

H.R. 3251: Mr. GEJDENSON, Mr. MANTON, Mr. BATEMAN, Mr. CLAY, Mr. FATTAH, Mr. WATT of North Carolina, Mr. BARTLETT of Maryland, Ms. RIVERS, and Mr. KENNEDY of Rhode Island.

H.R. 3255: Mr. MANTON.

H.R. 3262: Mr. ABERCROMBIE.

H.R. 3314: Mr. GRAHAM.

H.R. 3331: Mr. TALENT.

H.R. 3338: Ms. KILPATRICK.

H.R. 3379: Mr. FALEOMAVAEGA and Mr. POSHARD.

H.R. 3396: Mr. BILIRAKIS, Mr. TORRES, Mr. COLLINS, and Mrs. KELLY.

H.R. 3400: Mr. HINOJOSA and Mr. OLVER.

H.R. 3438: Mr. ENGLISH of Pennsylvania and Mr. CALVERT.

H.R. 3459: Mr. PAYNE.

H.R. 3470: Mr. BONIOR.

H.R. 3506: Mr. BLUMENAUER, Mr. KASICH, Mr. MICA, Mr. HYDE, Mr. SISISKY, Mr. SHUSTER, Mr. GREEN, Mr. SKELTON, Mr. DAVIS of Illinois, Mr. SCARBOROUGH, Mr. MALONEY of Connecticut, Mr. MCCRERY, Mr. SCOTT, Ms. DELAURO, Mr. BARCIA of Michigan, Mr. NETHERCUTT, Mr. BURTON of Indiana, Mr. STOKES, Mr. NEY, Mr. RAHALL, Mr. MINGE, Ms. FURSE, Mr. FARR of California, Mr. MCINNIS, Mr. BEREUTER, and Mr. ROGERS.

H.R. 3514: Mr. CLAY, Mr. SABO, Mr. KIND of Wisconsin, Mr. DAVIS of Virginia, Mr. ALLEN, and Mrs. CLAYTON.

H.R. 3523: Mr. KING of New York, Mr. BERRY, Mr. BURTON of Indiana, Mr. CANNON, Mrs. LOWEY, and Mr. MATSUI.

H.R. 3524: Mr. MILLER of California, Mr. FROST, and Mr. TORRES.

H.R. 3526: Mr. GORDON.

H.R. 3534: Mr. DELAY, Mr. WAMP, Ms. SANCHEZ, Mr. CALVERT, Mr. TAYLOR of Mississippi, Mr. HERGER, Mr. BERRY, Mr. LIVINGSTON, Mr. SISISKY, Mr. STUMP, Mr. POMBO, Mr. CUNNINGHAM, Mr. CAMPBELL, Mr. STEARNS, Mr. COLLINS, Mr. RYUN, Mrs. NORTHUP, Mr. TALENT, Mrs. EMERSON, Mr. WICKER, Mr. PICKERING, Mr. BALLENGER, Mr. SMITH of New Jersey, Mr. SKEEN, Mr. GIBBONS, Mrs. KELLY, Mr. FOX of Pennsylvania, Mr. NETHERCUTT, Mr. PORTER, Ms. GRANGER, Mr. ENSIGN, Mr. MORAN of Kansas, Mr. BOB SCHAFER, Mr. GALLEGLY, Mr. LATOURETTE, Mr. DEAL of Georgia, Mr. PAPPAS, and Mr. PAUL.

H.R. 3541: Mr. KOLBE, Mr. BOUCHER, Mr. FOLEY, Mr. GOODE, Mr. GIBBONS, Mr. HUTCHINSON, Mr. HOSTETTLER, Mr. BLUNT, Mr. HALL of Ohio, Mr. CANADY of Florida, Ms. PRYCE of Ohio, Mr. JOHNSON of Wisconsin, Mr. CALVERT, Mr. FRANK of Massachusetts, and Mr. SOUDER.

H.R. 3567: Mr. FRANKS of New Jersey.

H.R. 3570: Mr. STRICKLAND, Mr. LAMPSON, Mr. VENTO, and Mr. THOMPSON.

H.R. 3599: Mr. TALENT.

H.R. 3605: Mr. BISHOP, Mr. NEAL of Massachusetts, Mr. DAVIS of Illinois, Mr. MOLLOHAN, Mr. MOAKLEY, and Mr. SCOTT.

H.R. 3608: Mr. TAYLOR of Mississippi.

H.R. 3613: Ms. WOOLSEY and Mr. MALONEY of Connecticut.

H.R. 3615: Mr. PAYNE, Mr. EVANS, Ms. SLAUGHTER, and Mrs. MALONEY of New York.

H.R. 3636: Mr. MARKEY, Mr. FRANK of Massachusetts, Mr. HOUGHTON, Ms. KILPATRICK, Ms. WATERS, and Ms. CARSON.

H.R. 3641: Mr. ENSIGN.

H.R. 3648: Mr. SESSIONS, Mr. ROYCE, Mr. BRADY, Mr. ENGLISH of Pennsylvania, Mr. FORBES, Mr. WALSH, and Mr. CHABOT.

H.R. 3651: Mr. TOWNS and Mr. NADLER.

H.R. 3661: Mr. KILDEE, Mr. LATOURETTE, and Mr. MEEKS of New York.

H.R. 3674: Mr. JOHNSON of Wisconsin.

H.R. 3684: Ms. PRYCE of Ohio.

H.R. 3690: Mr. BACHUS and Mr. EVANS.

H.R. 3713: Ms. WOOLSEY.

H.R. 3719: Mr. GOODLING.

H.J. Res. 102: Mr. LIVINGSTON and Mr. KANJORSKI.

H. Con. Res. 55: Mrs. CAPPS, Mr. ENGLISH of Pennsylvania, Mr. BILBRAY, Ms. STABENOW, and Mr. SCHUMER.

H. Con. Res. 127: Mr. BUYER.

H. Con. Res. 181: Mr. MASCARA, Mr. KIM, Mr. LEWIS of Georgia, Mr. PASTOR, Mr. SABO, Mr. NORWOOD, Mr. NEAL of Massachusetts, Mr. TORRES, Mr. NEY, Mr. GEPHARDT, Mr. VENTO, Mr. JACKSON, and Mr. ALLEN.

H. Con. Res. 210: Mr. BOYD.

H. Con. Res. 233: Mr. BECERRA, Mr. LUTHER, and Mr. JENKINS.

H. Res. 151: Mr. PICKETT.

H. Res. 363: Mr. BALDACC.

H. Res. 374: Mr. ROYCE, Mr. LANTOS, Mr. ENGEL, Mr. WEXLER, Mr. BROWN of Ohio, Mr. GUTIERREZ, and Ms. FURSE.

H. Res. 392: Mr. WATTS of Oklahoma, Mr. PETERSON of Pennsylvania, Mr. NETHERCUTT, Mr. SOUDER, Mr. BARRETT of Nebraska, and Mr. MATSUI.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 6

OFFERED BY: MR. ALLEN

AMENDMENT NO. 10: Page 68, after line 11, insert the following new section (and redesignate the succeeding section and conform the table of contents accordingly):

SEC. 206. TEACHER RECRUITMENT.

(a) FUTURE MATH AND SCIENCE TEACHER RECRUITMENT.—Title II is further amended by adding at the end the following new part:

"PART F—FUTURE MATH AND SCIENCE TEACHER RECRUITMENT

"SEC. 281A. SHORT TITLE: FINDINGS.

"(a) SHORT TITLE.—This part may be cited as the 'Recruit and Reward Future Math and Science Teachers of America Act of 1998'.

"(b) FINDINGS.—Congress finds the following:

"(1) United States high school students rank 12th and 19th, respectively, in science and math out of 25 countries.

"(2) Of United States high school students who take physical science and math courses, 48 percent and 49 percent, respectively, are taught by teachers who did not prepare in that field.

"(3) Teachers' knowledge and skills powerfully influence student learning.

"(4) More than 2,000,000 teachers will need to be hired over the next decade.

"(5) The ability of the United States to place highly qualified math and science teachers specializing in their field of instruction will depend on proactive policies that increase funding for teacher training, recruitment, and induction.

"SEC. 281B. PURPOSE; APPROPRIATIONS AUTHORIZED.

"(a) PURPOSE.—It is the purpose of this part to make available, through a pilot program, 500 scholarship grants and stipends to outstanding students enrolled in a nationally accredited teacher training graduate program who are committed to pursuing careers teaching math and science at an urban or rural secondary level classroom.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part \$5,000,000 in each of the fiscal years 1999, 2000, and 2001.

"SEC. 281C. SCHOLARSHIP DESIGNATION AND SELECTION CRITERIA.

"(a) SCHOLARSHIP DESIGNATION.—Funds made available under this part shall be designated as the 'National Math and Science Teacher Scholarships'.

"(b) SELECTION CRITERIA.—The Secretary of Education may award funds for National

Math and Science Teacher Scholarships on a competitive basis to qualifying higher education institutions with graduate programs in teacher training. The Secretary may not provide any individual higher education institution more than \$100,000 per academic year for the purpose of the National Math and Science Teacher Scholarships. An institution applying for such Scholarships may only be eligible to receive funds if such institution—

"(1) meets nationally accredited teacher training graduate program standards; or

"(2) demonstrates to the Secretary that at least 90 percent of the graduates of such a graduate teacher training program take, and on their first attempt pass, the State teacher qualification assessments for new teachers.

"SEC. 281D. INDIVIDUAL SCHOLARSHIP ELIGIBILITY.

"An individual may be eligible for a National Math and Science Teacher Scholarship only if such individual—

"(1) is a citizen or national of the United States or an alien lawfully admitted to the United States for permanent residence;

"(2) is majoring in a physical or life science or mathematics graduate teacher training program;

"(3) is enrolled in a higher education institution that—

"(A) meets nationally accredited teacher training graduate program standards; or

"(B) demonstrates to the Secretary that at least 90 percent of the graduates of such a graduate teacher training program who enter the field of teaching take, and on their first attempt pass, the State teacher qualification assessments for new teachers; and

"(4) is willing to be teacher certified or licensed and commit themselves to teaching math or science in a rural or urban public secondary school for no less than 3 full academic years.

"SEC. 281E. SCHOLARSHIP AMOUNT.

"(a) AMOUNT OF AWARD.—The amount of scholarship awarded by participating teacher training graduate programs under this part for any academic year shall be \$10,000 per student.

"(b) ASSISTANCE NOT TO EXCEED COST OF ATTENDANCE.—No individual shall receive an award under this part in any academic year which exceeds the cost of attendance. A scholarship awarded under this part shall not be reduced on the basis of the student's receipt of other forms of Federal student financial assistance, but shall be taken into account in determining the eligibility of the student for those forms of Federal student financial assistance.

"SEC. 281F. AGREEMENT; GRANT AND STIPEND REPAYMENT PROVISIONS.

"(a) AGREEMENT.—Recipients of the National Math and Science Teachers Scholarships shall agree to teach in an urban or rural public secondary school for no less than 3 full academic years.

"(b) REPAYMENT FOR FAILURE TO FULFILL AGREEMENT.—Any recipients of a Scholarship found by the Secretary to be in non-compliance with the agreement entered into under subsection (a) of this section shall be required to repay a pro rata amount of the scholarship awards received, plus interest and, where applicable, reasonable collection fees, on a schedule and at a rate of interest prescribed by the Secretary by regulations.

"SEC. 281G. EXCEPTIONS TO REPAYMENT PROVISIONS.

"An individual recipient of a Scholarship under this part shall not be considered in violation of the agreement entered into pursuant to section 281F during any period in which the recipient—

"(1) is pursuing a full-time course of study in math and science at an accredited institution;

"(2) is serving, not in excess of 3 years, as a member of the armed services of the United States;

"(3) is totally disabled for a period of time not to exceed 3 years as established by sworn affidavit of a qualified physician;

"(4) is seeking and unable to find full-time employment for a single period not to exceed 12 months;

"(5) is seeking and unable to find full-time employment as a math and science teacher in a public or private nonprofit elementary or secondary school or education program for a single period not to exceed 27 months; or

"(6) satisfies the provision of additional repayment exceptions that may be prescribed by the Secretary in regulations issued pursuant to this section.

"SEC. 281H. REPORT TO CONGRESS.

"On or before January 29, 2002, the Secretary of Education shall submit a report to Congress evaluating the success of the National Math and Science Teacher Scholarships pilot program in recruiting math and science teachers to teach in America's public secondary schools."

H.R. 6

OFFERED BY: MR. ALLEN

AMENDMENT NO. 11: Page 267, after line 11, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(d) FINANCIAL RESPONSIBILITY FOR REFUNDS AND DURING PROVISIONAL CERTIFICATION.—

(1) AMENDMENT.—Section 498(e) is amended by adding at the end the following new paragraphs:

"(6) Notwithstanding any other provision of law, any person required to pay, on behalf of a student or borrower, a refund of unearned institutional charges to a lender, or the Secretary, who willfully fails to pay such refund or willfully attempts in any manner to evade payment of such refund, shall, in addition to other penalties provided by law, be liable to the Secretary for the amount of the refund not paid, to the same extent with respect to such refund that such an individual would be liable as a responsible person for a penalty under section 6672(a) of title 26, United States Code, with respect to the non-payment of taxes.

"(7) Notwithstanding any other provision of law, a proprietary institution of higher education, as defined in section 481(b), may be provisionally certified under subsection (h) only if it provides the Secretary with financial guarantees from one or more individuals whom the Secretary determines, in accordance with subsection (e)(2), exercise substantial control over such institution. Such financial guarantees shall be in addition to any financial guarantees otherwise required from the institution and shall be in an amount determined by the Secretary to be sufficient to satisfy the institution's potential liability to the Federal Government, student assistance recipients, and other program participants for funds under this title during the period of provisional certification."

(2) EFFECTIVE DATE.—The amendments made by paragraph (1)—

(A) relating to responsibility for unpaid refunds, shall be effective with respect to any unpaid refunds that were first required to be paid to a lender or to the Secretary on or after 90 days after the date of enactment of this Act;

(B) relating to financial guarantees required for provisional certification, shall be effective with respect to any proprietary institution of higher education provisionally certified by the Secretary on or after the date of enactment of this Act.

Page 269, after line 4, insert the following new subsection:

(i) CHANGE IN STATUS.—

(1) AMENDMENT.—Section 498(i)(2) is amended by striking subparagraph (E) and inserting the following new subparagraph:

"(E) the change in tax filing status of an institution from for-profit to non-profit; or"

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective on the date of the enactment of this Act.

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 12: Page 153, before line 13, insert the following new subsection (and redesignate the succeeding subsections accordingly):

"(b) CONSOLIDATION LOANS.—Notwithstanding any provision of subsection (a), with respect to any consolidation loan made under section 428C for which the first disbursement is made on or after July 1, 1998, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to—

"(1) the bond equivalent rate of 91-day Treasury bills auctioned at the final auction held prior to such June 1; plus

"(2) 2.3 percent, except that such rate shall not exceed 8.25 percent.

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 13: Page 154, line 18, strike "2.8 percent" and insert "2.3 percent".

Page 155, strike lines 2 and 3 and insert the following:

paragraph shall be applied by substituting '1.7 percent' for '2.3 percent'.

In clause (iv) as amended by the Manager's amendment to page 155, lines 12 through 23, relating to consolidation loans, strike "for '2.8 percent', subject'" and insert "for '2.3 percent', subject'".

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 14: Page 156, after line 3, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 417. INCOME CONTINGENT REPAYMENT UNDER THE FFEL PROGRAM.

Part B of title IV is amended by inserting after section 427A (20 U.S.C. 1077a) the following new section:

"SEC. 427B. INCOME CONTINGENT REPAYMENT OPTION

"(a) AVAILABILITY OF OPTION.—

"(1) INDIVIDUAL LOANS.—An individual who has only one loan outstanding under this part shall, not more than 6 months prior to the date on which the borrower's first payment is due, be offered by the lender the option of repaying the loan in accordance with this section.

"(2) MULTIPLE LOANS.—An individual who has two or more loans outstanding under this part may obtain a consolidation loan under section 428C for the purposes of obtaining the option of repaying the loan in accordance with this section.

"(3) DIRECT LOANS.—An individual who has one or more loans under part D of this title may obtain income contingent repayment pursuant to section 455(e).

"(4) RESTRICTION OF OPTION TO NEW BORROWERS.—Notwithstanding paragraphs (1) through (3), the option of repaying a loan in accordance with this section shall be available only to borrowers who, on the date of enactment of this section, do not have any outstanding balance of principal or interest on any loan made under this part or part D.

"(b) TERMS OF REPAYMENT UNDER OPTION.—

"(1) LOAN OBLIGATIONS UNDER OPTION.—A loan that is subject to repayment under this section shall be repaid in installments that—

"(A) are determined in accordance with paragraph (2) for each one year period beginning on July 1; and

"(B) notwithstanding the note or other written evidence of the loan and subparagraphs (D) and (E) of section 428(b)(1), shall continue to be paid until—

"(i) the borrower has repaid the principal and any accrued or capitalized interest on the loan; or

"(ii) the remaining obligations of the borrower are discharged under subsection (c).

"(2) CALCULATION OF INSTALLMENTS.—

"(A) INSTALLMENT AMOUNTS.—The total amount that a borrower shall be required to pay as installments on a loan of such borrower that is subject to repayment under this section is equal to—

"(i) one-fourth of the annual amount determined under subparagraph (B), in the case of a loan that is repaid in quarterly installments; or

"(ii) one-twelfth of such annual amount, in the case of a loan that is repaid in monthly installments.

"(B) ANNUAL AMOUNT.—The annual amount for a loan that is subject to repayment under this section is determined for each one year period beginning on July 1 of each calendar year. The annual amount is determined by reference to the taxable income of the borrower for the taxable year ending in the calendar year preceding the calendar year in which the determination is made. The annual amount is determined in accordance with the following table:

Annual limit	
If the taxable income of the borrower is—	Then the annual amount is—
Less than \$20,000	3% of taxable income
\$20,001–\$40,000	5% of taxable income
\$40,001–\$60,000	7% of taxable income
\$60,001–\$90,000	10% of taxable income
\$90,001–\$120,000	15% of taxable income
\$120,001 or more	20% of taxable income

"(C) SPECIAL RULE FOR JOINT RETURNS.—If an individual who is a borrower of a loan that is subject to repayment under this section files a joint return for the taxable year on which the annual amount is based, then the annual amount for such individual is determined under subparagraph (B) by treating the taxable income of such individual as equal to one-half the taxable income indicated on such joint return.

"(3) CAPITALIZATION OF UNPAID INTEREST.—

If the amount that any borrower pays as an installment under paragraph (2) on a loan that is subject to repayment under this section is less than the interest that has accrued since the preceding installment, then the remaining unpaid interest shall be added, not more frequently than quarterly, to the principal amount of the loan. Such capitalization of interest shall not be deemed to exceed the annual insurable limit on the account of the borrower.

"(c) DISCHARGE OF OBLIGATION.—

"(1) UNPAID BALANCE REMAINING AFTER 25 YEARS.—If the unpaid balance on a loan that is subject to repayment under this section has not been repaid in full at the end of 25 years of repayment, then—

"(A) the Secretary shall repay the holder of such loan such unpaid balance and the holder of the loans shall be deemed to have a contractual right, as against the United States, to receive from the Secretary such unpaid balance without administrative delay after the receipt by the Secretary of an accurate and complete request for payment; and

"(B) such payment by the Secretary shall be applied to discharge the borrower from any remaining obligation with respect to the loan.

"(2) UNPAID BALANCE.—For the purposes of paragraph (1), the unpaid balance of a loan is the sum of unpaid principal and unpaid accrued and capitalized interest, and any fees, such as late charges, assessed on such loan in accordance with the requirements of this part and the regulations thereunder.

"(e) INFORMATION NEEDED FOR COLLECTION.—

"(1) ACCESS TO TAXPAYER INFORMATION.—The Secretary may obtain such information as is reasonably necessary regarding the taxable income of a borrower (and the borrower's spouse, if applicable) of a loan that is subject to repayment under this section for the purpose of determining the installment caps under subsection (b)(2). Returns and return information (as defined in section 6103 of the Internal Revenue Code of 1986) may be obtained under the preceding sentence only to the extent authorized by section 6103(l)(13) of such Code.

"(2) ADDITIONAL DOCUMENTS.—A borrower of a loan that is subject to repayment under this section and for whom taxable income is unavailable or does not reasonably reflect the borrower's current income, shall provide to the Secretary other documentation of income satisfactory to the Secretary.

"(3) TRANSMISSION OF DATA TO LENDERS.—The Secretary shall, by regulation, establish procedures for the transmission of data gathered under (1) and (2) to the lender or holder of a loan that is subject to repayment under this section.

"(4) NOTIFICATION TO BORROWERS.—The Secretary shall establish procedures under which a borrower of a loan that is subject to repayment under this section is notified of the terms and conditions of such loan, including notification of such borrower—

"(A) that the Internal Revenue Service will disclose to the Secretary tax return information as authorized under section 6103(l)(13) of the Internal Revenue Code of 1986; and

"(B) that if a borrower considers that special circumstances, such as a loss of employment by the borrower or the borrower's spouse, warrant an adjustment in the borrower's loan repayment as determined using the information described in subparagraph (A), or the alternative documentation described in paragraph (2), the borrower may contact the Secretary, who shall determine whether such adjustment is appropriate, in accordance with criteria established by the Secretary.

"(f) DEFINITIONS.—For purposes of this section:

"(1) TAXABLE INCOME.—The taxable income of a borrower is determined in the manner provided in section 63 of the Internal Revenue Code of 1986.

"(2) TAXABLE YEAR.—The term 'taxable year' means the taxable year of a taxpayer for purposes of subtitle A of such Code."

Page 204, after line 5, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 438. INCOME CONTINGENT REPAYMENT UNDER THE FEDERAL DIRECT LOAN PROGRAM.

Section 455(e) of the Higher Education Act of 1965 (20 U.S.C. 1087e(e)) is amended to read as follows:

"(e) PARALLEL INCOME CONTINGENT REPAYMENT.—

"(1) IN GENERAL.—The Secretary shall offer borrowers under this part the option of repaying their loans in the same manner as loans that are subject to repayment in accordance with section 427B.

"(2) EXCEPTIONS.—The Secretary shall prescribe any regulations necessary to implement the requirements of paragraph (1)."

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 15: Page 163, strike out lines 16 and 17 and insert in lieu thereof the following:

(p) LENDERS-OF-LAST-RESORT.—Section 428(j)(3) is amended—

(1) in subparagraph (A)—

(A) in the heading thereof, by striking "DURING TRANSITION TO DIRECT LENDING";

(B) by striking out "during the transition from the Federal Family Education Loan Program under this part to the Federal Direct Student Loan Program under part D of the title," and inserting a comma;

(C) by inserting "designated for a State" immediately after "a guaranty agency"; and (D) by inserting "subparagraph (C) and" immediately before "section 422(c)(7)."; and

(2) by adding at the end thereof the following new subparagraph:

"(C) The Secretary shall exercise the authority described in subparagraph (A) only if the Secretary determines that eligible borrowers are seeking and are unable to obtain loans under this part, and that the guaranty agency designated for that State has the capability to provide lender-of-last-resort loans in a timely manner, in accordance with its obligations under paragraph (1), but cannot do so without advances provided by the Secretary under this paragraph. If the Secretary makes the determinations described in the preceding sentence and determines that it would be cost-effective to do so, the Secretary may provide advances under this paragraph to that guaranty agency. If the Secretary determines that guaranty agency does not have such capability, or will not provide such loans in a timely fashion, the Secretary may provide such advances to enable another guaranty agency, that the Secretary determines to have such capability, to make lender-of-last-resort loans to eligible borrowers in that State who are experiencing loan access problems."

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 16: Page 164, after line 25, insert the following new subsection:

(t) NOTICE OF AVAILABILITY OF INCOME-SENSITIVE REPAYMENT OPTION.—

(1) AMENDMENT.—Section 428 is further amended by adding at the end the following new subsection:

"(o) NOTICE OF AVAILABILITY OF INCOME-SENSITIVE REPAYMENT OPTION.—At the time of offering a borrower a loan under this part, and at the time of offering the borrower the option of repaying a loan in accordance with this subsection, the lender shall provide the borrower with a notice that informs the borrower, in a form prescribed by the Secretary by regulation—

"(1) that all borrowers are eligible for income-sensitive repayment through loan consolidation under section 428C;

"(2) the procedures by which the borrower may elect income-sensitive repayment; and

"(3) where and how the borrower may obtain additional information concerning income-sensitive repayment."

(2) CONFORMING AMENDMENTS.—

(A) Section 428(b)(1)(E)(i) is amended by inserting before the semicolon the following: "or of repaying the loan in accordance with an income-sensitive repayment schedule offered pursuant to section 428C".

(B) Section 485(b)(1)(A) is amended—

(i) by striking "and" at the end of clause (i);

(ii) by striking the period at the end of clause (ii) and inserting "; and"; and

(iii) by adding at the end the following new clause:

"(iii) the information required to be disclosed by lenders pursuant to section 428(o)."

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 17: Page 164, after line 25, insert the following new section (and conform the table of contents accordingly):

SEC. 417A. ADDITIONAL REDUCTIONS AND BENEFITS.

(a) LENDER AND HOLDER RISK SHARING.—Section 428(b)(1)(G) (20 U.S.C. 1078(b)(1)(G)) is amended by striking "98 percent" and inserting "95 percent".

(b) INSURANCE PREMIUMS.—Section 428(b)(1)(H) of such Act is amended—

(1) by inserting the clause designation "(i)" following the subparagraph designation;

(2) by striking "the loan," and inserting "any loan made under section 428 or 428B before July 1, 1998,"; and

(3) after clause (i) (as redesignated by paragraph (1)), by adding "and" and the following new clause:

"(ii) provides that no insurance premiums shall be charged to the borrower of any loan made under section 428 or 428B on or after July 1, 1998;"

(c) DIRECT LOAN ORIGATION FEES.—Section 455(c) (20 U.S.C. 1087e(c)) is amended—

(1) by striking "The Secretary" and inserting "(1) For loans made under this part before July 1, 1998, the Secretary";

(2) by striking "of a loan made under this part"; and

(3) by adding at the end thereof the following new paragraph:

"(2) For Federal Direct Stafford/Ford Loans made under this part on or after July 1, 1998, the Secretary shall charge the borrower an origination fee of 3.0 percent of the principal amount of the loan."

(d) SECRETARY'S EQUITABLE SHARE OF COLLECTIONS.—

(1) AMENDMENT.—Section 428(c)(6)(A)(ii) (20 U.S.C. 1078(c)(6)(A)(ii)), as amended by section 412(d)(2)(A), is further amended by striking "24 percent" and inserting "18.5 percent".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) of this subsection shall be effective with respect to any payments made by borrowers on or after October 1, 1997.

H.R. 6

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 18: Page 248, line 4, strike "and"; on line 10, strike the second period and insert "; and", and after line 10 insert the following:

(7) by adding at the end the following new paragraph:

"(23) The institution will distribute to each student, during registration for enrollment in its instructional program, the mail voter registration application form described in section 9(a)(2) of the National Voter Registration Act of 1993, unless the student, in writing, declines to receive such form."

H.R. 6

OFFERED BY: MR. EDWARDS

AMENDMENT NO. 19: In section 271 of the Higher Education Act of 1965, as amended by the manager's amendment offered by the Gentleman from Pennsylvania, strike "and" at the end of paragraph (2), strike the period at the end of paragraph (3) and insert "; and", and after such paragraph (3) insert the following new paragraph:

"(4) to provide competitive grants to States for assistance in improving the managerial skills of school principals and superintendents.

In section 273(a) of the Higher Education Act of 1965, as amended by the manager's amendment offered by the Gentleman from Pennsylvania, add at the end the following new paragraphs:

"(7) Developing and implementing effective mechanisms to provide principals and superintendents with advanced managerial skills.

"(8) Creating opportunities for school principals and superintendents to further their professional development by providing advanced managerial skills training.

H.R. 6

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT No. 20: Insert at the end of section 271(1) of the Higher Education Act of 1965 as amended by the manager's amendment offered by the Gentleman from Pennsylvania the following: ", such as math, science, English, foreign languages, history, economics, art, and civics".

H.R. 6

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT No. 21: Page 310, strike line 3 and insert the following (and redesignate the succeeding paragraph accordingly):

(3) in subsection (c)(2)—

(A) by striking "and" at the end of subparagraph (E);

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following new subparagraph:

"(F) professional graduate degrees in translation and interpretation; and"; and

H.R. 6

OFFERED BY: MR. FOLEY

AMENDMENT No. 22: Page 346, after line 24, insert the following new part (and conform the table of contents accordingly):

Part C—General Education Provisions Act

SEC. 961. ACCESS TO RECORDS CONCERNING CRIMES OF VIOLENCE.

Section 444(h) of the General Education Provisions Act (20 U.S.C. 1232g(h)) is amended to read as follows:

"(h) DISCIPLINARY RECORDS.—(1) Nothing in this section shall prohibit an educational agency or institution from—

"(A) including appropriate information in the education record of any student concerning disciplinary action taken against such student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community; or

"(B) disclosing such information to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

"(2) Nothing in this section shall prohibit any post-secondary educational agency or institution from disclosing disciplinary records of any kind which contain information that personally identifies a student or students who have either admitted to or been found to have committed any act, which is a crime of violence (as that term is defined in section 16 of title 18, United States Code), in violation of institutional policy, either as a violation of the law or a specific institutional policy, where such records are directly related to such misconduct."

H.R. 6

OFFERED BY: MR. GORDON

AMENDMENT No. 23: Page 53, after line 3, insert the following new part (and conform the table of contents accordingly):

**Part C—Year 2000 Computer Compliance
SEC. 121. YEAR 2000 AUTHORIZATION.**

To ensure that all computer operations and processing including title IV aid processing delivery, and administration is provided without interruption by the Department of Education beyond December 31, 1999, the Secretary of Education shall take each of the following actions:

(1) Publish a risk assessment of the systems and hardware under the Department's

management that has been reviewed by an independent audit firm no later than 60 days after the date of enactment of this Act and to submit such a report to the House and Senate authorizing committees.

(2) Take actions necessary to ensure that all internal and external systems and hardware administered by the Department and required for aid processing and administration under title IV of the Higher Education Act of 1965 are Year 2000 compliant to the extent necessary to ensure that no business interruption occurs. Such actions shall include—

(A) establishing schedules for testing and implementing new exchange formats prior to 1 March 1999 for completing all data exchange corrections; which schedules may include national test days that could be used for end-to-end testing of critical business processes and associated data exchanges affecting Federal, State, and local governments;

(B) notifying exchange partners of the implications to the agency and the exchange partners if they do not make date conversion corrections in time to meet the federal schedule for implementing and testing Year 2000 compliant data exchange processes;

(C) giving priority to installing the filters necessary to prevent the corruption of mission-critical systems from data exchanges with noncompliant systems; and

(D) developing and implementing, as part of the Department's overall business continuity and contingency planning efforts, specific provision for the data exchanges that may fail, including the approaches to be used to mitigate operational problems if their partners do not make date conversion corrections when needed.

(3) Have a qualified independent audit firm review the Department's Year 2000 system and hardware compliance and submit a report on its review to the Secretary and to the chairs of the respective House and Senate authorizing committees no later than June 30, 1999.

(4) Convene at least quarterly meetings with individuals from the school, student, lender, and guarantor communities beginning 30 days after the date of enactment of this act to be responsible—

(A) for reviewing the risk assessment and audit report provided for in paragraphs (1) and (3);

(B) for monitoring the Department's implementation of the Year 2000 change;

(C) for assisting the Department with the development of contingency plans for any item reported to be noncompliant under paragraph (3);

(D) publishing quarterly reports on implementation progress which shall include the Department's status in completing key steps for data exchanges, such as the percent of exchanges inventoried, assess, for which agreements have been reached, testing and implementation schedules and testing and implementation completed; and

(E) providing such a report to the respective House and Senate authorizing committees.

H.R. 6

OFFERED BY: MR. GORDON

AMENDMENT No. 24: Page 138, beginning on line 9, strike subsection (e) through page 139, line 9, and insert the following:

"(e) OWNERSHIP OF FEDERAL FUND.—The Federal fund of the guaranty agency, and nonliquid assets, such as buildings and equipment, purchased by the guaranty agency, in whole or in part with Federal reserve funds, regardless of who holds or controls the reserves or assets, shall be considered to be the property of the United States and the guaranty agency, prorated as to their respec-

tive ownership based on the percentage of such asset acquired with such Federal reserve funds and any other funds, to be used by such agency as authorized by this part. To the extent that a nonliquid asset was acquired only in part with Federal reserve funds, and the cost of such asset was allocated between such Federal reserve funds and other funds, the Secretary may restrict or regulate the use of such asset only to the extent necessary to reasonably protect the Secretary's prorated share of the value of such assets.

Page 142, after line 22, insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

"(3) PURCHASE OF NONLIQUID ASSETS.—The guaranty agency may use the Operating Fund or other non-Federal funds to purchase nonliquid assets of the agency originally acquired, in whole or in part, with Federal reserve funds. Such nonliquid assets may be purchased at fair market value, prorated based on the percentage of such asset acquired with Federal reserve funds; except that a guaranty agency may not use the Operating Fund to purchase any such nonliquid assets during any period in which funds are owed to the Federal Student Loan Reserve Fund as a result of a transfer under 422A(f). The prorated purchase amount shall be deposited in the Federal Student Loan Reserve Fund of the guaranty agency.

Page 143, line 5, strike "the due diligence" and insert "any due diligence".

Page 143, line 7, insert before the period the following: "which are no more burdensome than those regulations in effect upon the date of enactment of this section".

Page 143, line 14, insert before the period the following: "which are no more burdensome than those regulations in effect upon the date of enactment of this section".

Page 144, line 3, strike "The" and insert "Notwithstanding any other provision of law, the".

Page 149, strike line 22 through page 150, line 2, and insert following:

aversion fee. Such fee shall be paid for any loan on which a claim for default has not been paid that the guaranty agency brings into current repayment status on or before the 210th day after the loan becomes 60 days delinquent.

Page 150, strike line 6 through line 10, and insert the following:

by the lender. Such fee shall not be paid more than once on any loan for which the guaranty agency averts the default unless the lender filed a default aversion assistance request at least 12 months after the borrower became current in payments. A guaranty agency may

H.R. 6

OFFERED BY: MR. GORDON

AMENDMENT No. 25: Page 154, beginning on line 5, strike subparagraph (F) through page 155, line 19, and insert the following:

"(F) Subject to paragraph (4), the special allowances paid pursuant to this subsection on loans made on or after July 1, 1998 for which the applicable interest rate is determined under section 427A(a) shall be computed—

"(i) by determining the bond equivalent rate of the average of the quotes as reported by the Federal Reserve of the 3-month commercial paper (financial) rate in effect for each of the days in the quarter for which the rate is being determined;

"(ii) by subtracting the applicable interest rate on such loan from such applicable bond equivalent rate;

"(iii) (I) for Stafford loans during any period in which principal need not be paid (whether or not such principal is in fact

paid) by reason of provision described in section 428(b)(1)(M) or 427(a)(2)(C), by adding 1.8 percent to the resultant percent, (II) for Stafford loans during any other periods, by adding 2.39 percent to the resultant percent, or (III) or PLUS loans, by adding 3.1 percent to the resultant percent; and
 "(iv) by dividing the resultant percent by 4."

H.R. 6

OFFERED BY: MR. HALL OF TEXAS

AMENDMENT NO. 26: At the appropriate place in the bill in Title VIII insert the following new section:

SEC. . TEXAS COLLEGE PROVISION.

The Secretary may not consider audit deficiencies relating to record keeping with respect to qualifying students for financial aid at Texas College, located in Tyler, Texas, for academic years prior to academic year 1994-1995 in determining whether Texas College complies with the financial responsibility and administrative capacity standards under Section 498 of the Higher Education Act of 1965, if Texas College has made a good faith effort to furnish records to the Department with respect to such audits.

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 27: Page 136, line 19 add the following new section:

**TITLE IV—GUARANTY AGENCY
REFORMS**

SEC. 413. GUARANTY AGENCY REFORMS.

Directs the Secretary to conduct a study to investigate to what extent the actions of the lenders and the guarantors impact upon the default rates of student borrowers as it relates to the servicing of the loans or the due diligence of the loan.

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 28: Page 149, line 13, strike "60th" and insert "120th";
 Page 150, line 2, strike "60 days" and insert "120 days".

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 29: Page 182, line 14, strike the close quotation marks and following period and after such line insert the following new paragraph:

"(7) **AUTHORITY OF THE SECRETARY TO ASSIST DISTRESSED INSTITUTION.**—The Secretary is authorized to provide administrative, fiscal, management, strategic planning, and technical assistance through a qualified third-party consultant identified by the institution or an organization representing such institutions. Institutions eligible for such assistance include those institutions which qualify for the exemption in paragraph (2)(C)(i), (ii), and (iii) of this subsection, or which have submitted a default management plan under paragraph (5) which has been accepted by the Secretary.

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 30: Page 270, after line 16, insert the following new section:

SEC. 480. RELIEF FROM OBLIGATION.

To the extent authorized in advance in an appropriation Act, the Secretary may, in settlement of claims found or arising under audits and program reviews under title IV of the Higher Education Act of 1965, forgive the obligations to pay such claims of Texas Southern University relating to the administration of programs under such title, subject to such terms and conditions as Secretary may require with respect to conduct of programs under such title on and after the date of enactment of this Act.

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 31: at the end of the bill, add the following new title:

**TITLE XIII—EARLY DYSLEXIA
DETECTION**

SEC. 1202. EARLY DYSLEXIA DETECTION.

Directs the Secretary to conduct a study and submit a report to the Congress on methods for identifying students with dyslexia early in their educational training, and conduct such study in conjunction with the National Academy of Sciences.

H.R. 6

OFFERED BY: MRS. KELLY

AMENDMENT NO. 32: Page 128, line 12, strike the close quotation marks and following period and after such line insert the following new chapter:

**"CHAPTER 6—PUBLIC SAFETY OFFICER
MEMORIAL SCHOLARSHIPS.**

"SEC. 411A. SCHOLARSHIPS AUTHORIZED.

"(a) **IN GENERAL.**—

"(1) **SCHOLARSHIP AWARDS.**—The Secretary is authorized to award a scholarship to—

"(A) any eligible applicant who is attending, or who has been accepted for attendance at, any eligible institution providing instruction for one or more of grades kindergarten through 12; or

(B) any eligible applicant who is enrolled, or has been accepted for enrollment, in an eligible institution as a full-time or part-time post-secondary level student.

"(2) **APPLICATION.**—To receive a scholarship award under this chapter, each eligible applicant shall submit an application to the Secretary in such time and manner as may be determined appropriate by the Secretary, accompanied by a certification from the head of the agency that employed the public safety officer to whom the applicant was married (in the case of a surviving spouse), or with whom the applicant was living or from whom the applicant was receiving support contributions (in the case of a dependent child), stating that such officer died as a result of the performance of the officer's official duties.

"(b) **MAXIMUM AWARD.**—

"(1) **ELEMENTARY AND SECONDARY AWARDS.**—For any academic year, the maximum amount of a scholarship award under this section for a kindergarten or elementary or secondary school student may equal, but not exceed, the lesser of the following:

"(A) The average per pupil expenditure for elementary and secondary education of the local educational agency for the geographic area in which the eligible applicant resides.

"(B) The actual cost to the student for attendance at the school, including expenses such as tuition, fees, books, transportation costs, and other related expenses determined by the Secretary.

"(2) **POSTSECONDARY AWARDS.**—For any academic year, the maximum amount of a scholarship award under this section for a postsecondary student may equal, but not exceed, the lesser of the following:

"(A) The average cost of attendance (as defined in section 472), at a State university in the State in which the student resides, for a State resident carrying the same academic workload as the student, with the same number of dependents as the student, and residing in the same type of housing as the student.

"(B) The actual cost of attendance (as defined in section 472) of such student.

"(c) **AWARD PERIOD.**—The duration of each award under this chapter—

"(1) for a kindergarten or elementary or secondary school student, shall be the period of time normally required for the completion

of a high school diploma by a student in the grade that the recipient is in at the time the award commences; and

"(2) for a postsecondary student, shall be the lesser of—

"(A) the time actually required by the student to complete a course of study and obtain a diploma; and

"(B) 6 years in the case of a student engaged in undergraduate studies and 3 years in the case of a student engaged in postgraduate studies.

"(d) **NOTIFICATION.**—The Secretary shall notify the recipient and the eligible institution of the applicant's selection for receipt of an award under this chapter, the conditions pertaining to award eligibility and continuance.

"(e) **FISCAL AGENT.**—The Secretary shall, if practicable, use the eligible institution as fiscal agent for payment of an award.

"SEC. 411B. ADDITIONAL AWARD REQUIREMENTS.

A student awarded a scholarship grant under this chapter, as a condition for initial receipt of such award and periodically thereafter as a condition for its continuation, shall demonstrate to the satisfaction of the Secretary that the student is—

"(1) maintaining satisfactory progress in the course of study the student is pursuing—

"(A) in the case of a kindergarten or elementary or secondary school student, as determined by the Secretary; and

"(B) in the case of a postsecondary student, consistent with section 484(c);

"(2) committed to remaining drug-free; and

"(3) attending class on a regular basis as to not interfere with normal course of studies except for excused absence for vacation, illness, military service and such other periods deemed good cause by the eligible institution or the Secretary.

"SEC. 411C. AGREEMENTS WITH ELIGIBLE INSTITUTIONS.

For the purposes of this chapter, the Secretary is authorized to enter into agreements with eligible institutions in which any student receiving a scholarship award under this chapter has enrolled or has been accepted for enrollment. Each such agreement shall—

"(1) provide that an eligible institution will cooperate with the Secretary in carrying out the provisions of this chapter, including the provision of information necessary for a student to satisfy the requirements in section 411B;

"(2) provide that the institution will conduct a periodic review to determine whether students enrolled and receiving scholarship awards continue to be entitled to payments under this chapter and will notify the Secretary of the results of such reviews; and

"(3) provide for control and accounting procedures as may be necessary to assure proper disbursements and accounting of funds paid under to the institution under section 411A(e).

"SEC. 411D. DEFINITIONS.

In this chapter:

"(1) **DEPENDENT CHILD.**—The term 'dependent child' means a child who is either living with or receiving regular support contributions from a public safety officer at the time of the officer's death, including a stepchild or an adopted child.

"(2) **ELIGIBLE APPLICANT.**—The term 'eligible applicant' means a person residing in a State who is—

"(A) a surviving spouse; or

"(B) a dependent child.

"(3) **ELIGIBLE INSTITUTION.**—The term 'eligible institution' means a public or private kindergarten or elementary or secondary school, or any institution defined in section 435(a), if the kindergarten, school, or institution—

"(A) is located in a State; and

"(B) complies with the antidiscrimination provisions of section 601 of the Civil Rights Act of 1964 and does not discriminate on the basis of race.

"(4) PUBLIC SAFETY OFFICERS.—The term 'public safety officer' means a person serving a public agency of a State or of a unit of general local government, with or without compensation, as—

"(A) a law enforcement officer, including a corrections or a court officer engaged in—

"(i) apprehending or attempting to apprehend any person—

"(I) for the commission of a criminal act; or

"(II) who at the time was sought as a material witness in a criminal proceeding; or

"(ii) protecting or guarding a person held for the commission of a criminal act, or held as a material witness in connection with a criminal act; or

"(iii) lawfully preventing of, or lawfully attempting to prevent the commission of, a criminal act or an apparent criminal act, in the performance of his official duty; or

"(B) a firefighter.

"(5) SURVIVING SPOUSE.—The term 'surviving spouse' means the legally married husband or wife of a public safety officer at the time of the officer's death.

"(6) UNIT OF GENERAL LOCAL GOVERNMENT.—The term 'unit of general local government' means any city, country, township, town, borough, parish, village, or any other general purpose subdivision of a State, or any Indian tribe which the Secretary of the Interior determines performs law enforcement functions."

H.R. 6

OFFERED BY: MRS. KELLY

AMENDMENT 33: Page 128, line 12, strike the close quotation marks and following period and after such line insert the following new chapter:

"CHAPTER 6—PUBLIC SAFETY OFFICER MEMORIAL SCHOLARSHIPS.

"SEC. 411A. SCHOLARSHIPS AUTHORIZED.

"(a) IN GENERAL.—

"(1) SCHOLARSHIP AWARDS.—The Secretary is authorized to award a scholarship to any eligible applicant who is enrolled, or has been accepted for enrollment, in an eligible institution as a full-time or part-time postsecondary level student.

"(2) APPLICATION.—To receive a scholarship award under this chapter, each eligible applicant shall submit an application to the Secretary in such time and manner as may be determined appropriate by the Secretary, accompanied by a certification from the head of the agency that employed the public safety officer to whom the applicant was married (in the case of a surviving spouse), or with whom the applicant was living or from whom the applicant was receiving support contributions (in the case of a dependent child), stating that such officer died as a result of the performance of the officer's official duties.

"(b) MAXIMUM AWARD.—For any academic year, the maximum amount of a scholarship award under this section for a postsecondary student may equal, but not exceed, the lesser of the following:

"(1) The average cost of attendance (as defined in section 472), at a State university in the State in which the student resides, for a State resident carrying the same academic workload as the student, with the same number of dependents as the student, and residing in the same type of housing as the student.

"(2) The actual cost of attendance (as defined in section 472) of such student.

"(c) AWARD PERIOD.—The duration of each award under this chapter for a postsecondary student, shall be the lesser of—

"(1) the time actually required by the student to complete a course of study and obtain a diploma; and

"(2) 6 years in the case of a student engaged in undergraduate studies and 3 years in the case of a student engaged in postgraduate studies.

"(d) NOTIFICATION.—The Secretary shall notify the recipient and the eligible institution of the applicant's selection for receipt of an award under this chapter, the conditions pertaining to award eligibility and continuation.

"(e) FISCAL AGENT.—The Secretary shall, if practicable, use the eligible institution as fiscal agent for payment of an award.

"SEC. 411B. ADDITIONAL AWARD REQUIREMENTS.

A student awarded a scholarship grant under this chapter, as a condition for initial receipt of such award and periodically thereafter as a condition for its continuation, shall demonstrate to the satisfaction of the Secretary that the student is—

"(1) maintaining satisfactory progress in the course of study the student is pursuing consistent with section 484(c);

"(2) committed to remaining drug-free; and

"(3) attending class on a regular basis as to not interfere with normal course of studies except for excused absence for vacation, illness, military service and such other periods deemed good cause by the eligible institution or the Secretary.

"SEC. 411C. AGREEMENTS WITH ELIGIBLE INSTITUTIONS.

For the purposes of this chapter, the Secretary is authorized to enter into agreements with eligible institutions in which any student receiving a scholarship award under this chapter has enrolled or has been accepted for enrollment. Each such agreement shall—

"(1) provide that an eligible institution will cooperate with the Secretary in carrying out the provisions of this chapter, including the provision of information necessary for a student to satisfy the requirements in section 411B;

"(2) provide that the institution will conduct a periodic review to determine whether students enrolled and receiving scholarship awards continue to be entitled to payments under this chapter and will notify the Secretary of the results of such reviews; and

"(3) provide for control and accounting procedures as may be necessary to assure proper disbursements and accounting of funds paid under to the institution under section 411A(e).

"SEC. 411D. DEFINITIONS.

In this chapter:

"(1) DEPENDENT CHILD.—The term 'dependent child' means a child who is either living with or receiving regular support contributions from a public safety officer at the time of the officer's death, including a stepchild or an adopted child.

"(2) ELIGIBLE APPLICANT.—The term 'eligible applicant' means a person residing in a State who is—

"(A) a surviving spouse; or

"(B) a dependent child.

"(3) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an eligible institution as defined in section 435(a) that—

"(A) is located in a State; and

"(B) complies with the antidiscrimination provisions of section 601 of the Civil Rights Act of 1964 and does not discriminate on the basis of race.

"(4) PUBLIC SAFETY OFFICER.—The term 'public safety officer' means a person serving a public agency of a State or of a unit of general local government, with or without compensation, as—

"(A) a law enforcement officer, including a corrections or a court officer engaged in—

"(i) apprehending or attempting to apprehend of any person—

"(I) for the commission of a criminal act; or

"(II) who at the time was sought as a material witness in a criminal proceeding; or

"(ii) protecting or guarding a person held for the commission of a criminal act, or held as a material witness in connection with a criminal act; or

"(iii) lawfully preventing of, or lawfully attempting to prevent the commission of, a criminal act or an apparent criminal act in the performance of his official duty; or

"(B) a firefighter.

"(5) SURVIVING SPOUSE.—The term 'surviving spouse' means the legally married husband or wife of a public safety officer at the time of the officer's death.

"(6) UNIT OF GENERAL LOCAL GOVERNMENT.—The term 'unit of general local government' means any city, county, township, town, borough, parish, village, or any other general purpose subdivision of a State, or any Indian tribe which the Secretary of the Interior determines performs law enforcement functions."

H.R. 6

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT No. 34: Page 33, after line 10, insert the following new section (and redesignate the succeeding section and conform the table of contents accordingly):

SEC. 103. NATIONAL RECOGNITION AWARDS.

Section 111, as redesignated by section 101(a)(3)(E), is amended by adding at the end the following new subsection:

"(e) NATIONAL RECOGNITION AWARDS.—

"(1) AWARDS.—For the purpose of providing models of alcohol and drug abuse prevention and education (including treatment-referral) programs in higher education and to focus national attention on exemplary alcohol and drug abuse prevention efforts, the Secretary of Education shall, on an annual basis, make 10 National Recognition Awards to institutions of higher education that have developed and implemented effective alcohol and drug abuse prevention and education programs. Such awards shall be made at a ceremony in Washington, D.C. and a document describing the programs of those who receive the awards shall be distributed nationally.

"(2) APPLICATION.—

"(A) IN GENERAL.—A national recognition award shall be made under paragraph (1) to institutions of higher education which have applied for such award. Such an application shall contain—

"(i) a clear description of the goals and objectives of the alcohol and drug abuse programs of the institution applying,

"(ii) a description of program activities that focus on alcohol and other drug policy issues, policy development, modification, or refinement, policy dissemination and implementation, and policy enforcement;

"(iii) a description of activities that encourage student and employee participation and involvement in both activity development and implementation;

"(iv) the objective criteria used to determine the effectiveness of the methods used in such programs and the means used to evaluate and improve the program efforts;

"(v) a description of special initiatives used to reduce high-risk behavior or increase low risk behavior, or both; and

"(vi) a description of coordination and networking efforts that exist in the community in which the institution is located for purposes of such programs.

"(B) ELIGIBILITY CRITERIA.—All institutions of higher education which are two- and four-year colleges and universities that have established a drug and alcohol prevention

and education program are eligible to apply for a National Recognition Award. To receive such an Award an institution of higher education must be nominated to receive it. An institution of higher education may nominate itself or be nominated by others such as professional associations or student organizations.

“(C) APPLICATION REVIEW.—The Secretary of Education shall appoint a committee to review applications submitted under subparagraph (A). The committee may include representatives of Federal departments or agencies whose programs include alcohol and drug abuse prevention and education efforts, directors or heads (or their representatives) of professional associations that focus on prevention efforts, and non-Federal scientists who have backgrounds in social science evaluation and research methodology and in education. Decisions of the committee shall be made directly to the Secretary without review by any other entity in the Department of Education.

“(D) REVIEW CRITERIA.—Specific review criteria shall be developed by the Secretary in conjunction with the appropriate experts. In reviewing applications under subparagraph (C) the committee shall consider—

“(i) measures of effectiveness of the program of the applicant that should include changes in the campus alcohol and other drug environment or climate and changes in alcohol and other drug use before and after the initiation of the program; and

“(ii) measures of program institutionalization, including an assessment of needs of the institution, the institution's alcohol and drug policies, staff and faculty development activities, drug prevention criteria, student, faculty, and campus community involvement, and a continuation of the program after the cessation of external funding.

“(3) AUTHORIZATION.—For the implementation of the awards program under this subsection, there are authorized to be appropriated \$25,000 for fiscal year 1998, \$66,000 for each of the fiscal years 1999 and 2000, and \$72,000 for each of the fiscal years 2001, 2002, 2003, and 2004.”.

H.R. 6

OFFERED BY: MR. KENNEDY OF
MASSACHUSETTS

AMENDMENT NO. 35: Page 33, after line 10, insert the following new section (and redesignate the succeeding section and conform the table of contents accordingly):

SEC. 103. GRANTS AND CONTRACTS FOR DRUG AND ALCOHOL ABUSE PREVENTION.

(a) GRANT AND CONTRACT AUTHORITY.—Section 111, as redesignated by section 101(a)(3)(E), is amended by adding at the end the following new subsection:

“(e)(1) The Secretary may make grants to institutions of higher education or consortia of such institutions and contracts with such institutions and other organizations to develop, implement, operate, improve, and disseminate programs of prevention, and education (including treatment-referral) to reduce and eliminate the illegal use of drugs and alcohol and their associated violence. Such contracts may also be used for the support of a higher education center for alcohol and drug abuse prevention which will provide training, technical assistance, evaluation, dissemination and associated services and assistance to the higher education community as defined by the Secretary and the institutions of higher education.

“(2) Grants and contracts shall be made available under paragraph (1) on a competitive basis. An institution of higher education, a consortium of such institutions, or other organizations which desire to receive a grant or contract under paragraph (1) shall submit an application to the Secretary at

such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require by regulation.

“(3) The Secretary shall make every effort to ensure—

“(A) the equitable participation of private and public institutions of higher education (including community and junior colleges), and

“(B) the equitable geographic participation of such institutions,

in grants and contracts under paragraph (1). In the award of such grants and contracts, the Secretary shall give appropriate consideration to institutions of higher education with limited enrollment.

“(4) There are authorized to be appropriated to carry out this subsection \$5,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.”.

(b) REPEAL.—Section 4122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7132) is repealed.

H.R. 6

OFFERED BY: MR. KENNEDY OF
MASSACHUSETTS

AMENDMENT NO. 36: Page 123, after line 13, insert the following chapter (and redesignate the succeeding chapters accordingly):

“CHAPTER 5—PUBLIC INFORMATION

“SEC. 409A. DATABASE AND INFORMATION LINE.

“From the funds available under section 409C, the Secretary shall award a contract to maintain and improve—

“(1) a computerized database of all public and private student financial assistance programs, to be accessible to schools and libraries through either modems or toll-free telephone lines; and

“(2) a toll-free information line, including access by telecommunications devices for the deaf (‘TDD’s’), to provide individualized financial assistance information to parents, students, and other individuals, including individuals with disabilities, and to refer students with disabilities and their families to the postsecondary clearinghouse that is authorized under section 633(c) of the Individuals with Disabilities Education Act.

“SEC. 409B. COLLEGE AWARENESS INFORMATION PROGRAM.

“(a) PROGRAM AUTHORITY.—The Secretary is authorized to make grants to, and enter into contracts or cooperative agreements with, institutions of higher education and other public and private institution, agencies, and organizations—

“(1) to conduct an information program designed—

“(A) to broaden the early awareness of postsecondary educational opportunities by elementary secondary school students and their parents; and

“(B) to encourage economically disadvantaged, minority, or at-risk individuals to seek higher education, and to seek higher education and financial assistance counseling at public schools and libraries; and

“(2) to disseminate college awareness information and related data, including establishment and maintenance of an electronic site for such information and data.

“(b) CONTENTS OF MESSAGES.—Announcements and messages supported under this section—

“(1) may be specially designed for students of limited English proficiency,

“(2) shall publicize—

“(A) the availability of Federal student assistance under this Act;

“(B) the importance of postsecondary education in long-term career planning; and

“(C) the need and necessity to complete a secondary education program successfully in order to meet the requirements for college.

“(c) INFORMING CONGRESS.—The Secretary shall keep the appropriate committees of the Congress informed with respect to the efforts made pursuant to this section and shall recommend any additional legislative authority that will serve the purposes of this section.

“SEC. 409C. DATABASE AND INFORMATION LINE.

“There are authorized to be appropriated \$15,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out this chapter.”.

H.R. 6

OFFERED BY: MR. KENNEDY OF
MASSACHUSETTS

AMENDMENT NO. 37: Page 128, line 12, strike the close quotation marks and following period and after such line insert the following new chapter:

“Chapter 6—Paul E. Tsongas Fellowships

“SEC. 411A. SHORT TITLE.

“This chapter may be cited as the ‘Paul E. Tsongas Fellowship Act’.

“SEC. 411B. STATEMENT OF PURPOSE.

“It is the purpose of this chapter to encourage individuals of exceptional achievement and promise, especially members of traditionally underrepresented groups, to pursue careers in fields that confront the global energy and environmental challenges of the 21st century.

“SEC. 411C. DOCTORAL FELLOWSHIPS AUTHORIZED.

“(a) PROGRAM AUTHORIZED.—The Secretary of Education, in consultation with the Secretary of Energy, is authorized to award doctoral fellowships, to be known as Paul E. Tsongas Doctoral Fellowships, in accordance with the provisions of this chapter for study and research in fields of science or engineering that relate to energy or the environment such as physics, mathematics, chemistry, biology, computer science, materials science, environmental science, behavioral science, and social sciences at institutions proposed by applicants for such fellowships.

“(b) PERIOD OF AWARD.—A fellowship under this section shall be awarded for a period of three succeeding academic years, beginning with the commencement of a program of doctoral study.

“(c) FELLOWSHIP PORTABILITY.—Each Fellow shall be entitled to use the fellowship in a graduate program at any accredited institution of higher education in which the recipient may decide to enroll.

“(d) NUMBER OF FELLOWSHIPS.—As many fellowships as may be fully funded according to this chapter shall be awarded each year.

“(e) DESIGNATION OF FELLOWS.—Each individual awarded a fellowship under this chapter shall be known as a ‘Paul E. Tsongas Fellow’ (hereinafter in this chapter referred to as a ‘Fellow’).

“SEC. 411D. ELIGIBILITY AND SELECTION OF FELLOWS.

“(a) ELIGIBILITY.—Only United States citizens are eligible to receive awards under this chapter.

“(b) FELLOWSHIP BOARD.—

“(1) APPOINTMENT.—The Secretary, in consultation with the Director of the National Science Foundation, shall appoint a Paul E. Tsongas Fellowship Board (hereinafter in this part referred to as the ‘Board’) consisting of 5 representatives of the academic science and engineering communities who are especially qualified to serve on the Board. The Secretary shall assure that individuals appointed to the Board are broadly knowledgeable about and have experience in graduate education in relevant fields.

“(2) DUTIES.—The Board shall—

“(A) establish general policies for the program established by this part and oversee its operation;

“(B) establish general criteria for awarding fellowships;

“(C) award fellowships; and

“(D) prepare and submit to the Congress at least once in every 3-year period a report on any modifications in the program that the Board determines are appropriate.

“(4) TERM.—The term of office of each member of the Board shall be 3 years, except that any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor of the member was appointed. No member may serve for a period in excess of 6 years.

“(5) INITIAL MEETING; VACANCY.—The Secretary shall call the first meeting of the Board, at which the first order of business shall be the election of a Chairperson and a Vice Chairperson, who shall serve until 1 year after the date of their appointment. Thereafter each officer shall be elected for a term of 2 years. In case a vacancy occurs in either office, the Board shall elect an individual from among the members of the Board to fill such vacancy.

“(6) QUORUM; ADDITIONAL MEETINGS.—(A) A majority of the members of the Board shall constitute a quorum.

“(B) The Board shall meet at least once a year or more frequently, as may be necessary, to carry out its responsibilities.

“(7) COMPENSATION.—Members of the Board, while serving on the business of the Board, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding the rate of basic pay payable for level IV of the Executive Schedule, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

“(C) UNDERREPRESENTED GROUPS.—In designing selection criteria and awarding fellowships, the Board shall—

“(1) consider the need to prepare a larger number of women and individuals from minority groups, especially from among such groups that have been traditionally underrepresented in the professional and academic fields referred to in section 411B, but nothing contained in this or any other provision of this chapter shall be interpreted to require the Secretary to grant any preference or disparate treatment to the members of any underrepresented group; and

“(2) take into account the need to expand access by women and minority groups to careers heretofore lacking adequate representation of women and minority groups.

“SEC. 411E. PAYMENTS, STIPENDS, TUITION, AND EDUCATION AWARDS.

“(a) AMOUNT OF AWARD.—

“(1) STIPENDS.—The Secretary shall pay to each individual awarded a fellowship under this chapter a stipend in the amount of \$15,000, \$16,500, and \$18,000 during the first, second, and third years of study, respectively.

“(2) TUITION.—The Secretary shall pay to the appropriate institution an amount adequate to cover the tuition, fees, and health insurance of each individual awarded a fellowship under this chapter.

“(3) ADMINISTRATIVE AND TRAVEL ALLOWANCE.—The Secretary shall pay to each host institution an annual \$5,000 allowance for the purpose of covering—

“(A) administrative expenses;

“(B) travel expenses associated with Fellow participation in academic seminars or conferences approved by the host institution; and

“(C) round-trip travel expenses associated with Fellow participation in the internship required by section 411F of this chapter.

“SEC. 411F. REQUIREMENT.

Each Fellow shall participate in a 3-month internship related to the dissertation topic of the Fellow at a national laboratory or equivalent industrial laboratory as approved by the host institution.

“SEC. 411G. FELLOWSHIP CONDITIONS.

“(a) ACADEMIC PROGRESS REQUIRED.—No student shall receive support pursuant to an award under this chapter—

“(1) except during periods in which such student is maintaining satisfactory progress in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded; or

“(2) if the student is engaging in gainful employment other than part-time employment involved in teaching, research, or similar activities determined by the institution to be in support of the student's progress toward a degree.

“(b) REPORTS FROM RECIPIENTS.—The Secretary is authorized to require reports containing such information in such form and filed at such times as the Secretary determines necessary from any person awarded a fellowship under the provisions of this chapter. The reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, or other research center, stating that such individual is fulfilling the requirements of this section.

“(c) FAILURE TO EARN DEGREE.—A recipient of a fellowship under this chapter found by the Secretary to have failed in or abandoned the course of study for which assistance was provided under this chapter may be required, at the discretion of the Secretary, to repay a pro rata amount of such fellowship assistance received, plus interest and, where applicable, reasonable collection fees, on a schedule and at a rate of interest to be prescribed by the Secretary by regulations issued pursuant to this chapter.

“SEC. 411H. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for this chapter \$5,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.

“SEC. 411I. APPLICATION OF GENERAL EDUCATIONAL PROVISIONS ACT.

Section 421 of the General Educational Provisions Act, pertaining to the availability of funds, shall apply to this chapter.

“SEC. 411J. DEFINITIONS.

For purposes of this chapter—

“(1) The term “Secretary” means the Secretary of Education.

“(2) The term “host institution” means an institution where a Paul E. Tsongas Fellow is enrolled for the purpose of pursuing doctoral studies for which support is provided under this chapter.”.

H.R. 6

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT No. 38: Page 260, after line 17, insert the following new section (and conform the table of contents accordingly):

SEC. 475. SENSE OF THE HOUSE OF REPRESENTATIVES.

It is the sense of the House of Representatives that, in an effort to change the culture of alcohol consumption on college campuses, all college and university administrators should adopt the following code of principles:

(1) For an institution of higher education, the president of the institution shall appoint a task force consisting of school administrators, faculty, students, Greek system representatives, and others to conduct a full examination of student and academic life at the institution. The task force will make recommendations for a broad range of policy and program changes that would serve to re-

duce alcohol and other drug-related problems. The institution shall provide resources to assist the task force in promoting the campus policies and proposed environmental changes that have been identified.

(2) The institution shall provide maximum opportunities for students to live in an alcohol-free environment and to engage in stimulating, alcohol-free recreational and leisure activities.

(3) The institution shall enforce a “zero tolerance” policy on the illegal consumption and binge drinking of alcohol by its students and will take steps to reduce the opportunities for students, faculty, staff, and alumni to legally consume alcohol on campus.

(4) The institution shall vigorously enforce its code of disciplinary sanctions for those who violate campus alcohol policies. Students with alcohol or other drug-related problems shall be referred to an on-campus counseling program.

(5) The institution shall adopt a policy to discourage alcoholic beverage-related sponsorship of on-campus activities. It shall adopt policies limiting the advertisement and promotion of alcoholic beverages on campus.

(6) Recognizing that school-centered policies on alcohol will be unsuccessful if local businesses sell alcohol to underage or intoxicated students, the institution shall form a “Town/Gown” alliance with community leaders. That alliance shall encourage local commercial establishments that promote or sell alcoholic beverages to curtail illegal student access to alcohol and adopt responsible alcohol marketing and service practices.

H.R. 6

OFFERED BY: MR. KLING

AMENDMENT No. 39: Page 164, after line 25, insert the following new subsection:

(t) NOTICE TO INSTITUTIONS OF DEFAULTS.—

(1) ADMINISTRATIVE AND FISCAL PROCEDURES.—Section 428(c)(2)(A) is amended by striking “proof that reasonable attempts were made” and inserting “proof that the institution and the State licensing board were contacted and other reasonable attempts were made”.

(2) REIMBURSEMENT.—Section 428(c)(2)(G) (20 U.S.C. 1078(c)(2)(G)) is amended by striking “certifies to the Secretary that diligent attempts have been made” and inserting “demonstrates to the Secretary that diligent attempts, including direct contact with the institution and the State licensing board, have been made”.

(3) NOTICE TO SECRETARY AND PAYMENT OF LOSS.—The third sentence of section 430(a) (20 U.S.C. 1080(a)) is amended by inserting “the institution and the State licensing board were contacted and other” after “submit proof that”.

H.R. 6

OFFERED BY: MR. KLING

AMENDMENT No. 40: Page 177, after line 1, insert the following new subparagraph (and redesignate the succeeding subparagraphs accordingly):

(A) by striking “for the fiscal year for which the determination is made and for the two succeeding fiscal years” and inserting “for the period determined under subparagraph (D)”;

Page 177, after line 14, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

(3) by adding at the end of paragraph (2) the following new subparagraph:

“(D) An institution that is ineligible to participate pursuant to a determination under subparagraph (A) shall be ineligible for a period beginning with the fiscal year for which the determination is made and ending on the earlier of—

"(i) the expiration of the two succeeding fiscal years; or

"(ii) the date on which the final cohort default rates published with respect to such institution are less than the threshold percentage specified in subparagraph (B) for any two of the three most recent fiscal years for which data are available.";

H.R. 6

OFFERED BY: MR. KLUG

AMENDMENT No. 41: Page 161, after line 9, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(j) DELAY IN COMMENCEMENT OF REPAYMENT PERIOD.—Section 428(b)(7) is amended by inserting after subparagraph (C) the following new subparagraph:

"(D) There shall be excluded from the 6 months determined under subparagraph (A)(i) any period during which the student was called or ordered to active duty in a reserve component of the Armed Forces of the United States."

H.R. 6

OFFERED BY: MR. LIVINGSTON

AMENDMENT No. 42: Page 34, after line 5, insert the following new section (and conform the table of contents accordingly):

SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

Title I is further amended by adding after section 112 (as added by section 103) the following new section:

"SEC. 113. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

"(a) PROTECTION OF RIGHTS.—No student attending an institution of higher education on a full- or part-time basis shall, on the basis of protected speech and association, be excluded from participation in, be denied the benefits of, or be subjected to discrimination or official sanction under any education program, activity, or division directly or indirectly receiving financial assistance under this Act, whether or not such program, activity, or division is sponsored or officially sanctioned by the institution.

"(b) SANCTION.—

"(1) IN GENERAL.—No funds shall be made available under this Act to any institution of higher education that the Secretary finds, after notice and opportunity for a hearing, has violated subsection (a) of this section.

"(2) INAPPLICABILITY TO STUDENT ASSISTANCE.—Paragraph (1) shall not apply to any funds that are provided under this Act for student financial assistance.

"(c) EXCEPTION.—This section shall not apply to an institution of higher education that is controlled by a religious or military organization, if the speech or association is not consistent with the religious tenets or military training of the institution.

"(d) SANCTIONS FOR DISRUPTION PERMITTED.—Nothing in this section shall be construed to prevent the imposition of an official sanction on a student that has willfully participated in the disruption or attempted disruption of a lecture, class, speech, presentation, or performance made or scheduled to be made under the auspices of the institution of higher education.

"(e) DEFINITIONS.—

"(1) PROTECTED SPEECH.—The term 'protected speech' means speech that is protected under the 1st and 14th amendments to the United States Constitution, or would be so protected if the institution of higher education were subjected to those amendments.

"(2) PROTECTED ASSOCIATION.—The term 'protected association' means the right to join, assemble, and reside with others that is protected under the 1st and 14th amendments to the United States Constitution, or would be protected if the institution of high-

er education were subject to those amendments.

"(3) OFFICIAL SANCTION.—The term 'official sanction'—

"(A) means expulsion, suspension, probation, censure, condemnation, reprimand, or any other disciplinary, coercive, or adverse action taken by an institution of higher education or administrative unit of the institution; and

"(B) includes an oral or written warning made by an official of an institution of higher education acting in the official capacity of the official."

H.R. 6

OFFERED BY: MR. LIVINGSTON

AMENDMENT No. 43: Page 34, after line 5, insert the following new section (and conform the table of contents accordingly):

SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

Title I is further amended by adding after section 112 (as added by section 103) the following new section:

"SEC. 113. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

"(a) PROTECTION OF RIGHTS.—It is the sense of the House of Representatives that no student attending an institution of higher education on a full- or part-time basis should, on the basis of protected speech and association, be excluded from participation in, be denied the benefits of, or be subjected to discrimination or official sanction under any education program, activity, or division directly or indirectly receiving financial assistance under this Act, whether or not such program, activity, or division is sponsored or officially sanctioned by the institution.

"(b) SANCTIONS FOR DISRUPTION PERMITTED.—Nothing in this section shall be construed to discourage the imposition of an official sanction on a student that has willfully participated in the disruption or attempted disruption of a lecture, class, speech, presentation, or performance made or scheduled to be made under the auspices of the institution of higher education.

"(c) DEFINITIONS.—For the purposes of this section:

"(1) PROTECTED SPEECH.—The term 'protected speech' means speech that is protected under the 1st and 14th amendments to the United States Constitution, or would be so protected if the institution of higher education were subjected to those amendments.

"(2) PROTECTED ASSOCIATION.—The term 'protected association' means the right to join, assemble, and reside with others that is protected under the 1st and 14th amendments to the United States Constitution, or would be protected if the institution of higher education were subject to those amendments.

"(3) OFFICIAL SANCTION.—The term 'official sanction'—

"(A) means expulsion, suspension, probation, censure, condemnation, reprimand, or any other disciplinary, coercive, or adverse action taken by an institution of higher education or administrative unit of the institution; and

"(B) includes an oral or written warning made by an official of an institution of higher education acting in the official capacity of the official."

H.R. 6

OFFERED BY: MR. MCGOVERN

AMENDMENT No. 44: Page 96, after line 7, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(f) PELL GRANT INCENTIVES.—Subpart 1 of part A of title IV of the Higher Education

Act of 1965 is amended by inserting after section 401 (20 U.S.C. 1070a) the following new section:

"SEC. 401A. PELL GRANT INCENTIVES.

"(a) PROGRAM AUTHORITY.—From the amounts appropriated pursuant to subsection (d), the Secretary shall establish a program to increase the Pell grant awards under section 401 during their first two academic years of undergraduate education to students who graduate after May 1, 1998, in the top 10 percent of their high school graduating class.

"(b) AMOUNT OF INCREASE.—The additional amount of Pell grant that shall be awarded under this section to any student who qualifies under this section shall be an amount equal to the amount for which the student is eligible under section 401 (determined without regard to the provisions of this section), except that if the amount appropriated pursuant to subsection (d) is less than the amount required to award such additional amounts to all such students, the additional amount awarded to each such student under this section shall be ratably reduced.

"(c) DETERMINATIONS OF ELIGIBILITY.—

"(1) PROCEDURES ESTABLISHED BY REGULATION.—The Secretary shall establish by regulation procedures for the determination of eligibility of students for increased Pell grant awards under this section. Such procedures shall include measures to prevent any secondary school from certifying more than 10 percent of its students for eligibility under this section.

"(2) COORDINATION WITH NEED ANALYSIS.—In prescribing procedures under paragraph (1), the Secretary shall ensure that the determination of eligibility and the amount of the increase in the Pell grant award is determined in a timely manner consistent with the requirements of section 482 and the submission of the financial aid form required by section 483. For such purposes, the Secretary may provide that, for the first of a student's two academic years of eligibility under this section, class rank may be determined prior to graduation, at such time and in such manner as the Secretary may specify in the regulations prescribed under this subsection.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to award increased Pell grants under this section \$240,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years."

H.R. 6

OFFERED BY: MRS. MEEK OF FLORIDA

AMENDMENT No. 45: Page 128, line 12, strike the close quotation marks and following period and after such line insert the following:

"CHAPTER 6—DEMONSTRATION PROJECTS ENSURING EQUAL OPPORTUNITY FOR INDIVIDUALS WITH LEARNING DISABILITIES

"SEC. 412A. PROGRAM AUTHORITY.

"(a) IN GENERAL.—The Secretary may award grants to, and enter into contracts and cooperative agreements with, not more than 5 institutions of higher education that are described in section 412B for demonstration projects to develop, test, and disseminate, in accordance with section 412C, methods, techniques, and procedures for ensuring equal educational opportunity for individuals with learning disabilities in postsecondary education.

"(b) AWARD BASIS.—Grants, contracts, and cooperative agreements shall be awarded on a competitive basis.

"(c) AWARD PERIOD.—Grants, contracts, and cooperative agreements shall be awarded for a period of 3 years.

"SEC. 412B. ELIGIBLE ENTITIES.

"Entities eligible to apply for a grant, contract, or cooperative agreement under this

chapter are institutions of higher education with demonstrated prior experience in meeting the postsecondary educational needs of individuals with learning disabilities.

"SEC. 412C. REQUIRED ACTIVITIES.

"A recipient of a grant, contract, or cooperative agreement under this chapter shall use the funds received under this chapter to carry out each of the following activities:

"(1) Developing or identifying innovative, effective, and efficient approaches, strategies, supports, modifications, adaptations, and accommodations that enable individuals with learning disabilities to fully participate in postsecondary education.

"(2) Synthesizing research and other information related to the provision of services to individuals with learning disabilities in postsecondary education.

"(3) Conducting training sessions for personnel from other institutions of higher education to enable them to meet the special needs of postsecondary students with learning disabilities.

"(4) Preparing and disseminating products based upon the activities described in paragraphs (1) through (3).

"(5) Coordinating findings and products from the activities described in paragraphs (1) through (4) with other similar products and findings through participation in conferences, groups, and professional networks involved in the dissemination of technical assistance and information on postsecondary education.

"SEC. 412D. PRIORITY.

"The Secretary shall ensure that, to the extent feasible, there is a national geographic distribution of grants, contracts, and cooperative agreements awarded under this chapter throughout the States, except that the Secretary may give priority, with respect to one of the grants to be awarded, to a historically Black college or university that satisfies the requirements of section 412B.

"SEC. 412E. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this chapter \$10,000,000 for each of the fiscal years 1999 through 2001."

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 46: Page 68, line 12, redesignate section 206 as section 207, and before such line insert the following new section (and conform the table of contents accordingly):

SEC. 206. ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS.

Title II is further amended by adding at the end the following new part:

"PART F—ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS

"SEC. 281. DATA COLLECTION.

"(a) DATA REQUIRED.—Within one year after the date of enactment of the Higher Education Amendments of 1998, and annually thereafter, the Secretary shall collect from each State and publish the following information:

"(1) A description of the teacher licensing and credentialing assessments used by each State, including any and all assessments required in the subject matter area or areas in which a teacher provides instruction.

"(2) The standards and criteria established by each State that teachers or prospective teachers must meet in order to receive a passing score on such assessments, including information on the extent to which passing such examinations is required in order for an individual to be a classroom teacher.

"(3) Information on the extent to which teachers or prospective teachers in each

State are required to take examinations or other assessments of their subject matter knowledge in the area or areas in which they provide instruction, the standards established for passing any such assessments, and the extent to which teachers or prospective teachers are required to receive a passing score on such assessments in order to teach in specific subject areas or grade levels.

"(4) Information on the extent to which each State waives teacher credentialing and licensing requirements, including the proportion of all teachers or prospective teachers in the State for whom such licensing and credentialing requirements have been waived and the distribution of such individuals across high- and low-poverty schools and across grade levels and subject areas.

"(5) The pass rate, for the preceding year, on all teacher licensing and credentialing assessments for all individuals in the State who took such assessments, disaggregated by the institution of higher education from which the teacher received his or her most recent degree, gender, race, and ethnicity.

"(b) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher licensing or credentialing assessments in a State other than the State in which the individual received his or her most recent degree.

"(c) USE OF LOCAL AGENCIES.—For each State in which there are no State licensing or credentialing assessments, the Secretary shall, to the extent practicable, collect data comparable to the data described in paragraphs (1) through (5) of subsection (a) from local educational agencies, colleges and universities, or other entities that administer such assessments to teachers or prospective teachers.

"SEC. 282. DATA DISSEMINATION.

"(a) EFFECTIVE DATE OF REQUIREMENTS.—The data required to be distributed under this section shall be distributed beginning within 3 years after the date of enactment of the Higher Education Amendments of 1998 and annually thereafter.

"(b) PASSING RATES.—Each institution of higher education that has a course of study that prepares elementary and secondary school teachers and receives Federal funds will report and distribute widely, including through prominent publications such as catalogs and promotional materials sent to potential applicants, high school guidance counselors, and the employers of graduates of such institutions, their pass rate for graduates of the institution on each of the State's initial teacher certification and licensing assessments for the most recent year for which data are available at the time of publication of such materials.

"(c) IDENTIFICATION OF INSTITUTIONS WITH PASSING RATES BELOW 70 PERCENT.—Each State shall submit to the Secretary a list of institutions of higher education that prepare teachers and receive Federal funds under this Act for which, for the preceding year, less than 70 percent of graduates who took any of the State's initial teacher licensing and credentialing assessments failed to receive a passing score on any such assessment. For each assessment, data shall be disaggregated by the institution of higher education from which the test taker received his or her most recent degree, unless such degree was granted more than 3 years prior to the date such assessment was administered. Data shall also be disaggregated by subject, grade level, gender, race, and ethnicity where appropriate. The State shall distribute this list widely, including to high school guidance counselors.

"(d) REPORT ON IMPROVEMENT EFFORTS.—Each institution for which the pass rate, for

the preceding year, of graduates on any teacher licensing and credentialing assessment falls below 70 percent shall report to the State on efforts underway to improve the performance of its graduates on such assessments. Each State shall gather and publicize all such reports and submit them to the Secretary. Such report shall include—

"(1) efforts underway by the institution to provide additional resources to the institution's teacher preparation program;

"(2) efforts underway by the institution or the teacher preparation program to implement more challenging admissions standards or more rigorous academic and curricular standards for teacher training programs;

"(3) efforts to improve the subject area knowledge of teachers, particularly in those subject areas in which less than 70 percent of graduates achieve passing scores on State assessments; and

"(4) participation in collaborative efforts with the State or Federal Government (including grants through this title) or with nongovernmental organizations to upgrade the quality of the institution's teacher preparation program.

"(e) FINES.—In addition to the actions authorized in section 487(c), the Secretary shall impose a fine of not less than \$25,000 on an institution of higher education for failure to provide the information described in section 281 and this section in a timely and accurate manner, or for failing to cooperate with the State and the Secretary to obtain the information required by this section. The Secretary shall use any and all such funds collected through such fines for the purpose of supplementing grants made under this title.

"SEC. 283. TERMINATION OF ELIGIBILITY.

"(a) EFFECTIVE DATE.—The provisions of this section shall be effective on and after 5 years after the date of enactment of the Higher Education Amendments of 1998.

"(b) LOSS OF TITLE IV ELIGIBILITY.—

"(1) IN GENERAL.—A student who is enrolled in an institution of higher education as a major in a school or department of education, or who is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher, shall be ineligible for aid under title IV of this Act to cover the cost of instruction associated with enrollment in such school, department, or program unless at least 70 percent of the graduates of such school, department, or program who took State teacher licensing and certification assessments, received a passing score on all such assessments for the preceding 2 consecutive years.

"(2) CLARIFICATION.—Notwithstanding paragraph (1)—

"(A) a student who is enrolled in an institution of higher education as a major in a school or department of education, or who is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher, shall be eligible for aid under title IV of this Act for classes offered outside such school, department, or program; and

"(B) the Secretary may not impose as a remedy for failure to comply with the requirements of this section any sanction affecting the eligibility of any student for assistance under Title IV of this Act unless such student is a major in a school or department of education or is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher.

"(c) SCORING CHANGES.—

"(1) LOWERING SCORES.—Any State which lowers its qualifying score, with the effect of decreasing the difficulty of achieving a passing score on any such assessment, shall report the change to the Secretary. For the

purposes of this section, the pass rate for such State shall be computed based on the qualifying scores in place on the date of enactment of the Higher Education Amendments of 1998.

“(2) RAISING SCORES.—For the purposes of this section, any State which raises its cut score in order to increase the difficulty of passing any such assessment shall have the option of calculating pass rates on such assessments based on the original, lower qualifying score for a period of not more than 5 years.

“SEC. 284. NATIONAL TEACHER CERTIFICATION PROHIBITED.

“Nothing in this part shall be construed to permit, allow, encourage, or authorize any national system of teacher certification.”.

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT No. 47: Page 68, line 12, redesignate section 206 as section 207, and before such line insert the following new section (and conform the table of contents accordingly):

SEC. 206. ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS.

Title II is further amended by adding at the end the following new part:

“PART F—ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS

“SEC. 281. DATA COLLECTION.

“(a) DATA REQUIRED.—Within one year after the date of enactment of the Higher Education Amendments of 1998, and annually thereafter, the Secretary shall collect from each State and publish the following information:

“(1) A description of the teacher licensing and credentialing assessments used by each State, including any and all assessments required in the subject matter area or areas in which a teacher provides instruction.

“(2) The standards and criteria established by each State that teachers or prospective teachers must meet in order to receive a passing score on such assessments, including information on the extent to which passing such examinations is required in order for an individual to be a classroom teacher.

“(3) Information on the extent to which teachers or prospective teachers in each State are required to take examinations or other assessments of their subject matter knowledge in the area or areas in which they provide instruction, the standards established for passing any such assessments, and the extent to which teachers or prospective teachers are required to receive a passing score on such assessments in order to teach in specific subject areas or grade levels.

“(4) Information on the extent to which each State waives teacher credentialing and licensing requirements, including the proportion of all teachers or prospective teachers in the State for whom such licensing and credentialing requirements have been waived and the distribution of such individuals across high- and low-poverty schools and across grade levels and subject areas.

“(5) The pass rate, for the preceding year, on all teacher licensing and credentialing assessments for all individuals in the State who took such assessments, disaggregated by the institution of higher education from which the teacher received his or her most recent degree, gender, race, and ethnicity.

“(b) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher licensing or credentialing assessments in a State other than the State in which the individual received his or her most recent degree.

“(c) USE OF LOCAL AGENCIES.—For each State in which there are no State licensing or credentialing assessments, the Secretary shall, to the extent practicable, collect data comparable to the data described in paragraphs (1) through (5) of subsection (a) from local educational agencies, colleges and universities, or other entities that administer such assessments to teachers or prospective teachers.

“SEC. 282. DATA DISSEMINATION.

“(a) EFFECTIVE DATE OF REQUIREMENTS.—The data required to be distributed under this section shall be distributed beginning within 3 years after the date of enactment of the Higher Education Amendments of 1998 and annually thereafter.

“(b) PASSING RATES.—Each institution of higher education that has a course of study that prepares elementary and secondary school teachers and receives Federal funds will report and distribute widely, including through prominent publications such as catalogs and promotional materials sent to potential applicants, high school guidance counselors, and the employers of graduates of such institutions, their pass rate for graduates of the institution on each of the State's initial teacher certification and licensing assessments for the most recent year for which data are available at the time of publication of such materials.

“(c) IDENTIFICATION OF INSTITUTIONS WITH PASSING RATES BELOW 70 PERCENT.—Each State shall submit to the Secretary a list of institutions of higher education that prepare teachers and receive Federal funds under this Act for which, for the preceding year, less than 70 percent of graduates who took any of the State's initial teacher licensing and credentialing assessments failed to receive a passing score on any such assessment. For each assessment, data shall be disaggregated by the institution of higher education from which the test taker received his or her most recent degree, unless such degree was granted more than 3 years prior to the date such assessment was administered. Data shall also be disaggregated by subject, grade level, gender, race, and ethnicity where appropriate. The State shall distribute this list widely, including to high school guidance counselors.

“(d) REPORT ON IMPROVEMENT EFFORTS.—Each institution for which the pass rate, for the preceding year, of graduates on any teacher licensing and credentialing assessment falls below 70 percent shall report to the State on efforts underway to improve the performance of its graduates on such assessments. Each State shall gather and publicize all such reports and submit them to the Secretary. Such report shall include—

“(1) efforts underway by the institution to provide additional resources to the institution's teacher preparation program;

“(2) efforts underway by the institution or the teacher preparation program to implement more challenging admissions standards or more rigorous academic and curricular standards for teacher training programs;

“(3) efforts to improve the subject area knowledge of teachers, particularly in those subject areas in which less than 70 percent of graduates achieve passing scores on State assessments; and

“(4) participation in collaborative efforts with the State or Federal Government (including grants through this title) or with nongovernmental organizations to upgrade the quality of the institution's teacher preparation program.

“(e) FINES.—In addition to the actions authorized in section 487(c), the Secretary shall impose a fine of not less than \$25,000 on an institution of higher education for failure to provide the information described in section

281 and this section in a timely and accurate manner, or for failing to cooperate with the State and the Secretary to obtain the information required by this section. The Secretary shall use any and all such funds collected through such fines for the purpose of supplementing grants made under this title.”.

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT No. 48: Page 68, line 12, redesignate section 206 as section 207, and before such line insert the following new section (and conform the table of contents accordingly):

SEC. 206. ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS.

Title II is further amended by adding at the end the following new part:

“PART F—ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS

“SEC. 281. TERMINATION OF ELIGIBILITY.

“(a) EFFECTIVE DATE.—The provisions of this section shall be effective on and after 5 years after the date of enactment of the Higher Education Amendments of 1998.

“(b) LOSS OF TITLE IV ELIGIBILITY.—

“(1) IN GENERAL.—A student who is enrolled in an institution of higher education as a major in a school or department of education, or who is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher, shall be ineligible for aid under title IV of this Act to cover the cost of instruction associated with enrollment in such school, department, or program unless at least 70 percent of the graduates of such school, department, or program who took State teacher licensing and certification assessments, received a passing score on all such assessments for the preceding 2 consecutive years.

“(2) CLARIFICATION.—Notwithstanding paragraph (1)—

“(A) a student who is enrolled in an institution of higher education as a major in a school or department of education, or who is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher, shall be eligible for aid under title IV of this Act for classes offered outside such school, department, or program; and

“(B) the Secretary may not impose as a remedy for failure to comply with the requirements of this section any sanction affecting the eligibility of any student for assistance under Title IV of this Act unless such student is a major in a school or department of education or is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher.

“(c) SCORING CHANGES.—

“(1) LOWERING SCORES.—Any State which lowers its qualifying score, with the effect of decreasing the difficulty of achieving a passing score on any such assessment, shall report the change to the Secretary. For the purposes of this section, the pass rate for such State shall be computed based on the qualifying scores in place on the date of enactment of the Higher Education Amendments of 1998.

“(2) RAISING SCORES.—For the purposes of this section, any State which raises its cut score in order to increase the difficulty of passing any such assessment shall have the option of calculating pass rates on such assessments based on the original, lower qualifying score for a period of not more than 5 years.”.

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT No. 49: Page 68, line 12, redesignate section 206 as section 207, and before such line insert the following new section (and conform the table of contents accordingly):

SEC. 206. ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS.

Title II is further amended by adding at the end the following new part:

"PART F—ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS

"SEC. 281. DATA COLLECTION.

"(a) DATA REQUIRED.—Within one year after the date of enactment of the Higher Education Amendments of 1998, and annually thereafter, the Secretary shall collect from each State receiving funds under this Act and publish the following information:

"(1) A description of the teacher licensing and credentialing assessments used by each State, including any and all assessments required in the subject matter area or areas in which a teacher provides instruction.

"(2) The standards and criteria established by each State that teachers or prospective teachers must meet in order to receive a passing score on such assessments, including information on the extent to which passing such examinations is required in order for an individual to be a classroom teacher.

"(3) Information on the extent to which teachers or prospective teachers in each State are required to take examinations or other assessments of their subject matter knowledge in the area or areas in which they provide instruction, the standards established for passing any such assessments, and the extent to which teachers or prospective teachers are required to receive a passing score on such assessments in order to teach in specific subject areas or grade levels.

"(4) Information on the extent to which each State waives teacher credentialing and licensing requirements, including the proportion of all teachers or prospective teachers in the State for whom such licensing and credentialing requirements have been waived and the distribution of such individuals across high- and low-poverty schools and across grade levels and subject areas.

"(5) The pass rate, for the preceding year, on all teacher licensing and credentialing assessments for all individuals in the State who took such assessments, disaggregated by the institution of higher education from which the teacher received his or her most recent degree.

"(b) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher licensing or credentialing assessments in a State other than the State in which the individual received his or her most recent degree.

"(c) USE OF LOCAL AGENCIES.—For each State in which there are no State licensing or credentialing assessments, the Secretary shall, to the extent practicable, collect data comparable to the data described in paragraphs (1) through (5) of subsection (a) from local educational agencies, colleges and universities, or other entities that administer such assessments to teachers or prospective teachers.

"SEC. 282. DATA DISSEMINATION.

"(a) EFFECTIVE DATE OF REQUIREMENTS.—The data required to be distributed under this section shall be distributed beginning within 3 years after the date of enactment of the Higher Education Amendments of 1998 and annually thereafter.

"(b) PASSING RATES.—Each institution of higher education that has a course of study that prepares elementary and secondary school teachers and receives Federal funds will report and distribute widely, including through prominent publications such as catalogs and promotional materials sent to potential applicants, high school guidance counselors, and the employers of graduates of such institutions, their pass rate for graduates of the institution on each of the State's initial teacher certification and licensing assessments for the most recent year for which data are available at the time of publication of such materials.

"(c) IDENTIFICATION OF INSTITUTIONS WITH PASSING RATES BELOW 70 PERCENT.—Each State shall submit to the Secretary a list of institutions of higher education that prepare teachers and receive Federal funds under this Act for which, for the preceding year, less than 70 percent of graduates who took any of the State's initial teacher licensing and credentialing assessments failed to receive a passing score on any such assessment. For each assessment, data shall be disaggregated by the institution of higher education from which the student received his or her most recent degree, unless such degree was granted more than 3 years prior to the date such assessment was administered.

"SEC. 283. STATE FUNCTIONS.

"(a) STATE ASSESSMENT.—In order to receive funds under this Act, a State shall, no later than one year after the date of enactment of the Higher Education Amendments of 1998, have in place a procedure to identify low performing programs of teacher preparation within institutions of higher education. Such levels of performance shall be determined solely by the State and may include criteria based upon information collected pursuant to this part. Such assessment shall be described in the report under section 281.

"(b) TERMINATION OF ELIGIBILITY.—Any institution of higher education that offers a program of teacher preparation in which the State has withdrawn its approval or terminated its financial support due to the low performance of its teacher preparation program based upon the State assessment described in section (a)—

"(1) shall be ineligible for any funding for professional development activities awarded by the Department of Education; and

"(2) shall not be permitted to accept or enroll any student that receives aid under title IV of this Act in its teacher preparation program.

"SEC. 284. NEGOTIATED RULEMAKING.

"If the Secretary develops any regulations implementing section 283(b)(2), the Secretary shall submit such proposed regulations to a negotiated rulemaking process which shall include representatives of States and institutions of higher education for their review and comment.

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT No. 50: Page 334, after line 19, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 806. LABOR CODES OF CONDUCT.

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

(1) American workers have the right to a fair and safe workplace and to reasonable compensation under the law, such as under the Fair Labor Standards Act, the National Labor Relations Act, and the Occupational Safety and Health Act.

(2) Despite United States workplace laws, sweatshops and other forms of labor exploitation persist domestically. The Clinton Ad-

ministration's Department of Labor has recovered \$23,100,000 in illegally held back wages for over 45,000 garment workers, including \$2,900,000 in back wages in 1997 alone. In 1997, 63 percent of the New York City garment shops investigated by the Department of Labor were found in violation of the minimum wage and overtime provisions of the Fair Labor Standards Act. And, a recent study commissioned by the Associated Press found that 13,000 children work in sweatshops in the United States.

(3) The use of sweatshop and child labor abroad for goods imported to the United States remains a problem, particularly in the apparel and sporting goods sectors, including the use of subminimum wages, bonded and indentured labor, and unhealthy working conditions. The International Labor Organization estimated there are 250,000,000 underage children working worldwide, in all sectors of the economy, such as agriculture, services and manufacturing for domestically consumed and exported items.

(4) Federal law, including the Trade Act of 1930, bans the importation of products made with indentured servitude, forced or slave labor into the United States.

(5) Codes of Conduct are voluntary steps taken by the private sector.

(6) Rigorous codes of conduct are an important component of a larger set of tools to reduce sweatshop and child labor.

(7) The Apparel Industry Partnership, comprised of major retail companies, human rights groups and labor unions, is seeking agreement on a code of conduct to reduce the use of sweatshops and child labor.

(8) American consumers have repeatedly expressed an interest in buying goods not made with exploited labor.

(9) American consumers frequently have no ability to know whether a product has been made with exploited labor.

(10) Informed consumer choices can be a powerful tool in the reduction of sweatshops and exploited labor.

(11) The market for college and university licensed merchandise such as caps, t-shirts, sweat pants, and other items is valued at over \$2,000,000,000 a year, with 80 percent of the market coming from apparel products.

(12) Several universities, including most recently Duke University and Brown University, have adopted codes of conduct specifically requiring companies that manufacture products bearing those universities' names to adhere to minimum labor standards both domestically and abroad.

(13) Few universities and colleges, and none of those with the largest volume of merchandise sales, have labor codes of conduct regarding sweatshop and child labor covering companies that market their merchandise.

(15) The Association of Collegiate Licensing Administrators is expected to discuss labor codes of conduct at its annual meeting beginning on May 13.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that all American colleges and universities should adopt rigorous labor codes of conduct to assure that university and college licensed merchandise is not made by sweatshop and exploited adult or child labor either domestically or abroad and that such codes should include but not be limited to: public reporting of the code and the companies adhering to it; independent monitoring of the companies adhering to the code by entities not limited to major international accounting firms; an explicit prohibition on the use of child labor; an explicit requirement that companies pay workers at least the governing minimum wage and applicable overtime; explicit requirement that companies allow workers the right to organize without retribution; and, an explicit requirement that companies maintain a safe and healthy workplace.

H.R. 6

OFFERED BY: MR. OWENS

AMENDMENT NO. 51: Page 68, after line 11, insert the following new section (and redesignate the succeeding section accordingly):

SEC. 206. POSTSECONDARY INFORMATION TECHNOLOGY EDUCATION RECRUITMENT

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

(1) There are more than 200,000 to 400,000 vacancies in various categories of information technology jobs.

(2) From 1996 to 2005, more than 1,300,000 new computer scientists, engineers, and systems analysts will be required in the United States to fill vacant jobs, which equals 136,800 new workers per year.

(3) Systems analysts will experience the largest job growth, accounting for a 103 percent increase in the number of new positions from 1996 (506,000) to 2005 (1,025,000).

(4) The shortage of information technology workers transcends industries, affecting the manufacturing, service, transportation, health care, education, and government sectors. Within each sector, vacancies exist at all levels from aides and mechanics to programmers and designers.

(5) The information technology worker shortage is having an adverse effect on the viability of businesses in the United States and on the Nation's competitiveness. Industry surveys report that half of industry executives cite the lack of workers skilled in technology as the number one obstacle to their company's growth. An additional 20 percent of industry executives identify the lack of information technology workers as a major obstacle to their company's growth.

(6) A major factor affecting the short supply of information technology workers is the mismatch between what universities teach and what industry needs.

(7) It is in the national interest to promote special initiatives which effectively educate and train our domestic workforce to keep pace with these expanding job opportunities.

(8) Institutions of higher education have the capacity and resources to provide a role of oversight and technical assistance to a wide range of local entities, including community-based organizations, participating in a comprehensive education and training program for potential technology workers.

(9) Higher education institutions must be responsive to the digital environment and expand both their outreach efforts and on-campus activities to train and certify individuals to close the information technology worker gap.

(b) AMENDMENT.—Title II is amended by adding at the end the following:

"PART G—INFORMATION TECHNOLOGY EDUCATION RECRUITMENT

"SEC. 281. PARTNERSHIPS FOR POSTSECONDARY INFORMATION TECHNOLOGY EDUCATION RECRUITMENT

"(a) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—The Secretary may make grants under this section, in accordance with competitive criteria established by the Secretary, to institutions of higher education, in order to establish, oversee the operation of, and provide technical assistance to, projects described in paragraph (2).

"(2) PROJECTS.—Projects under this section shall be projects implemented by a community-based organization described in subsection (b), or by the institution of higher education receiving the grant, to provide postsecondary information technology education and employment procurement assistance to eligible individuals described in subsection (c).

"(3) RESTRICTIONS.—An institution of higher education shall be eligible to receive only one grant under this section, but may, sub-

ject to the requirements of this section, use the grant to enter into contracts with more than one community-based organization. A community-based organization shall not be eligible to enter into a contract under this section with more than one institution of higher education.

"(4) PERIOD OF GRANT.—The provision of payments under a grant under this section shall not exceed 5 fiscal years and shall be subject to the annual approval of the Secretary and subject to the availability of appropriations for each fiscal year involved.

"(b) COMMUNITY-BASED ORGANIZATIONS.—

"(1) IN GENERAL.—Subject to paragraph (2), a community-based organization described in this subsection is an entity that, at the time the entity enters into a contract with an institution of higher education for a project under this section, and throughout the duration of that contract—

"(A) is—

"(i) a governmental agency; or

"(ii) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

"(B) is one of the following:

"(i) A local partnership (as defined in section 4 of the School-to-Work Opportunities Act of 1994) receiving a grant under section 302 of such Act.

"(ii) An entity organized and operated for religious purposes.

"(iii) An entity furnishing school-age child care services after school.

"(iv) A community-based college computer recruitment center.

"(v) An entity furnishing adult education.

"(vi) A library.

"(vii) A museum.

"(viii) Any other entity organized and operated for cultural, literary, or educational purposes.

"(2) LIMITATION.—An entity shall not be considered a community-based organization described in this subsection unless, at the time the entity enters into a contract with an institution of higher education for a project under this section, it has demonstrated to the satisfaction of the Secretary that—

"(A) it has the capacity successfully to recruit eligible individuals described in subsection (c) for participation in a project described in subsection (a), consistent with the enrollment requirements in subsection (d)(2)(E);

"(B) it is providing an educational service, social service, or employment procurement service; and

"(C) in the case of an entity that independently manages its own finances, it has been in existence 2 years or more.

"(c) ELIGIBLE INDIVIDUALS.—An eligible individual described in this subsection is an individual who—

"(1) has submitted a satisfactory application to receive postsecondary information technology education recruitment assistance through a project under this section; and

"(2) has a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate.

"(d) DUTIES.—

"(1) INSTITUTIONS OF HIGHER EDUCATION.—An institution of higher education receiving a grant under this section shall use the funds provided under the grant to carry out the following duties:

"(A) Final selection of community-based organizations described in subsection (b) desiring to provide, at one or more sites, in accordance with a contract with the institution of higher education and this section, postsecondary information technology education and employment procurement assist-

ance to eligible individuals described in subsection (c).

"(B) Entering into a contract with each community-based organization selected under subparagraph (A) under which the institution and the organization agree to carry out the duties respectively required of them under this section with respect to each site described in subparagraph (A).

"(C) With respect to each site described in subparagraph (A)—

"(i) design of a process for the recruitment of students from site to enroll in college courses or matriculate in college programs;

"(ii) provision of such funding for the establishment and initial operation of the site as was specified in the grant application submitted by the institution to the Secretary;

"(iii) approval of final site selection and preparation;

"(iv) initial orientation and training of personnel employed to manage and operate the site;

"(v) design and certification of the instructional and academic programs, and oversight of the implementation of the programs;

"(vi) oversight of equipment purchases and contracts for equipment maintenance; and

"(vii) selection of an outside contractor for periodic evaluation of the management and operation of the site.

"(2) COMMUNITY-BASED ORGANIZATIONS.—

"(A) IN GENERAL.—A community-based organization implementing a project under this section with an institution of higher education, at one or more sites, shall carry out the duties described in this paragraph, with respect to each such site, subject to the oversight and guidance of the institution.

"(B) GENERAL DUTIES.—The organization—

"(i) shall undertake final site selection and preparation;

"(ii) shall recruit and hire a site director;

"(iii) shall carry out any supplementary instructional, academic, or educational activities specified in the contract with the institution of higher education that are not described in subparagraph (D);

"(iv) shall assemble an advisory committee composed of individuals residing in the community in which the site is located, as well as industry representatives, who desire to assist the organization in ensuring that the goals of the organization are consistent with the goals and needs of the community population;

"(v) shall provide to the institution other evidence of volunteer support from among individuals residing in the community in which the site is located and industry representatives;

"(vi) shall recruit eligible individuals for enrollment, subject to subparagraph (E);

"(vii) shall maintain waiting lists of eligible individuals desiring to enroll in the project's programs;

"(C) SITE REQUIREMENTS.—The organization shall ensure that each site—

"(i) has a minimum of 20 fully functioning computers with sufficient capacity to perform all of the computer operations that are the subject of the curriculum specified in subparagraph (D);

"(ii) in addition to the space for the computers described in clause (i), has—

"(I) a classroom space with the capacity for seating a minimum of 30 students;

"(II) a separate office for the site director;

"(iii) is real property subject to the control of the organization or the institution, through a lease or other legal instrument, for a period of not less than 5 years;

"(iv) is open to enrolled individuals not less than 12 hours per day; and

"(v) is located within walking distance of public transportation.

"(D) INFORMATION TECHNOLOGY CURRICULUM.—

"(i) IN GENERAL.—The organization shall ensure that each site offers enrollees a curriculum that includes a broad range of course work in information technology.

"(ii) COURSES LEADING TO CERTIFICATION.—Such curriculum shall include course work leading to a certification of competence in areas of information technology recognized by the National Skill Standards Board established under the National Skill Standards Act of 1994.

"(iii) SPECIFIC COURSES.—The computer training offered shall include courses in basic computer competence, on-the-job upgrade assistance, and advanced computer competence.

"(E) ENROLLMENT REQUIREMENTS.—The organization shall ensure that its enrollment of eligible individuals at each site is consistent with the following:

"(i) Not less than 50 percent of the eligible individuals shall be, at the time of enrollment, individuals—

"(I) to whom a credit was allowed under section 32 of the Internal Revenue Code of 1986 for the preceding taxable year;

"(II) who are recipients of assistance under a State program funded under part A of title IV of the Social Security Act;

"(III) who are a member of a household participating in the food stamp program; or

"(IV) who are considered low-income pursuant to regulations promulgated by the Secretary under this section.

"(ii) Not less than 50 percent of the eligible individuals shall be, at the time of enrollment, under 25 years of age.

"(iii) No prerequisite relating to net worth, income, or assets may be applied to any eligible individual who, at the time of enrollment, is over 50 years of age, except that this requirement shall not be construed to supersede clause (i).

"(e) IMPLEMENTATION OF PROJECTS SOLELY BY INSTITUTIONS.—The Secretary may make a grant under this section to an institution of higher education that desires to implement a project under this section without the participation of a community-based organization described in subsection (b), if the institution agrees to carry out all of the duties required of such an organization under this section, in addition to the duties otherwise required of an institution of higher education. The Secretary shall, in awarding grants under this section, give priority to institutions of higher education whose grant application includes an assurance that the institution will contract with one or more community-based organizations in accordance with this section.

"(f) APPLICATIONS.—To apply for a grant under this section for any fiscal year, an institution of higher education shall submit an application to the Secretary in accordance with the procedures established by the Secretary. The application shall specify the institution's preliminary selections for the community-based organizations (if any) with which the institution proposes to contract, and shall include information with respect to preliminary site selections.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$100,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.

"(h) DEFINITIONS.—For purposes of this section:

"(1) ADULT EDUCATION.—The term 'adult education' has the meaning given such term in section 312 of the Adult Education Act.

"(2) COMMUNITY-BASED COLLEGE COMPUTER RECRUITMENT CENTER.—The term 'community-based computer center' means a computer center—

"(A) funded by both the Federal Government and at least one private sector entity;

"(B) located in a low-income community (as determined by the Secretary); and

"(C) organized and operated for the purpose of providing families with access to computer resources that otherwise would not be available to them.

"(3) FOOD STAMP PROGRAM.—The term 'food stamp program' has the meaning given such term in section 3(h) of the Food Stamp Act of 1977.

"(4) LIBRARY.—The term 'library' has the meaning given such term in section 213 of the Library Services and Technology Act.

"(5) MUSEUM.—The term 'museum' has the meaning given such term in section 272 of the Museum and Library Services Act."

H.R. 6

OFFERED BY: MR. PETRI

AMENDMENT NO. 52: Page 156, after line 3, insert the following new section:

SEC. 416A. MARKET-BASED DETERMINATIONS OF LENDER RETURN.

Part B of title IV is further amended by inserting immediately after section 427A the following new section:

"SEC. 427B. MARKET-BASED DETERMINATIONS OF LENDER RETURN.

"(a) PILOT PROGRAM.—

"(1) APPLICABILITY OF PILOT PROGRAMS.—Notwithstanding any other provisions of this part, no special allowance or other payment shall be paid under this part with respect to any loan made for periods of instruction beginning on or after July 1, 1999, but before July 1, 2001 pursuant to lending authority auctioned by the Secretary under this subsection, except as provided under the terms of the auctioned lending authority as determined by the Secretary.

"(2) USE OF AUCTIONS TO APPORTION LENDING AUTHORITY DURING PILOT PROGRAMS.—

"(A) AUCTIONS REQUIRED.—The Secretary shall conduct one or more pilot programs using an auction or other market-based mechanism in accordance with paragraph (3) to allocate the authority to make loans under this part among eligible lenders, or such other rights pertaining to loans made under this part as the Secretary determines appropriate.

"(B) AMOUNT OF LENDING AUTHORITY AUCTIONED.—The Secretary shall determine the amount and nature of the lending authority auctioned during the pilot programs under this subsection, except that the lending authority auctioned under the pilot programs shall not exceed 15 percent of the anticipated annual loan volume during the period covered by the pilot programs.

"(C) TRANSFERABILITY OF LENDING AUTHORITY.—An eligible lender may transfer any lending authority acquired pursuant to this subsection to another eligible lender upon such terms as may be agreed upon between such lenders, except that the acquiring lender may not extend loans pursuant to such authority except after notice to the Secretary in such form and manner as the Secretary may require by regulation.

"(D) EXERCISE OF LENDING AUTHORITY.—The Secretary shall, in accordance with regulation, verify that a lender is not making loans under this paragraph in excess of the amounts of lending authority obtained in accordance with this paragraph. Such regulations shall provide that any lender who acquires, directly or pursuant to subparagraph (C), lending authority that was obtained at auction pursuant to two or more bids of different amounts shall be deemed to exercise such authority in descending order based on the amounts of such bids.

"(3) CONDUCT OF AUCTION.—

"(A) IN GENERAL.—

"(i) The Secretary shall allocate the amount of lending authority determined under paragraph (2) among eligible lenders

submitting bids in descending order by the unit price bid, but permitting each bidding lender to acquire such authority at the unit price bid by the next lower ranking bid, except that the Secretary may establish by regulation a different procedure for the conduct of the auction if the Secretary determines that such procedure will secure more receipts for the United States. The Secretary shall not permit any lender to acquire more than one-third of the amount of the lending authority offered at any auction conducted under this subsection, but a lender shall not be prohibited from acquiring more than such amount pursuant to paragraph (2)(C).

"(ii) The Secretary is also authorized to conduct pilot programs under this subsection using such other market-based mechanism for determining the return to lenders under this part as the Secretary determines appropriate.

"(B) BIDS GREATER THAN ZERO.—Any lender whose bid is accepted pursuant to subparagraph (A)(i) shall, if such bid is made at a unit price exceeding zero, promptly pay to the Secretary an amount equal to (i) the unit price, multiplied by (ii) the amount of lending authority allocated to such lender. A lender making such a payment shall have no claim to a refund or remuneration based on the lender making loans in an amount that is less than the amount of lending authority obtained.

"(C) BIDS LESS THAN ZERO.—The Secretary shall pay to any lender whose bid is accepted pursuant to subparagraph (A)(i), if such bid is made at a unit price that is less than zero, an amount equal to—

"(i) the amount by which the unit price is less than zero, multiplied by

"(ii) the amount of lending authority that the lender demonstrates, in accordance with regulations prescribed by the Secretary, he has exercised by making and disbursing loans under this part.

"(D) CONTRACTUAL RIGHT TO PAYMENTS.—Any lender whose bid is accepted pursuant to subparagraph (A)(i), if such bid is made at a unit price that is less than zero, shall be deemed to have a contractual right against the United States, to receive the payment required by subparagraph (C) in exchange for the lender's satisfactory performance as determined by the Secretary. Such payment shall be made promptly and without administrative delay after receipt of an accurate and complete request for payment, pursuant to procedures established by regulations promulgated under this subsection.

"(E) PENALTY FOR LATE PAYMENT.—If a payment required by subparagraphs (C) and (D) has not been made within 30 days after the Secretary has received an accurate, timely, and complete request for payment thereof, the amount payable to such lender shall be increased by an amount equal to the daily interest accruing on the payments due the lender. For such purpose, the daily interest shall be the daily equivalent of the applicable rate of interest determined under section 427A(a)(1).

"(4) MEASURES TO FACILITATE EXERCISE OF LENDING AUTHORITY DURING PILOT PROGRAM.—The Secretary shall provide for the establishment of facilities for the communication of information that permits eligible borrowers to be informed of the identity of, and means to contact, lenders holding unexercised lending authority pursuant to this subsection.

"(b) AUTHORITY FOR PROGRAM-WIDE USE OF MARKET-BASED MECHANISMS.—

"(1)(A) Notwithstanding any other provision of this part, the Secretary is authorized to implement a program-wide system of using market-based mechanisms to determine lender return on loans made under this

part for loans made for periods of instruction on or after July 1, 2001.

"(B) The Secretary shall implement such program-wide system only if the Secretary determines that doing so would be feasible, efficient, include the means to ensure that all eligible students would have access to loans, and be cost-effective when compared to the average program costs for the preceding three years (as adjusted for loan volume).

"(2) Notwithstanding any other provision of this part, if the Secretary does not implement such program-wide system, the applicable interest rate on loans made for periods of instruction on or after July 1, 2001 shall be increased by .25 percent, and lenders' annual rate of return on such loans shall be reduced by .25 percent.

"(c) COORDINATION.—The Secretary shall, by regulation, coordinate the availability of loans pursuant to section 428(j) to the extent necessary—

"(1) to permit lenders to exercise the lending authority secured pursuant to this subsection; and

"(2) to ensure that eligible borrowers obtain loans under this part.

"(d) AUTHORITY TO PREPARE FOR PROGRAMS.—Notwithstanding subsections (a) and (b), the Secretary may, before the dates described in each such subsection—

"(1) prescribe regulations to carry out each such subsection; and

"(2) expend funds appropriated pursuant to this part to carry out activities necessary to the implementation of the programs authorized by each such subsection."

(b) CONFORMING AMENDMENT.—Section 428(j)(1) (20 U.S.C. 1078(j)(1)) is amended by adding at the end the following new sentence: "The availability of loans under this subsection shall be coordinated to the extent necessary in accordance with regulations prescribed by the Secretary under section 427B."

H.R. 6

OFFERED BY: MR. PETRI

AMENDMENT No. 53: Page 192, after line 10, insert the following new section (and conform the table of contents accordingly):

SEC. 430. MARKET-BASED DETERMINATIONS OF INTEREST SUBSIDIES.

(a) AMENDMENT.—Section 438 (20 U.S.C. 1087-1) is amended by adding at the end the following new subsection:

"(g) MARKET-BASED DETERMINATIONS OF INTEREST SUBSIDIES.—

"(1) APPLICABILITY.—Notwithstanding the preceding provisions of this section, no special allowance or other payment shall be paid under this section with respect to any loan disbursed on or after July 1, 1999, except as provided pursuant to this subsection.

"(2) USE OF AUCTIONS TO APPORTION LENDING AUTHORITY.—

"(A) AUCTIONS REQUIRED.—The Secretary shall conduct an auction in accordance with paragraph (3) to allocate the authority to make loans under this part among eligible lenders for any academic year. The Secretary shall estimate the amount of lending authority that will be required by eligible students for such an academic year, and shall by auction allocate such amount, plus a reasonable margin for unexpected loan demand.

"(B) LENDING AUTHORITY REQUIRED.—A lender may not make a loan under this part that is disbursed on or after July 1, 1999, except pursuant to an allocation of lending authority pursuant to this paragraph.

"(C) TRANSFERABILITY OF LENDING AUTHORITY.—An eligible lender may transfer any lending authority acquired pursuant to this subsection to another eligible lender upon such terms as may be agreed upon between such lenders, except that the acquiring lender

may not extend loans pursuant to such authority except after notice to the Secretary in such form and manner as the Secretary may require by regulation.

"(D) EXERCISE OF LENDING AUTHORITY.—The Secretary shall, by regulation, provide for verification that a lender is not making loans under this part in excess of the amounts of lending authority obtained in accordance with this paragraph. Such regulations shall provide that any lender who acquires, directly or pursuant to subparagraph (C), lending authority that was obtained at auction pursuant to two or more bids of different amounts shall be deemed to exercise such authority in descending order based on the amounts of such bids.

"(3) CONDUCT OF AUCTION.—

"(A) IN GENERAL.—The Secretary shall allocate the amount of lending authority determined under paragraph (2)(A) among eligible lenders submitting bids in descending order by the unit price bid, but permitting each bidding lender to acquire such authority at the unit price bid by the next lower ranking bid, except that the Secretary may establish by regulation a different procedure for the conduct of the auction if the Secretary determines that such procedure will secure more receipts for the United States. The Secretary shall not permit any lender to acquire more than one-third of the amount of the lending authority offered at any auction conducted under this subsection, but a lender shall not be prohibited from acquiring more than such amount pursuant to paragraph (2)(C).

"(B) BIDS GREATER THAN ZERO.—Any lender whose bid is accepted pursuant to subparagraph (A) shall, if such bid is made at a unit price exceeding zero, promptly pay to the Secretary an amount equal to (i) the unit price, multiplied by (ii) the amount of lending authority allocated to such lender. A lender making such a payment shall have no claim to a refund or remuneration based on the lender making loans in an amount that is less than the amount of lending authority obtained.

"(C) BIDS LESS THAN ZERO.—The Secretary shall pay to any lender whose bid is accepted pursuant to subparagraph (A), if such bid is made at a unit price that is less than zero, an amount equal to—

"(i) the amount by which the unit price is less than zero, multiplied by

"(ii) the amount of lending authority that the lender demonstrates, in accordance with regulations prescribed by the Secretary, has exercised by making and disbursing loans under this part.

"(D) CONTRACTUAL RIGHT OF HOLDERS TO SPECIAL ALLOWANCE.—Any lender whose bid is accepted pursuant to subparagraph (A), if such bid is made at a unit price that is less than zero, shall be deemed to have a contractual right against the United States, to receive the payment required by subparagraph (C). Such payment shall be made promptly and without administrative delay after receipt of an accurate and complete request for payment, pursuant to procedures established by regulations promulgated under this subsection.

"(E) PENALTY FOR LATE PAYMENT.—If a payment required by subparagraphs (C) and (D) has not been made within 30 days after the Secretary has received an accurate, timely, and complete request for payment thereof, the amount payable to such lender shall be increased by an amount equal to the daily interest accruing on the payments due the lender. For such purpose, the daily interest shall be the daily equivalent of the applicable rate of interest determined under section 427A(a)(1).

"(4) MEASURES TO FACILITATE EXERCISE OF LENDING AUTHORITY.—

"(A) INFORMATION.—The Secretary shall provide for the establishment of facilities for the communication of information that permits eligible borrowers to be informed of the identity of, and means to contact, lenders holding unexercised lending authority pursuant to this subsection.

"(B) COORDINATION.—The Secretary shall, by regulation, coordinate the availability of loans pursuant to section 428(j) to the extent necessary—

"(i) to permit lenders to exercise the lending authority secured pursuant to this subsection; and

"(ii) to ensure that eligible borrowers obtain loans under this part.

"(5) AUTHORITY TO PREPARE FOR PROGRAM.—Notwithstanding paragraph (1), the Secretary may, before July 1, 1999—

"(A) prescribe regulations to carry out this subsection; and

"(B) expend funds appropriated pursuant to this part to carry out activities necessary to the implementation of the programs authorized by this subsection."

(b) CONFORMING AMENDMENT.—Section 428(j)(1) (20 U.S.C. 1078(j)(1)) is amended by adding at the end the following new sentence: "The availability of loans under this subsection shall be coordinated in accordance with regulations prescribed by the Secretary under section 438(g)(5)."

H.R. 6

OFFERED BY: MR. ROEMER

AMENDMENT No. 54: Page 172, after line 22, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(c) ADDITIONAL ANNUAL LOAN LIMIT FLEXIBILITY.

(1) IN GENERAL.—Section 428H(d)(2) is amended—

(A) by striking subparagraph (C); and

(B) by inserting after subparagraph (B) the following new subparagraphs:

"(C) notwithstanding subparagraph (A) and (B), in the case of such a student who is pursuing a program of study at an eligible institution leading to the baccalaureate degree—

"(i) \$7,200 if such student is enrolled in a program whose length is at least 1 academic year (as determined under section 481);

"(ii) \$4,500 if such student is enrolled in a program whose length is less than 1 academic year, but at least $\frac{2}{3}$ of such an academic year; and

"(iii) \$2,700 if such student is enrolled in a program whose length is less than $\frac{2}{3}$, but at least $\frac{1}{3}$, of such an academic year;

"(D) in the case of such a student who is a graduate or professional student enrolled at an eligible institution, an amount not to exceed the student's estimated cost of attendance (as determined under section 472), less the sum of—

"(i) any loan for which the student is eligible under section 428; and

"(ii) an estimate of any financial assistance reasonably available to such student."

(2) DEPENDENT STUDENTS AMENDMENT.—Section 428H(d) is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following new paragraph:

"(3) ANNUAL LIMITS FOR DEPENDENT STUDENTS.—Notwithstanding paragraph (2), in the case of a dependent student who is enrolled in a program leading to the baccalaureate degree whose length is at least 1 academic year (as determined under section 481), the maximum annual amount of loans under this section such a student may borrow in any academic year or its equivalent or in any period of 7 consecutive months, whichever is longer, shall be the amount determined under paragraph (1) plus \$1,500."

(3) CONFORMING AMENDMENT.—Section 428H(d)(1) is amended by striking “paragraphs (2) and (3)” and inserting “paragraphs (2), (3), and (4)”.

(4) EFFECTIVE DATE.—The amendments made by this section shall apply to loans made for periods of instruction beginning after July 1, 1998.

H.R. 6

OFFERED BY: MR. SANDERS

AMENDMENT NO. 55: Page 56, after line 18, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

“(5) cooperation between institutions to encourage cost saving initiatives through joint purchase of goods and services, and shared use of facilities and faculty resources.”

H.R. 6

OFFERED BY: MR. SANDERS

AMENDMENT NO. 56: Page 94, strike lines 12 through 16 and insert the following:

“(i) \$5,000 for academic year 1999–2000,

“(ii) \$5,200 for academic year 2000–2001,

“(iii) \$5,400 for academic year 2001–2002,

“(iv) \$5,600 for academic year 2002–2003, and

“(v) \$5,800 for academic year 2003–2004,

H.R. 6

OFFERED BY: MR. SERRANO

AMENDMENT NO. 57: Page 271, strike line 14 and insert the following:

“(A)(i) is an eligible institution; or

“(ii) is an institution of higher education (as such term is defined in section 101(a)(2)) that provides a 4-year baccalaureate program, is regionally accredited, and serves at least 1,500 Hispanic students;

H.R. 6

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 58: Page 334, after line 19, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 806. STUDY OF CONSOLIDATION OPTIONS.

No later than 2 years after the date of enactment of this Act, the Secretary shall report to Congress on the desirability and feasibility of possible new Federal efforts to assist individuals who have substantial alternative student loans (other than direct student loans and federally guaranteed student loans) to repay their student loans. The re-

port shall include an analysis of the extent to which the high monthly payments associated with such loans deter such individuals from jobs (including public-interest and public-service jobs) with lower salaries than the average in relevant professions. The report shall include an analysis of the desirability and feasibility of allowing the consolidation of alternative student loans held by such individuals through the Federal student loan consolidation program or the use of other means to provide income-contingent repayment plans for alternative student loans.

H.R. 6

OFFERED BY: MR. SOUDER

AMENDMENT NO. 59: Page 237, strike lines 4 through 10 and insert the following:

“(2) REHABILITATION.—A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the period determined under such paragraph if the student satisfactorily completes a drug rehabilitation program that complies with such criteria as the Secretary shall prescribe for purposes of this paragraph and that includes two unannounced drug tests.