

108TH CONGRESS
1ST SESSION

H. R. 3039

To expand opportunities for postsecondary education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2003

Mr. COLE (for himself, Mr. BOEHNER, Mr. McKEON, Mr. ISAKSON, Mr. GREENWOOD, Mr. TIBERI, Mr. KELLER, Mr. WILSON of South Carolina, Mr. CARTER, Mr. BURNS, Mr. HOUGHTON, Ms. ROS-LEHTINEN, and Mr. NUNES) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To expand opportunities for postsecondary education, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as “Ex-
5 panding Opportunities in Higher Education Act of 2003”.

6 (b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Reference; effective date.

TITLE I—GENERAL PROVISIONS

Sec. 101. Definition of institution of higher education.

Sec. 102. Distance education.

Sec. 103. Additional amendments to title I.

TITLE II—DEVELOPING INSTITUTIONS

Sec. 201. Title III authorizations.

Sec. 202. Title V authorization.

Sec. 203. Title III grants for American Indian Tribally Controlled Colleges and Universities.

Sec. 204. Alaska Native and Native Hawaiian-serving institutions.

Sec. 205. Grants to part B institutions.

Sec. 206. Technical amendments.

TITLE III—STUDENT ASSISTANCE

Sec. 301. Treating active duty members of the National Guard and Reserves as independent students.

Sec. 302. TRIO programs.

Sec. 303. GEARUP.

Sec. 304. HEP/CAMP program.

Sec. 305. Technical amendments.

TITLE IV—FINANCIAL AID SIMPLIFICATION

Sec. 401. Simplification of the free application for Federal student aid (FASFA).

Sec. 402. Simplified needs test improvements.

Sec. 403. Expanding information dissemination regarding eligibility for Pell Grants.

TITLE V—AMENDMENTS TO OTHER EDUCATION LAWS

Subtitle a—Education of the Deaf Act of 1986

Sec. 501. Laurent Clerc National Deaf Education Center.

Sec. 502. Agreement for the National Technical Institute for the Deaf.

Sec. 503. Audit.

Sec. 504. Reports.

Sec. 505. Liaison for educational programs.

Sec. 506. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.

Sec. 507. Oversight and effect of agreements.

Sec. 508. Authorization of appropriations.

Subtitle B—Additional Education Laws

Sec. 521. Tribally Controlled College or University Assistance Act of 1978.

Sec. 522. Navajo Community College Act.

Sec. 523. United States Institute of Peace.

1 **SEC. 2. REFERENCE; EFFECTIVE DATE.**

2 (a) REFERENCE.—Except as otherwise expressly pro-
3 vided in this Act, whenever in this Act an amendment or
4 repeal is expressed in terms of an amendment to, or repeal

1 of, a section or other provision, the reference shall be con-
 2 sidered to be made to a section or other provision of the
 3 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

4 (b) EFFECTIVE DATE.—Except as otherwise provided
 5 in this Act, the amendments made by this Act shall take
 6 effect on the date of enactment of this Act.

7 **TITLE I—GENERAL PROVISIONS**

8 **SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDU-** 9 **CATION.**

10 (a) AMENDMENT.—Title I of the Higher Education
 11 Act of 1965 is amended by striking sections 101 and 102
 12 (20 U.S.C. 1001, 1002) and inserting the following:

13 **“SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDU-** 14 **CATION.**

15 “(a) INSTITUTION OF HIGHER EDUCATION.—For
 16 purposes of this Act, the term ‘institution of higher edu-
 17 cation’ means an educational institution in any State
 18 that—

19 “(1) admits as regular students only persons
 20 who—

21 “(A) meet the requirements of section
 22 484(d)(3), or have a certificate of graduation
 23 from a school providing secondary education, or
 24 the recognized equivalent of such a certificate;
 25 or

1 “(B) are beyond the age of compulsory
2 school attendance in the State in which the in-
3 stitution is located;

4 “(2) is legally authorized within such State to
5 provide a program of education beyond secondary
6 education;

7 “(3)(A) is accredited by a nationally recognized
8 accrediting agency or association; or

9 “(B) if not so accredited, is a public or non-
10 profit institution that has been granted
11 preaccreditation status by such an agency or asso-
12 ciation that has been recognized by the Secretary for
13 the granting of preaccreditation status, and the Sec-
14 retary has determined that there is satisfactory as-
15 surance that the institution will meet the accredita-
16 tion standards of such an agency or association
17 within a reasonable time; and

18 “(4) meets either of the following criteria:

19 “(A) is a nonprofit, for-profit, or public in-
20 stitution that—

21 “(i) provides an educational program
22 for which the institution awards a bach-
23 elor’s degree;

24 “(ii) provides not less than a two-year
25 educational program—

1 “(I) which is acceptable for full
2 credit towards such a degree;

3 “(II) for which the institution
4 awards an associate degree; or

5 “(iii) provides not less than a 1-year
6 program of training that prepares students
7 for gainful employment in a recognized oc-
8 cupation; or

9 “(B) is a nonprofit, for-profit, or public in-
10 stitution that provides an eligible program (as
11 defined in section 481)—

12 “(i) for which the institution awards a
13 certificate; and

14 “(ii) that prepares students for gain-
15 ful employment in a recognized occupation.

16 “(b) ADDITIONAL LIMITATIONS.—

17 “(1) FOR-PROFIT POSTSECONDARY INSTITU-
18 TIONS.—A for-profit institution shall not be consid-
19 ered to be an institution of higher education unless
20 such institution is accredited by a nationally recog-
21 nized accrediting agency or association and such in-
22 stitution has been in existence for at least 2 years.

23 “(2) POSTSECONDARY VOCATIONAL INSTITU-
24 TIONS.—A nonprofit or public institution that meets
25 the criteria of subsection (a)(4)(B) shall not be con-

1 sidered to be an institution of higher education un-
2 less such institution has been in existence for at
3 least 2 years.

4 “(3) LIMITATIONS BASED ON MANAGEMENT.—

5 An institution shall not be considered to meet the
6 definition of an institution of higher education in
7 this section if—

8 “(A) the institution, or an affiliate of the
9 institution that has the power, by contract or
10 ownership interest, to direct or cause the direc-
11 tion of the management or policies of the insti-
12 tution, has filed for bankruptcy, except that
13 this paragraph shall not apply to a nonprofit in-
14 stitution, the primary function of which is to
15 provide health care educational services (or an
16 affiliate of such an institution that has the
17 power, by contract or ownership interest, to di-
18 rect or cause the direction of the institution’s
19 management or policies) that filed for bank-
20 ruptcy under chapter 11 of title 11, United
21 States Code, between July 1, 1998, and Decem-
22 ber 1, 1998; or

23 “(B) the institution, the institution’s
24 owner, or the institution’s chief executive officer
25 has been convicted of, or has pled nolo

1 contendere or guilty to, a crime involving the
2 acquisition, use, or expenditure of Federal
3 funds, or has been judicially determined to have
4 committed a crime involving the acquisition,
5 use, or expenditure involving Federal funds.

6 “(4) LIMITATION ON CORRESPONDENCE
7 COURSES.—An institution shall not be considered to
8 meet the definition of an institution of higher edu-
9 cation in subsection (a) if such institution—

10 “(A) offers more than 50 percent of such
11 institution’s courses by correspondence (exclud-
12 ing courses offered by telecommunications as
13 defined in 484(l)(4)), unless the institution is
14 an institution that meets the definition in sec-
15 tion 3(3)(C) of the Carl D. Perkins Vocational
16 and Technical Education Act of 1998;

17 “(B) enrolls 50 percent or more of the in-
18 stitution’s students in correspondence courses
19 (excluding courses offered by telecommuni-
20 cations as defined in 484(l)(4)), unless the in-
21 stitution is an institution that meets the defini-
22 tion in section 3(3)(C) of the Carl D. Perkins
23 Vocational and Technical Education Act of
24 1998, except that the Secretary, at the request
25 of the institution, may waive the applicability of

1 this subparagraph to the institution for good
2 cause, as determined by the Secretary in the
3 case of an institution of higher education that
4 provides a 2- or 4-year program of instruction
5 (or both) for which the institution awards an
6 associate or baccalaureate degree, respectively;

7 “(C) has a student enrollment in which
8 more than 25 percent of the students are incar-
9 cerated, except that the Secretary may waive
10 the limitation contained in this subparagraph
11 for an institution that provides a 2- or 4-year
12 program of instruction (or both) for which the
13 institution awards a bachelor’s degree, or an as-
14 sociate’s degree or a postsecondary certificate,
15 respectively; or

16 “(D) has a student enrollment in which
17 more than 50 percent of the students do not
18 meet the requirements of section 484(d)(3) or
19 have a secondary school diploma or its recog-
20 nized equivalent, and does not provide a 2- or
21 4-year program of instruction (or both) for
22 which the institution awards a bachelor’s degree
23 or an associate’s degree, respectively, except
24 that the Secretary may waive the limitation
25 contained in this subparagraph if an institution

1 demonstrates to the satisfaction of the Sec-
2 retary that the institution exceeds such limita-
3 tion because the institution serves, through con-
4 tracts with Federal, State, or local government
5 agencies, significant numbers of students who
6 do not have a secondary school diploma or its
7 recognized equivalent.

8 “(c) LIST OF ACCREDITING AGENCIES.—For pur-
9 poses of this section, the Secretary shall publish a list of
10 nationally recognized accrediting agencies or associations
11 that the Secretary determines, pursuant to subpart 2 of
12 part H of title IV, to be reliable authority as to the quality
13 of the education or training offered.

14 “(d) CERTIFICATION.—The Secretary shall certify,
15 for the purposes of participation in title IV, an institu-
16 tion’s qualification as an institution of higher education
17 in accordance with the requirements of subpart 3 of part
18 H of title IV.

19 “(e) LOSS OF ELIGIBILITY.—An institution of higher
20 education shall not be considered to meet the definition
21 of an institution of higher education in this section for
22 the purposes of participation in title IV if such institution
23 is removed from eligibility for funds under title IV as a
24 result of an action pursuant to part H of title IV.

1 **“SEC. 102. INSTITUTIONS OUTSIDE THE UNITED STATES.**

2 “(a) INSTITUTIONS OUTSIDE THE UNITED
3 STATES.—

4 “(1) IN GENERAL.—An institution outside the
5 United States shall be considered to be an institu-
6 tion of higher education only for purposes of part B
7 of title IV if the institution is comparable to an in-
8 stitution of higher education, as defined in section
9 101, and has been approved by the Secretary for
10 purposes of that part. The Secretary shall establish
11 criteria by regulation for that approval and that de-
12 termination of comparability. An institution may not
13 be so approved or determined to be comparable un-
14 less such institution is a public or nonprofit institu-
15 tion, except that, subject to paragraph (2)(B), a
16 graduate medical school or veterinary school located
17 outside the United States may be a for-profit insti-
18 tution.

19 “(2) MEDICAL AND VETERINARY SCHOOL CRI-
20 TERIA.—In the case of a graduate medical or veteri-
21 nary school outside the United States, such criteria
22 shall include a requirement that a student attending
23 such school outside the United States is ineligible
24 for loans made, insured, or guaranteed under part B
25 of title IV unless—

1 “(A) in the case of a graduate medical
2 school located outside the United States—

3 “(i)(I) at least 60 percent of those en-
4 rolled in, and at least 60 percent of the
5 graduates of, the graduate medical school
6 outside the United States were not persons
7 described in section 484(a)(5) in the year
8 preceding the year for which a student is
9 seeking a loan under part B of title IV;
10 and

11 “(II) at least 60 percent of the indi-
12 viduals who were students or graduates of
13 the graduate medical school outside the
14 United States or Canada (both nationals of
15 the United States and others) taking the
16 examinations administered by the Edu-
17 cational Commission for Foreign Medical
18 Graduates received a passing score in the
19 year preceding the year for which a stu-
20 dent is seeking a loan under part B of title
21 IV; or

22 “(ii) the institution has a clinical
23 training program that was approved by a
24 State as of January 1, 1992; or

1 “(B) in the case of a veterinary school lo-
2 cated outside the United States that is not a
3 public or nonprofit institution, the institution’s
4 students complete their clinical training at an
5 approved veterinary school located in the
6 United States.

7 “(b) ADVISORY PANEL.—

8 “(1) IN GENERAL.—For the purpose of quali-
9 fying a foreign medical school as an institution of
10 higher education only for purposes of part B of title
11 IV, the Secretary shall publish qualifying criteria by
12 regulation and establish an advisory panel of medical
13 experts that shall—

14 “(A) evaluate the standards of accredita-
15 tion applied to applicant foreign medical
16 schools; and

17 “(B) determine the comparability of those
18 standards to standards for accreditation applied
19 to United States medical schools.

20 “(2) FAILURE TO RELEASE INFORMATION.—

21 The failure of an institution outside the United
22 States to provide, release, or authorize release to the
23 Secretary of such information as may be required by
24 subsection (a)(2) shall render such institution ineli-
25 gible for the purpose of part B of title IV.

1 “(c) SPECIAL RULE.—If, pursuant to this section, an
 2 institution located outside the United States loses eligi-
 3 bility to participate in the programs under part B of title
 4 IV, then a student enrolled at such institution may, not-
 5 withstanding such loss of eligibility, continue to be eligible
 6 to receive a loan under part B while attending such insti-
 7 tution for the academic year succeeding the academic year
 8 in which such loss of eligibility occurred.”.

9 (b) RESTRICTIONS ON FUNDS FOR FOR-PROFIT
 10 SCHOOLS.—Part B of title I is amended by inserting after
 11 section 122 (20 U.S.C. 1011k) the following new section:

12 **“SEC. 123. RESTRICTIONS ON FUNDS FOR FOR-PROFIT**
 13 **SCHOOLS.**

14 “(a) IN GENERAL.—Notwithstanding any other pro-
 15 vision of this Act authorizing the use of funds by an insti-
 16 tution of higher education that receives funds under this
 17 Act, none of the funds made available under this Act to
 18 a for-profit institution of higher education may be used
 19 for—

20 “(1) construction, maintenance, renovation, re-
 21 pair, or improvement of classrooms, libraries, labora-
 22 tories, or other instructional facilities;

23 “(2) establishing, improving, or increasing an
 24 endowment fund; or

1 “(3) establishing or improving an institutional
2 development office to strengthen or improve con-
3 tributions from alumni and the private sector.

4 “(b) EXCEPTION.—Subsection (a) shall not apply to
5 funds received by the institution from the grant, loan, or
6 work assistance that is awarded under title IV to the stu-
7 dents attending such institution.”.

8 (c) CONFORMING AMENDMENTS.—

9 (1) Section 114(a) (20 U.S.C. 1011c(a)) is
10 amended by striking “(as defined in section 102)”.

11 (2) Subsection (d) of section 484 (20 U.S.C.
12 1091(d)) is amended by striking the designation and
13 heading of such subsection and inserting the fol-
14 lowing:

15 “(d) SATISFACTION OF SECONDARY EDUCATION
16 STANDARDS.—”.

17 (d) EFFECTIVE DATE.—Section 102(a) of the Higher
18 Education Act of 1965 as amended by this section shall
19 be effective as if enacted on October 7, 1998.

20 **SEC. 102. DISTANCE EDUCATION.**

21 (a) DISTANCE EDUCATION.—

22 (1) ELIGIBLE PROGRAM.—Section 481(b) (20
23 U.S.C. 1088(b)) is amended by adding at the end
24 the following new paragraph:

1 “(3) DISTANCE EDUCATION.—An otherwise eli-
2 gible program that is offered in whole or in part
3 through telecommunications is eligible for the pur-
4 poses of this title if the program is offered by an in-
5 stitution that has been evaluated and determined to
6 have the capability to effectively deliver distance
7 education programs by an accrediting agency or as-
8 sociation that—

9 “(A) is recognized by the Secretary under
10 subpart 2 of Part H; and

11 “(B) has evaluation of distance education
12 programs within the scope of its recognition.”.

13 (2) STANDARDS FOR ACCREDITATION.—Section
14 496(a) (20 U.S.C. 1099b(a)) is amended—

15 (A) in paragraph (4), by inserting after
16 “standards” the following: “(including stand-
17 ards to assess the quality of distance education
18 that are comparable to the standards used for
19 face-to-face classroom instruction)”;

20 (B) in paragraph (5)—

21 (i) in subparagraph (A), by inserting
22 “and retention rates,” after “completion,”;

23 (ii) by redesignating subparagraph (J)
24 as subparagraph (L);

1 (iii) by striking “and” at the end of
2 subparagraph (I);

3 (iv) by inserting after subparagraph
4 (I) the following new subparagraphs:

5 “(J) development, management, and
6 growth of distance education programs, if appli-
7 cable;

8 “(K) measures of student achievement (in-
9 cluding State licensing examination results and
10 completion, retention, and job placement rates)
11 specific to programs offered through distance
12 education as appropriate; and”; and

13 (v) in the matter following such sub-
14 paragraph (K) (as added by clause (iii)),
15 by striking “and (J)” and inserting “and
16 (L)”.

17 (b) CORRESPONDENCE COURSES.—Section 484(l)(1)
18 (20 U.S.C. 1091(l)(1)) is amended—

19 (1) in subparagraph (A)—

20 (A) by striking “for a program of study of
21 1 year or longer”; and

22 (B) by striking “unless the total” and all
23 that follows through “courses at the institu-
24 tion”; and

1 (2) by amending subparagraph (B) to read as
2 follows:

3 “(B) EXCEPTION.—Subparagraph (A)
4 does not apply to an institution or school de-
5 scribed in section 3(3)(C) of the Carl D. Per-
6 kins Vocational and Technical Education Act of
7 1998.”.

8 **SEC. 103. ADDITIONAL AMENDMENTS TO TITLE I.**

9 (a) NEW BORROWER DEFINITION.—Paragraph (7)
10 of section 103 (20 U.S.C. 1003) is amended to read as
11 follows:

12 “(7) NEW BORROWER.—The term ‘new bor-
13 rower’ when used with respect to any date for any
14 loan under any provision of—

15 “(A) part B or part D of title IV means
16 an individual who on that date has no out-
17 standing balance of principal or interest owing
18 on any loan made, insured, or guaranteed under
19 either of those parts; and

20 “(B) part E of title IV means an indi-
21 vidual who on that date has no outstanding bal-
22 ance of principal or interest owing on any loan
23 made under that part.”.

24 (b) EXTENSION OF NATIONAL ADVISORY COM-
25 MITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY.—

1 Section 114(g) (20 U.S.C. 1011c(g)) is amended by strik-
 2 ing “2004” and inserting “2011”.

3 (c) PRIOR RIGHTS AND OBLIGATIONS.—Section
 4 121(a) (20 U.S.C. 1011j(a)) is amended by striking
 5 “1999 and each of the 4” each place it appears and insert-
 6 ing “2004 and each of the 5”.

7 (d) PERFORMANCE-BASED ORGANIZATION.—Section
 8 141 (20 U.S.C. 1018) is amended—

9 (1) in subsection (a)(2)(B)—

10 (A) by inserting “unit” after “to reduce
 11 the”; and

12 (B) by inserting “and, to the extent prac-
 13 ticable, the total costs of administering those
 14 programs” after “those programs”;

15 (2) in subsection (c)—

16 (A) in paragraph (1)(A), by striking “Each
 17 year” and inserting “Each fiscal year”;

18 (B) in paragraph (1)(B), by inserting “sec-
 19 ondary markets, guaranty agencies,” after
 20 “lenders,”; and

21 (C) in paragraph (2)(B), by striking
 22 “Chief Financial Officer Act of 1990 and” and
 23 inserting “Chief Financial Officers Act of
 24 1990,” and by inserting before the period at the

1 end the following: “, and other relevant stat-
2 utes”; and

3 (3) in subsection (f)(3)(A), by striking “para-
4 graph (1)(A)” and inserting “paragraph (1)”.

5 **TITLE II—DEVELOPING**
6 **INSTITUTIONS**

7 **SEC. 201. TITLE III AUTHORIZATIONS.**

8 Section 399(a) (20 U.S.C. 1068h(a)) is amended—

9 (1) by striking “1999” each place it appears
10 and inserting “2004”;

11 (2) by striking “4 succeeding fiscal years” each
12 place it appears and inserting “5 succeeding fiscal
13 years”;

14 (3) in paragraph (1)—

15 (A) by striking “\$10,000,000” in subpara-
16 graph (B) and inserting “\$23,000,000”; and

17 (B) by striking “\$5,000,000” in subpara-
18 graph (C) and inserting “\$8,200,000”;

19 (4) in paragraph (2)—

20 (A) by striking “\$135,000,000” in sub-
21 paragraph (A) and inserting “\$225,000,000”;

22 and

23 (B) by striking “\$35,000,000” in subpara-
24 graph (B) and inserting “\$54,000,000”; and

1 (5) in paragraph (4), by striking “\$110,000”
2 and inserting “\$210,000”.

3 **SEC. 202. TITLE V AUTHORIZATION.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Sub-
5 section (a) of section 518 of such Act (20 U.S.C.
6 1103g(a)) is amended to read as follows:

7 “(a) AUTHORIZATIONS OF APPROPRIATIONS.—There
8 are authorized to be appropriated to carry out this title
9 \$94,000,000 for fiscal year 2004 and such sums as may
10 be necessary for each of the 5 succeeding fiscal years.”.

11 (b) ELIGIBLE INSTITUTIONS.—

12 (1) DEFINITIONAL CHANGES.—Section 502(a)
13 (20 U.S.C. 1102a(a)) is amended—

14 (A) in paragraph (5)—

15 (i) by inserting “and” after the semi-
16 colon at the end of subparagraph (A);

17 (ii) by inserting “at the end of the
18 award year immediately preceding the date
19 of application” after “Hispanic students”
20 in subparagraph (B);

21 (iii) by striking “; and” at the end of
22 subparagraph (B) and inserting a period;
23 and

24 (iv) by striking subparagraph (C); and
25 (B) by striking paragraph (7).

1 (2) ASSURANCE OF ENROLLMENT OF NEEDY
2 STUDENTS.—Section 511(c) (20 U.S.C. 1103(c)) is
3 amended—

4 (A) by redesignating paragraphs (8) and
5 (9) as paragraphs (9) and (10), respectively;
6 and

7 (B) by inserting after paragraph (7) the
8 following new paragraph:

9 “(8) contain such assurances as the Secretary
10 may require that the institution has an enrollment
11 of needy students as required by section 502(b);”.

12 **SEC. 203. TITLE III GRANTS FOR AMERICAN INDIAN TRIB-**
13 **ALLY CONTROLLED COLLEGES AND UNIVER-**
14 **SITIES.**

15 (a) ELIGIBLE INSTITUTIONS.—Subsection (b) of sec-
16 tion 316 (20 U.S.C. 1059c(b)) is amended to read as fol-
17 lows:

18 “(b) ELIGIBLE INSTITUTIONS.—For purposes of this
19 section, Indian Tribal Colleges and Universities are the
20 following:

21 “(1) any of the following institutions that meet
22 the definition of tribally controlled college or univer-
23 sity in section 2 of the Tribally Controlled College
24 or University Assistance Act of 1978: Bay Mills
25 Community College; Blackfeet Community College;

1 Cankdeska Cikana Community College; Chief Dull
 2 Knife College; College of Menominee Nation;
 3 Crownpoint Institute of Technology; Diné College;
 4 D-Q University; Fond Du Lac Tribal and Commu-
 5 nity College; Fort Belknap College; Fort Berthold
 6 Community College; Fort Peck Community College;
 7 Haskell Indian Nations University; Institute of
 8 American Indian and Alaska Native Culture and
 9 Arts Development; Lac Courte Oreilles Ojibwa Com-
 10 munity College; Leech Lake Tribal College; Little
 11 Big Horn College; Little Priest Tribal College; Ne-
 12 braska Indian Community College; Northwest Indian
 13 College; Oglala Lakota College; Saginaw Chippewa
 14 Tribal College; Salish Kootenai College; Si Tanka
 15 University-Eagle Butte Campus; Sinte Gleska Uni-
 16 versity; Sisseton Wahpeton Community College; Sit-
 17 ting Bull College; Southwestern Indian Polytechnic
 18 Institute; Stone Child College; Tohono O’Odham
 19 Community College; Turtle Mountain Community
 20 College; United Tribes Technical College; and White
 21 Earth Tribal and Community College; and

22 “(2) any other institution that meets the defini-
 23 tion of tribally controlled college or university in sec-
 24 tion 2 of the Tribally Controlled College or Univer-

1 sity Assistance Act of 1978, and meets all other re-
2 quirements of this section.”.

3 (b) DISTANCE LEARNING.—Subsection (c)(2) of such
4 section is amended—

5 (1) by striking “and” at the end of subpara-
6 graph (K);

7 (2) by redesignating subparagraph (L) as sub-
8 paragraph (M); and

9 (3) by inserting after subparagraph (K) the fol-
10 lowing new subparagraph:

11 “(L) developing or improving facilities for
12 Internet use or other distance learning aca-
13 demic instruction capabilities; and”.

14 (c) APPLICATION, PLAN, AND ALLOCATION.—Sub-
15 section (d) of such section is amended to read as follows:

16 “(d) APPLICATION, PLAN, AND ALLOCATION.—

17 “(1) INSTITUTIONAL ELIGIBILITY.—To be eligi-
18 ble to receive assistance under this section, an In-
19 dian Tribal College or University shall be an eligible
20 institution under section 312(b).

21 “(2) APPLICATION.—Any Indian Tribal College
22 or University desiring to receive assistance under
23 this section shall submit an application to the Sec-
24 retary at such time, and in such manner, as the Sec-
25 retary may reasonably require.

1 “(3) ALLOCATIONS TO INSTITUTIONS.—

2 “(A) ALLOTMENT: PELL GRANT BASIS.—

3 From the amount appropriated to carry out
4 this section for any fiscal year, the Secretary
5 shall allot to each eligible institution a sum
6 which bears the same ratio to one-half that
7 amount as the number of Pell Grant recipients
8 in attendance at such institution at the end of
9 the award year preceding the beginning of that
10 fiscal year bears to the total number of Pell
11 Grant recipients at all eligible institutions.

12 “(B) ALLOTMENT: DEGREE AND CERTIFI-
13 CATE BASIS.—From the amount appropriated
14 to carry out this part for any fiscal year, the
15 Secretary shall allot to each eligible institution
16 a sum which bears the same ratio to one-half
17 that amount as the number of degrees or cer-
18 tificates awarded by such institution during the
19 proceeding academic year bears to the total
20 number of degrees or certificates at all eligible
21 institutions.

22 “(C) MINIMUM GRANT.—Notwithstanding
23 subparagraphs (A) and (B), the amount allot-
24 ted to each institution under this section shall
25 not be less than \$400,000.

1 “(4) SPECIAL RULES.—

2 “(A) CONCURRENT FUNDING.—For the
3 purposes of this part, no Tribal College or Uni-
4 versity that is eligible for and receives funds
5 under this section shall concurrently receive
6 funds under other provisions of this part or
7 part B.

8 “(B) EXEMPTION.—Section 313(d) shall
9 not apply to institutions that are eligible to re-
10 ceive funds under this section.”.

11 **SEC. 204. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING**
12 **INSTITUTIONS.**

13 (a) DISTANCE LEARNING.—Section 317(c)(2) (20
14 U.S.C. 1059d(c)(2)) is amended—

15 (1) by striking “and” at the end of subpara-
16 graph (G);

17 (2) by striking the period at the end of sub-
18 paragraph (H) and inserting “; and”; and

19 (3) by inserting after subparagraph (H) the fol-
20 lowing new subparagraph:

21 “(I) development or improvement of facili-
22 ties for Internet use or other distance learning
23 academic instruction capabilities.”.

1 (b) ENDOWMENT FUNDS.—Section 317(c) is further
2 amended by adding at the end the following new para-
3 graph:

4 “(3) ENDOWMENT FUNDS.—

5 “(A) IN GENERAL.—An Alaska Native or
6 Native Hawaiian-serving institution may use
7 not more than 20 percent of the grant funds
8 provided under this section to establish or in-
9 crease an endowment fund at the institution.

10 “(B) MATCHING REQUIREMENT.—In order
11 to be eligible to use grant funds in accordance
12 with subparagraph (A), the institution shall
13 provide to the endowment fund from non-Fed-
14 eral funds an amount equal to the Federal
15 funds used in accordance with subparagraph
16 (A), for the establishment or increase of the en-
17 dowment fund.

18 “(C) APPLICABILITY OF OTHER PROVI-
19 SIONS.—The provisions of part C regarding the
20 establishment or increase of an endowment
21 fund, that the Secretary determines are not in-
22 consistent with this paragraph, shall apply to
23 funds used under subparagraph (A).”.

24 (c) APPLICATION PROCESS.—Section 317(d) is
25 amended—

1 (1) by adding at the end of paragraph (1) the
 2 following new sentences: “Each Alaska Native-serv-
 3 ing institution and Native Hawaiian-serving institu-
 4 tion shall develop a 5-year plan for improving the as-
 5 sistance provided to Alaska Native or Native Hawai-
 6 ian students. Such plan shall not be subject to ap-
 7 proval by the Secretary.”; and

8 (2) in paragraph (2)—

9 (A) by redesignating subparagraph (B) as
 10 subparagraph (C); and

11 (B) by striking subparagraph (A) and in-
 12 serting the following:

13 “(A) an assurance that the institution has
 14 developed a 5-year plan for serving Alaska Na-
 15 tive or Native Hawaiian students;

16 “(B) a list of activities and other informa-
 17 tion that are consistent with the institution’s 5-
 18 year plan; and”.

19 **SEC. 205. GRANTS TO PART B INSTITUTIONS.**

20 (a) **TECHNICAL ASSISTANCE.**—Section 323 (20
 21 U.S.C. 1062) is amended—

22 (1) by redesignating subsection (c) as sub-
 23 section (d); and

24 (2) by inserting after subsection (b) the fol-
 25 lowing new subsection:

1 “(c) TECHNICAL ASSISTANCE.—

2 “(1) IN GENERAL.—An institution may not use
3 more than 2 percent of the grant funds provided
4 under this part to secure technical assistance serv-
5 ices.

6 “(2) TECHNICAL ASSISTANCE SERVICES.—
7 Technical assistance services may include assistance
8 with enrollment management, financial management,
9 and strategic planning.

10 “(3) REPORT.—The institution shall report to
11 the Secretary on an annual basis, in such form as
12 the Secretary requires, the use of funds under this
13 subsection.”.

14 (b) DISTANCE LEARNING.—Section 323(a)(2) (20
15 U.S.C. 1062(a)(2)) is amended by inserting “development
16 or improvement of facilities for Internet use or other dis-
17 tance learning academic instruction capabilities” after
18 “facilities”.

19 **SEC. 206. TECHNICAL AMENDMENTS.**

20 (a) AMENDMENTS TO TITLE III.—Title III is further
21 amended—

22 (1) in section 312(b)(1)(F), by inserting “which
23 is” before “located”;

24 (2) in section 312(b)(1) (20 U.S.C.
25 1058(b)(1)), by redesignating subparagraphs (E)

1 and (F) as subparagraphs (F) and (G), respectively,
2 and by inserting after subparagraph (D) the fol-
3 lowing new subparagraph:

4 “(E) which provides not less than a 2-year
5 educational program that is acceptable for full
6 credit toward a bachelor’s degree;”;

7 (3) in section 316(b)(3) (20 U.S.C.
8 1059c(b)(3)), by striking “give” and inserting
9 “given”;

10 (4) in section 323(a) (20 U.S.C. 1062(a)), by
11 striking “section 360(a)(2)” and inserting
12 “399(a)(2)”;

13 (5) in section 324(d)(2) (20 U.S.C.
14 1063(d)(2)), by striking “section 360(a)(2)(A)” and
15 inserting “section 399(a)(2)(A)”;

16 (6) in section 326(e)(1) (20 U.S.C.
17 1063b(e)(1)), in the matter preceding subparagraph
18 (A), by inserting a colon after “the following”;

19 (7) in section 327(b) (20 U.S.C. 1063c(b)), by
20 striking “initial”;

21 (8) in section 342(5)(C) (20 U.S.C.
22 1066a(5)(C))—

23 (A) by inserting a comma after “equip-
24 ment” the first place it appears; and

1 (B) by striking “technology,,” and insert-
 2 ing “technology,”;

3 (9) in section 343(e) (20 U.S.C. 1066b(e)), by
 4 inserting after the subsection designation the fol-
 5 lowing: “SALE OF QUALIFIED BONDS.—”;

6 (10) in section 351(a) (20 U.S.C. 1067a(a)), by
 7 striking “of 1979”; and

8 (11) in section 396 (20 U.S.C. 1068e), by strik-
 9 ing “section 360” and inserting “section 399”.

10 (b) AMENDMENTS TO TITLE V.—Title V is further
 11 amended—

12 (1) in section 502(a)(2)(A) (20 U.S.C.
 13 1101a(a)(2)(A)), by redesignating clauses (v) and
 14 (vi) as clauses (vi) and (vii), respectively, and insert-
 15 ing after clause (iv) the following new clause:

16 “(v) which provides not less than a 2-
 17 year educational program that is accept-
 18 able for full credit toward a bachelor’s de-
 19 gree; and”.

20 (2) in section 504(a) (20 U.S.C. 1101c(a))—

21 (A) by striking the following:

22 “(a) AWARD PERIOD.—

23 “(1) IN GENERAL.—The Secretary”, and insert-
 24 ing the following:

25 “(a) AWARD PERIOD.—The Secretary”; and

1 (B) by striking paragraph (2).

2 (c) REPEAL.—Section 1024 (20 U.S.C. 1135b–3), as
 3 transferred by section 301(a)(5) of the Higher Education
 4 Amendments of 1998 (Public Law 105–244; 112 Stat.
 5 1636), is repealed.

6 **TITLE III—STUDENT** 7 **ASSISTANCE**

8 **SEC. 301. TREATING ACTIVE DUTY MEMBERS OF THE NA-** 9 **TIONAL GUARD AND RESERVES AS INDE-** 10 **PENDENT STUDENTS.**

11 Section 480(d)(3) (20 U.S.C. 1087vv(d)(3)) is
 12 amended by inserting before the semicolon at the end the
 13 following: “or is currently serving on active duty in the
 14 Armed Forces for other than training purposes”.

15 **SEC. 302. TRIO PROGRAMS.**

16 (a) DURATION OF GRANTS.—

17 (1) AMENDMENT.—Section 402A(b)(2) (20
 18 U.S.C. 1070a–11(b)(2)) is amended to read as fol-
 19 lows:

20 “(2) DURATION.—Grants or contracts awarded
 21 under this chapter shall be awarded for a period of
 22 5 years, except that—

23 “(A) grants under section 402G shall be
 24 awarded for a period of 2 years; and

1 “(B) grants under section 402H shall be
2 awarded for a period determined by the Sec-
3 retary.”.

4 (2) TRANSITION TO SYNCHRONOUS GRANTS PE-
5 RIODS.—Notwithstanding section 402A(b)(2) of the
6 Higher Education Act of 1965 (as in effect both
7 prior to and after the amendment made by para-
8 graph (1) of this subsection), the Secretary of Edu-
9 cation may continue an award made before the date
10 of enactment of this Act under section 402B, 402C,
11 402D, 402E, or 402F of such Act as necessary to
12 permit all the awards made under such a section to
13 expire at the end of the same fiscal year, and there-
14 after to expire at the end of 5 years as provided in
15 the amendment made by paragraph (1) of this sub-
16 section.

17 (b) MINIMUM GRANTS.—Section 402A(b)(3) (20
18 U.S.C. 1070a–11(b)(3)) is amended to read as follows:

19 “(3) MINIMUM GRANTS.—Unless the institution
20 or agency requests a smaller amount, individual
21 grants for programs authorized under this chapter
22 shall be no less than \$200,000, except that indi-
23 vidual grants for programs authorized under section
24 402G shall be no less than \$170,000. ”.

1 (c) APPLICATION STATUS.—Section 402A(c) (20
2 U.S.C. 1070a–11(c)) is amended by striking paragraph
3 (7).

4 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
5 402A(f) (20 U.S.C. 1070a–11(f)) is amended by striking
6 “\$700,000,000 for fiscal year 1999, and such sums as
7 may be necessary for each of the 4 succeeding fiscal years”
8 and inserting “\$835,000,000 for fiscal year 2004 and
9 such sums as may be necessary for each of the 5 suc-
10 ceeding fiscal years”.

11 (e) DEFINITION.—Section 402A(g) (20 U.S.C.
12 1070a–11(g)) is amended—

13 (1) in paragraph (3), by striking “by reason of
14 such individual’s age”;

15 (2) by redesignating paragraphs (1) through
16 (4) as paragraphs (3) through (6), respectively; and

17 (3) by inserting before paragraph (3), as redes-
18 ignated, the following:

19 “(1) DIFFERENT CAMPUS.—The term ‘different
20 campus’ means an institutional site that—

21 “(A) is geographically apart from the main
22 campus of the institution;

23 “(B) is permanent in nature; and

1 “(C) offers courses in educational pro-
 2 grams leading to a degree, certificate, or other
 3 recognized educational credential.

4 “(2) DIFFERENT POPULATION.—The term ‘dif-
 5 ferent population’ means a group of individuals, with
 6 respect to whom an entity seeks to serve through an
 7 application for funding under this chapter, that—

8 “(A) is separate and distinct from any
 9 other population that the entity seeks to serve
 10 through an application for funding under this
 11 chapter; or

12 “(B) while sharing some of the same needs
 13 as another population that the entity seeks to
 14 serve through an application for funding under
 15 this chapter, has distinct needs for specialized
 16 services.”.

17 (f) MAXIMUM STIPENDS.—Section 402C(e) (20
 18 U.S.C. 1070a–13(e)) is amended—

19 (1) by striking “\$60” and inserting “\$100”;

20 and

21 (2) by striking “\$40” and inserting “\$60”.

22 (g) STUDENT SUPPORT SERVICES PRIORITY.—Sec-
 23 tion 402D(c) (20 U.S.C. 1070a–14(c)) is amended—

24 (1) by striking “and” at the end of paragraph

25 (5);

1 (2) in paragraph (6)—

2 (A) by striking “and” at the end of sub-
3 paragraph (A);

4 (B) by striking the period at the end of
5 subparagraph (B) and inserting “; and”; and

6 (C) by inserting after subparagraph (B)
7 the following new subparagraph:

8 “(C) working with other entities that serve
9 low-income working adults to increase access to
10 and successful progress in postsecondary edu-
11 cation by low-income working adults seeking
12 their first postsecondary credential.”.

13 (3) by redesignating paragraph (6) as para-
14 graph (7); and

15 (4) by inserting after paragraph (5) the fol-
16 lowing new paragraph:

17 “(6) shall give priority for new grants or con-
18 tracts to those institutions with an undergraduate
19 student enrollment of which 50 percent or more are
20 Pell Grant recipients; and”.

21 (h) POSTBACCALAUREATE ACHIEVEMENT MAXIMUM
22 STIPENDS.—Section 402E(e) (20 U.S.C. 1070a–15(e)) is
23 amended by striking “\$2,800” and inserting “\$5,000”.

1 (i) EDUCATIONAL OPPORTUNITY CENTERS: APPLICA-
 2 TION APPROVAL.—Section 402F(c) (20 U.S.C. 1070a–
 3 16(c)) is amended—

4 (1) by striking “and” at the end of paragraph
 5 (2);

6 (2) by striking the period at the end of para-
 7 graph (3) and inserting “; and”; and

8 (3) by inserting after paragraph (3) the fol-
 9 lowing new paragraph:

10 “(4) consider the services to low-income work-
 11 ing adults in its region to be provided by the project
 12 proposed in the application, in order to increase ac-
 13 cess to postsecondary education by low-income work-
 14 ing adults.”.

15 **SEC. 303. GEARUP.**

16 (a) CONTINUING ELIGIBILITY.—Section 404A (20
 17 U.S.C. 1070a–21) is amended by adding at the end the
 18 following new subsection:

19 “(d) CONTINUING ELIGIBILITY.—An eligible entity
 20 shall not cease to be an eligible entity upon the expiration
 21 of any grant under this chapter (including a continuation
 22 award). The Secretary shall require any such entity seek-
 23 ing a new grant to demonstrate the effectiveness of the
 24 prior programs under this chapter in its plan submitted
 25 under section 404C.”.

1 (b) COORDINATION.—Section 404C(a)(2) (20 U.S.C.
2 1070a–23(a)(2)) is amended—

3 (1) by striking “and” at the end of subpara-
4 graph (A);

5 (2) by redesignating subparagraph (B) as sub-
6 paragraph (C); and

7 (3) by inserting after subparagraph (A) the fol-
8 lowing new subparagraph:

9 “(B) describe activities for coordinating,
10 complementing, and enhancing services under
11 this chapter provided by other eligible entities
12 in the State; and”.

13 (c) REAUTHORIZATION.—Section 404H (20 U.S.C.
14 1070a–28) is amended by striking “\$200,000,000 for fis-
15 cal year 1999 and such sums as may be necessary for each
16 of the 4 succeeding fiscal years” and inserting
17 “\$300,000,000 for fiscal year 2004 and such sums as may
18 be necessary for each of the 5 succeeding fiscal years”.

19 **SEC. 304. HEP/CAMP PROGRAM.**

20 Section 418A (20 U.S.C. 1070d–2) is amended—

21 (1) in subsection (b)(1)(B)(i), by inserting “or
22 whose spouse” after “themselves”;

23 (2) in subsection (b)(3)(B), by inserting “, in-
24 cluding preparation for college entrance exams,”
25 after “program”;

1 (3) in subsection (b)(8), by inserting “, includ-
2 ing child care and transportation” after “students”;

3 (4) by striking “and” at the end of subsection
4 (b)(7), by striking the period at the end of sub-
5 section (b)(8) and inserting “; and”, and by adding
6 at the end of subsection (b) the following new para-
7 graph:

8 “(9) follow up activity and reporting require-
9 ments, except that not more than 2 percent of the
10 funds provided under this section may be used for
11 such purposes.”;

12 (5) in subsection (c)(1)(A), by inserting “or
13 whose spouse” after “themselves”;

14 (6) in subsection (c)(2)(B), by inserting “(in-
15 cluding mentoring and guidance of such students)”
16 after “services”;

17 (7) in subsection (c)(2), by striking “and” at
18 the end of subparagraph (A), by striking the period
19 at the end of subparagraph (B) and inserting “;
20 and”, and by adding at the end of subsection (c)(2)
21 the following new subparagraph:

22 “(C) for students in any program that
23 does not award a bachelor’s degree, encour-
24 aging the transfer to, and persistence in, such

1 a program, and monitoring the rate of such
2 transfer, persistence, and completion.”; and
3 (8) in subsection (h)—

4 (A) in paragraph (1), by striking
5 “\$15,000,000 for fiscal year 1999 and such
6 sums as may be necessary for each of the 4
7 succeeding fiscal years” and inserting
8 “\$24,000,000 for fiscal year 2004 and such
9 sums as may be necessary for each of the 5
10 succeeding fiscal years”; and

11 (B) in paragraph (2), by striking
12 “\$5,000,000 for fiscal year 1999 and such
13 sums as may be necessary for each of the 4
14 succeeding fiscal years” and inserting
15 “\$16,000,000 for fiscal year 2004 and such
16 sums as may be necessary for each of the 5
17 succeeding fiscal years”.

18 **SEC. 305. TECHNICAL AMENDMENTS.**

19 Title IV is further amended as follows:

20 (1)(A) Section 404A(b) (20 U.S.C. 1070a–
21 21(b)) is amended by adding at the end thereof the
22 following new paragraph:

23 “(3) DURATION.—An award made by the Sec-
24 retary under this chapter to an eligible entity de-

1 scribed in paragraph (1) or (2) of subsection (c)
 2 shall be for the period of 6 years.”.

3 (B) The amendment made by subparagraph (A)
 4 shall apply to awards made either before or after the
 5 date of enactment of this Act.

6 (2) Section 407E (20 U.S.C. 1070a–35) is re-
 7 designated as section 406E.

8 (3) Section 419C(b)(1) (20 U.S.C. 1070d–
 9 33(b)(1)) is amended by inserting “and” after the
 10 semicolon at the end thereof.

11 (4) Section 419D(d) (20 U.S.C. 1070d–34(d))
 12 is amended by striking “Public Law 95–1134” and
 13 inserting “Public Law 95–134”.

14 **TITLE IV—FINANCIAL AID** 15 **SIMPLIFICATION**

16 **SEC. 401. SIMPLIFICATION OF THE FREE APPLICATION FOR** 17 **FEDERAL STUDENT AID (FASFA).**

18 Section 491 (20 U.S.C. 1098) is amended—

19 (1) by redesignating subsection (k) as sub-
 20 section (*l*); and

21 (2) by inserting after subsection (j) the fol-
 22 lowing new subsection:

23 “(k) SPECIAL STUDY OF SIMPLIFICATION OF NEED
 24 ANALYSIS AND APPLICATION FOR TITLE IV AID.—

1 “(1) STUDY REQUIRED.—The Advisory Com-
2 mittee shall conduct a thorough study of the feasi-
3 bility of simplifying the need analysis methodology
4 for all Federal student financial assistance programs
5 and the process of applying for such assistance.

6 “(2) REQUIRED SUBJECTS OF STUDY.—In per-
7 forming the study, the Advisory Committee shall, at
8 a minimum, examine the following:

9 “(A) whether the methodology used to cal-
10 culate the expected family contribution can be
11 simplified without significant adverse effects on
12 program intent, costs, integrity, delivery, and
13 distribution of awards;

14 “(B) whether the number of data elements,
15 and, accordingly, the number and complexity of
16 questions asked of students and families, used
17 to calculate the expected family contribution
18 can be reduced without such adverse effects;

19 “(C) whether the procedures for deter-
20 mining such data elements, including deter-
21 mining and updating offsets and allowances, is
22 the most efficient, effective, and fair means to
23 determine a family’s available income and as-
24 sets;

1 “(D) whether the methodology used to cal-
2 culate the expected family contribution, specifi-
3 cally the consideration of income earned by a
4 dependent student and its effect on Pell Grant
5 eligibility, is an effective and fair means to de-
6 termine a family’s available income and a stu-
7 dent’s need;

8 “(E) whether the nature and timing of the
9 application required in section 483(a)(1), eligi-
10 bility and award determination, financial aid
11 processing, and funds delivery can be stream-
12 lined further for students and families, institu-
13 tions, and States;

14 “(F) whether it is feasible to allow stu-
15 dents to complete only those limited sections of
16 the financial aid application that apply to their
17 specific circumstances and the State in which
18 they reside;

19 “(G) whether a widely disseminated print-
20 ed form, or the use of an Internet or other elec-
21 tronic means, can be developed to notify indi-
22 viduals of an estimation of their approximate
23 eligibility for grant, work-study, and loan assist-
24 ance upon completion and verification of the
25 simplified application form;

1 “(H) whether information provided on
2 other Federal forms (such as the form applying
3 for supplemental security income under title
4 XVI of the Social Security Act, the form for ap-
5 plying for food stamps under the Food Stamp
6 Act of 1977, and the schedule for applying for
7 the earned income tax credit under section 32
8 of the Internal Revenue Code of 1986) that are
9 designed to determine eligibility for various
10 Federal need-based assistance programs could
11 be used to qualify potential students for the
12 simplified needs test; and

13 “(I) whether any proposed changes to data
14 elements collected, in addition to those used to
15 calculate expected family contribution, or any
16 proposed changes to the form’s design or the
17 process of applying for aid, may have adverse
18 effects on program costs, integrity, delivery, or
19 distribution of awards, as well as application
20 development or application processing.

21 “(3) ADDITIONAL CONSIDERATIONS.—In con-
22 ducting the feasibility study, the Advisory Commit-
23 tee’s primary objective under this subsection shall be
24 simplifying the financial aid application forms and
25 process and obtaining a substantial reduction in the

1 number of required data items. In carrying out that
2 objective, the Advisory Committee shall pay special
3 attention to the needs of low-income and moderate-
4 income students and families.

5 “(4) CONSULTATION.—

6 “(A) IN GENERAL.—The Advisory Com-
7 mittee shall consult with a broad range of inter-
8 ested parties in higher education, including par-
9 ents and students, high school guidance coun-
10 selors, financial aid and other campus adminis-
11 trators, appropriate State administrators, ad-
12 ministrators of intervention and outreach pro-
13 grams, and appropriate officials from the De-
14 partment of Education.

15 “(B) FORMS DESIGN EXPERT.—With the
16 goal of making significant changes to the form
17 to make the questions more easily understand-
18 able, the Advisory Committee shall consult a
19 forms design expert to ensure that its rec-
20 ommendations for revision of the application
21 form would assist in making the form easily
22 readable and understood by parents, students,
23 and other members of the public.

24 “(C) CONGRESSIONAL CONSULTATION.—

25 The Advisory Committee shall consult on a reg-

1 ular basis with the Committee on Education
2 and the Workforce of the House of Representa-
3 tives and the Committee on Health, Education,
4 Labor, and Pensions of the Senate in carrying
5 out the feasibility study required by this sub-
6 section.

7 “(D) DEPARTMENTAL CONSULTATION.—

8 The Secretary of Education shall provide such
9 assistance to the Advisory Committee as is re-
10 requested and practicable in conducting the study
11 required by this subsection.

12 “(5) REPORT.—The Advisory Committee shall,

13 not later than one year after the date of enactment
14 of the Expanding Opportunities in Higher Education
15 Act of 2003, prepare and submit a report on the
16 study required by this section to the Committee on
17 Education and the Workforce of the House of Rep-
18 resentatives and the Committee on Health, Edu-
19 cation, Labor, and Pensions of the Senate, and the
20 Secretary of Education. Such report shall include
21 any recommendations for legislative changes that the
22 Advisory Committee considers appropriate to reform
23 the needs analysis methodology and forms for all
24 Federal student financial assistance.

1 “(6) IMPLEMENTATION.—The Secretary of
 2 Education shall consult with the Committee on Edu-
 3 cation and the Workforce of the House of Rep-
 4 resentatives and the Committee on Health, Edu-
 5 cation, Labor, and Pensions of the Senate and shall
 6 subsequently initiate a redesign of the form required
 7 by the Secretary under section 483. Such redesign
 8 shall include the testing of alternative simplified
 9 versions of the free federal form. The Secretary shall
 10 report on the progress of these efforts to the Com-
 11 mittee on Education and the Workforce of the
 12 House of Representatives and the Committee on
 13 Health, Education, Labor, and Pensions of the Sen-
 14 ate not later than one year after receipt of the Advi-
 15 sory Committee report required by this section.”.

16 **SEC. 402. SIMPLIFIED NEEDS TEST IMPROVEMENTS.**

17 Section 479 (20 U.S.C. 1087ss) is amended—

18 (1) by striking clause (i) of subsection
 19 (b)(1)(B) and inserting the following:

20 “(i) the student (and the student’s
 21 spouse, if any) files a form described in
 22 paragraph (3) or certifies that the student
 23 (and the student’s spouse, if any) is not re-
 24 quired to file an income tax return, or the
 25 student (or the student’s spouse, if any)

1 receives benefits under a means-tested
 2 Federal benefit program;”;

3 (2) by striking subparagraph (A) of subsection
 4 (c)(1) and inserting the following:

5 “(A) the student’s parents file a form de-
 6 scribed in subsection (b)(3) or certify that they
 7 are not required to file an income tax return,
 8 or the student’s parents or the student receives
 9 benefits under a means-tested Federal benefit
 10 program;”;

11 (3) by striking subparagraph (A) of subsection
 12 (c)(2) and inserting the following:

13 “(A) the student (and the student’s
 14 spouse, if any) files a form described in sub-
 15 section (b)(3) or certifies that the student (and
 16 the student’s spouse, if any) is not required to
 17 file an income tax return, or the student (or the
 18 student’s spouse, if any) receives benefits under
 19 a means-tested Federal benefit program;”;

20 (4) by adding at the end the following new sub-
 21 section:

22 “(d) DEFINITION OF MEANS-TESTED FEDERAL
 23 BENEFIT PROGRAM.—For purposes of this section, the
 24 term ‘means-tested Federal benefit program’ means a
 25 mandatory spending program of the Federal Government

1 in which eligibility for the programs' benefits, or the
 2 amount of such benefits, or both, are determined on the
 3 basis of income or resources of the individual or family
 4 seeking the benefit, and includes the supplemental security
 5 income program under title XVI of the Social Security
 6 Act, the food stamp program under the Food Stamp Act
 7 of 1977, and the free and reduced price school lunch pro-
 8 gram under the Richard B. Russell National School Lunch
 9 Act.”.

10 **SEC. 403. EXPANDING INFORMATION DISSEMINATION RE-**
 11 **GARDING ELIGIBILITY FOR PELL GRANTS.**

12 Section 483(a) (20 U.S.C. 1090(a)) is amended by
 13 adding at the end the following new paragraph:

14 “(8) EXPANDING INFORMATION DISSEMINATION
 15 REGARDING ELIGIBILITY FOR PELL GRANTS.—The
 16 Secretary shall make special efforts, in conjunction
 17 with State efforts, to notify students and their par-
 18 ents who qualify for a free lunch under the Richard
 19 B. Russell National School Lunch Act (42 U.S.C.
 20 1751 et seq.), the Food Stamps program, or such
 21 other programs as the Secretary shall determine, of
 22 their potential eligibility for a maximum Pell Grant,
 23 and shall disseminate such informational materials
 24 as the Secretary deems appropriate.”.

1 **TITLE V—AMENDMENTS TO**
2 **OTHER EDUCATION LAWS**
3 **Subtitle A—Education of the Deaf**
4 **Act of 1986**

5 **SECTION 501. LAURENT CLERC NATIONAL DEAF EDU-**
6 **CATION CENTER.**

7 (a) GENERAL AUTHORITY.—Section 104(a)(1)(A) of
8 the Education of the Deaf Act of 1986 (20 U.S.C.
9 4304(a)(1)(A)) is amended by inserting after “maintain
10 and operate” the following: “, at the Laurent Clerc Na-
11 tional Deaf Education Center,”.

12 (b) ADMINISTRATIVE REQUIREMENTS.—

13 (1) IN GENERAL.—Section 104(b) of the Edu-
14 cation of the Deaf Act of 1986 (20 U.S.C. 4304(b))
15 is amended—

16 (A) in the matter preceding subparagraph
17 (A) of paragraph (1), by striking “elementary
18 and secondary education programs” and insert-
19 ing “Laurent Clerc National Deaf Education
20 Center”; and

21 (B) in paragraph (2), by striking “elemen-
22 tary and secondary education programs” and
23 inserting “Laurent Clerc National Deaf Edu-
24 cation Center”.

1 (2) PLAN.—Section 104(b) of the Education of
 2 the Deaf Act of 1986 (20 U.S.C. 4304(b)) is amend-
 3 ed by adding at the end the following new para-
 4 graph:

5 “(5) In consultation with the Secretary, the Univer-
 6 sity shall develop and implement a plan consistent with
 7 the mission of the elementary and secondary programs op-
 8 erated at the Laurent Clerc National Deaf Education Cen-
 9 ter to ensure that such programs meet the requirements,
 10 as determined by the Secretary, for public elementary and
 11 secondary education schools established under sections
 12 1111 and 1119 of the Elementary and Secondary Edu-
 13 cation Act of 1965.”.

14 **SEC. 502. AGREEMENT FOR THE NATIONAL TECHNICAL IN-**
 15 **STITUTE FOR THE DEAF.**

16 (a) GENERAL AUTHORITY.—Section 112(a) of the
 17 Education of the Deaf Act of 1986 (20 U.S.C. 4332(a))
 18 is amended—

19 (1) in paragraph (1)—

20 (A) in the first sentence—

21 (i) by striking “an institution of high-
 22 er education” and inserting “the Rochester
 23 Institute of Technology, Rochester, New
 24 York,”; and

1 (ii) by striking “of a” and inserting
2 “of the”; and

3 (B) by striking the second sentence; and
4 (2) in paragraph (2)—

5 (A) in the matter preceding subparagraph
6 (A), by striking “the institution of higher edu-
7 cation with which the Secretary has an agree-
8 ment under this section” and inserting “the
9 Rochester Institute of Technology”; and

10 (B) in subparagraph (B), by striking “the
11 institution” and inserting “the Rochester Insti-
12 tute of Technology”.

13 (b) PROVISIONS OF AGREEMENT.—Section 112(b) of
14 the Education of the Deaf Act of 1986 (20 U.S.C.
15 4332(b)) is amended—

16 (1) in paragraph (2), by striking “or other gov-
17 erning body of the institution” and inserting “of the
18 Rochester Institute of Technology”; and

19 (2) in paragraph (3)—

20 (A) by striking “or other governing body of
21 the institution” and inserting “of the Rochester
22 Institute of Technology”;

23 (B) by striking “the institution of higher
24 education under the agreement with the Sec-

1 retary” and inserting “of the Rochester Insti-
2 tute of Technology”; and

3 (C) by striking “Committee on Education
4 and Labor of the House of Representatives and
5 to the Committee on Labor and Human Re-
6 sources of the Senate” and inserting “Com-
7 mittee on Education and the Workforce of the
8 House of Representatives and to the Committee
9 on Health, Education, Labor, and Pensions of
10 the Senate”.

11 **SEC. 503. AUDIT.**

12 (a) INDEPENDENT FINANCIAL AND COMPLIANCE
13 AUDIT.—Section 203(b)(1) of the Education of the Deaf
14 Act of 1986 (20 U.S.C. 4353(b)(1)) is amended by strik-
15 ing the second sentence and inserting the following: “The
16 NTID shall have an annual independent financial and
17 compliance audit made of NTID programs and activi-
18 ties.”.

19 (b) COMPLIANCE.—Section 203(b)(2) of the Edu-
20 cation of the Deaf Act of 1986 (20 U.S.C. 4353(b)(2))
21 is amended by striking “sections” and all that follows
22 through “section 207” and inserting “sections 102(b),
23 105(b)(4), 112(b)(5), 203(c), 207(b)(2), subsections (c)
24 through (f) of section 207”.

1 (c) SUBMISSION OF AUDITS.—Section 203(b)(3) of
2 the Education of the Deaf Act of 1986 (20 U.S.C.
3 4353(b)(3)) is amended by inserting after “Secretary” the
4 following: “and the Committee on Education and the
5 Workforce of the House of Representatives and the Com-
6 mittee on Health, Education, Labor, and Pensions of the
7 Senate”.

8 **SEC. 504. REPORTS.**

9 (a) TECHNICAL AMENDMENTS.—Section 204 of the
10 Education of the Deaf Act of 1986 (20 U.S.C. 4354) is
11 amended in the matter preceding paragraph (1)—

12 (1) by striking “or other governing body of the
13 institution of higher education with which the Sec-
14 retary has an agreement under section 112” and in-
15 serting “of NTID”; and

16 (2) by striking “Committee on Education and
17 Labor of the House of Representatives and the Com-
18 mittee on Labor and Human Resources of the Sen-
19 ate” and inserting “Committee on Education and
20 the Workforce of the House of Representatives and
21 the Committee on Health, Education, Labor, and
22 Pensions of the Senate”.

23 (b) CONTENTS OF REPORT.—Section 204 of the
24 Education of the Deaf Act of 1986 (20 U.S.C. 4354) is
25 amended—

1 (1) in paragraph (2)(C), by striking “upon
2 graduation/completion” and inserting “within one
3 year of graduation/completion”; and

4 (2) in paragraph (3)(B), by striking “of the in-
5 stitution of higher education with which the Sec-
6 retary has an agreement under section 112, includ-
7 ing specific schedules and analyses for all NTID
8 funds, as required under section 203” and inserting
9 “of NTID programs and activities”.

10 **SEC. 505. LIAISON FOR EDUCATIONAL PROGRAMS.**

11 Section 206(a) of the Education of the Deaf Act of
12 1986 (20 U.S.C. 4356(a)) is amended by striking “Not
13 later than 30 days after the date of enactment of this Act,
14 the” and inserting “The”.

15 **SEC. 506. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**
16 **LAUDET UNIVERSITY AND THE NATIONAL**
17 **TECHNICAL INSTITUTE FOR THE DEAF.**

18 Section 207(a)(2) of the Education of the Deaf Act
19 of 1986 (20 U.S.C. 4357(a)(2)) is amended by striking
20 “or other governing body of the institution of higher edu-
21 cation with which the Secretary has an agreement under
22 section 112” and inserting “of NTID”.

23 **SEC. 507. OVERSIGHT AND EFFECT OF AGREEMENTS.**

24 Section 208(a) of the Education of the Deaf Act of
25 1986 (20 U.S.C. 4359(a)) is amended—

1 (1) by striking “the institution of higher edu-
2 cation with which the Secretary has an agreement
3 under part B of title I” and inserting “NTID”; and

4 (2) by striking “Committee on Labor and
5 Human Resources of the Senate and the Committee
6 on Education and Labor of the House of Represent-
7 atives” and inserting “Committee on Education and
8 the Workforce of the House of Representatives and
9 the Committee on Health, Education, Labor, and
10 Pensions of the Senate”.

11 **SEC. 508. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) MONITORING AND EVALUATION ACTIVITIES.—
13 Section 205(c) of the Education of the Deaf Act of 1986
14 (20 U.S.C. 4355(c)) is amended by striking “fiscal years
15 1998 through 2003” and inserting “fiscal years 2004
16 through 2009”.

17 (b) FEDERAL ENDOWMENT PROGRAMS FOR GAL-
18 LAUDET UNIVERSITY AND THE NATIONAL INSTITUTE FOR
19 THE DEAF.—Section 207(h) of the Education of the Deaf
20 Act of 1986 (20 U.S.C. 4357(h)) is amended in para-
21 graphs (1) and (2) by striking “fiscal years 1998 through
22 2003” each place it appears and inserting “fiscal years
23 2004 through 2009”.

1 (c) GENERAL AUTHORIZATION OF APPROPRIA-
 2 TIONS.—Section 212 of the Education of the Deaf Act of
 3 1986 (20 U.S.C. 4360a) is amended—

4 (1) in the matter preceding paragraph (1) in
 5 subsection (a), by striking “fiscal years 1998
 6 through 2003” and inserting “fiscal years 2004
 7 through 2009”; and

8 (2) in subsection (b), by striking “fiscal years
 9 1998 through 2003” and inserting “fiscal years
 10 2004 through 2009”.

11 **Subtitle B—Additional Education** 12 **Laws**

13 **SEC. 521. TRIBALLY CONTROLLED COLLEGE OR UNIVER-** 14 **SITY ASSISTANCE ACT OF 1978.**

15 (a) TITLE I AUTHORIZATION.—Section 110(a) of the
 16 Tribally Controlled Community College or University As-
 17 sistance Act of 1978 (25 U.S.C. 1810(a)) is amended—

18 (1) by striking “1999” each place it appears
 19 and inserting “2004”; and

20 (2) by striking “4 succeeding” each place it ap-
 21 pears and inserting “5 succeeding”.

22 (b) TITLE III REAUTHORIZATION.—Section 306(a)
 23 of the Tribally Controlled Community College or Univer-
 24 sity Assistance Act of 1978 (25 U.S.C. 1836(a)) is amend-
 25 ed—

1 (1) by striking “1999” and inserting “2004”;
2 and

3 (2) by striking “4 succeeding” and inserting “5
4 succeeding”.

5 (c) TITLE IV REAUTHORIZATION.—Section 403 of
6 the Tribal Economic Development and Technology Re-
7 lated Education Assistance Act of 1990 (25 U.S.C. 1852)
8 is amended—

9 (1) by striking “1999” and inserting “2004”;
10 and

11 (2) by striking “4 succeeding” and inserting “5
12 succeeding”.

13 (d) ADDITIONAL AMENDMENTS.—The Tribally Con-
14 trolled Community College or University Assistance Act
15 of 1978 is further amended—

16 (1) in section 2(a)(6) (25 U.S.C. 1801(a)(6)),
17 by striking “in the field of Indian education” and in-
18 serting “in the field of Tribal Colleges and Univer-
19 sities and Indian higher education”;

20 (2) in section 2(b), by striking paragraph (5)
21 and inserting the following:

22 “(5) Eligible credits earned in a continuing
23 education program shall be determined as one credit
24 for every 10 contact hours for institutions on a
25 quarter system, and 15 contact hours for institu-

1 tions on a semester system, of participation in an or-
2 ganized continuing education experience under re-
3 sponsible sponsorship, capable direction, and quali-
4 fied instruction, as described in the criteria estab-
5 lished by the International Association for Con-
6 tinuing Education and Training, may not exceed 20
7 percent of an institution's total Indian student
8 count.”;

9 (3) in section 103 (25 U.S.C. 1804), by striking
10 “and” at the end of paragraph (2), by striking the
11 period at the end of paragraph (3) and inserting “;
12 and”, and by inserting after paragraph (3) the fol-
13 lowing new paragraph:

14 “(4) has been accredited by a nationally recog-
15 nized accrediting agency or association determined
16 by the Secretary of Education to be a reliable au-
17 thority as to the quality of training offered, or which
18 is, according to such an agency or association, mak-
19 ing reasonable progress toward accreditation.”.

20 **SEC. 522. NAVAJO COMMUNITY COLLEGE ACT.**

21 Section 5(a)(1) of the Navajo Community College Act
22 (25 U.S.C. 640c-1(a)(1)) is amended—

23 (1) by striking “1999” and inserting “2004”;
24 and

1 (2) by striking “4 succeeding” and inserting “5
2 succeeding”.

3 **SEC. 523. UNITED STATES INSTITUTE OF PEACE.**

4 Section 1710(a)(1) of the United States Institute of
5 Peace Act (22 U.S.C. 4609(a)(1)) is amended by striking
6 “\$15,000,000 for fiscal year 1999 and such sums as may
7 be necessary for each of the 4 succeeding fiscal years” and
8 inserting “\$17,200,000 for fiscal year 2004 and such
9 sums as may be necessary for each of the 5 succeeding
10 fiscal years”.

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