreciate what I've done," Shanks said of the 45 children in the program at the Kirkbride Center at 49th and Arch Streets in West Philadelphia.

What he has done has brought him national and local media attention in recent days. Just yesterday he was featured in a segment on Good Morning America.

Two days ago, Shanks got the best news of all: Foundation Inc., the nonprofit that manages King High, offered to bankroll his college tuition.

"It was a relief," he said of the money. "I really never expected to see that happen so fast."

For his mother, Sherri Newton, the news was the answer to her prayers.

"I've been praying for this for the longest time," she said recalling how she dropped to her knees in thanks when Nicholas told her. "God is so good," she added. "Thank everybody that's going to be helping Nicholas."

Shanks plans to matriculate this fall at the Art Institute of Philadelphia, where he wants to major in animation and media arts. He hopes to become a video game designer.

Art was an escape for Shanks years ago when he was living in a crowded homeless shelter. He was 14 when his family could no longer afford the rent on its Northeast Philadelphia apartment. The family was forced to take refuge at the Mount Airy Stenton Family Manor in Germantown, said Newton.

For two years, Shanks, Newton and Newton's mother shared a cramped gymnasium with about 30 other families, Newton said. Drawing—"creating worlds," as Shanks put it—allowed him to escape the tiny confines.

"When I was in the shelter, it was boring a lot of times," Shanks said. "I had a CD player, paper and a pencil, and that got me through most of the months."

Shanks and Newton now live in transitional housing in Kensington. But the family still faces problems. The lease is up in October, and the family does not have a new place lined up yet.

Newton, who battled drug addiction and unemployment for years, said she has been clean for 17 months. She was recently laid off as a teaching assistant and is looking for employment.

"It's scary," Newton said. "I just want to know where we're going to move."

Her son is relying on the optimism that saw him through tough times before.

Shanks said he does not often think about his days in the shelter unless he is around people with a similar history.

"I would not necessarily say I'm reliving my past," he said, "but if I ran into a situation where I hear something about a similar past, I might be like, 'Yeah, I know how that's like.'"

Steven Golden, another teen in the summer program, has a very similar past. He's known Shanks for three years. The two are the same age, but, because of academic troubles, Golden is a year behind in school.

Seeing Shanks has motivated Golden to commit to his studies.

"He's showed me I need to do this to succeed," said Golden, a senior at Fitzsimons High School in North Philadelphia. "Seeing where he's at now, from where we both were, he has inspired me."

Mel Monk, director of the summer program, said that once teens become homeless, "education is the first thing that takes a

nosedive." The teens deal with embarrassment, he said. Sometimes losing their home means they have to travel across the city to get to school.

Shanks was able to persevere, Monk said, because of his internal drive and the support of the people around him, including his mother and teachers.

"They've got to have a person in their life telling them they can do it," he added.

Monk hopes Shanks can show the younger children that they can get into college, too.

"Nicholas is a model example," he said. "He's been through a lot, but he's maintained."

Spasoje Jovanovic, 17, a former camper and now the administrative assistant at the program, which is teaching the teens about marine biology, said Shanks is an inspiration to the others.

"He's proof that it's possible," said Jovanovic, who is enrolled at the Community College of Philadelphia for the fall.

Shanice Johnson, 15, has lived in four different homes with her family this year alone. She expects to be in yet another in a few months, she said.

Nonetheless, Johnson has been able to keep a 3.6 GPA. She said Shanks' story gives her courage to keep working hard at school through all of the tumult at home.

"He was in transitional housing, I was in transitional housing," said Johnson, who wants to become a surgeon. "He's someone I look up to."

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield so much time as he will consume to the ranking member of the Subcommittee on Higher Education, who has done tremendous work in this legislation, Mr. KELLER.

Mr. KELLER of Florida. Mr. Speaker, I thank my friend from Florida, Mr. DIAZ-BALART, for yielding time.

Mr. Speaker, as the ranking member on the House Higher Education Subcommittee, and a member of the conference committee, I rise today in strong support of this bipartisan Higher Education Opportunity Act, which is the first reauthorization of the Higher Education Act in 10 years.

I also appreciate the regular order we have followed with respect to the rule on this bill.

I support this important legislation for three key reasons. First, it allows year-round Pell Grants for students who wish to complete their education more quickly.

Second, it reduces burdensome red tape on students and families by providing a much shorter, simpler application for Federal student financial aid.

And third, it includes my legislation to curb wasteful spending by closing a loophole that had allowed convicted child predators to receive Federal financial aid to take college courses.

I am going to limit my remarks this morning to the wasteful spending issue. It is a national embarrassment that we are wasting taxpayer dollars for child molesters and rapists to take college courses, while hardworking young people from lower and middle income families are flipping hamburgers to pay for college.

I have been working to close this loophole for years. And today, the most insane, wasteful spending program in

America comes to an end. This legislation ensures that taxpayer money for Pell Grants will go to low and middle income students, not dangerous sexual predators.

Let me give you a real life example. James Sturtz is one of the most violent sexual predators in America, and he is currently locked up in a Wisconsin facility. He was convicted and sent to prison for raping a 4-year-old girl. After being released from prison, he raped a woman at knife-point, and was sent to prison a second time. After being released, he met a college student waiting for a bus, persuaded her to get in his car and then raped her at knife-point. He was then sent back to prison for a third time, and after his sentence ended in 2006, he was locked up in a civil confinement center to be held there indefinitely.

Sturtz and several other locked up sexual predators decided to exploit the civil confinement loophole and obtain thousands of dollars in Federal Pell Grants to take college courses, like algebra, through the mail. Then, Sturtz and two-thirds of the other inmates dropped their classes and used our taxpayer money to buy blue jeans, music CDs, movie DVDs, radios, television sets and DVD players.

Of course, even if they hadn't dropped their classes, there is zero evidence that violent sexual predators who take algebra and calculus classes have lower recidivism rates.

Well, how could this loophole happen in the first place?

Prison inmates have been ineligible for Pell Grants since 1994. In 20 States, including Florida and Wisconsin, they wisely hold the most violent repeated sexual predators indefinitely in civil confinement centers after they serve their regular prison sentence because they are likely to repeat their crimes if released back into society.

For example, in my home State of Florida, 54 violent sexual predators obtained over \$200,000 in Pell Grants at taxpayer expense in 1 year alone. Similar expenditures in the other 20 States with civil confinement means millions of dollars being wasted, until now.

This was a team effort. I would like to especially thank ranking member BUCK McKEON, Chairman GEORGE MILLER, as well as the other members of the conference committee and our hardworking professional staff members for working in a bipartisan spirit to include this provision and so many other worthy provisions in this legislation.

I urge my colleagues on both sides of the aisle to reauthorize the Higher Education Act and vote yes on H.R. 4137.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio, a fellow member of the Rules Committee, Ms. SUTTON.

Ms. SUTTON. Mr. Speaker, I thank the gentlewoman for yielding and for her leadership on this issue.

I rise in support of House Resolution 1389 and the underlying bill, the Col-

lege Opportunity and Affordability Act.

Our Nation is blessed to have the finest system of higher education in the world, and I am proud that my district is the home of the University of Akron and the Lorain County Community College. UA boasts one of the top science and engineering programs in the Nation, and Lorain County Community College is a leader in education and entrepreneurial and economic development across northeast Ohio.

Mr. Speaker, the Higher Education Act was first signed into law in 1965 to help students from low income families afford a college education. Unfortunately, in the 10 years since the Higher Education Act was last reauthorized, the dream of a college degree has moved further out of reach for far too many of our Nation's students.

Overall, the United States is third out of 30 industrialized nations in post-secondary degree attainment, but only ninth out of 30 when looking at younger workers. This is an ominous trend that we must act swiftly to address.

With the cost of tuition and textbooks skyrocketing, we have taken action to make college for affordable. Last year we passed legislation that increased college financial aid by \$18 billion and cut student interest loan rates.

With this bill today, we are raising the bar even higher in fighting for access to higher education by increasing the maximum Pell Grant level from \$5,800 per year to \$8,000 by 2014.

This bill also provides for improved teacher training and development programs. It provides loan forgiveness for students who choose public sector careers, and creates a new scholarship program for active duty military personnel and their families.

Mr. Speaker, from coast to coast, and throughout the heartland, this great Nation is filled with bright and enthusiastic students seeking to take advantage of any opportunity we can give them for a more prosperous future. This bill makes critical investments in our students to strengthen our workforce for the future of our country.

I urge my colleagues to vote "yes" on the College Opportunity and Affordability Act.

I thank Chairman MILLER for his diligent work in making this happen.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my pleasure to yield 3 minutes to my good friend and classmate, the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Speaker, I do want to thank the gentleman for yielding to me this morning. I also wanted to, in fact, thank Chairman MILLER and Ranking Member McKEON for working together to bring a bill to the floor that makes certain that every student in the Nation has access and receives the highest quality college education.

Currently, college tuition, no surprise to most of us, continues to rise at

a rate that prevents individuals from even attending college. Over the past 5 years, the cost of obtaining a college education has increased by 34 percent. The expense is staggering, but the financial burden of college should not prevent individuals from seeking and receiving an advanced education.

Furthermore, to remain an economic leader, America must ensure that we are leaders in the fields of math, science, engineering and health care. America has always been a leader in technology and innovation, and must continue to put a renewed focus on this type of education. Our kids must learn the skills necessary to compete for the high tech, high paying jobs of the future.

And that is why I am so pleased that this bill, the Henry Ford Scholarship Program Act, has been incorporated into the higher education bill. This program establishes scholarships for high achieving students who pursue undergraduate degrees in mathematics, in science, in engineering and health-related activities. These are the areas that will be critical for our future economic success. And I am pleased to stand here today knowing that the children of America have an extraordinary opportunity now to lead the world in these highly skilled fields.

In my home State of Michigan, for example, this is as important as anywhere as we work to transition to a new, high tech, cutting edge economy.

And once again, Mr. Speaker, I want to thank my colleagues on both sides of the aisle for coming together to benefit the students of this Nation. And I am personally very proud of this scholarship, one that I believe in strongly, and that I fought hard for to move it toward becoming law and helping our students succeed.

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Ms. MATSUI. Mr. Speaker, I'm privileged to yield 2 minutes to my friend, the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. I rise today in strong support for the rule for the conference report on the Higher Education Opportunity Act, and I thank Chairwoman SLAUGHTER and Congresswoman MATSUI for bringing this rule to the floor. I want to offer my sincere congratulations to Chairman MILLER and Ranking Member McKEON on this great achievement.

H.R. 4137 is a comprehensive bipartisan bill that will reauthorize the Higher Education Act while addressing concerns about the cost of education, restoring integrity and accountability to student loan programs, and expanding college access and support for low-income and minority students.

I greatly appreciate that H.R. 4137 includes a version of legislation which we've worked and I've worked on for about 6 years, the Campus Fire Safety Right To Know Act. I became involved in this issue of campus fire safety after experiencing the horrible aftermath of

a catastrophic fire at Seton Hall University in South Orange, New Jersey, in 2000. That fire killed three young freshman and wounded 58 other students in a dorm on campus.

The campus fire safety reporting requirement in H.R. 4137 mandates that colleges and universities provide prospective and current students and parents with a report on the school's campus safety policies and records.

Educating students about fire safety during their time in school will have a strong impact on the choices they make in the future. If we can influence what they learn, we can create a more fire-safe generation for tomorrow and potentially save thousands of lives.

Mr. Speaker, I want to once again state my strong support for the rule and urge my colleagues to support H.R. 4131. As the first member of my family to attend college, I applaud the chairman and the ranking member for their dedication to making the dream of a college education a reality for so many Americans who otherwise would not have had that chance.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlelady's courtesy in permitting me to speak in favor of this rule and the underlying bill.

It's exciting to see this landmark reauthorization come forward, and particularly given the range of advantages that are going to be given to young people around the country strengthening communities and opportunities for higher education.

Mr. Speaker, one of the major challenges we face at this point deals literally with the future of the planet dealing with global warming and sustainable development in a water-stressed, energy-short, carbon-constrained world. I have been pleased to look in my community at colleges and universities that are doing pioneering work with developments on campus for sustainability, training students, and doing research.

I am pleased that this legislation incorporates our Higher Education Sustainability Act of 2007, H.R. 3637, which provides provisions here that will help fund this research and training, sustainability practices on campus, to be able to make sure that the best practices that are being developed across the country can be incorporated into the day-to-day operations, that we can do more research, more training of students, and that we will be able to incorporate them into how campus life itself operates.

Last but not least, I am pleased that the provision that would direct the secretary of education to convene a sustainability summit to have a national showcase of these best practices has been retained. This is an important element to make sure that our colleges

and universities continue to be the change, the engine of innovation for the most vital challenge of our time dealing with global warming and sustainable development.

I strongly urge support of this legislation and that each and every one of my colleagues look at these sustainability provisions and look at how they can be applied to their colleges and universities back home.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we continue to reserve.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to my friend, the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I thank the Rules Committee for the time. I rise to support this rule and the conference report for the Higher Education Opportunity Act.

I had the honor to serve on the Education and Workforce Committee for my first 6 years in Congress, and it is a real pleasure to know that we will finally be able to reauthorize the Higher Education Act. I commend Chairman MILLER and Ranking Member McKEON on this bipartisan bill.

This bill increases need-based aid and provides for more access to information on the costs of college. It restores sunshine to student loan programs and simplifies financial aid application processes. And it makes new investments to encourage science and technology careers.

This bill focuses on the needs of students who are the future of this country and the key to our global competitiveness. I'm particularly pleased that this conference report includes a provision I worked on with Congressman TIERNEY to hold States accountable for their investment in higher education.

I also want to thank Chairman MILLER and Congressman BISHOP for working to include a definition of "diploma mills" and for requiring the Secretary of Education to provide information on these fraudulent businesses that defraud students, their families, and employers.

Today we begin a Federal effort to prevent and prosecute diploma mills. Diploma mills sell worthless degrees. They threaten the reputation of America's colleges and universities by blatantly using similar names. Diploma mills cheat taxpayers when local school districts and even the Federal government hire one individual with a fraudulent degree. Phony medical degrees from diploma mills can have and have caused serious harm and even death. These fraudulent degrees can be used to obtain visas making the fact that they exist a national security issue.

The failure to shut down diploma mills has been noted in other countries, harming our reputation around the world. The increasing number of diploma mills has created, as you can see, serious problems. This legislation includes the first step in addressing the problem, and I urge my colleagues to support the bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we continue to reserve.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentlelady for yielding.

I rise in strong support of the rule and the underlying conference report, and I urge my colleagues to vote both for the rule and for H.R. 4137.

Let me commend Chairman MILLER and Ranking Member McKEON and Subcommittee Chair HINOJOSA and Ranking Member KELLER for presiding over such a collegial and bipartisan process. We entered into this process with the goal of enhancing access and affordability, and I truly believe that H.R. 4137 makes significant progress on achieving both of those very important goals.

Let me talk about some specific elements of the bill that I think are worthy of mention.

First, the bill very much strengthens the Perkins Loan program, the loan program that this administration has seemed determined to kill but has strong bipartisan support here in the Congress. The conference report increases the maximum awards that students may receive in any one year, it also increases the aggregate awards, and it also strengthens the revolving loan fund by ensuring that funds collected be returned to the revolving loan fund so that they may be reallocated to future needy students. And all of this helps to reduce the dependence on private loans for needy students, and that was one of our goals as well.

The conference report simplifies the financial aid delivery process by simplifying the completion of the so-called FAFSA form which is a very daunting form for many families, yet it is the gatekeeper to eligibility for all students' financial aid. It includes the provisions of the Student Loan Sunshine Act. This results from investigations conducted by the attorney general of my home State that revealed several abuses in the student loan program, and this legislation restores confidence and trust to the financial aid delivery system.

It also reestablishes a Federal role for supporting cooperative education which helps students gain valuable career information and also finance their education. It has many very valuable features in this bill.

I urge my colleagues to support it, and I thank my colleagues for working so hard on it.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would inquire of my friend how many additional speakers she has.

Ms. MATSUI. Mr. Speaker, I would like to tell the gentleman I have two additional speakers.

Mr. LINCOLN DIAZ-BALART of Florida. We continue to reserve.

Ms. MATSUI. Mr. Speaker, it's my privilege to yield 2 minutes to my

friend, the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the gentlelady from California for her leadership. I thank the Education Committee and our leadership.

As many States in this great Nation, Texas is a college State; in my community in particular, the University of Houston, Texas Southern University, Houston Baptist, Saint Thomas, Houston Community College, and I'm sure many, many others. This is a relief. This is a hallelujah day to be able to help our young people reach their greatest promise.

This is an important initiative. It encourages colleges to reign in price increases and provides consumers with helpful information. Now, because of desperate times, many, many State legislatures are giving our colleges the ability to raise tuition. It is going up and up and up. Now there will have to be an accountability. You will have to explain what are you doing to mitigate the cost. We want our children educated. We don't want them broke.

This restores integrity and accountability to the student loan program. You'll have an option, you'll have information, your parents will have information. You will be able to work together so that you can invest in your education and still be able to survive once you graduate.

It simplifies the Federal Student Aid application access. It expands college access and support for low-income and minority students. It allows you to have your loans forgiven if you are police officers, teachers, scientists, and others that are helping this community. It strengthens our workforce and our competitiveness. It helps our veterans and military families. It is a day that recognizes that America is made great by those who educate and those who, with their own genius, will provide for the next intelligence, the next leadership of the 21st century.

All over the world they want to copy and emulate how we educate. They want to come to the United States because of the principles of freedom. This higher education bill will allow us to pursue that freedom in the right way, and it assures equal college opportunities for students with disabilities. I applaud that. I celebrate that. I encourage that opportunity for those students whose minds are agile and who are ready to go to work, and it encourages colleges, the most important place, to adopt sustainable and energy-efficient practices. This is a valuable step in educating our community.

I do want to close by simply saying we have to be on the front lines of education, primary and secondary education. This is the bill that does it. I ask my colleagues to support the Higher Education Opportunity Act.

I rise today in strong support of H.R. 4137, To amend and extend the Higher Education

Act of 1965, introduced by my distinguished colleague from California, Representative GEORGE MILLER. This significant piece of legislation provides greater access to colleges and universities, making higher education affordable for all Americans, not just the wealthy.

A quality education continues to be the best pathway to social and economic mobility in this country. As a member and senior whip of the Congressional Black Caucus, I have consistently advocated for the maintenance of Historically Black Colleges and Universities. This legislation will increase funding to Historically Black Colleges and Universities, as well as Hispanic and other minority-serving institutions, and it will expand college access and support for low-income and minority students.

This legislation contains provisions allowing students to receive Pell Grant scholarships year-round, and it increases the Pell Grant maximum to \$8,000. In addition, it strengthens college readiness programs, namely the TRIO and GEAR UP college readiness and support programs for low-income and first-generation students. These increases will expand college access for low-income and minority students. The amendment offered by my colleagues Representative EDDIE BERNICE JOHNSON and Representative DON YOUNG expands upon current Pell Grant eligibility, allowing children who lost a mother or father to our wars in Iraq or Afghanistan to be eligible for the maximum amount of Pell Grant assistance. In this age of global war on terror, it is imperative that we ensure that those left behind by those who made the ultimate sacrifice for our great Nation are given the greatest opportunity our country can provide. As such, I encourage all my colleagues to join me in supporting this important amendment.

Mr. Speaker, this legislation contains important provisions opening up even wider opportunities for our veterans by increasing college aid and housing aid for not only veterans, but their families. This legislation creates a new scholarship program for active duty military personnel and family members, including children and spouses of active duty military service members or veterans. It establishes support centers to help veterans succeed in college and graduate. Finally, it ensures fairness in student aid and housing aid for veterans, making it easier for them to attend college while also fulfilling their military service duties.

Mr. Speaker, I would also like to express my strong support for an amendment introduced by my distinguished colleague Congressman DANNY DAVIS restoring safeguards to student loan borrowers. Mr. Speaker, students who take out loans borrow money as part of their pursuit to better themselves and contribute to the advancement of our Nation and economy. However, current bankruptcy laws apply the same severe standards to student borrowers that it applies to those trying to escape child support payments, alimony, overdue taxes, and criminal fines. Under Mr. DAVIS's amendment, Government student loans and loans made by nonprofit entities would remain non-dischargeable; other student loans, made by for-profit banks and other lenders, would continue to be non-dischargeable for the first 5 years after they come due, and after that time they would be treated like other unsecured consumer loans in bankruptcy. Mr. Speaker, I strongly urge my colleagues to support this amendment, and to work to restore bankruptcy protection to private student loans.

Understanding the federal application for Federal Student Aid can be challenging and complex even for the most knowledgeable parent. The College Opportunity and Affordability Act would streamline and simplify the application process, giving families the tools they need to properly plan for their college expenses. This legislation will reform our higher education system, ensuring students and their families have the information they need to understand their borrowing options when applying for Federal and private loans.

Mr. Speaker, as an active member of the Committee on Homeland Security, I am extremely supportive of the provisions in this legislation that boost campus safety and disaster readiness plans. Last year's tragedy at Virginia Tech has illustrated the horror to which students might be exposed, and natural disasters in recent years have underlined the necessity of having campus disaster plans.

This legislation helps all colleges develop and implement state-of-the-art emergency systems and campus safety plans, and it requires the Department of Education to develop and maintain a disaster plan in preparation for emergencies. In addition, this legislation creates a National Center for Campus Safety at the Department of Justice to work in collaboration with the COPS program. Finally, it establishes a disaster relief loan program, to help schools recover and rebuild in the event of a disaster.

This important piece of legislation gives our youth, our veterans, and our families the opportunity to not only dream of attending college but actually realize that dream. I urge my colleagues to join me in supporting H.R. 4137 and the conference report.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we continue to reserve.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I rise in strong support of the rule and the conference report. This bill contains many excellent provisions that will help Oregon and, indeed, all American families better afford college.

For example, the legislation increases the Pell Grant from the current \$5,800 per year ultimately to \$9,000 per year, and it makes it available for year-round education. It streamlines the Federal student aid application process, restores integrity and accountability to the student loan industry, and encourages colleges to better manage tuition and price increases.

There are two provisions that I am particularly proud of and supportive of in the bill. One is a provision intended to make textbook prices more transparent and manageable. This is something that I have been working on for over 5 years. It provides students with advance information on textbook pricing so they can better plan for expenses before each term begins. It assists faculty by ensuring that they have complete information on textbook pricing before making purchase decisions, and it requires textbook publishers to provide combined or bundled educational products separately for purchase.

This bill also establishes a program for low-income Asian American stu-

dents in title III of the bill. Through the new program, grants will be made available to eligible institutions where at least 10 percent of the student body is Asian American and low-income. And this will have a significant impact on the aspirations of all Americans, and this has been an aspiration of the Asian American community for a long time.

I strongly support this conference report and urge the other Members to support it.

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Mr. LINCOLN DIAZ-BALART of Florida. I would ask my friend if she has any additional speakers.

Ms. MATSUI. I have no additional speakers. I will reserve.

Mr. LINCOLN DIAZ-BALART of Florida. It's obvious, Mr. Speaker, that this legislation appropriately enjoys extraordinary bipartisan support, and really, I'm pleased to see an example of Congress working together across the aisle for the good of the Nation, in this instance, all of those who seek a higher education, which is such an important part of the American Dream. The dream of being able to acquire a higher education and to see one's children and one's grandchildren do so, to advance that dream as this legislation does is something that's admirable; and I wish to commend all who have worked to make this legislation possible.

Mr. Speaker, we will not fail to utilize every opportunity on this House floor, before leaving for a 5-week break to be with our constituents, to provide our constituents, before we leave a debate on this floor on the issue that I certainly am being contacted most about by my constituents, and I know that many of our colleagues are as well: the unacceptable price of gasoline, the energy crisis facing American families, American workers, American businesses.

Part of the reason that we are seeing this situation and that we are seeking a debate to alleviate this crisis is that gas prices have continued to rise, one important reason being because more and more so we are dependent on foreign oil, while we avoid developing domestic energy sources. And so we think that we need to comprehensively debate this issue to alleviate the crisis. The crisis is affecting all American families and affecting countless millions of businesses.

One important source of domestic energy is the Arctic National Wildlife Refuge in Alaska. However, efforts to develop just a tiny portion of ANWR have been fought and blocked to the detriment of America's energy independence, even though the people of that great State overwhelmingly are in favor of searching for energy there.

With the price of gasoline at \$4 a gallon, we should be looking to do all we can to lower that price, and that includes domestic exploration when the people of a State wish to permit it. I think it demonstrates arrogance on our

part to say we know better than the people of a State and their Representatives. In the case of Alaska, all of their Representatives in Congress are clamoring for what the overwhelming majority of the people of that great State are also clamoring for: the ability to search for additional sources of energy within their borders.

Today I will be asking each of our colleagues to vote "no" on the previous question to this rule. If the previous question is defeated, I will amend the rule to make it in order for the House to consider an amendment that would have the effect of lowering the price of gasoline and diesel by increasing the domestic supply of oil by permitting the extraction of oil in the Arctic National Wildlife Refuge, as the people of the great State of Alaska wish to do so and their Senators and Representatives wish to do so, in representation of the overwhelming majority of the people of that great State.

I remind the Members that defeating the previous question will not stop debate on the important underlying legislation. It enjoys bipartisan support. We wish, in addition to bringing forward an important piece of legislation like we are today, to offer the American people a debate on the issue that is on the minds of the overwhelming majority of American people, certainly of my constituents, the simply unacceptable price of gasoline.

We have to do everything we can to deal with the issue. And I think it's unfortunate, Mr. Speaker, that we're not and that we're not being allowed to.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Again, by voting no on the previous question, Members can take a stand, can show that they want to do everything possible on this issue. Once again, I reiterate that this will not preclude taking action on the important piece of education legislation that we possibly, even unanimously, in this House, certainly in consensus fashion, support.

I ask for a "no" vote on the previous question.

I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, I want to thank Mr. DIAZ-BALART, and I yield myself the balance of my time.

I would like to say, first, that nearly 80 percent of offshore oil is in areas that are already open for exploration. In fact, 68 million acres, onshore and offshore, are already under lease by oil companies, but not being drilled.

Democrats have said "use it or lose it" to the oil companies: drill the oil or give up the lease to someone who will. And Democrats have called for mandatory leasing in the National Petroleum



Reserve in Alaska, which has more oil than the Arctic Wildlife Refuge.

Oil companies have billions of barrels of American oil available to them right now, and the President's own Department of Energy says the impact of any new drilling will be insignificant, promising only pennies per gallon a decade or two down the road.

Under Democratic leadership, the Congress has enacted into law the first new vehicle fuel efficiency standards in 32 years, saving up to \$1,000 in gas per car per year; a historic commitment to American-grown biofuels, which are keeping gas prices 15 percent lower now than they would otherwise be as a result of blended fuels; action to impact record gas prices by suspending oil purchasing for the Strategic Petroleum Reserve; recovery rebates that help Americans struggling with rising prices, including gas, with a check of \$600 or more. And what we're doing today, making college more affordable, will help American working families.

Mr. Speaker, the rule before us today is a fair rule that allows us to highlight educational challenges and offers remedies for them in order to create a better tomorrow.

It is our responsibility to provide our constituents with greater access to a college education, especially at a time when the price of college is steadily increasing.

This bill will complete a year of important changes to higher education policy. Nearly 1 year ago, the Democratic Congress took the lead on landmark changes to lender subsidies and student aid, followed by a measure to ensure access to loans and increase loan limits. And now we will send the President yet another bill that makes college more affordable and address the student loan process.

Mr. Speaker, I urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1389 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 2. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 6107) to direct the Secretary of the Interior to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Coastal Plain of Alaska, and for other purposes. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking member of the Committee on Natural Resources, and (2) an amendment in the nature of a substitute if offered by Representative Rahall of West Virginia or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent

and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from *Congressional Quarterly's "American Congressional Dictionary"*: "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. MATSUI. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PROVIDING FOR CONSIDERATION OF H.R. 6599, MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2009

Ms. CASTOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1384 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1384

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6599) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2009, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the bill shall be in order except those printed in the portion of the *Congressional Record* designated for that purpose in clause 8 of rule XVIII in a daily issue dated July 30, 2008, or earlier and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 6599 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 1 hour.

Ms. CASTOR. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1384.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?