S. 1947

To amend the Higher Education Act of 1965 to ensure college for all.

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2019

Mr. SCHUMER (for Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Higher Education Act of 1965 to ensure college for all.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3
4 SECTION 1. SHORT TITLE.
5 This Act may be cited as the “College for All Act
6 of 2019”.

TITLE I—FEDERAL-STATE PARTNERSHIP TO ELIMINATE TUITION AND REQUIRED FEES

SEC. 101. FEDERAL-STATE PARTNERSHIP TO ELIMINATE TUITION AND REQUIRED FEES.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended by adding at the end the following:

“TITLE IX—FEDERAL-STATE PARTNERSHIP TO ELIMINATE TUITION AND REQUIRED FEES

“SEC. 901. GRANT PROGRAM TO ELIMINATE TUITION AND REQUIRED FEES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND TRIBAL COLLEGES AND UNIVERSITIES.

“(a) DEFINITIONS.—In this section:

“(1) AWARD YEAR.—The term ‘award year’ has the meaning given the term in section 481(a).

“(2) COMMUNITY COLLEGE.—The term ‘community college’ means—

“(A) a public institution of higher education at which the credential that is predominantly awarded to students is at the sub-baccalaureate level; or
“(B) a public postsecondary vocational institution, as defined under section 102(e).

“(3) COST OF ATTENDANCE.—The term ‘cost of attendance’ has the meaning given the term in section 472.

“(4) DUAL OR CONCURRENT ENROLLMENT PROGRAM.—The term ‘dual or concurrent enrollment program’ has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

“(5) EARLY COLLEGE HIGH SCHOOL.—The term ‘early college high school’ has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

“(6) ELIGIBLE INDIAN ENTITY.—The term ‘eligible Indian entity’ means the entity responsible for the governance, operation, or control of a Tribal College or University.

“(7) ELIGIBLE STUDENT.—The term ‘eligible student’ means an individual, regardless of age, who has not obtained a baccalaureate degree or higher degree and is enrolled, or plans to enroll, in a community college or public 4-year institution of higher education in the State in which the individual is a resident or in a Tribal College or University.
“(8) Full-time equivalent eligible students.—The term ‘full-time equivalent eligible students’, when used with respect to an institution of higher education, has the meaning given the term ‘full-time equivalent students’, except that the calculation shall be made based on the number of eligible students enrolled at such institution.

“(9) Full-time equivalent students.—The term ‘full-time equivalent students’ means the sum of the number of students enrolled full time at an institution, plus the full-time equivalent of the number of students enrolled part time (determined on the basis of the quotient of the sum of the credit hours of all part-time students divided by 12) at such institution.

“(10) Institution of higher education.—The term ‘institution of higher education’ has the meaning given the term in section 101.

“(11) Public 4-year institution of higher education.—The term ‘public 4-year institution of higher education’ means an institution of higher education that is not a community college and is operated by a State, subdivision of a State, or government agency within a State and operated wholly or
predominately from or through the use of govern-
mental funds or property.

“(12) TRIBAL COLLEGE OR UNIVERSITY.—The
term ‘Tribal College or University’ has the meaning
given the term in section 316(b)(3) and includes 2-
year and 4-year institutions.

“(b) PROGRAM AUTHORIZED.—

“(1) GRANTS AUTHORIZED.—From amounts
appropriated under subsection (g), the Secretary
shall award grants, from allotments under sub-
section (c), to States and eligible Indian entities hav-
ing applications approved under subsection (e), to
enable the States and eligible Indian entities to
eliminate tuition and required fees for all eligible
students at community colleges, public 4-year insti-
tutions of higher education in the State, or Tribal
Colleges and Universities of the eligible Indian enti-
ty.

“(2) NON-FEDERAL SHARE REQUIREMENT.—

“(A) IN GENERAL.—Except as provided in
subparagraph (B), each State or eligible Indian
entity that receives a grant under this section
shall provide a non-Federal share of funds for
an award year from non-Federal sources in an
amount that is equal to 33 percent of the
amount required to eliminate tuition and required fees—

“(i) in the case of a State, at community colleges and public 4-year institutions of higher education in the State for all eligible students for the award year; and

“(ii) in the case of an eligible Indian entity, at Tribal Colleges and Universities of the eligible Indian entity for all eligible students for the award year.

“(B) NON-FEDERAL SHARE REQUIREMENT FOR CERTAIN ELIGIBLE INDIAN ENTITIES.—

“(i) IN GENERAL.—In the case of an eligible Indian entity that receives a grant under this section for an award year for which not less than 75 percent of the students enrolled in the Tribal Colleges and Universities of the eligible Indian entity are low-income students, such eligible Indian entity shall provide a non-Federal share of funds from non-Federal sources in an amount that is equal to not more than 5 percent of the amount necessary to eliminate tuition and required fees at Tribal
Colleges and Universities of the eligible Indian entity for the award year.

“(ii) LOW-INCOME STUDENT.—In this subparagraph, the term ‘low-income student’ has the meaning given such term by the Secretary, except that such term shall not exclude any student eligible for a Federal Pell Grant under section 401.

“(iii) DATA.—In calculating the number of enrolled students and low-income students for purposes of clause (i), the Secretary shall use—

“(I) for the first award year of the program under this section, the number of students enrolled in award year 2017–2018; and

“(II) for each subsequent award year, the projected student enrollment numbers for the award year for which the allotment is made.

“(3) NO IN-KIND CONTRIBUTIONS.—No in-kind contribution shall count toward the non-Federal share requirement under paragraph (2).

“(c) DETERMINATION OF ALLOTMENT.—
“(1) First award year of program.—The Secretary shall allot, to each eligible State or eligible Indian entity that submits an application under this section for a grant under subsection (b)(1) for the first award year of the program under this section, an amount that is equal to 67 percent (or not less than 95 percent in the case of an eligible Indian entity described in subsection (b)(2)(B)) of the total revenue received—

“(A) in the case of a State, from all eligible students at community colleges and at public 4-year institutions of higher education in the State in the form of tuition and required fees for—

“(i) with respect to a State that did not eliminate tuition and required fees as described in subsection (d)(2) for the preceding award year, award year 2017–2018; or

“(ii) with respect to a State that has eliminated tuition and required fees as described in such subsection, the last award year that the State charged tuition and required fees; and
“(B) in the case of an eligible Indian entity, from all eligible students at Tribal Colleges and Universities of the eligible Indian entity, in the form of tuition and required fees for—

“(i) with respect to an eligible Indian entity that did not eliminate tuition and required fees as described in subsection (d)(2) for the preceding award year, award year 2017–2018; or

“(ii) with respect to an eligible Indian entity that has eliminated tuition and required fees as described in such subsection, the last award year for which the eligible Indian entity charged tuition and required fees.

“(2) First award year allotment for states and eligible Indian entities applying after the first year of the program.—

“(A) In general.—The Secretary shall allot to each eligible State or eligible Indian entity that submits its first application for a grant under subsection (b)(1) for the second or a subsequent year of the program under this section, an amount equal to—

“(i) the product of—
“(I) the allotment the eligible State or eligible Indian entity would have received in the first award year of the program under this section if the State or eligible Indian entity had submitted an application for such year;

“(II) the projected full-time equivalent eligible students figure for all community colleges and public 4-year institutions of higher education of the eligible State, or all Tribal Colleges and Universities of the eligible Indian entity, for the award year for which the allotment is made; and

“(III) the amount of additional expenditures per full-time equivalent eligible student by the eligible State or eligible Indian entity that will be necessary to eliminate tuition and required fees for each such student for the award year for which the allotment is made; divided by

“(ii) the product of—
“(I) the full-time equivalent eligible students figure for all community colleges and public 4-year institutions of higher education of the eligible State, or all Tribal Colleges and Universities of the eligible Indian entity, for the first award year of the program for which the eligible State or eligible Indian entity was eligible to submit an application under this section; and

“(II) the amount of expenditures per full-time equivalent eligible student by the eligible State or eligible Indian entity that would have been necessary to eliminate tuition and required fees for each such student for the first award year of the program for which the eligible State or eligible Indian entity was eligible to submit an application under this section.

“(B) PROJECTED ENROLLMENT.—If the projected full-time equivalent eligible students figure of the State or eligible Indian entity under subparagraph (A) is more than 25 per-
percent larger than the full-time equivalent eligible
students figure for the preceding year, the Sec-
retary may challenge such enrollment projection
and offer an alternative enrollment projection
which shall be used in the formula under sub-
paragraph (A) for determining the allotment.

“(3) SUBSEQUENT AWARD YEARS.—

“(A) IN GENERAL.—The Secretary shall
allot to an eligible State or eligible Indian entity
submitting an application for a grant under
subsection (b)(1) for a second or subsequent
year after receiving a grant under paragraph
(1) or (2), an amount equal to—

“(i) the product of—

“(I) the allotment received for
the first award year for which the eli-
gible State or eligible Indian entity
submitted an application;

“(II) the projected full-time
equivalent eligible students figure for
all community colleges and public 4-
year institutions of higher education
of the eligible State, or all Tribal Col-
leges and Universities of the eligible
Indian entity, for the award year for which the allotment is made; and

“(III) the amount of additional expenditures per full-time equivalent eligible student by the eligible State or eligible Indian entity that will be necessary to eliminate tuition and required fees for each such student for the award year for which the allotment is made; divided by

“(ii) the product of—

“(I) the full-time equivalent eligible student figure for all community colleges and public 4-year institutions of higher education of the eligible State, or all Tribal Colleges and Universities of the eligible Indian entity, for the first award year that the State or eligible Indian entity participates under paragraph (1) or (2), as the case may be; and

“(II) the amount of expenditures per full-time equivalent eligible student by the eligible State or eligible Indian entity that was necessary to
eliminate tuition and required fees for each such student for the first award year that the State or eligible Indian entity participates under paragraph (1) or (2), as the case may be.

“(B) Projected Enrollment.—If the projected full-time equivalent eligible students figure of the State or eligible Indian entity under subparagraph (A) is more than 25 percent larger than the full-time equivalent eligible students figure for the preceding year, the Secretary may challenge such enrollment projection and offer an alternative enrollment projection which shall be used in the formula under subparagraph (A) for determining the allotment.

“(4) Actual Enrollment Figures.—

“(A) In General.—By not later than November 1 of the second award year for which a State or eligible Indian entity receives an allotment under this section, and each succeeding November 1, such State or eligible Indian entity shall report to the Secretary its actual full-time equivalent eligible students figure for the preceding award year.
“(B) ADJUSTMENTS.—If the actual full-time equivalent eligible students figure for the preceding award year reported under subparagraph (A)—

“(i) exceeds the projected enrollment that was used for determining the allotment for the preceding award year, notwithstanding any other provision of this section, the allotment for the award year in which the November 1 date falls for the State or eligible Indian entity shall be increased to reflect such actual enrollment, which figure shall be increased by the State Gross Domestic Product Price Index, or the Gross Domestic Product Price Index of the State in which the eligible Indian entity operates; or

“(ii) is below the projected enrollment that was used for determining the allotment for the preceding award year, notwithstanding any other provision of this section, the allotment for the award year in which the November 1 date falls for the State or eligible Indian entity shall be decreased to reflect such actual enrollment,
which figure shall be increased by the average interest rate on 5-year United States Treasury securities issued during the preceding award year.

“(5) ADDITIONAL FUNDS.—If a State or eligible Indian entity provides additional funds toward reducing the cost of attendance and improving instruction at institutions of higher education beyond the cost of eliminating tuition and required fees as described in subsection (d)(2) for any award year that is more than the non-Federal share requirement under subsection (b)(2) and the maintenance of expenditures requirement under paragraphs (3) and (4) of subsection (d), the Secretary shall provide to the State or eligible Indian entity an amount equal to such additional funding provided by the State or eligible Indian entity, which amount provided by the Secretary may be used for the activities described in subsection (f)(2).

“(d) STATE AND ELIGIBLE INDIAN ENTITY ELIGIBILITY REQUIREMENTS.—In order to be eligible to receive an allotment under this section for an award year, a State or eligible Indian entity shall comply with the following:

“(1) Ensure that public institutions of higher education in the State or Tribal Colleges and Uni-
versities of the eligible Indian entity maintain expendi-
tures on instruction per full-time equivalent student at levels that are equal to or exceed the expendi-
tures on instruction per full-time equivalent student for award year 2017–2018.

“(2) Ensure that tuition and required fees are eliminated—

“(A) in the case of a State, for eligible stu-
dents at all community colleges and in all public 4-year institutions of higher education in the State; or

“(B) in the case of an eligible Indian entity, for eligible students in all Tribal Colleges and Universities of the eligible Indian entity.

“(3) Maintain State operating expenditures per full-time equivalent student for public institutions of higher education in the State, or operating expendi-
tures per full-time equivalent student for Tribal Colleges and Universities of the eligible Indian entity, excluding the amount of funds provided under this section, at a level that is equal to or exceeds the level of such support for award year 2017–2018.

“(4) Maintain State expenditures on need-based financial aid programs for enrollment in public institu-
tions of higher education in the State or expendi-
tutes on need-based financial aid programs for enrollment in Tribal Colleges and Universities of the eligible Indian entity at a level that is equal to or exceeds the level of such support for award year 2017–2018.

“(5) Ensure public institutions of higher education in the State or Tribal Colleges and Universities of the eligible Indian entity maintain funding for institutional need-based student financial aid in an amount that is equal to or exceeds the level of such support for award year 2017–2018.

“(6) Provide an assurance that not later than 5 years after the first award year for which the grant is awarded, not less than 75 percent of instruction at public institutions of higher education in the State or Tribal Colleges and Universities of the eligible Indian entity is provided by tenured or tenure-track faculty.

“(7) Require that public institutions of higher education in the State or Tribal Colleges and Universities of the eligible Indian entity provide, for each student enrolled at the institution who receives the maximum Federal Pell Grant award under subpart 1 of part A of title IV, institutional student fi-
financial aid (excluding student loans) in an amount equal to 100 percent of the difference between—

“(A) the cost of attendance at such institution; and

“(B) the sum of—

“(i) the amount of the maximum Federal Pell Grant award; and

“(ii) the student’s expected family contribution.

“(8) Ensure that public institutions of higher education in the State or Tribal Colleges and Universities of the eligible Indian entity not adopt policies to reduce enrollment.

“(9) Provide an assurance that public institutions of higher education in the State or Tribal Colleges and Universities of the eligible Indian entity will not charge out-of-State students an amount that exceeds the marginal cost of attending institutions of higher education in the State or Tribal Colleges and Universities of the eligible Indian entity.

“(10) Provide an assurance that public institutions of higher education in the State or Tribal Colleges and Universities of the eligible Indian entity that charge non-eligible in-State students tuition and required fees, will not charge such students a rate
that exceeds the rate for the last year that tuition and required fees were charged to eligible students, increased by the percentage change for subsequent years in the expenditures per full-time equivalent eligible student by the State or eligible entity that is necessary to continue to eliminate tuition and required fees for eligible students.

“(e) Submission and Contents of Application.—For each award year for which a State or eligible Indian entity desires a grant under this section, an application shall be submitted to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall be submitted by—

“(1) in the case of a State, the State agency with jurisdiction over higher education or another agency designated by the Governor or chief executive of the State to administer the program under this section; and

“(2) in the case of an eligible Indian entity, the eligible Indian entity or a Tribal College or University of the eligible Indian entity.

“(f) Use of Funds.—

“(1) In General.—A State or eligible Indian entity that receives a grant under this section shall
use the grant funds and the non-Federal share funds required under this section—

“(A) in the case of a State, to eliminate tuition and required fees for all eligible students at community colleges and public 4-year institutions of higher education in the State; and

“(B) in the case of an eligible Indian entity, to eliminate tuition and required fees for all eligible students at Tribal Colleges and Universities of the eligible Indian entity.

“(2) ADDITIONAL FUNDING.—Once tuition and required fees have been eliminated pursuant to paragraph (1), a State or eligible Indian entity that receives a grant under this section shall use any remaining grant funds and non-Federal share funds required under this section to reduce the cost of attendance and increase the quality of instruction and student support services at public institutions of higher education in the State or at Tribal Colleges and Universities of the eligible Indian entity by carrying out any of the following:

“(A) Providing additional non-loan aid to students, which may include need-based student financial aid, to reduce or eliminate the cost of attendance for a public institution of higher
education or a Tribal College or University beyond eliminating tuition and required fees.

“(B) Expanding academic course offerings and high-quality occupational skills training programs to students.

“(C) Increasing the number and percentage of full-time instructional faculty, including full-time tenure and tenure-track instructional faculty.

“(D) Providing all faculty with professional supports to help students succeed, such as professional development opportunities, office space, and shared governance in the institution.

“(E) Compensating adjunct and part-time faculty for work done inside and outside of the classroom relating to instruction, such as holding office hours.

“(F) Strengthening and ensuring all students have access to student support services such as academic advising, counseling, and tutoring.

“(G) Expanding access to dual or concurrent enrollment programs and early college high school programs.
“(H) Any other additional activities that improve instructional quality and academic outcomes for students as approved by the Secretary through a peer review process.

“(3) PROHIBITION.—A State or eligible Indian entity that receives a grant under this section may not use grant funds or non-Federal share funds required under this section—

“(A) for the construction of a nonacademic facility, such as an athletic facility or stadium;

“(B) for merit-based student financial aid;

“(C) for need-based student financial aid (except to the extent funds available under subsection (e)(5) are used to carry out paragraph (2)(A));

“(D) to pay the salaries or benefits of school administrators;

“(E) for capital outlays or deferred maintenance; or

“(F) for expenditures on athletics other than activities open to all members of the campus community.

“(g) AUTHORIZATION OF APPROPRIATIONS.—
“(1) IN GENERAL.—There are authorized to be appropriated, and there are appropriated, to carry out this section—

“(A) such sums as may be necessary for the fourth quarter of fiscal year 2019;

“(B) $48,000,000,000 for fiscal year 2020;

and

“(C) such sums as may be necessary for each of the fiscal years 2021 through 2029.

“(2) AVAILABILITY OF FUNDS.—Funds made available pursuant to paragraph (1)(A) shall be available for obligation from October 1, 2019, to September 30, 2020. Funds made available pursuant to subparagraph (B) or (C) of paragraph (1) shall be available for obligation through September 30 of the fiscal year succeeding the fiscal year for which such sums were appropriated.

“SEC. 902. GRANT PROGRAM FOR PRIVATE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND PRIVATE MINORITY-SERVING INSTITUTIONS.

“(a) DEFINITIONS.—Except as otherwise provided, in this section:

“(1) COMMUNITY COLLEGE.—The term ‘community college’ has the meaning given the term in section 901.
“(2) ELIGIBLE INSTITUTION.—

“(A) IN GENERAL.—Except as provided in subparagraph (D), the term ‘eligible institution’ means a private, nonprofit 2-year institution or 4-year institution that—

“(i) is—

“(I) a part B institution (as defined in section 322);

“(II) a Hispanic-serving institution (as defined in section 502);

“(III) a Tribal College or University (as defined in section 316) whose entity responsible for the governance, operation, or control of the College or University has not received a grant under section 901;

“(IV) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in section 317(b));

“(V) a Predominantly Black institution (as defined in section 371(e));

“(VI) an Asian American and Native American Pacific Islander-
serving institution (as defined in section 371(c)); or

“(VII) a Native American-serving nontribal institution (as defined in section 371(c));

“(ii) has a student body of which not less than 35 percent are low-income students;

“(iii) ensures that tuition and required fees for eligible students enrolled in the institution are eliminated or significantly reduced during any period for which the institution receives a grant under this section;

“(iv) maintains expenditures on instruction per a full-time equivalent eligible student at levels that meet or exceed the expenditures on instruction per a full-time equivalent eligible student for award year 2017–2018;

“(v) will invest institutional funds and seek additional funding to reduce or eliminate tuition and required fees for all students;
“(vi) maintains expenditures on need-based financial aid programs for students enrolled at the institution at a level that meets or exceeds the level of such support for award year 2017–2018;

“(vii) provides an assurance that the institution will increase the amount of instruction provided by tenured or tenure-track faculty; and

“(viii) does not adopt policies to reduce enrollment.

“(B) 2-YEAR INSTITUTION.—The term ‘2-year institution’ means an institution at which the credential that is predominantly awarded to students is at the sub-baccalaureate level.

“(C) 4-YEAR INSTITUTION.—The term ‘4-year institution’ means an institution that is not a 2-year institution.

“(D) EXCEPTION.—

“(i) IN GENERAL.—An eligible institution as described in subparagraph (A) shall not be an eligible institution for purposes of this section for the period described in clause (ii) if such institution was a for-
profit institution at any time that converted to a nonprofit institution.

“(ii) Period of ineligibility.—An institution described under clause (i) shall not be an eligible institution for purposes of this section for a period of 25 years from the date the institution converted from a for-profit institution to a nonprofit institution or 25 years after the date of enactment of this Act, whichever period is longer.

“(3) Eligible student.—The term ‘eligible student’ means a low-income student enrolled in an eligible institution who has not obtained a baccalaureate degree or a higher degree.

“(4) Full-time equivalent eligible students.—The term ‘full-time equivalent eligible students’ means the sum of the number of eligible students projected to enroll full time at an institution for an award year, plus the full-time equivalent of the number of eligible students projected to be enrolled part time (determined on the basis of the quotient of the sum of the credit hours of all part-time eligible students divided by 12) at such institution, for such award year.
“(5) Low-income student.—The term ‘low-income student’ has the meaning given such term by the Secretary, except that such term shall not exclude any student eligible for a Federal Pell Grant under section 401.

“(6) Public 4-year institution of higher education.—The term ‘public 4-year institution of higher education’ has the meaning given the term in section 901.

“(b) Authorization of Grant Program.—

“(1) In general.—From amounts appropriated under subsection (e), the Secretary shall award grants, from allotments under paragraph (2), to eligible institutions having applications approved under subsection (c), to enable the eligible institutions to eliminate or significantly reduce tuition and required fees for eligible students.

“(2) Allotments.—Subject to paragraph (3), the Secretary shall allot, for each award year, to each eligible institution having an application approved under subsection (c), an amount that is equal to the product of—

“(A) tuition and required fees for eligible students at the eligible institution for the award year, and
“(B) the number of full-time equivalent eligible students projected to enroll in the eligible institution for the award year.

“(3) LIMITATIONS.—

“(A) LIMITATIONS ON INSTITUTIONAL ALLOTMENTS.—In making allotments under paragraph (2) for an award year, the Secretary shall not award an allotment that is—

“(i) with respect to an eligible institution that operates in a State that has eliminated tuition and required fees as described in section 901(d)(2) for the preceding award year, more than the amount equal to the product of—

“(I) the number of projected full-time equivalent eligible students for the award year; and

“(II) the expenditures per full-time equivalent eligible student, including the Federal allotment and non-Federal share, under section 901 for the preceding award year for the State (or, in the case of a State that did not receive a grant under such section for the preceding award year,
the amount needed to eliminate tuition and required fees for full-time equivalent eligible students in the State, calculated in the same manner as such amount is calculated under section 901(c) for the preceding award year for the State, at—

“(aa) if the eligible institution is a 2-year institution, community colleges in the State in which the institution operates; or

“(bb) if the eligible institution is a 4-year institution, public 4-year institutions of higher education in the State in which the institution operates; and

“(ii) with respect to an eligible institution that operates in a State that has not eliminated tuition and required fees as described in section 901(d)(2) for the preceding award year, more than the amount equal to the product of—

“(I) the number of projected full-time equivalent eligible students for the award year; and
“(II) the average tuition and required fees for the preceding award year at—

“(aa) if the eligible institution is a 2-year institution, public 2-year institutions of higher education in the State in which the institution operates; or

“(bb) if the eligible institution is a 4-year institution, public 4-year institutions of higher education in the State in which the institution operates.

“(B) LIMITATIONS ON TUITION HIKES.—

“(i) FIRST AWARD YEAR.—For the first award year for which an eligible institution applies for a grant under this section, such eligible institution shall not increase tuition and required fees at a rate that is greater than any annual increase in tuition and required fees at the eligible institution for the 5 years preceding such first award year.

“(ii) SUCCEEDING AWARD YEARS.—
“(I) IN GENERAL.—For each award year after the first award year for which an eligible institution receives a grant under this section, such eligible institution shall not increase tuition and required fees for eligible students from the preceding award year at a rate that is greater than the percentage increase in the Employment Cost Index for the award year for which the grant is received, as compared to the Employment Cost Index for the award year preceding the award year for which the grant is received.

“(II) EMPLOYMENT COST INDEX.—In this subparagraph, the term ‘Employment Cost Index’, when used with respect to an award year, means the Employment Cost Index for total compensation for private industry workers by bargaining status and census region and division (not seasonally adjusted) of the division in which the eligible entity is located, as
provided by the Bureau of Labor Statistics of the Department of Labor, that is provided for the December that immediately precedes the start of the award year.

“(4) Actual enrollment figures.—

“(A) In general.—By not later than November 1 of the second award year for which an eligible institution receives a grant under this section, such eligible institution shall report to the Secretary its actual full-time equivalent eligible students figure for the preceding award year.

“(B) Adjustments.—If the actual full-time equivalent eligible students figure for the preceding award year reported under subparagraph (A)—

“(i) exceeds the projected enrollment that was used for determining the allotment under paragraph (2)(B) for the preceding award year, notwithstanding any other provision of this Act, the allotment for the award year in which the November 1 date falls for the eligible institution shall be increased to reflect such actual enroll-
ment, which figure shall be increased by
the Gross Domestic Product Price Index of
the State in which the eligible institution
operates; or
"(ii) is below the projected enrollment
that was used for determining the allot-
ment under paragraph (2)(B) for the pre-
ceding award year, notwithstanding any
other provision of this Act, the allotment
for the award year in which the November
1 date falls for the eligible institution shall
be decreased to reflect such actual enroll-
ment, which figure shall be increased by
the average interest rate on 5-year United
States Treasury securities issued during
the preceding award year.
"(c) APPLICATION.—An eligible institution that de-
sires to receive a grant under this section shall submit to
the Secretary an application at such time, in such manner,
and containing such information as the Secretary may re-
quire.
"(d) PROHIBITION.—An eligible institution that re-
ceives a grant under this section may not use grant funds
under this section—
“(1) for the construction of a nonacademic facility, such as an athletic facility or stadium;

“(2) for merit-based or need-based student financial aid;

“(3) to pay the salaries or benefits of school administrators;

“(4) for capital outlays or deferred maintenance; or

“(5) for expenditures on athletics other than activities open to all members of the campus community.

“(e) Authorization of Appropriations.—

“(1) In General.—There are authorized to be appropriated, and there are appropriated, to carry out this section—

“(A) such sums as may be necessary for the fourth quarter of fiscal year 2019;

“(B) $1,340,000,000 for fiscal year 2020; and

“(C) such sums as may be necessary for each of the fiscal years 2021 through 2029.

“(2) Availability of Funds.—Funds made available pursuant to paragraph (1)(A) shall be available for obligation from October 1, 2019, to September 30, 2020. Funds made available pursuant
to subparagraph (B) or (C) of paragraph (1) shall be available for obligation through September 30 of the fiscal year succeeding the fiscal year for which such sums were appropriated.”.

SEC. 102. INCREASING SUCCESS FOR LOW-INCOME AND FIRST GENERATION STUDENTS.

(a) Authorization of Appropriations for Federal TRIO Programs.—Section 402A(g) of the Higher Education Act of 1965 (20 U.S.C. 1070a–11(g)) is amended by inserting after the first sentence the following: “For the purpose of making grants and contracts under this chapter, there are authorized to be appropriated $1,260,000,000 for fiscal year 2020, $1,440,000,000 for fiscal year 2021, $1,620,000,000 for fiscal year 2022, $1,800,000,000 for fiscal year 2023, $2,000,000,000 for fiscal year 2024, and such sums as may be necessary for each of fiscal years 2024 through 2028.”.

(b) Authorization of Appropriations for GEAR UP Programs.—Section 404H of the Higher Education Act of 1965 (20 U.S.C. 1070a–28) is amended by striking “$400,000,000” and all that follows through the period and inserting “$410,000,000 for fiscal year 2020, $419,000,000 for fiscal year 2021, $427,000,000
for fiscal year 2022, $436,000,000 for fiscal year 2023, and $445,000,000 for fiscal year 2024.”.

TITLE II—EXPANSION OF WORK STUDY TO MEET THE NEEDS OF TODAY’S STUDENTS

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Section 441(b) of the Higher Education Act of 1965 (20 U.S.C. 1087–51(b)) is amended to read as follows:

“(b) Authorization of Appropriations.—There are authorized to be appropriated to carry out this part—

“(1) $1,500,000,000 for fiscal year 2020;
“(2) $2,000,000,000 for fiscal year 2021;
“(3) $2,500,000,000 for fiscal year 2022;
“(4) $3,000,000,000 for fiscal year 2023;
“(5) $3,500,000,000 for fiscal year 2024; and
“(6) such sums as may be necessary for each of fiscal years 2025–2028.”.

SEC. 202. REFORM OF THE WORK STUDY FORMULA.

Section 442 of the Higher Education Act of 1965 (20 U.S.C. 1087–52) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) Revision to the Federal Work Study Allocation.—The Secretary shall allocate funds under this
section solely on the basis of the self-help need determination described under subsection (e).”;

(2) in subsection (e)—

(A) in paragraph (2), by striking “To determine the self-help need of an institution’s eligible undergraduate students,” and inserting “Until such time as the Secretary establishes a revised method to determine the self-help need of an institution’s eligible undergraduate students, in accordance with paragraph (5),”;

(B) in paragraph (3), by striking “To determine the self-help need of an institution’s eligible graduate and professional students”, and inserting “Until such time as the Secretary establishes a revised method to determine the self-help need of an institution’s eligible graduate and professional students, in accordance with paragraph (5),”; and

(C) by adding at the end the following:

“(5) Not later than 1 year after the date of enactment of the College for All Act of 2019, the Secretary shall establish revised methods for determining the self-help need of an institution’s eligible undergraduate students, as described in paragraph (2), and eligible graduate and professional students,
as described in paragraph (3), that shall take into account the number of Federal Pell Grant eligible low-income and moderate-income students that an eligible institution serves and provide considerations for eligible institutions that successfully demonstrate improved employment outcomes. The Secretary shall promulgate any regulations necessary to carry out the revised methods of determining an eligible institution’s self-help need under this subsection.”; and

(3) by adding at the end the following:

“(f) Funds To Expand Job Location Development Programs.—Notwithstanding any other provision of this part, to promote career readiness and improve the employment skills of Federal Pell Grant-eligible students, the Secretary is authorized to enter into agreements with eligible institutions under which such institution may use not more than 20 percent or $150,000 of its allotment under this section, whichever amount is less, to expand job location development programs, which may be coordinated with State and local workforce development boards.”.
TITLE III—STUDENT LOAN RELIEF FOR MILLIONS OF BORROWERS

SEC. 301. RESTORATION OF CERTAIN INTEREST RATE PROVISIONS.

Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—

(1) in paragraph (8)—

(A) in the heading, by striking “ON OR AFTER JULY 1, 2013” and inserting “ON OR AFTER JULY 1, 2013, AND BEFORE JULY 1, 2019”; and

(B) by striking “on or after July 1, 2013” and inserting “on or after July 1, 2013, and before July 1, 2019” each place the term appears;

(2) by redesignating paragraphs (9) and (10) as paragraphs (10) and (11), respectively; and

(3) by inserting after paragraph (8) the following:

“(9) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2019.—

“(A) RATES FOR UNDERGRADUATE FDSL AND FDUSL AND GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the pre-
ceeding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students and graduate and professional students, for which the first disbursement is made on or after July 1, 2019, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be equal to not more than 1.88 percent.

“(B) IN SCHOOL AND GRACE PERIOD RULES FOR UNDERGRADUATES AND GRADUATE AND PROFESSIONAL STUDENTS.—Notwithstanding the preceding paragraphs of this subsection, with respect to any Federal Direct Stafford Loan or Federal Direct Unsubsidized Stafford Loan issued to an undergraduate student or a graduate or professional student for which the first disbursement is made on or after July 1, 2019, the applicable rate of interest for interest which accrues—

“(i) prior to the beginning of the repayment period of the loan; or

“(ii) during the period in which principal need not be paid (whether or not
such principal is in fact paid) by reason of
a provision described in subsection (f),
shall be equal to not more than 1.88 percent.

“(C) PLUS LOANS.—Notwithstanding the
preceding paragraphs of this subsection, with
respect to Federal Direct PLUS Loan for which
the first disbursement is made on or after July
1, 2019, the applicable rate of interest shall be
equal to not more than 1.88 percent.

“(D) CONSOLIDATION LOANS.—Notwith-
standing the preceding paragraphs of this sub-
section, any Federal Direct Consolidation loan
for which the application is received on or after
July 1, 2019, shall bear interest at an annual
rate on the unpaid principal balance of the loan
that is equal to not more than 1.88 percent.”.

**TITLE IV—STUDENT DEBT CANCELLATION**

**SEC. 401. SHORT TITLE.**

This title may be cited as the “Student Debt Can-
cellation Act of 2019”.

**SEC. 402. FORGIVENESS OF OUTSTANDING FEDERAL STUDENT LOANS.**

(a) FORGIVENESS REQUIRED.—Notwithstanding any
other provision of law, not later than 180 days after the
date of the enactment of this title, the Secretary of Edu-
cation shall forgive the outstanding balance of interest and
principal due on all eligible Federal student loans.

(b) Definition of Eligible Federal Student
Loan.—In this title, the term “eligible Federal student
loan” means any loan made, insured, or guaranteed under
part B, part D, or part E of title IV of the Higher Edu-
cation Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq.,
1087aa et seq.) before the date of enactment of this title,
including—

(1) loans made to a parent borrower on behalf
of a dependent student under part B or part D of
such Act;

(2) consolidation loans made under such Act;

and

(3) any grant treated as a loan under such part
D in accordance with section 258(e), section
420M(c), or section 807(d) of such Act.

(c) Method of Loan Forgiveness.—To provide
the loan forgiveness required under subsection (a), the
Secretary of Education is authorized to carry out a pro-
gram—

(1) through the holder of a loan, to assume the
obligation to repay the outstanding balance of inter-
est and principal due on loans made, insured, or
guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);
and
(2) to cancel the outstanding balance of interest and principal due on loans made under part D or part E of such title.

(d) Repayment Refunds.—

(1) Prior Repayment.—Nothing in this section shall be construed to authorize any refunding of any eligible Federal student loan repayment made before the date of enactment of this title.

(2) Payments Made After Enactment.—
The Secretary shall refund to each borrower who receives forgiveness under this section the amount of any payments the borrower makes on an eligible Federal student loan during the period beginning on the date of the enactment of this title and ending on the date on which the Secretary forgives the outstanding balance of such eligible Federal student loan.

(e) Exclusion From Taxable Income.—The amount of a borrower’s eligible Federal student loans forgiven under this section, and the amount of any repayments to a borrower under subsection (d)(2), shall not be
included in the gross income of the borrower for purposes

SEC. 403. PURCHASE AND FORGIVENESS OF OUTSTANDING
PRIVATE STUDENT LOANS.

(a) IN GENERAL.—Part D of title IV of the Higher
Education Act of 1965 (20 U.S.C. 1087a et seq.) is
amended by inserting after section 459B the following:

“SEC. 459C. TEMPORARY AUTHORITY TO PURCHASE AND
FORGIVE ELIGIBLE PRIVATE STUDENT
LOANS.

“(a) PRIVATE EDUCATION LOAN PURCHASE AND
FORGIVENESS.—Notwithstanding any other provision of
law, not later than 180 days after the date of enactment
of the Student Debt Cancellation Act of 2019, the Sec-
etary, in consultation with the Secretary of the Treasury,
shall carry out a program under which the Secretary shall
purchase, and then forgive, the outstanding balance of in-
terest and principal due on eligible private student loans.

“(b) DEFINITIONS.—In this section:

“(1) ELIGIBLE PRIVATE STUDENT LOAN.—In
this section, the term ‘eligible private student loan’
means a private education loan, as defined in section
140(a) of the Truth in Lending Act (15 U.S.C.
1650(a)), that was expressly for the cost of attend-
ance (as defined in section 472) at an institution of
higher education participating in a loan program
under this part or part B or E, as of the date that
the loan was disbursed, and that was made before
the date of enactment of the Student Debt Cancell-

“(2) Private educational lender.—The
term ‘private educational lender’ has the meaning
given the term in section 140(a) of the Truth in
Lending Act (15 U.S.C. 1650(a)).

“(c) Method of loan purchase and forgive-
ness.—The Secretary, in consultation with the Secretary
of the Treasury, shall carry out a program under which
the Secretary, upon application by a borrower who has an
eligible private student loan, shall purchase the eligible
private student loans of the borrower, issue such borrower
a loan under this section, and forgive such loan, in accord-
ance with the following:

“(1) The Secretary shall pay to the private edu-
cational lender of the eligible private student loan an
amount equal to the sum of the unpaid principal, ac-
crued unpaid interest, and late charges of the eligi-
ble private student loan, as calculated on the date of
the purchase of such loan, in order to discharge the
borrower from any remaining obligation to the pri-
vate educational lender with respect to the eligible private student loan.

“(2) The Secretary shall issue to the borrower a loan, known as a Federal Direct Forgiveness Loan, in an amount equal to the sum of the amount paid to the private educational lender of the eligible private student loan of the borrower that was purchased by the Secretary in accordance with paragraph (1).

“(3) The Secretary shall, immediately upon issuance of a Federal Direct Forgiveness Loan, cancel the outstanding balance of interest and principal due on such loan.

“(d) Repayment Refunds Prohibited.—Nothing in this section shall be construed to authorize any refunding of any repayment of a loan.

“(e) Exclusion From Taxable Income.—The amount of a borrower’s Federal Direct Forgiveness Loans forgiven under this section shall not be included in the gross income of the borrower for purposes of the Internal Revenue Code of 1986.”.

(b) Notice to Borrowers.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended by adding at the end the following new paragraph:
“(12) Notice required along with billing statements.—Along with each billing statement sent to the borrower during the six-month period beginning on the day after the date of enactment of the Student Debt Cancellation Act of 2019, the private educational lender shall include a statement informing the borrower that—

“(A) the borrower may be eligible for loan forgiveness of eligible private student loans under section 459C of the Higher Education Act of 1965; and

“(B) to be eligible for such loan forgiveness, the borrower must apply to the Secretary of Education no later than the date that is 180 days after the date of enactment of the Student Debt Cancellation Act of 2019.”.

SEC. 404. NOTICE TO THE PUBLIC.

Not later than 15 days after the date of enactment of this title, the Secretary of Education, in consultation with institutions of higher education and lenders of Federal student loans and private education loans, shall take such actions as may be necessary to ensure that borrowers who have outstanding eligible Federal student loans or outstanding eligible private student loans (as defined in section 459C of the Higher Education Act of 1965, as
added by this title) are aware of the loan forgiveness pro-
grams authorized by this title. Such information shall—

(1) be presented in a form that is widely avail-
able to the public, especially to borrowers with out-
standing Federal and private student loans;

(2) be easily understandable; and

(3) clearly notify borrowers of eligible private
student loans—

(A) that borrowers must apply for loan
forgiveness under this title, and must do so no
later than the date that is 180 days after the
date of enactment of this title; and

(B) of the application process and require-
ments to apply for forgiveness of eligible private
student loans in accordance with this title.

TITLE V—SNYDER ACT

SEC. 501. RULE OF CONSTRUCTION REGARDING THE SNY-
DER ACT.

Nothing in this Act, or an amendment made by this
Act, shall be construed to change or abrogate the Federal
Government’s responsibilities under the Act of November
2, 1921 (commonly known as the “Snyder Act”) (25