

109TH CONGRESS
1ST SESSION

H. R. 4016

To provide assistance to revitalize institutions of higher education affected by the Gulf hurricane disasters.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2005

Mr. GEORGE MILLER of California (for himself, Ms. PELOSI, Mr. KILDEE, Mr. DAVIS of Alabama, Mr. OWENS, Mr. PAYNE, Mr. SCOTT of Virginia, Ms. WOOLSEY, Mr. HINOJOSA, Mrs. MCCARTHY, Mr. HOLT, Ms. MCCOLLUM of Minnesota, Mr. DAVIS of Illinois, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. BISHOP of New York, Ms. LEE, Ms. WASSERMAN SCHULTZ, Mrs. MALONEY, Mr. CONYERS, Mr. BROWN of Ohio, Mr. STARK, Ms. WATSON, Mr. JEFFERSON, Mr. CUMMINGS, Mrs. NAPOLITANO, and Ms. BORDALLO) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide assistance to revitalize institutions of higher education affected by the Gulf hurricane disasters.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gulf Coast College Re-
5 vitalization Act”.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—The Congress finds the following:

3 (1) Approximately 30 institutions of higher edu-
4 cation in the Gulf Coast region, serving approxi-
5 mately 100,000 students, directly sustained damage
6 from Hurricane Katrina.

7 (2) The approximately 30 institutions of higher
8 education in the Gulf Coast region impacted by Hur-
9 ricane Katrina employed approximately 30,000 fac-
10 ulty, administrators, and staff.

11 (3) Revitalizing institutions of higher education
12 in the Gulf Coast region will be a vital element in
13 attracting middle and upper income families back to
14 the Gulf Coast region, and in ensuring sustained
15 economic recovery to the region's lower income fami-
16 lies.

17 (4) Revitalizing the Gulf Coast economy will de-
18 pend on providing a highly skilled workforce.

19 (5) The return of qualified academic profes-
20 sionals and administrators is a vital element in the
21 revitalization of affected institutions of higher edu-
22 cation in the Gulf Coast region.

23 (6) Students from throughout the Nation who
24 attend institutions of higher education in the Gulf
25 Coast region, and their families, contribute signifi-
26 cantly to the local economy.

1 (7) Many of the scientific, health, technology,
2 and cultural industries of the Gulf Coast region are
3 dependant on local institutions of higher education.

4 (8) Hundreds of other institutions of higher
5 education throughout America and their students
6 are accommodating victims of the Gulf hurricane
7 disasters.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that the assistance provided under this Act to re-
10 vitalize affected institutions of higher education in the Gulf
11 Coast region is a first step toward revitalizing and restor-
12 ing the economic, social, and cultural prosperity of the en-
13 tire Gulf Coast region.

14 **SEC. 3. INSTITUTIONAL GRANTS FOR RECRUITMENT AND**
15 **RETENTION.**

16 (a) PURPOSE.—The purpose of this section is to sup-
17 port affected institutions of higher education in their ef-
18 forts to revitalize their communities following the Gulf
19 hurricane disasters.

20 (b) PROGRAM AUTHORIZED.—

21 (1) AUTHORITY.—The Secretary shall award
22 grants to institutions of higher education adversely
23 affected by a Gulf hurricane disaster to assist the
24 affected institutions in recruiting and retaining stu-
25 dents and retaining faculty. The Secretary shall

1 award grants under this Act as soon as possible, but
2 no later than 6 months after the date of the enact-
3 ment of this Act.

4 (2) DURATION; LIMITATION.—Each grant
5 awarded to an affected institution under this section
6 shall be awarded for a period of 5 years, and may
7 not be renewed. An affected institution may not re-
8 ceive more than one grant under this section.

9 (3) USE OF FUNDS.—

10 (A) AID TO STUDENTS.—Not less than 50
11 percent of the funds made available by a grant
12 under this section shall be used by an affected
13 institution to provide need-based aid to students
14 attending the affected institution for academic
15 year 2005–2006, and each of the 4 succeeding
16 academic years, for purposes of attracting new
17 and returning students to enroll in such af-
18 fected institution. Such need-based aid may in-
19 clude—

20 (i) assisting enrolled students with
21 tuition, fees, and textbook expenses;

22 (ii) employing enrolled students to as-
23 sist in rebuilding facilities of the affected
24 institution;

1 (iii) providing room and board assist-
2 ance for enrolled students living on cam-
3 pus;

4 (iv) attracting and retaining first-gen-
5 eration students, minority students, and
6 other at-risk or underserved populations;

7 (v) creating innovative work and study
8 incentives for enrolled students; and

9 (vi) any other aid deemed necessary
10 by the institution and approved by the Sec-
11 retary.

12 (B) INCENTIVES FOR FACULTY.—Not
13 more than 50 percent of the funds made avail-
14 able by a grant under this section shall be used
15 by an affected institution to provide incentives
16 for faculty employed by an affected institution
17 to remain in the Gulf Coast region at such af-
18 fected institution or, if such affected institution
19 is unable to continue to employ such faculty, at
20 another affected institution. Such incentives
21 may include—

22 (i) employing returning faculty to as-
23 sist in rebuilding facilities of the affected
24 institution;

1 (ii) developing and providing tem-
2 porary housing for returning faculty and
3 their dependents who have been displaced
4 from their homes;

5 (iii) continuing salaries and health
6 benefits for returning faculty for up to one
7 year;

8 (iv) providing tuition assistance for
9 returning faculty and their dependents;

10 (v) creating innovative work and re-
11 search incentives for returning faculty; and

12 (vi) any other incentives deemed nec-
13 essary by the institution and approved by
14 the Secretary.

15 (C) INSTITUTIONAL PROMOTION.—Not
16 more than 5 percent of the funds made avail-
17 able by a grant under this section shall be used
18 by an affected institution to promote the insti-
19 tution at job and college fairs, and through the
20 media.

21 (4) PREVAILING WAGES.—Wages paid, for pur-
22 poses of rebuilding an affected institution's facilities
23 under paragraph (3)(A)(ii) or paragraph (3)(B)(i),
24 to students or faculty in whole or in part with grant
25 funds received under this section for employment as

1 laborers, mechanics, or service employees shall be
2 paid at rates not less than those prevailing in the lo-
3 cality as determined by the Secretary of Labor in ac-
4 cordance with sections 3141, 3142, and 3145 of title
5 40, United States Code or section 351 of title 41,
6 United States Code, as the case may be. Notwith-
7 standing any other provision of law, the require-
8 ments of this paragraph shall not be waived or sus-
9 pended.

10 (c) APPLICATIONS.—An institution of higher edu-
11 cation desiring a grant under this section shall submit an
12 application to the Secretary within 90 days of the date
13 of enactment of this Act, in such manner, and accom-
14 panied by such information as the Secretary may require.
15 Each application shall—

16 (1) demonstrate that the institution is an af-
17 fected institution as defined in section 6;

18 (2) specify the amount of grant funds re-
19 quested;

20 (3) demonstrate the need of the institution for
21 such grant by including in the application—

22 (A) evidence that, as a result of a Gulf
23 hurricane disaster, the institution suffered a di-
24 rect and significant economic impact and a de-

1 cline in student enrollment, hindering the insti-
2 tution's ability to continue full operation;

3 (B) evidence that, as a result of a Gulf
4 hurricane disaster, the institution lost resources
5 necessary to retain faculty, hindering the insti-
6 tution's ability to continue full operation;

7 (C) an assessment of damage to the infra-
8 structure of the institution as a result of a Gulf
9 hurricane disaster;

10 (D) information regarding additional needs
11 created by a Gulf hurricane disaster; and

12 (E) other relevant data; and

13 (4) contain a description of the institution's
14 plan to carry out the purposes of this section.

15 (d) PRIORITY.—The Secretary shall give priority in
16 awarding grants under this section to affected institutions
17 most in need, as determined by the Secretary.

18 (e) REPORTING REQUIREMENTS; REVIEWS.—

19 (1) REPORTS.—Each affected institution receiv-
20 ing a grant under this section shall report to the
21 Secretary no later than September 30 of each year
22 of the 5-year period for which the grant is awarded.

23 (2) CONTENTS.—The report shall include—

24 (A) data on the populations served under
25 this section;

1 (B) a description of the use of the grant
2 funds received under this section, including a
3 description of programs developed with such
4 funds;

5 (C) a financial statement accounting for
6 the use of the grant funds; and

7 (D) data on the impact of the grant on en-
8 rollment and retention at the institution, includ-
9 ing data on the numbers and percentages of
10 new and returning students, and the number
11 and percentage of faculty that have been re-
12 tained.

13 (3) **REVIEWS.**—The Secretary shall conduct
14 periodic reviews to ensure that grant funds are being
15 properly managed, and that the programs using
16 such funds are achieving their intended outcomes.

17 (f) **AVAILABILITY OF FUNDS.**—There shall be avail-
18 able to the Secretary to carry out this section, from funds
19 not otherwise appropriated, \$3,000,000,000 for fiscal year
20 2006, which shall remain available through fiscal year
21 2010.

22 **SEC. 4. LOAN FORGIVENESS.**

23 (a) **STATEMENT OF PURPOSE.**—The purpose of this
24 section is to encourage students to continue attending, and

1 to earn degrees from, affected institutions of higher edu-
2 cation.

3 (b) PROGRAM AUTHORIZED.—The Secretary shall
4 carry out a program, through the holder of the loan, of
5 assuming the obligation to repay a qualified loan amount
6 for a loan made under part B of title IV of the Higher
7 Education Act of 1965 (20 U.S.C. 1040), and of canceling
8 the obligation to repay a qualified loan amount for a loan
9 made under part D or E of such title IV, in accordance
10 with subsection (c), for any borrower, who—

11 (1) returns to or enrolls in an affected institu-
12 tion of higher education in academic year 2005–
13 2006, 2006–2007, or 2007–2008;

14 (2) obtains an associate’s degree or a bachelor’s
15 degree from such institution; and

16 (3) is not in default on a loan for which the
17 borrower seeks forgiveness.

18 (c) QUALIFIED LOAN AMOUNT.—

19 (1) ASSOCIATE’S DEGREE.—Upon completion of
20 an associate’s degree from an affected institution,
21 the Secretary shall repay—

22 (A) in the case of a full-time student,
23 \$2,500 for each academic year of enrollment at
24 such affected institution; or

1 (B) in the case of a student enrolled less
2 than full-time, \$2,500 for the equivalent of one
3 academic year of enrollment as a full-time stu-
4 dent at such affected institution, as determined
5 by the Secretary;
6 not to exceed \$5,000.

7 (2) BACHELOR'S DEGREE.—Upon completion of
8 a bachelor's degree from an affected institution, the
9 Secretary shall repay—

10 (A) in the case of a full-time student,
11 \$2,500 for each academic year of enrollment at
12 such affected institution; or

13 (B) in the case of a student enrolled less
14 than full-time, \$2,500 for the equivalent of one
15 academic year of enrollment as a full-time stu-
16 dent at such affected institution, as determined
17 by the Secretary;
18 not to exceed \$10,000.

19 (3) LIMITATION.—The Secretary shall repay
20 not more than the total outstanding federal loan ob-
21 ligation of the student, or \$10,000, whichever is less.

22 (4) PREVENTION OF ABUSE.—The Secretary is
23 authorized to issue such regulations as may be nec-
24 essary to prevent borrowers from receiving repay-
25 ment under this section for an excessive period of

1 enrollment in comparison to the enrollment period
2 which the Secretary determines is appropriate to ob-
3 tain an associate's or a bachelor's degree.

4 (5) ACADEMIC YEAR OF ENROLLMENT.—For
5 the purpose of calculating loan repayment under this
6 section, the term “academic year of enrollment”
7 means the academic year in which an affected insti-
8 tution reopens, or any subsequent academic year.

9 (d) PRIORITY.—The Secretary shall give priority in
10 awarding grants under this section to students most in
11 need, as determined by the Secretary.

12 (e) CONSTRUCTION.—Nothing in this section shall be
13 construed to authorize any refunding of any repayment
14 of a loan.

15 (f) AVAILABILITY OF FUNDS.—There shall be avail-
16 able to the Secretary to carry out this section, from funds
17 not otherwise appropriated, \$1,600,000,000 for fiscal year
18 2006, which shall remain available through fiscal year
19 2013.

20 **SEC. 5. REGULATIONS.**

21 The Secretary is authorized to issue such regulations
22 as may be necessary to carry out the provisions of this
23 Act.

1 **SEC. 6. EMERGENCY DESIGNATIONS.**

2 Sections 3 and 4 of this Act are designated as emer-
3 gency requirements pursuant to section 402 of H. Con.
4 Res. 95 (109th Congress).

5 **SEC. 7. DEFINITIONS.**

6 For the purposes of this Act:

7 (1) **AFFECTED INSTITUTION.**—The term “af-
8 fected institution” means an institution of higher
9 education (as defined in section 102 of the Higher
10 Education Act of 1965 (20 U.S.C. 1002))—

11 (A) located in an area affected by a Gulf
12 hurricane disaster; and

13 (B) that was forced to close, relocate, or
14 significantly curtail its activities as a result of
15 damage directly sustained by a Gulf hurricane
16 disaster.

17 (2) **FACULTY.**—The term “faculty” means aca-
18 demic professionals, administrators, and staff em-
19 ployed by an affected institution—

20 (A) in the case of an institution located in
21 an area affected by Hurricane Katrina, as of
22 August 29, 2005; or

23 (B) in the case of an institution located in
24 an area affected by Hurricane Rita, as of Sep-
25 tember 24, 2005.

1 (3) GULF HURRICANE DISASTER.—The term
2 “Gulf hurricane disaster” means a major disaster
3 that the President declared to exist, in accordance
4 with section 401 of the Robert T. Stafford Disaster
5 Relief and Emergency Assistance Act (42 U.S.C.
6 5170), and that was caused by Hurricane Katrina or
7 Hurricane Rita.

8 (4) AREA AFFECTED BY A GULF HURRICANE
9 DISASTER.—The term “area affected by a Gulf hur-
10 ricane disaster” means a county or parish, in an af-
11 fected State, that has been designated by the Fed-
12 eral Emergency Management Agency for disaster as-
13 sistance for individuals and households as a result of
14 Hurricane Katrina or Hurricane Rita.

15 (5) AFFECTED STATE.—The term “affected
16 State” means the State of Alabama, Louisiana, Mis-
17 sissippi, or Texas.

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