

106TH CONGRESS  
1ST SESSION

# H. R. 974

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IN THE SENATE OF THE UNITED STATES

MAY 27, 1999

Received; read twice and referred to the Committee on Governmental Affairs

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## AN ACT

To establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “District of Columbia  
3 College Access Act”.

4 **SEC. 2. ESTABLISHMENT OF SCHOLARSHIP PROGRAM.**

5 There is hereby established the District of Columbia  
6 College Access Scholarship Program (hereafter in this Act  
7 referred to as the “Program”) under which the Mayor of  
8 the District of Columbia shall award scholarships in ac-  
9 cordance with section 4 using amounts in the District of  
10 Columbia College Access Fund established under section  
11 3.

12 **SEC. 3. DISTRICT OF COLUMBIA COLLEGE ACCESS FUND.**

13 (a) ESTABLISHMENT.—There is hereby established  
14 on the books of the government of the District of Colum-  
15 bia the District of Columbia College Access Fund (here-  
16 after in this Act referred to as the “Fund”), which shall  
17 consist of the following amounts:

18 (1) Amounts appropriated to the Fund under  
19 law.

20 (2) Gifts and bequests.

21 (3) Refunds paid under section 4(b)(4).

22 (4) Interest earned on the balance of the Fund.

23 (b) ADMINISTRATION.—The Mayor of the District of  
24 Columbia shall administer the Fund, in consultation with  
25 the Secretary of Education.

26 (c) USE OF FUND.—

1           (1) IN GENERAL.—Amounts in the Fund shall  
2       be used solely to award scholarships in accordance  
3       with section 4, except that not more than 10 percent  
4       of the balance of the Fund with respect to a fiscal  
5       year may be used for the administration of the Fund  
6       during such year.

7           (2) DETERMINATION OF AMOUNT AVAILABLE  
8       FOR SCHOLARSHIPS.—With respect to each academic  
9       year for which scholarships may be awarded under  
10      this Act, the Mayor shall determine the amount  
11      available from the Fund for awarding scholarships.

12      (d) INVESTMENT.—The Mayor shall invest such por-  
13      tion of the Fund as is not in the judgment of the Mayor  
14      required to make current payments for scholarships. Such  
15      investments shall be in such form as the Mayor considers  
16      appropriate.

17   **SEC. 4. ADMINISTRATION OF SCHOLARSHIP PROGRAM.**

18      (a) APPLICATIONS.—Any qualified graduate seeking  
19      a scholarship under the Program shall submit an applica-  
20      tion to the Mayor in such form and containing such infor-  
21      mation as the Mayor may prescribe by regulation. The  
22      Mayor shall make applications for scholarships under the  
23      Program available not later than October 1 of the aca-  
24      demic year preceding the academic year for which the  
25      scholarships will be awarded, and shall announce the re-

1 cipients of scholarships under this section not later than  
2 a date determined by the Mayor in consultation with the  
3 Secretary of Education.

4 (b) AWARDS AUTHORIZED.—

5 (1) AWARDS TO EACH QUALIFIED GRADUATE.—

6 (A) IN GENERAL.—From the amount  
7 available from the Fund under section 3(c)(2)  
8 for any academic year, the Mayor shall award  
9 scholarships to each qualified graduate submit-  
10 ting an application that is approved pursuant to  
11 subsection (a).

12 (B) AWARDS TO STUDENTS AT ELIGIBLE  
13 PUBLIC INSTITUTIONS BASED ON IN-STATE TUI-  
14 TION.—Subject to subparagraph (D) and para-  
15 graph (2), such scholarship shall provide, for  
16 attendance at an eligible public institution lo-  
17 cated outside the District of Columbia, an  
18 amount equal to the difference between—

19 (i) the amount of the tuition normally  
20 charged by that institution to a student  
21 who is not a resident of the State in which  
22 that institution is located for the program  
23 of instruction in which the qualified grad-  
24 uate is enrolled or accepted for enrollment;  
25 and

(ii) the amount of the tuition normally charged by that institution to a student who is a resident of such State for such program of instruction, or the amount of the tuition normally charged by that institution to a student who is a resident of the county in which the institution is located for such program of instruction, whichever is less.

(C) TUITION ASSISTANCE GRANTS TO STUDENTS AT ELIGIBLE PRIVATE INSTITUTIONS.—Subject to paragraph (2), such scholarship shall provide, for attendance at an eligible private institution, a tuition assistance grant in a uniform amount determined by the Mayor, not to exceed \$3,000 for the academic year.

(D) CAP ON AMOUNT PROVIDED.—The amount of a scholarship provided to an individual under subparagraph (B) for an academic year may not exceed \$10,000.

(2) RATABLE REDUCTION IF FUNDS INSUFFICIENT.—If the amount available from the Fund under section 3(c)(2) for any academic year is not sufficient to pay the scholarship amount determined under paragraph (1) for each qualified graduate

1 submitting an application that is approved pursuant  
2 to subsection (a), the amount of such scholarships  
3 shall be ratably reduced. If additional sums become  
4 available for such academic year, such reduced schol-  
5 arships shall be increased on the same basis as they  
6 were reduced (until the amount allotted equals the  
7 amount determined under paragraph (1)).

8 (3) DISBURSEMENT.—The scholarships award-  
9 ed under this section shall be disbursed to the eligi-  
10 ble institution at which the qualified graduate is en-  
11 rolled or accepted for enrollment by check or other  
12 means that is payable to and requires the endorse-  
13 ment or other certification by such graduate.

14 (4) REFUNDS.—The Mayor may prescribe such  
15 regulations as may be necessary to provide for the  
16 refund to the Fund of a portion of the amount  
17 awarded under this section in the event a recipient  
18 of a scholarship under this section withdraws from  
19 an institution during a period of enrollment in which  
20 the recipient began attendance.

21 (c) RULE OF CONSTRUCTION.—Nothing in this Act  
22 shall be construed to require an institution of higher edu-  
23 cation to alter the institution's admissions policies or  
24 standards in any manner in order for a qualified graduate

1 to receive a scholarship to attend such institution under  
2 this Act.

3 (d) DEFINITIONS.—As used in this section:

4 (1) QUALIFIED GRADUATE.—The term “quali-  
5 fied graduate” means an individual who—

6 (A) has been a resident of the District of  
7 Columbia for not less than the 12 consecutive  
8 months preceding the academic year for which  
9 the scholarship is sought;

10 (B) begins his or her undergraduate course  
11 of study within the 3 calendar years (excluding  
12 any period of service on active duty in the  
13 Armed Forces of the United States, in the  
14 Peace Corps or Americorps) of graduating from  
15 a secondary school, or receiving the recognized  
16 equivalent of a secondary school diploma;

17 (C) is enrolled or accepted for enrollment  
18 in a degree, certificate, or other program (in-  
19 cluding a program of study abroad approved for  
20 credit by the institution at which such student  
21 is enrolled) leading to a recognized educational  
22 credential at an eligible institution;

23 (D) if the student is presently enrolled at  
24 an institution, is maintaining satisfactory  
25 progress in the course of study the student is

1 pursuing, as determined under section 484(c) of  
2 the Higher Education Act of 1965 (20 U.S.C.  
3 1091(c));

4 (E) is a citizen or national of the United  
5 States, a permanent resident of the United  
6 States, able to provide evidence from the Immi-  
7 gration and Naturalization Service that he or  
8 she is in the United States for other than a  
9 temporary purpose with the intention of becom-  
10 ing a citizen or permanent resident, or a citizen  
11 of the Republic of the Marshall Islands, the  
12 Federated States of Micronesia, or the Republic  
13 of Palau;

14 (F) does not owe a refund on grants pre-  
15 viously received under title IV of the Higher  
16 Education Act of 1965, and is not in default on  
17 any loan made, insured, or guaranteed under  
18 such title;

19 (G) has not completed his or her first un-  
20 dergraduate baccalaureate course of study; and

21 (H) is not incarcerated.

22 (2) ELIGIBLE INSTITUTION.—The term “eligi-  
23 ble institution” means eligible public institution or  
24 an eligible private institution.



1           (3) ELIGIBLE PUBLIC INSTITUTION.—The term  
2           “eligible public institution” means an institution of  
3           higher education that—

4                   (A) is established as a State-supported in-  
5                   stitution of higher education by the State in  
6                   which such institution is located;

7                   (B) is eligible to participate in student fi-  
8                   nancial assistance programs under title IV of  
9                   the Higher Education Act of 1965 (20 U.S.C.  
10                  1001 et seq.); and

11                  (C) has entered into an agreement with the  
12                  Mayor containing such requirements for the  
13                  management of funds provided under this Act  
14                  as the Mayor may specify, including a require-  
15                  ment that the institution use the funds to sup-  
16                  plement and not supplant assistance that other-  
17                  wise would be provided to students from the  
18                  District of Columbia.

19           (4) ELIGIBLE PRIVATE INSTITUTION.—The  
20           term “eligible private institution” means an institu-  
21           tion of higher education that—

22                   (A) is located in the District of Columbia,  
23                   the State of Maryland, or the Commonwealth of  
24                   Virginia;

1 (B) is not established as a State-supported  
2 institution of higher education by the State in  
3 which such institution is located;

4 (C) is eligible to participate in student fi-  
5 nancial assistance programs under title IV of  
6 the Higher Education Act of 1965 (20 U.S.C.  
7 1001 et seq.); and

8 (D) has entered into an agreement with  
9 the Mayor containing such requirements for the  
10 management of funds provided under this Act  
11 as the Mayor may specify, including a require-  
12 ment that the institution use the funds to sup-  
13 plement and not supplant assistance that other-  
14 wise would be provided to students from the  
15 District of Columbia.

16 (5) INSTITUTION OF HIGHER EDUCATION.—The  
17 term “institution of higher education” has the  
18 meaning given that term under section 101 of the  
19 Higher Education Act of 1965 (20 U.S.C. 1001).

20 (6) SECONDARY SCHOOL.—The term “sec-  
21 ondary school” has the meaning given that term  
22 under section 14101 of the Elementary and Sec-  
23 ondary Education Act of 1965 (20 U.S.C. 8801).

1 **SEC. 5. ADMINISTRATION OF PROGRAM AND FUND.**

2 In carrying out the Program and administering the  
3 Fund, the Mayor of the District of Columbia—

4 (1) shall consult with the Secretary of Edu-  
5 cation; and

6 (2) may enter into a contract with a nongovern-  
7 mental agency to administer the Program and the  
8 Fund if the Mayor determines that it is cost-effec-  
9 tive and appropriate to do so.

10 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated for payment  
12 to the Fund such sums as may be necessary for fiscal year  
13 2000 and for each of the 5 succeeding fiscal years.

14 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS FOR UNI-**  
15 **VERSITY OF THE DISTRICT OF COLUMBIA.**

16 There is authorized to be appropriated to the Univer-  
17 sity of the District of Columbia for fiscal year 2000 and  
18 each of the 5 succeeding fiscal years such sums as may  
19 be necessary to enhance educational opportunities for the  
20 University.

Passed the House of Representatives May 24, 1999.

Attest: JEFF TRANDAHL,  
*Clerk.*