

116TH CONGRESS
1ST SESSION

H. R. 3472

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2019

Ms. JAYAPAL (for herself, Ms. OMAR, Mr. BLUMENAUER, Mr. ESPAILLAT, Ms. GABBARD, Ms. HAALAND, Ms. LEE of California, Ms. NORTON, Mr. KHANNA, Mrs. CAROLYN B. MALONEY of New York, Ms. MENG, Ms. MOORE, Mrs. NAPOLITANO, Ms. OCASIO-CORTEZ, Mr. POCAN, and Mr. WELCH) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “College for All Act
5 of 2019”.

1 **TITLE I—FEDERAL-STATE PART-**
 2 **nership to Eliminate Tui-**
 3 **tion and Required Fees**

4 **SEC. 101. FEDERAL-STATE PARTNERSHIP TO ELIMINATE**
 5 **Tuition and Required Fees.**

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

8 **“TITLE IX—FEDERAL-STATE**
 9 **PARTNERSHIP TO ELIMINATE**
 10 **Tuition AND Required**
 11 **Fees**

12 **“SEC. 901. GRANT PROGRAM TO ELIMINATE TUITION AND**
 13 **Required Fees at Public Institutions**
 14 **of Higher Education and Tribal Col-**
 15 **leges and Universities.**

16 “(a) DEFINITIONS.—In this section:

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

19 “(2) COMMUNITY COLLEGE.—The term ‘com-
 20 munity college’ means—

21 “(A) a public institution of higher edu-
 22 cation at which the credential that is predomi-
 23 nantly awarded to students is at the sub-bacca-
 24 laurate level; or

1 “(B) a public postsecondary vocational in-
2 stitution, as defined under section 102(c).

3 “(3) COST OF ATTENDANCE.—The term ‘cost of
4 attendance’ has the meaning given the term in sec-
5 tion 472.

6 “(4) DUAL OR CONCURRENT ENROLLMENT
7 PROGRAM.—The term ‘dual or concurrent enrollment
8 program’ has the meaning given the term in section
9 8101 of the Elementary and Secondary Education
10 Act of 1965.

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

15 “(6) ELIGIBLE INDIAN ENTITY.—The term ‘eli-
16 gible Indian entity’ means the entity responsible for
17 the governance, operation, or control of a Tribal Col-
18 lege or University.

19 “(7) ELIGIBLE STUDENT.—The term ‘eligible
20 student’ means an individual, regardless of age, who
21 has not obtained a baccalaureate degree or higher
22 degree and is enrolled, or plans to enroll, in a com-
23 munity college or public 4-year institution of higher
24 education in the State in which the individual is a
25 resident or in a Tribal College or University.

1 “(8) FULL-TIME EQUIVALENT ELIGIBLE STU-
2 DENTS.—The term ‘full-time equivalent eligible stu-
3 dents’, when used with respect to an institution of
4 higher education, has the meaning given the term
5 ‘full-time equivalent students’, except that the cal-
6 culation shall be made based on the number of eligi-
7 ble students enrolled at such institution.

8 “(9) FULL-TIME EQUIVALENT STUDENTS.—The
9 term ‘full-time equivalent students’ means the sum
10 of the number of students enrolled full time at an
11 institution, plus the full-time equivalent of the num-
12 ber of students enrolled part time (determined on
13 the basis of the quotient of the sum of the credit
14 hours of all part-time students divided by 12) at
15 such institution.

16 “(10) INSTITUTION OF HIGHER EDUCATION.—
17 The term ‘institution of higher education’ has the
18 meaning given the term in section 101.

19 “(11) PUBLIC 4-YEAR INSTITUTION OF HIGHER
20 EDUCATION.—The term ‘public 4-year institution of
21 higher education’ means an institution of higher
22 education that is not a community college and is op-
23 erated by a State, subdivision of a State, or govern-
24 ment agency within a State and operated wholly or

1 predominately from or through the use of govern-
2 mental funds or property.

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

7 “(b) PROGRAM AUTHORIZED.—

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

19 “(2) NON-FEDERAL SHARE REQUIREMENT.—

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

1 amount required to eliminate tuition and re-
2 quired fees—

3 “(i) in the case of a State, at commu-
4 nity colleges and public 4-year institutions
5 of higher education in the State for all eli-
6 gible students for the award year; and

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

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

13 “(i) IN GENERAL.—In the case of an
14 eligible Indian entity that receives a grant
15 under this section for an award year for
16 which not less than 75 percent of the stu-
17 dents enrolled in the Tribal Colleges and
18 Universities of the eligible Indian entity
19 are low-income students, such eligible In-
20 dian entity shall provide a non-Federal
21 share of funds from non-Federal sources in
22 an amount that is equal to not more than
23 5 percent of the amount necessary to elimi-
24 nate tuition and required fees at Tribal

1 Colleges and Universities of the eligible In-
2 dian entity for the award year.

3 “(ii) LOW-INCOME STUDENT.—In this
4 subparagraph, the term ‘low-income stu-
5 dent’ has the meaning given such term by
6 the Secretary, except that such term shall
7 not exclude any student eligible for a Fed-
8 eral Pell Grant under section 401.

9 “(iii) DATA.—In calculating the num-
10 ber of enrolled students and low-income
11 students for purposes of clause (i), the
12 Secretary shall use—

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

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

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

24 “(c) DETERMINATION OF ALLOTMENT.—

1 “(1) FIRST AWARD YEAR OF PROGRAM.—The
2 Secretary shall allot, to each eligible State or eligible
3 Indian entity that submits an application under this
4 section for a grant under subsection (b)(1) for the
5 first award year of the program under this section,
6 an amount that is equal to 67 percent (or not less
7 than 95 percent in the case of an eligible Indian en-
8 tity described in subsection (b)(2)(B)) of the total
9 revenue received—

10 “(A) in the case of a State, from all eligi-
11 ble students at community colleges and at pub-
12 lic 4-year institutions of higher education in the
13 State in the form of tuition and required fees
14 for—

15 “(i) with respect to a State that did
16 not eliminate tuition and required fees as
17 described in subsection (d)(2) for the pre-
18 ceding award year, award year 2017–2018;
19 or

20 “(ii) with respect to a State that has
21 eliminated tuition and required fees as de-
22 scribed in such subsection, the last award
23 year that the State charged tuition and re-
24 quired fees; and

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

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

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

“(2) FIRST AWARD YEAR ALLOTMENT FOR STATES AND ELIGIBLE INDIAN ENTITIES APPLYING AFTER THE FIRST YEAR OF THE PROGRAM.—

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

“(i) the product of—

1 “(I) the allotment the eligible
2 State or eligible Indian entity would
3 have received in the first award year
4 of the program under this section if
5 the State or eligible Indian entity had
6 submitted an application for such
7 year;

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

16 “(III) the amount of additional
17 expenditures per full-time equivalent
18 eligible student by the eligible State or
19 eligible Indian entity that will be nec-
20 essary to eliminate tuition and re-
21 quired fees for each such student for
22 the award year for which the allot-
23 ment is made; divided by

24 “(ii) the product of—

1 “(I) the full-time equivalent eligi-
2 ble students figure for all community
3 colleges and public 4-year institutions
4 of higher education of the eligible
5 State, or all Tribal Colleges and Uni-
6 versities of the eligible Indian entity,
7 for the first award year of the pro-
8 gram for which the eligible State or
9 eligible Indian entity was eligible to
10 submit an application under this sec-
11 tion; and

12 “(II) the amount of expenditures
13 per full-time equivalent eligible stu-
14 dent by the eligible State or eligible
15 Indian entity that would have been
16 necessary to eliminate tuition and re-
17 quired fees for each such student for
18 the first award year of the program
19 for which the eligible State or eligible
20 Indian entity was eligible to submit an
21 application under this section.

22 “(B) PROJECTED ENROLLMENT.—If the
23 projected full-time equivalent eligible students
24 figure of the State or eligible Indian entity
25 under subparagraph (A) is more than 25 per-

1 cent larger than the full-time equivalent eligible
2 students figure for the preceding year, the Sec-
3 retary may challenge such enrollment projection
4 and offer an alternative enrollment projection
5 which shall be used in the formula under sub-
6 paragraph (A) for determining the allotment.

7 “(3) SUBSEQUENT AWARD YEARS.—

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

14 “(i) the product of—

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

19 “(II) the projected full-time
20 equivalent eligible students figure for
21 all community colleges and public 4-
22 year institutions of higher education
23 of the eligible State, or all Tribal Col-
24 leges and Universities of the eligible

1 Indian entity, for the award year for
2 which the allotment is made; and

3 “(III) the amount of additional
4 expenditures per full-time equivalent
5 eligible student by the eligible State or
6 eligible Indian entity that will be nec-
7 essary to eliminate tuition and re-
8 quired fees for each such student for
9 the award year for which the allot-
10 ment is made; divided by

11 “(ii) the product of—

12 “(I) the full-time equivalent eligi-
13 ble student figure for all community
14 colleges and public 4-year institutions
15 of higher education of the eligible
16 State, or all Tribal Colleges and Uni-
17 versities of the eligible Indian entity,
18 for the first award year that the State
19 or eligible Indian entity participates
20 under paragraph (1) or (2), as the
21 case may be; and

22 “(II) the amount of expenditures
23 per full-time equivalent eligible stu-
24 dent by the eligible State or eligible
25 Indian entity that was necessary to

1 eliminate tuition and required fees for
2 each such student for the first award
3 year that the State or eligible Indian
4 entity participates under paragraph
5 (1) or (2), as the case may be.

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

16 “(4) ACTUAL ENROLLMENT FIGURES.—

17 “(A) IN GENERAL.—By not later than No-
18 vember 1 of the second award year for which a
19 State or eligible Indian entity receives an allot-
20 ment under this section, and each succeeding
21 November 1, such State or eligible Indian entity
22 shall report to the Secretary its actual full-time
23 equivalent eligible students figure for the pre-
24 ceding award year.

1 “(B) ADJUSTMENTS.—If the actual full-
2 time equivalent eligible students figure for the
3 preceding award year reported under subpara-
4 graph (A)—

5 “(i) exceeds the projected enrollment
6 that was used for determining the allot-
7 ment for the preceding award year, not-
8 withstanding any other provision of this
9 section, the allotment for the award year in
10 which the November 1 date falls for the
11 State or eligible Indian entity shall be in-
12 creased to reflect such actual enrollment,
13 which figure shall be increased by the
14 State Gross Domestic Product Price Index,
15 or the Gross Domestic Product Price Index
16 of the State in which the eligible Indian
17 entity operates; or

18 “(ii) is below the projected enrollment
19 that was used for determining the allot-
20 ment for the preceding award year, not-
21 withstanding any other provision of this
22 section, the allotment for the award year in
23 which the November 1 date falls for the
24 State or eligible Indian entity shall be de-
25 creased to reflect such actual enrollment,

1 which figure shall be increased by the aver-
2 age interest rate on 5-year United States
3 Treasury securities issued during the pre-
4 ceding award year.

5 “(5) ADDITIONAL FUNDS.—If a State or eligi-
6 ble Indian entity provides additional funds toward
7 reducing the cost of attendance and improving in-
8 struction at institutions of higher education beyond
9 the cost of eliminating tuition and required fees as
10 described in subsection (d)(2) for any award year
11 that is more than the non-Federal share requirement
12 under subsection (b)(2) and the maintenance of ex-
13 penditures requirement under paragraphs (3) and
14 (4) of subsection (d), the Secretary shall provide to
15 the State or eligible Indian entity an amount equal
16 to such additional funding provided by the State or
17 eligible Indian entity, which amount provided by the
18 Secretary may be used for the activities described in
19 subsection (f)(2).

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

24 “(1) Ensure that public institutions of higher
25 education in the State or Tribal Colleges and Uni-

1 versities of the eligible Indian entity maintain ex-
2 penditures on instruction per full-time equivalent
3 student at levels that are equal to or exceed the ex-
4 penditures on instruction per full-time equivalent
5 student for award year 2017–2018.

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

8 “(A) in the case of a State, for eligible stu-
9 dents at all community colleges and in all public
10 4-year institutions of higher education in the
11 State; or

12 “(B) in the case of an eligible Indian enti-
13 ty, for eligible students in all Tribal Colleges
14 and Universities of the eligible Indian entity.

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

23 “(4) Maintain State expenditures on need-based
24 financial aid programs for enrollment in public insti-
25 tutions of higher education in the State or expendi-

1 tures on need-based financial aid programs for en-
2 rollment in Tribal Colleges and Universities of the
3 eligible Indian entity at a level that is equal to or
4 exceeds the level of such support for award year
5 2017–2018.

6 “(5) Ensure public institutions of higher edu-
7 cation in the State or Tribal Colleges and Univer-
8 sities of the eligible Indian entity maintain funding
9 for institutional need-based student financial aid in
10 an amount that is equal to or exceeds the level of
11 such support for award year 2017–2018.

12 “(6) Provide an assurance that not later than
13 5 years after the first award year for which the
14 grant is awarded, not less than 75 percent of in-
15 struction at public institutions of higher education in
16 the State or Tribal Colleges and Universities of the
17 eligible Indian entity is provided by tenured or ten-
18 ure-track faculty.

19 “(7) Require that public institutions of higher
20 education in the State or Tribal Colleges and Uni-
21 versities of the eligible Indian entity provide, for
22 each student enrolled at the institution who receives
23 the maximum Federal Pell Grant award under sub-
24 part 1 of part A of title IV, institutional student fi-

1 nancial aid (excluding student loans) in an amount
2 equal to 100 percent of the difference between—

3 “(A) the cost of attendance at such institu-
4 tion; and

5 “(B) the sum of—

6 “(i) the amount of the maximum Fed-
7 eral Pell Grant award; and

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

10 “(8) Ensure that public institutions of higher
11 education in the State or Tribal Colleges and Uni-
12 versities of the eligible Indian entity not adopt poli-
13 cies to reduce enrollment.

14 “(9) Provide an assurance that public institu-
15 tions of higher education in the State or Tribal Col-
16 leges and Universities of the eligible Indian entity
17 will not charge out-of-State students an amount that
18 exceeds the marginal cost of attending institutions of
19 higher education in the State or Tribal Colleges and
20 Universities of the eligible Indian entity.

21 “(10) Provide an assurance that public institu-
22 tions of higher education in the State or Tribal Col-
23 leges and Universities of the eligible Indian entity
24 that charge non-eligible in-State students tuition and
25 required fees, will not charge such students a rate

1 that exceeds the rate for the last year that tuition
 2 and required fees were charged to eligible students,
 3 increased by the percentage change for subsequent
 4 years in the expenditures per full-time equivalent eli-
 5 gible student by the State or eligible entity that is
 6 necessary to continue to eliminate tuition and re-
 7 quired fees for eligible students.

8 “(e) SUBMISSION AND CONTENTS OF APPLICA-
 9 TION.—For each award year for which a State or eligible
 10 Indian entity desires a grant under this section, an appli-
 11 cation shall be submitted to the Secretary at such time,
 12 in such manner, and containing such information as the
 13 Secretary may require. Such application shall be sub-
 14 mitted by—

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

20 “(2) in the case of an eligible Indian entity, the
 21 eligible Indian entity or a Tribal College or Univer-
 22 sity of the eligible Indian entity.

23 “(f) USE OF FUNDS.—

24 “(1) IN GENERAL.—A State or eligible Indian
 25 entity that receives a grant under this section shall

1 use the grant funds and the non-Federal share
2 funds required under this section—

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

7 “(B) in the case of an eligible Indian enti-
8 ty, to eliminate tuition and required fees for all
9 eligible students at Tribal Colleges and Univer-
10 sities of the eligible Indian entity.

11 “(2) ADDITIONAL FUNDING.—Once tuition and
12 required fees have been eliminated pursuant to para-
13 graph (1), a State or eligible Indian entity that re-
14 ceives a grant under this section shall use any re-
15 maining grant funds and non-Federal share funds
16 required under this section to reduce the cost of at-
17 tendance and increase the quality of instruction and
18 student support services at public institutions of
19 higher education in the State or at Tribal Colleges
20 and Universities of the eligible Indian entity by car-
21 rying out any of the following:

22 “(A) Providing additional non-loan aid to
23 students, which may include need-based student
24 financial aid, to reduce or eliminate the cost of
25 attendance for a public institution of higher

1 education or a Tribal College or University be-
2 yond eliminating tuition and required fees.

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

6 “(C) Increasing the number and percent-
7 age of full-time instructional faculty, including
8 full-time tenure and tenure-track instructional
9 faculty.

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

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

18 “(F) Strengthening and ensuring all stu-
19 dents have access to student support services
20 such as academic advising, counseling, and tu-
21 toring.

22 “(G) Expanding access to dual or concur-
23 rent enrollment programs and early college high
24 school programs.

1 “(H) Any other additional activities that
2 improve instructional quality and academic out-
3 comes for students as approved by the Sec-
4 retary through a peer review process.

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

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

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

12 “(C) for need-based student financial aid
13 (except to the extent funds available under sub-
14 section (c)(5) are used to carry out paragraph
15 (2)(A));

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

18 “(E) for capital outlays or deferred main-
19 tenance; or

20 “(F) for expenditures on athletics other
21 than activities open to all members of the cam-
22 pus community.

23 “(g) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—There are authorized to be
 2 appropriated, and there are appropriated, to carry
 3 out this section—

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

6 “(B) \$48,000,000,000 for fiscal year 2020;
 7 and

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

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

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

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

23 “(1) COMMUNITY COLLEGE.—The term ‘com-
 24 munity college’ has the meaning given the term in
 25 section 901.

1 “(2) ELIGIBLE INSTITUTION.—

2 “(A) IN GENERAL.—Except as provided in
3 subparagraph (D), the term ‘eligible institution’
4 means a private, nonprofit 2-year institution or
5 4-year institution that—

6 “(i) is—

7 “(I) a part B institution (as de-
8 fined in section 322);

9 “(II) a Hispanic-serving institu-
10 tion (as defined in section 502);

11 “(III) a Tribal College or Univer-
12 sity (as defined in section 316) whose
13 entity responsible for the governance,
14 operation, or control of the College or
15 University has not received a grant
16 under section 901;

17 “(IV) an Alaska Native-serving
18 institution or a Native Hawaiian-serv-
19 ing institution (as defined in section
20 317(b));

21 “(V) a Predominantly Black in-
22 stitution (as defined in section
23 371(c));

24 “(VI) an Asian American and
25 Native American Pacific Islander-

1 serving institution (as defined in sec-
2 tion 371(c)); or

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

6 “(ii) has a student body of which not
7 less than 35 percent are low-income stu-
8 dents;

9 “(iii) ensures that tuition and re-
10 quired fees for eligible students enrolled in
11 the institution are eliminated or signifi-
12 cantly reduced during any period for which
13 the institution receives a grant under this
14 section;

15 “(iv) maintains expenditures on in-
16 struction per a full-time equivalent eligible
17 student at levels that meet or exceed the
18 expenditures on instruction per a full-time
19 equivalent eligible student for award year
20 2017–2018;

21 “(v) will invest institutional funds and
22 seek additional funding to reduce or elimi-
23 nate tuition and required fees for all stu-
24 dents;

1 “(vi) maintains expenditures on need-
2 based financial aid programs for students
3 enrolled at the institution at a level that
4 meets or exceeds the level of such support
5 for award year 2017–2018;

6 “(vii) provides an assurance that the
7 institution will increase the amount of in-
8 struction provided by tenured or tenure-
9 track faculty; and

10 “(viii) does not adopt policies to re-
11 duce enrollment.

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

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

19 “(D) EXCEPTION.—

20 “(i) IN GENERAL.—An eligible institu-
21 tion as described in subparagraph (A) shall
22 not be an eligible institution for purposes
23 of this section for the period described in
24 clause (ii) if such institution was a for-

1 profit institution at any time that con-
2 verted to a nonprofit institution.

3 “(ii) PERIOD OF INELIGIBILITY.—An
4 institution described under clause (i) shall
5 not be an eligible institution for purposes
6 of this section for a period of 25 years
7 from the date the institution converted
8 from a for-profit institution to a nonprofit
9 institution or 25 years after the date of en-
10 actment of this Act, whichever period is
11 longer.

12 “(3) ELIGIBLE STUDENT.—The term ‘eligible
13 student’ means a low-income student enrolled in an
14 eligible institution who has not obtained a bacca-
15 laurate degree or a higher degree.

16 “(4) FULL-TIME EQUIVALENT ELIGIBLE STU-
17 DENTS.—The term ‘full-time equivalent eligible stu-
18 dents’ means the sum of the number of eligible stu-
19 dents projected to enroll full time at an institution
20 for an award year, plus the full-time equivalent of
21 the number of eligible students projected to be en-
22 rolled part time (determined on the basis of the
23 quotient of the sum of the credit hours of all part-
24 time eligible students divided by 12) at such institu-
25 tion, for such award year.

1 “(5) LOW-INCOME STUDENT.—The term ‘low-
2 income student’ has the meaning given such term by
3 the Secretary, except that such term shall not ex-
4 clude any student eligible for a Federal Pell Grant
5 under section 401.

6 “(6) PUBLIC 4-YEAR INSTITUTION OF HIGHER
7 EDUCATION.—The term ‘public 4-year institution of
8 higher education’ has the meaning given the term in
9 section 901.

10 “(b) AUTHORIZATION OF GRANT PROGRAM.—

11 “(1) IN GENERAL.—From amounts appro-
12 priated under subsection (e), the Secretary shall
13 award grants, from allotments under paragraph (2),
14 to eligible institutions having applications approved
15 under subsection (c), to enable the eligible institu-
16 tions to eliminate or significantly reduce tuition and
17 required fees for eligible students.

18 “(2) ALLOTMENTS.—Subject to paragraph (3),
19 the Secretary shall allot, for each award year, to
20 each eligible institution having an application ap-
21 proved under subsection (c), an amount that is equal
22 to the product of—

23 “(A) tuition and required fees for eligible
24 students at the eligible institution for the award
25 year, and

1 “(B) the number of full-time equivalent eli-
2 gible students projected to enroll in the eligible
3 institution for the award year.

4 “(3) LIMITATIONS.—

5 “(A) LIMITATIONS ON INSTITUTIONAL AL-
6 LOTMENTS.—In making allotments under para-
7 graph (2) for an award year, the Secretary
8 shall not award an allotment that is—

9 “(i) with respect to an eligible institu-
10 tion that operates in a State that has
11 eliminated tuition and required fees as de-
12 scribed in section 901(d)(2) for the pre-
13 ceding award year, more than the amount
14 equal to the product of—

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

18 “(II) the expenditures per full-
19 time equivalent eligible student, in-
20 cluding the Federal allotment and
21 non-Federal share, under section 901
22 for the preceding award year for the
23 State (or, in the case of a State that
24 did not receive a grant under such
25 section for the preceding award year,

1 the amount needed to eliminate tui-
2 tion and required fees for full-time
3 equivalent eligible students in the
4 State, calculated in the same manner
5 as such amount is calculated under
6 section 901(c) for the preceding
7 award year for the State), at—

8 “(aa) if the eligible institu-
9 tion is a 2-year institution, com-
10 munity colleges in the State in
11 which the institution operates; or

12 “(bb) if the eligible institu-
13 tion is a 4-year institution, public
14 4-year institutions of higher edu-
15 cation in the State in which the
16 institution operates; and

17 “(ii) with respect to an eligible insti-
18 tution that operates in a State that has
19 not eliminated tuition and required fees as
20 described in section 901(d)(2) for the pre-
21 ceding award year, more than the amount
22 equal to the product of—

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

1 “(II) the average tuition and re-
2 quired fees for the preceding award
3 year at—

4 “(aa) if the eligible institu-
5 tion is a 2-year institution, public
6 2-year institutions of higher edu-
7 cation in the State in which the
8 institution operates; or

9 “(bb) if the eligible institu-
10 tion is a 4-year institution, public
11 4-year institutions of higher edu-
12 cation in the State in which the
13 institution operates.

14 “(B) LIMITATIONS ON TUITION HIKES.—

15 “(i) FIRST AWARD YEAR.—For the
16 first award year for which an eligible insti-
17 tution applies for a grant under this sec-
18 tion, such eligible institution shall not in-
19 crease tuition and required fees at a rate
20 that is greater than any annual increase in
21 tuition and required fees at the eligible in-
22 stitution for the 5 years preceding such
23 first award year.

24 “(ii) SUCCEEDING AWARD YEARS.—

1 “(I) IN GENERAL.—For each
2 award year after the first award year
3 for which an eligible institution re-
4 ceives a grant under this section, such
5 eligible institution shall not increase
6 tuition and required fees for eligible
7 students from the preceding award
8 year at a rate that is greater than the
9 percentage increase in the Employ-
10 ment Cost Index for the award year
11 for which the grant is received, as
12 compared to the Employment Cost
13 Index for the award year preceding
14 the award year for which the grant is
15 received.

16 “(II) EMPLOYMENT COST
17 INDEX.—In this subparagraph, the
18 term ‘Employment Cost Index’, when
19 used with respect to an award year,
20 means the Employment Cost Index
21 for total compensation for private in-
22 dustry workers by bargaining status
23 and census region and division (not
24 seasonally adjusted) of the division in
25 which the eligible entity is located, as

1 provided by the Bureau of Labor Sta-
2 tistics of the Department of Labor,
3 that is provided for the December
4 that immediately precedes the start of
5 the award year.

6 “(4) ACTUAL ENROLLMENT FIGURES.—

7 “(A) IN GENERAL.—By not later than No-
8 vember 1 of the second award year for which an
9 eligible institution receives a grant under this
10 section, such eligible institution shall report to
11 the Secretary its actual full-time equivalent eli-
12 gible students figure for the preceding award
13 year.

14 “(B) ADJUSTMENTS.—If the actual full-
15 time equivalent eligible students figure for the
16 preceding award year reported under subpara-
17 graph (A)—

18 “(i) exceeds the projected enrollment
19 that was used for determining the allot-
20 ment under paragraph (2)(B) for the pre-
21 ceding award year, notwithstanding any
22 other provision of this Act, the allotment
23 for the award year in which the November
24 1 date falls for the eligible institution shall
25 be increased to reflect such actual enroll-

1 ment, which figure shall be increased by
2 the Gross Domestic Product Price Index of
3 the State in which the eligible institution
4 operates; or

5 “(ii) is below the projected enrollment
6 that was used for determining the allot-
7 ment under paragraph (2)(B) for the pre-
8 ceding award year, notwithstanding any
9 other provision of this Act, the allotment
10 for the award year in which the November
11 1 date falls for the eligible institution shall
12 be decreased to reflect such actual enroll-
13 ment, which figure shall be increased by
14 the average interest rate on 5-year United
15 States Treasury securities issued during
16 the preceding award year.

17 “(c) APPLICATION.—An eligible institution that de-
18 sires to receive a grant under this section shall submit to
19 the Secretary an application at such time, in such manner,
20 and containing such information as the Secretary may re-
21 quire.

22 “(d) PROHIBITION.—An eligible institution that re-
23 ceives a grant under this section may not use grant funds
24 under this section—

1 “(1) for the construction of a nonacademic fa-
2 cility, such as an athletic facility or stadium;

3 “(2) for merit-based or need-based student fi-
4 nancial aid;

5 “(3) to pay the salaries or benefits of school ad-
6 ministrators;

7 “(4) for capital outlays or deferred mainte-
8 nance; or

9 “(5) for expenditures on athletics other than
10 activities open to all members of the campus com-
11 munity.

12 “(e) AUTHORIZATION OF APPROPRIATIONS.—

13 “(1) IN GENERAL.—There are authorized to be
14 appropriated, and there are appropriated, to carry
15 out this section—

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

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

19 and

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

22 “(2) AVAILABILITY OF FUNDS.—Funds made
23 available pursuant to paragraph (1)(A) shall be
24 available for obligation from October 1, 2019, to
25 September 30, 2020. Funds made available pursuant

1 to subparagraph (B) or (C) of paragraph (1) shall
 2 be available for obligation through September 30 of
 3 the fiscal year succeeding the fiscal year for which
 4 such sums were appropriated.”.

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

7 (a) AUTHORIZATION OF APPROPRIATIONS FOR FED-
 8 ERAL TRIO PROGRAMS.—Section 402A(g) of the Higher
 9 Education Act of 1965 (20 U.S.C. 1070a–11(g)) is
 10 amended by inserting after the first sentence the fol-
 11 lowing: “For the purpose of making grants and contracts
 12 under this chapter, there are authorized to be appro-
 13 priated \$1,260,000,000 for fiscal year 2020,
 14 \$1,440,000,000 for fiscal year 2021, \$1,620,000,000 for
 15 fiscal year 2022, \$1,800,000,000 for fiscal year 2023,
 16 \$2,000,000,000 for fiscal year 2024, and such sums as
 17 may be necessary for each of fiscal years 2024 through
 18 2028.”.

19 (b) AUTHORIZATION OF APPROPRIATIONS FOR
 20 GEAR UP PROGRAMS.—Section 404H of the Higher
 21 Education Act of 1965 (20 U.S.C. 1070a–28) is amended
 22 by striking “\$400,000,000” and all that follows through
 23 the period and inserting “\$410,000,000 for fiscal year
 24 2020, \$419,000,000 for fiscal year 2021, \$427,000,000

1 for fiscal year 2022, \$436,000,000 for fiscal year 2023,
2 and \$445,000,000 for fiscal year 2024.”.

3 **TITLE II—EXPANSION OF WORK**
4 **STUDY TO MEET THE NEEDS**
5 **OF TODAY’S STUDENTS**

6 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 441(b) of the Higher Education Act of 1965
8 (20 U.S.C. 1087–51(b)) is amended to read as follows:

9 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this part—
11 “(1) \$1,500,000,000 for fiscal year 2020;
12 “(2) \$2,000,000,000 for fiscal year 2021;
13 “(3) \$2,500,000,000 for fiscal year 2022;
14 “(4) \$3,000,000,000 for fiscal year 2023;
15 “(5) \$3,500,000,000 for fiscal year 2024; and
16 “(6) such sums as may be necessary for each
17 of fiscal years 2025–2028.”.

18 **SEC. 202. REFORM OF THE WORK STUDY FORMULA.**

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

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

23 “(a) REVISION TO THE FEDERAL WORK STUDY AL-
24 LOCATION.—The Secretary shall allocate funds under this

1 section solely on the basis of the self-help need determina-
2 tion described under subsection (c).”;

3 (2) in subsection (c)—

4 (A) in paragraph (2), by striking “To de-
5 termine the self-help need of an institution’s eli-
6 gible undergraduate students,” and inserting
7 “Until such time as the Secretary establishes a
8 revised method to determine the self-help need
9 of an institution’s eligible undergraduate stu-
10 dents, in accordance with paragraph (5),”;

11 (B) in paragraph (3), by striking “To de-
12 termine the self-help need of an institution’s eli-
13 gible graduate and professional students,” and
14 inserting “Until such time as the Secretary es-
15 tablishes a revised method to determine the
16 self-help need of an institution’s eligible grad-
17 uate and professional students, in accordance
18 with paragraph (5),”;

19 (C) by adding at the end the following:

20 “(5) Not later than 1 year after the date of en-
21 actment of the College for All Act of 2019, the Sec-
22 retary shall establish revised methods for deter-
23 mining the self-help need of an institution’s eligible
24 undergraduate students, as described in paragraph
25 (2), and eligible graduate and professional students,

1 as described in paragraph (3), that shall take into
2 account the number of Federal Pell Grant eligible
3 low-income and moderate-income students that an
4 eligible institution serves and provide considerations
5 for eligible institutions that successfully demonstrate
6 improved employment outcomes. The Secretary shall
7 promulgate any regulations necessary to carry out
8 the revised methods of determining an eligible insti-
9 tution's self-help need under this subsection.”; and

10 (3) by adding at the end the following:

11 “(f) FUNDS TO EXPAND JOB LOCATION DEVELOP-
12 MENT PROGRAMS.—Notwithstanding any other provision
13 of this part, to promote career readiness and improve the
14 employment skills of Federal Pell Grant-eligible students,
15 the Secretary is authorized to enter into agreements with
16 eligible institutions under which such institution may use
17 not more than 20 percent or \$150,000 of its allotment
18 under this section, whichever amount is less, to expand
19 job location development programs, which may be coordi-
20 nated with State and local workforce development
21 boards.”.

1 **TITLE III—STUDENT LOAN RE-**
 2 **LIEF FOR MILLIONS OF BOR-**
 3 **ROWERS**

4 **SEC. 301. RESTORATION OF CERTAIN INTEREST RATE PRO-**
 5 **VISIONS.**

6 Section 455(b) of the Higher Education Act of 1965
 7 (20 U.S.C. 1087e(b)) is amended—

8 (1) in paragraph (8)—

9 (A) in the heading, by striking “**ON OR**
 10 **AFTER JULY 1, 2013**” and inserting “**ON OR**
 11 **AFTER JULY 1, 2013, AND BEFORE JULY 1,**
 12 **2019**”; and

13 (B) by striking “on or after July 1, 2013”
 14 and inserting “on or after July 1, 2013, and
 15 before July 1, 2019” each place the term ap-
 16 pears;

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

19 (3) by inserting after paragraph (8) the fol-
 20 lowing:

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

23 “(A) RATES FOR UNDERGRADUATE FDSL
 24 AND FDUSL AND GRADUATE AND PROFES-
 25 SIONAL FDUSL.—Notwithstanding the pre-

ceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students and graduate and professional students, for which the first disbursement is made on or after July 1, 2019, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be equal to not more than 1.88 percent.

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

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

“(ii) during the period in which principal need not be paid (whether or not

1 such principal is in fact paid) by reason of
 2 a provision described in subsection (f),
 3 shall be equal to not more than 1.88 percent.

4 “(C) PLUS LOANS.—Notwithstanding the
 5 preceding paragraphs of this subsection, with
 6 respect to Federal Direct PLUS Loan for which
 7 the first disbursement is made on or after July
 8 1, 2019, the applicable rate of interest shall be
 9 equal to not more than 1.88 percent.

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

17 **SEC. 302. BORROWER MODIFICATION OF INTEREST RATES**
 18 **UNDER TITLE IV.**

19 Section 455(b) of the Higher Education Act of 1965
 20 (20 U.S.C. 1087e(b)), as amended by section 301, is fur-
 21 ther amended by adding at the end the following:

22 “(12) BORROWER MODIFICATION OF INTEREST
 23 RATE.—

24 “(A) MODIFICATION.—Notwithstanding
 25 any other provision of law, the borrower of a

1 Federal Stafford Loan under section 428, a
2 Federal Direct Stafford Loan, a Federal Un-
3 subsidized Stafford Loan under section 428H, a
4 Federal Direct Unsubsidized Stafford Loan, a
5 Federal PLUS Loan under section 428B, a
6 Federal Direct PLUS Loan, a Federal Consoli-
7 dation Loan under section 428C, or a Federal
8 Direct Consolidation Loan may elect to modify
9 the interest rate of the loan to be equal to—

10 “(i) in the case of a Federal Direct
11 Stafford Loan, a Federal Direct Unsub-
12 sidized Stafford Loan, a Federal Direct
13 PLUS Loan, or a Federal Direct Consoli-
14 dation Loan, the interest rate that would
15 be applicable to such loan if such loan were
16 first disbursed (or in the case of a Federal
17 Direct Consolidation Loan, first applied
18 for) on the date on which such borrower
19 elects to modify the interest rate of such
20 loan; and

21 “(ii) in the case of a Federal Stafford
22 Loan, a Federal Unsubsidized Stafford
23 Loan, a Federal PLUS Loan, or a Federal
24 Consolidation Loan, the weighted average
25 of the interest rates applicable to loans

1 under part B on the date the loan was first
2 disbursed (or in the case of a Federal Con-
3 solidation Loan, first applied for).

4 “(B) FIXED RATE.—Except as provided in
5 subparagraph (C), an interest rate elected
6 under subparagraph (A) for a loan shall be
7 fixed for the life of the loan.

8 “(C) CONTINUING AUTHORITY TO MOD-
9 IFY.—A borrower may elect to modify the inter-
10 est rate of a loan in accordance with subpara-
11 graph (A) at any time during the life of the
12 loan.”.

13 **SEC. 303. EXCESS REVENUE IN THE FEDERAL DIRECT LOAN**
14 **PROGRAM.**

15 (a) IN GENERAL.—The Secretary of Education shall,
16 for each fiscal year beginning with the first full fiscal year
17 following the date of enactment of this Act, as soon as
18 practicable after the end of such fiscal year, determine
19 whether the amount of Federal funds expended to carry
20 out the William D. Ford Federal Direct Loan Program
21 under part D of title IV of the Higher Education Act of
22 1965 (20 U.S.C. 1087a et seq.) during such fiscal year
23 was less than the revenue received from such Program
24 during such fiscal year.

1 (b) EXCESS REVENUE.—If the Secretary determines,
 2 for any fiscal year, that the amount of Federal funds ex-
 3 pended to carry out such Federal Direct Loan Program,
 4 as described in subsection (a), during such fiscal year was
 5 less than the revenue received from such Program during
 6 such fiscal year, the Secretary shall use the revenue in
 7 excess of the funds expended to carry out the Federal Pell
 8 Grant Program under subpart 1 of part A of title IV of
 9 the Higher Education Act of 1965 (20 U.S.C. 1070a et
 10 seq.) for the succeeding fiscal year.

11 **TITLE IV—SNYDER ACT**

12 **SEC. 501. RULE OF CONSTRUCTION REGARDING THE SNY-** 13 **DER ACT.**

14 Nothing in this Act, or an amendment made by this
 15 Act, shall be construed to change or abrogate the Federal
 16 Government’s responsibilities under the Act of November
 17 2, 1921 (commonly known as the “Snyder Act”) (25
 18 U.S.C. 13).

