

103D CONGRESS
1ST SESSION

S. 884

To make technical amendments to the Higher Education Act of 1965 and the Carl D. Perkins Vocational and Applied Technology Act.

IN THE SENATE OF THE UNITED STATES

MAY 4 (legislative day, APRIL 19), 1993

Mr. PELL (for himself, Mr. JEFFORDS, Mr. KENNEDY, and Mrs. KASSEBAUM) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To make technical amendments to the Higher Education Act of 1965 and the Carl D. Perkins Vocational and Applied Technology Act.

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. COOPERATIVE EDUCATION.**

4 (a) RESERVATION FOR CONTINUATION AWARDS.—
5 The matter preceding paragraph (1) of section 802(b) of
6 the Higher Education Act of 1965 (20 U.S.C.
7 1133a(b)(1)) is amended to read as follows:

8 “(b) RESERVATIONS.—From the amounts appro-
9 priated pursuant to the authority of subsection (a) for fis-

1 cal year 1993 the Secretary shall reserve such sums as
2 are necessary to make grant awards in accordance with
3 section 803(a)(6) for such year. From the amounts appro-
4 priated pursuant to the authority of subsection (a) and
5 not reserved pursuant to the preceding sentence in each
6 fiscal year—”.

7 (b) CLARIFICATION REGARDING SUBSEQUENT PAR-
8 TICIPATION OF CERTAIN GRANT RECIPIENTS.—Section
9 803 of the Higher Education Act of 1965 (20 U.S.C.
10 1133b) is amended—

11 (1) in subparagraph (A) of subsection (a)(1),
12 by striking “that have not received a grant under
13 this paragraph in the 10-year period preceding the
14 date for which a grant under this section is re-
15 quested”;

16 (2) in the heading of subsection (c), by insert-
17 ing “; SUBSEQUENT PARTICIPATION RULE” after
18 “SHARE”; and

19 (3) in subsection (c)—

20 (A) in the matter preceding subparagraph
21 (A) of paragraph (1), by striking “No” and in-
22 serting “Except as provided in paragraph (4),
23 no”;

24 (B) in subparagraph (A), by inserting “,
25 except that any grant awarded pursuant to sec-

1 tion 802 of the Higher Education Act of 1965
2 (as such Act was in effect on July 22, 1992)
3 shall be included in the calculation of the 5 fis-
4 cal year period described in this subparagraph”
5 before the semicolon; and

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

8 “(4) SUBSEQUENT PARTICIPATION RULE.—An
9 institution of higher education or a combination of
10 such institutions shall be eligible to receive a grant
11 under subsection (a)(1)(A) after the expiration of
12 the 10 fiscal year period following the final fiscal
13 year in which such institution or combination re-
14 ceives grant funds in accordance with subparagraph
15 (A) or (B) of paragraph (1).”.

16 (c) PRIORITY.—Subsection (a) of section 803 of the
17 Higher Education Act of 1965 (20 U.S.C. 1135b) is fur-
18 ther amended by adding at the end the following new para-
19 graph:

20 “(6) PRIORITY.—In awarding grants under
21 paragraph (1)(A) in any fiscal year the Secretary
22 shall give priority to institutions of higher education
23 or combinations of such institutions that have re-
24 ceived grant funds in the preceding fiscal year pur-
25 suant to a multiyear grant award under paragraph

1 (1)(A) or section 802 of the Higher Education Act
2 of 1965 (as such section was in effect on July 22,
3 1992).”.

4 (d) FEDERAL SHARE.—Subsection (c) of section 803
5 of the Higher Education Act of 1965 (20 U.S.C.
6 1133b(c)) is further amended—

7 (1) in the matter preceding subparagraph (A)
8 of paragraph (2), by striking “The” and inserting
9 “Except as provided in paragraph (3), the”; and
10 (2) by amending paragraph (3) to read as fol-
11 lows:

12 “(3) SPECIAL RULE.—The Secretary shall not
13 waive the provisions of this subsection, except that
14 if an institution of higher education or combination
15 of such institutions received grant funds under sec-
16 tion 802 of the Higher Education Act of 1965 (as
17 such section was in effect on July 22, 1992) pursu-
18 ant to a multiyear grant award and such institution
19 or combination is eligible to receive grant funds
20 under this section, then the Secretary shall waive the
21 Federal share provisions set forth in paragraph (2)
22 for such institution or combination and shall apply
23 the Federal share provisions set forth in section
24 802(c)(2) of the Higher Education Act of 1965 (as
25 such section was in effect on July 22, 1992) to such

1 institution or combination for the duration of such
2 multiyear grant award.”.

3 (e) AVAILABILITY OF APPROPRIATIONS.—Subsection
4 (c) of section 802 of the Higher Education Act of 1965
5 (20 U.S.C. 1133a(c)) is amended to read as follows:

6 “(c) AVAILABILITY OF APPROPRIATIONS.—

7 “(1) LIMITATION REGARDING COMPENSATION
8 OF STUDENTS.—Appropriations under this title shall
9 not be available for the payment of compensation of
10 students for employment by employers under ar-
11 rangements pursuant to this title.

12 “(2) SPECIAL RULE.—Funds appropriated pur-
13 suant to the authority of subsection (a) for fiscal
14 year 1993 shall remain available for obligation until
15 September 30, 1994.”.

16 **SEC. 2. GRADUATE PROGRAMS.**

17 Notwithstanding any other provision of law, if an in-
18 dividual received multiyear fellowship assistance under
19 part B, C, or D of title IX of the Higher Education Act
20 of 1965 in fiscal year 1992, then the Secretary of Edu-
21 cation shall apply the provisions of such parts (as such
22 parts were in effect on July 22, 1992) for the remainder
23 of the duration of such multiyear fellowship assistance.

1 **SEC. 3. PACIFIC REGIONAL EDUCATIONAL LABORATORY.**

2 The matter preceding paragraph (1) of section
3 101A(b) of the Carl D. Perkins Vocational and Applied
4 Technology Education Act (20 U.S.C. 2311a(b)) is
5 amended—

6 (1) by striking “Center for the Advancement of
7 Pacific Education, Honolulu, Hawaii, or its succes-
8 sor entity as the Pacific regional educational labora-
9 tory” and inserting “Pacific Regional Educational
10 Laboratory, Honolulu, Hawaii”; and

11 (2) by inserting “or provide direct services re-
12 garding” after “grants for”.

13 **SEC. 4. DISTRIBUTION OF FUNDS TO POSTSECONDARY AND**
14 **ADULT PROGRAMS.**

15 Section 232 of the Carl D. Perkins Vocational and
16 Applied Technology Education Act (20 U.S.C. 2341a) is
17 amended—

18 (1) in subsection (a)—

19 (A) in the first sentence, by inserting “or
20 consortia thereof” before “within”; and

21 (B) in the second sentence—

22 (i) by inserting “or consortium” be-
23 fore “shall”; and

24 (ii) by inserting “or consortium” be-
25 fore “in the preceding”;

26 (2) in subsection (b)—

1 (A) in paragraph (1), by inserting “or con-
2 sortia” after “institutions”; and

3 (B) in the matter preceding subparagraph
4 (A) of paragraph (2), by inserting “or consor-
5 tia” after “institutions”; and

6 (3) in subsection (c)—

7 (A) in paragraph (1), by inserting “or con-
8 sortium” after “institution”; and

9 (B) in paragraph (2), by inserting “or con-
10 sortia” after “institutions”.

11 **SEC. 5. NATIONAL BOARD FOR PROFESSIONAL TEACHING**
12 **STANDARDS.**

13 Section 551 of the Higher Education Act of 1965 (20
14 U.S.C. 1107(f)) is amended—

15 (1) in paragraph (1) of subsection (b), by strik-
16 ing “the Federal share of”;

17 (2) in subparagraph (B) of subsection (e)(1), by
18 striking “share of the cost of the activities of the
19 Board is” and inserting “contributions described in
20 subsection (f) are”; and

21 (3) by amending subsection (f) to read as fol-
22 lows:

23 “(f) MATCHING FUNDS REQUIREMENT.—

24 “(1) IN GENERAL.—The Secretary shall not
25 provide financial assistance under this subpart to

1 the Board unless the Board agrees to expend non-
2 Federal contributions equal to \$1 for every \$1 of the
3 Federal funds provided pursuant to such financial
4 assistance.

5 “(2) NON-FEDERAL CONTRIBUTIONS.—The
6 non-Federal contributions described in paragraph
7 (1)—

8 “(A) may include all non-Federal funds
9 raised by the Board on or after January 1,
10 1987; and

11 “(B) may be used for outreach, implemen-
12 tation, administration, operation, and other
13 costs associated with the development and im-
14 plementation of national teacher assessment
15 and certification procedures under this sub-
16 part.”.

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