



**UNITED STATES HOUSE OF REPRESENTATIVES
OFFICE OF THE MAJORITY WHIP
THE HONORABLE JAMES E. CLYBURN (SC-06)**

THE WHIP PACK

WEEK OF FEBRUARY 4, 2008

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Bill Text and Background for the Week of February 4, 2008

- H.R. 4137 - College Opportunity and Affordability Act

H.R. 4137 - COLLEGE OPPORTUNITY AND AFFORDABILITY ACT (Rep. George Miller – Education and Labor) (Subject to a Rule)

Bill Text: [HTML Version](#), [PDF Version](#)
[Bill Summary and Status](#)

Rules Committee: [Special Announcement](#), [Amendment Process Announcement](#), [Text of H.R. 4137 as Reported](#), [H.Rpt. 500: Education and Labor Committee Report](#)

Committee: [Committee on Education and Labor](#)

Committee Staff Contact: 5-3725

LEGISLATION AT A GLANCE:

THE COLLEGE OPPORTUNITY AND AFFORDABILITY ACT OF 2007

Expanding College Access, Strengthening our Future

A college education continues to be the best path to the middle class. But more and more, high college prices and other obstacles are putting a college degree further out of reach for America's students. In addition to rising tuition, students and their families face an overly complex federal student aid application process and a student loan industry mired in conflicts of interest and corrupt lending practices.

The College Opportunity and Affordability Act will continue this Congress' year-long effort to make college more affordable and accessible. This bill would reform our higher education system so that it operates in the best interests of students and families, while boosting our competitiveness and strengthening our future. The legislation would:

Encourage colleges to rein in price increases and provide consumers with helpful information

- Ensures states maintain higher education funding and provides incentives, such as additional need-based aid, to encourage colleges to hold down price increases.
- Creates a user-friendly website to provide students and families with helpful information about college pricing when making important education decisions.
- Requires institutions to report their reasons for tuition hikes, and their plans for lowering costs.

Restore integrity and accountability to the student loan programs

- Requires institutions and lenders to adopt strict codes of conduct.
- Provides students with fair and full information about their borrowing options when taking out and repaying student loans, including the terms and conditions of both federal and private student loans; and promotes financial literacy and education for students and parents.
- Protects students from aggressive marketing practices by lenders.

Simplify the federal student aid application process

- Streamlines the Free Application for Federal Student Aid (FAFSA) process, and creates an easy-to-navigate two-page FAFSA-EZ form for low-income families.
- Provides families with extra time to plan for their college expenses.
- Encourages the Department of Education to coordinate with the Internal Revenue Service to use information that the government already has.

Make textbook costs more manageable

- Provides students with advance information on textbook pricing to help them plan for expenses before each semester.
- Ensures that colleges and faculty have full textbook pricing information when making purchasing decisions.

Strengthen our workforce and our competitiveness

- Creates programs to bolster students' interest in science, technology and critical foreign languages through collaborations with businesses and other stakeholders.
- Improves teacher training and development programs and focuses on recruiting teachers into high demand science and technology fields.
- Encourages students to enter vital public service jobs by authorizing up to \$10,000 in loan forgiveness for public defenders, prosecutors, firefighters, military service members, first responders, law enforcement officers, educators, nurses, and others serving the public interest.

Expand college access and support for low-income and minority students

- Makes college more affordable for low-income and non-traditional students by allowing students to receive Pell Grant scholarship aid year round.
- Expands funding for graduate student programs at Historically Black Colleges and Universities, Hispanic Serving Institutions, and other minority serving schools.
- Strengthens the TRIO and GEAR UP college readiness and support programs for low income and first-generation students.

Increase college aid and support for veterans and military families

- 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.
- Establishes support centers to help veterans succeed in college and graduate.
- Ensures fairness in student aid and housing aid for veterans to make it easier for them to go to college while also fulfilling their military service duties.

Ensure equal college opportunities for students with disabilities

- Establishes a national center to provide support services and best practices for colleges, students with disabilities, and their families.
- Helps colleges recruit, retain, and graduate students with disabilities and improves education materials and facilities.
- Makes college more affordable for students with intellectual disabilities by allowing them to become eligible for Pell Grant scholarships and other need-based aid.

Boost campus safety and disaster readiness plans

- Helps all colleges develop and implement state of the art emergency systems and campus safety plans, and requires the Department of Education to develop and maintain a disaster plan in preparation for emergencies.
- Creates a National Center for Campus Safety at the Department of Justice to work in collaboration with the COPS Program.
- Establishes a disaster relief loan program to help schools recover and rebuild in the event of a disaster.

House Report 110--500:

[HTML Version](#), [PDF Version](#)

Full Committee Mark-up:

[Full Committee Mark Up of the College Opportunity and Affordability Act](#), November 14-15, 2007

Chairman Miller: [Opening Statement](#)

[National Journal Report](#): November 14, 2007

[National Journal Report](#): November 15, 2007

Summary of Committee Votes:

- Chairman George Miller, D-Calif. Manager's Amendment — Manager's Amendment that: Creates a nursing program outside of the United States. Revises the state maintenance of effort language to allow appropriations for the previous year to be used in the calculation. Clarifies the Sunshine Law language to allow college and university presidents to serve on the board of trustees of a bank. Adds language to the underlying bill to highlight the need to have teachers exposed to the needs of students with disabilities and other changes to ensure Congress attracts underrepresented people into the teaching profession. Increases the authorization level for the Historically Black Colleges and Universities Capital Financing program. Makes foster and homeless youth a priority in GEAR UP, a college preparatory program. Clarifies the sharing of information by third-party services. Creates a new program for the Loan Repayment for Civil Legal Assistance Attorneys. Adds language to direct guaranty agencies to develop and make available education programs and materials for students and families regarding financial management. Adds assurances that campuses have policies regarding immediate responses to emergency situations, missing persons and the disposal of sensitive data on computers. Clarifies that the 90/10 provisions in the program participation agreement only apply to for-profit institutions and allow that additional sources of funds may count as part of the 10 percent of the non-Title IV revenue. Calls for a new study on the effects of postsecondary education on offenders and for a new program to provide fellowships to undergraduate students to improve the degree completion rates of current underrepresented students. **Adopted by Voice Vote.**
- Rep. Walberg, R-Mich. Religious Higher Education Institution Accreditation Amendment — Requires the federal higher education accreditation institutions to "respect the stated mission" of colleges and universities, including religious missions, when accrediting a school. **Adopted by Voice Vote.**
- Rep. Petri, R-Wis. Alternative College Accreditation Amendment — Would have allowed colleges to participate in an alternative accreditation process. The process would have allowed institutions already accredited to renew their accreditation by submitting detailed information about the school and its academic performance, among other things. **Withdrawn.**
- Rep. Petri, R-Wis. Report on Student Loan Auctions Amendment — Would have required by Sept. 1, 2009 a report regarding the evaluation of the student loan auction program outlined in the underlying bill and recommended a specific market-based alternative to the auction that would have determined lender returns. **Withdrawn.**
- Rep. Petri, R-Wis. Education Department Lawsuits Amendment — Requires the secretary of Education to consult with the attorney general before settling any lawsuit against the Education Department. **Adopted Without Objection.**
- Rep. Castle, R-Del. Cost Reduction Benchmarks Amendment — Would have set up benchmarks for colleges to meet to reduce costs and would have penalized colleges that did not meet the benchmarks. **Withdrawn.**
- Rep. T. Bishop, D-N.Y. Price Watch List Reporting Amendment — Allows institutions to change the way they report an increase in tuition for the college price watch list called for in the bill. The change ensures low-cost small community colleges and state schools are not placed on the list for raising their tuition a small amount, but a relatively high percentage compared to the overall tuition rate. **Adopted Without Objection.**

- Rep. Keller, R-Fla. Sex Offender Pell Grant Ban Amendment — Prohibits sex offenders who are institutionalized after their imprisonment from receiving Pell grants. **Adopted by Voice Vote.**
- Rep. Hare, D-Ill. Rural School Administrator Training Amendment — Creates a program to encourage students in rural areas to become school administrators and trains current administrators in rural communities. **Adopted by Voice Vote.**
- Rep. Grijalva, D-Ariz. En Bloc Amendments — Together these amendments: Change the way the federal government monitors students to see if they default on their student loans (extends from the second fiscal year following the first payment to the third fiscal year following the first payment). Create a repaying counseling program. **Adopted by Voice Vote.**
- Rep. Foxx, R-N.C. Student Privacy Amendment — Prohibits the government from creating a database of students' personal information under the provisions of the underlying bill. **Adopted by Voice Vote.**
- Rep. Danny Davis, D-Ill. Prisoner Grant Program Amendment — Creates a grant program for prisoners to get a college education. **Adopted by Voice Vote.**
- Rep. Keller, R-Fla. Credit Transfers Amendment — Would have required colleges and universities to state a policy on how many credits are allowed to be transferred into their programs. **Withdrawn.**
- Rep. Holt, D-N.J. Assistant Secretary of International Education Amendment — Creates the position of the assistant secretary for international education. **Adopted by Voice Vote.**
- Rep. Souder, R-Ind. Loan Auction Program Amendment — Would have allowed the secretary of Education to end the loan auction pilot program in the underlying bill if the secretary determines it's not working well. **Withdrawn.**
- Rep. Souder, R-Ind. Distance Education Accreditation Amendment — Would have exempted accreditation agencies from getting the approval of the Education secretary if the agency wanted to expand the scope of its accreditation to include distance education institutions. **Withdrawn.**
- Rep. R. Andrews, D-N.J. Vaccinations Amendment — Would have required any college or university student to receive a meningococcal vaccination. **Withdrawn.**
- Rep. T. Price, R-Ga. Medical School Debt Amendment — Requires the Government Accountability Office to study the debt of medical students. **Adopted Without Objection.**
- Rep. R. Andrews, D-N.J. Disclosure of Contributions Amendment — Requires an institution of higher education that receives funds for a center in the underlying bill to disclose contributions if the contribution is from a foreign government or a private sector corporation and exceeds \$1 million in one fiscal year. **Adopted by Voice Vote.**
- Rep. T. Price, R-Ga. Audit of Direct Loan Program Amendment — Requires regular audits of the government's direct loan program. **Adopted Without Objection.**

- Rep. R. Andrews, D-N.J. Accreditation Programs Amendment — Struck language in the underlying bill to give accreditation programs more leeway. **Adopted Without Objection.**
- Rep. R. Andrews, D-N.J. Admission Policy for Veterans Amendment — Requires schools to treat students returning to the institutions from service in the armed forces as continuously enrolled students, not new students. **Adopted Without Objection.**
- Rep. David Davis, R-Tenn. Pell Grant Limits Amendment — Limits the amount of time a student can receive a Pell grant to 18 semesters or 27 quarters in duration. **Adopted Without Objection.**
- Rep. R. Andrews, D-N.J. Loan Calculations Amendment — Allows a family's nursing home expenses to be calculated when deciding how much a student should receive in student loan aid. **Adopted Without Objection.**
- Rep. D. Payne, D-N.J. Student Loan Repayment Amendment — Would have created a fixed annual or graduated extended repayment program for student loans. **Withdrawn.**
- Rep. Kuhl, R-N.Y. Education of the Deaf Act Amendment — Would have renamed the Education of the Deaf Act of 1986 to the "Gallaudet University and National Technical Institute for the Deaf Act." **Rejected by Voice Vote.**
- Rep. Kuhl, R-N.Y. Rochester Institute of Technology Amendment — Recognizes the Rochester Institute of Technology as the institution responsible for operating the National Technical Institute for the Deaf under the Education of the Deaf Act. **Adopted Without Objection.**
- Rep. Walberg, R-Mich. En Bloc Amendments — En bloc amendments that: Require accreditation agencies to provide more information to colleges when an agency decides to deny accreditation. Prohibit accrediting agencies from basing a decision on unpublished or undocumented policies, practices or precedents. **Adopted, En Bloc, Without Objection.**
- Rep. R. Scott, D-Va. Drug Convictions Amendment — Would have struck from the Higher Education Act language that revokes student loans from people convicted of drug offenses. **Withdrawn.**
- Rep. Souder, R-Ind. En Bloc Amendments — En bloc amendments that: Lift a requirement in the bill that a student must complete drug treatment to win back the right to receive student loans, as long as the student passes two unannounced drug tests. Require schools to give students clear, written notice of the student loan eligibility penalties for drug convictions. **Adopted, En Bloc, Without Objection.**
- Rep. R. Bishop, R-Utah National Academy of Sciences Amendment — Clarifies that nothing in the bill would authorize the National Academy of Sciences to recommend or mandate the creation of certain programs. **Adopted Without Objection.**
- Rep. R. Scott, D-Va. Augustus F. Hawkins Centers Amendment — Names the Teacher Centers of Excellence in the bill for former Rep. Augustus F. Hawkins of California. **Adopted Without Objection.**

- Rep. Hoekstra, R-Mich. Accreditation Board Amendment — Changes the makeup of the accreditation board called for in the bill to include members appointed by the House and Senate, including members to be appointed by the minority party. **Adopted Without Objection.**
- Rep. Wu, D-Ore. Identity Theft Protection Amendment — Ensures that Direct Loan statements and other publications of the Education Department do not contain more than four digits of a student's Social Security number. **Adopted Without Objection.**
- Rep. Hoekstra, R-Mich. International Advisory Board Amendment — Would have created an advisory board to oversee operations of international studies programs. **Withdrawn.**
- Rep. Yarmuth, D-Ky. Center for Learning Science and Technology Amendment — Establishes a non-profit corporation as the "National Center for Learning Science and Technology," which would not be an agency of the federal government. The amendment establishes a trust fund to allow the center to award grants to advance the learning of science and technology. **Adopted by Voice Vote.**
- Rep. Hoekstra, R-Mich. Foreign Language Expertise Amendment — Would have required the Education secretary, prior to requesting applications for funding for international studies and foreign language programs, to consult with and receive recommendations regarding the national need for expertise in foreign languages from officials from various federal agencies, including the Department of Defense and the director of National Intelligence. **Withdrawn.**
- Rep. Altmire, D-Pa. Workforce Readiness Amendment — Establishes grants for partnerships between colleges and businesses in order to help schools better prepare students for local in-demand jobs. **Adopted 24-16: R 0-16; D 24-0; I 0-0.**
- Rep. Keller, R-Fla. Direct Loan Choices Amendment — Would have allowed students to choose between various lenders if they are enrolled in the Direct Loan program. **Rejected 13-28: R 13-4; D 0-24; I 0-0.**
- Rep. Keller, R-Fla. Tuition Increases Amendment — Would have allowed the Education secretary to sanction any institution that increases its tuition and fees based solely on an increase in Pell grants. **Rejected 17-24: R 17-0; D 0-24; I 0-0.**
- Rep. Souder, R-Ind. Student Bill of Rights Amendment — Would have expressed a "sense of Congress" that no student should be excluded from participation in, be denied the benefits of, or be subjected to discrimination or sanctioned by a school because the student's views conflict with others on campus. **Rejected 19-23: R 18-0; D 1-23; I 0-0.**
- Rep. T. Price, R-Ga. Teacher Certification Amendment — Would have developed alternative ways for teachers to receive state certification. **Rejected 16-26: R 16-1; D 0-25; I 0-0.**
- Rep. Rodgers, R-Wash. Adjunct Teachers Amendment — Would have awarded grants to schools to recruit and place workplace professionals as adjunct teachers for high school math, science and foreign languages. **Rejected 19-25: R 18-0; D 1-25; I 0-0.**

- [Rep. R. Scott, D-Va. TRIO Fund Appeals Process Amendment](#) — Allows applicants for TRIO funds to argue before an administrative law judge that the Education secretary improperly rejected their TRIO application. **Adopted 29-15: R 3-15; D 26-0; I 0-0.**
- **Vote to Report:** Favorably Reported to the Full House, as Amended, by a **Recorded Vote of 45-0: R 19-0; D 26-0; I 0-0.**

CRS Reports:

[RL31618](#): Campus-Based Student Financial Aid Programs Under the Higher Education Act

[RL34283](#): Higher Education Act Reauthorization in the 110th Congress: A Comparison of Major Proposals

GAO Reports:

[GAO-08-293R](#): Department of Education: Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program, December 6, 2007

[GAO-07-857](#): Higher Education: Including Public, Nonprofit, and For-Profit Institutions in a Single Definition Is Unlikely to Immediately Affect Federal Spending, but Long-term Effects Are Unclear, July 31, 2007

[GAO-07-861T](#): Teacher Quality: Approaches, Implementation, and Evaluation of Key Federal Efforts, May 17, 2007

CBO Report:

[Cost Estimate](#): Ordered Reported by the House Committee on Education and Labor

Committee Hearings:

["Barriers to Equal Educational Opportunities: Addressing the Rising Costs of a College Education" »](#)

November 1, 2007 Hearing — Full Committee
Chairman Miller: [Opening Statement](#)

["Examining Competitiveness Through Science, Technology, Engineering and Math" »](#)

September 21, 2007 — Subcommittee on Higher Education, Lifelong Learning, and Competitiveness

["International Students and Visiting Scholars: Trends, Barriers, and Implications for American Universities and U.S. Foreign Policy" »](#)

June 29, 2007 — Subcommittee on Higher Education, Lifelong Learning, and Competitiveness
Chairman Hinojosa: [Opening Statement](#)

["Building on the Success of 35 Years of Title IX" »](#)

June 19, 2007 — Subcommittee on Higher Education, Lifelong Learning, and Competitiveness
Chairman Hinojosa: [Opening Statement](#)

["Higher Education Act: Institutional Support for Colleges and Universities Under Title III and Title V" »](#)

June 4, 2007 Hearing — Subcommittee on Higher Education, Lifelong Learning, and Competitiveness

["Preparing Teachers for the Classroom: The Role of the Higher Education Act and No Child Left Behind" »](#)

May 17, 2007 Hearing — Subcommittee on Higher Education, Lifelong Learning, and Competitiveness

Chairman Hinojosa: [Opening Statement](#)

["Best Practices for Making College Campuses Safe" »](#)

May 15, 2007 Hearing — Full Committee

Chairman Miller: [Opening Statement](#)

["Accountability for the Department of Education's Oversight of Student Loans and the Reading First Program" »](#)

May 10, 2007 Hearing — Full Committee

Chairman Miller: [Opening Statement](#)

["Paying For a College Education: Barriers and Solutions for Students and Families" »](#)

May 1, 2007 Hearing — Subcommittee on Higher Education, Lifelong Learning, and Competitiveness

Chairman Hinojosa: [Opening Statement](#)

["Examining Unethical Practices in the Student Loan Industry" »](#)

April 25, 2007 Hearing — Full Committee

Chairman Miller: [Opening Statement](#)

["The Higher Education Act: Approaches to College Preparation" »](#)

March 22, 2007 Hearing — Subcommittee on Higher Education, Lifelong Learning, and Competitiveness

Chairman Hinojosa: [Opening Statement](#)

["The State of Higher Education: How Students Access and Finance a College Education" »](#)

March 8, 2007 Hearing — Subcommittee on Higher Education, Lifelong Learning, and Competitiveness

Chairman Hinojosa: [Opening Statement](#)

Organization Statements:

(TBA)

Administration Position:

(TBA)

Fact Sheets & Talking Points:

[HR 4137 Summary>>](#)

Fact Sheet — Committee on Education and Labor

[College Opportunity and Affordability Act>>](#)

Web-Page — Committee on Education and Labor

Press Releases, News Articles & Related Information:

[House Education Committee Approves Bill to Address Rising College Prices & Remove Other Barriers to College Enrollment](#)

November 15, 2007 Press Release — Committee on Education and Labor

Other Resources:

[Cosponsors of H.R. 4137](#)