

Union Calendar No. 88

106TH CONGRESS
1ST SESSION

H. R. 974

[Report No. 106-158, Part I]

To establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 1999

Mr. DAVIS of Virginia (for himself, Ms. NORTON, Mrs. MORELLA, Mr. HOYER, Mr. WYNN, Mr. HORN, Mr. CUNNINGHAM, Mr. EHRLICH, and Mr. MORAN of Virginia) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MAY 24, 1999

Additional sponsors: Mr. SHAYS, Mr. LEWIS of California, Mr. BOUCHER, Mr. SCARBOROUGH, and Mrs. MALONEY of New York

MAY 24, 1999

Reported from the Committee on Government Reform

[Strike out all after the enacting clause and insert the part printed in *italic*]

MAY 24, 1999

Referral to the Committee on Ways and Means extended for a period ending not later than May 24, 1999

MAY 24, 1999

The Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes.

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 “District of Columbia*
5 *College Access Act”.*

6 **SEC. 2. ESTABLISHMENT OF SCHOLARSHIP PROGRAM.**

7 *There is hereby established the District of Columbia*
8 *College Access Scholarship Program (hereafter in this Act*
9 *referred to as the “Program”)* under which the Mayor of
10 *the District of Columbia shall award scholarships in ac-*
11 *cordance with section 4 using amounts in the District of*
12 *Columbia College Access Fund established under section 3.*

13 **SEC. 3. DISTRICT OF COLUMBIA COLLEGE ACCESS FUND.**

14 *(a) ESTABLISHMENT.—There is hereby established on*
15 *the books of the government of the District of Columbia the*
16 *District of Columbia College Access Fund (hereafter in this*
17 *Act referred to as the “Fund”), which shall consist of the*
18 *following amounts:*

1 (1) *Amounts appropriated to the Fund under*
2 *law.*

3 (2) *Gifts and bequests.*

4 (3) *Refunds paid under section 4(b)(4).*

5 (4) *Interest earned on the balance of the Fund.*

6 (b) *ADMINISTRATION.—The Mayor of the District of*
7 *Columbia shall administer the Fund, in consultation with*
8 *the Secretary of Education.*

9 (c) *USE OF FUND.—*

10 (1) *IN GENERAL.—Amounts in the Fund shall be*
11 *used solely to award scholarships in accordance with*
12 *section 4, except that not more than 10 percent of the*
13 *balance of the Fund with respect to a fiscal year may*
14 *be used for the administration of the Fund during*
15 *such year.*

16 (2) *DETERMINATION OF AMOUNT AVAILABLE FOR*
17 *SCHOLARSHIPS.—With respect to each academic year*
18 *for which scholarships may be awarded under this*
19 *Act, the Mayor shall determine the amount available*
20 *from the Fund for awarding scholarships.*

21 (d) *INVESTMENT.—The Mayor shall invest such por-*
22 *tion of the Fund as is not in the judgment of the Mayor*
23 *required to make current payments for scholarships. Such*
24 *investments shall be in such form as the Mayor considers*
25 *appropriate.*

1 **SEC. 4. ADMINISTRATION OF SCHOLARSHIP PROGRAM.**

2 (a) *APPLICATIONS.*—Any qualified graduate seeking a
3 scholarship under the Program shall submit an application
4 to the Mayor in such form and containing such information
5 as the Mayor may prescribe by regulation. The Mayor shall
6 make applications for scholarships under the Program
7 available not later than October 1 of the academic year pre-
8 ceding the academic year for which the scholarships will
9 be awarded, and shall announce the recipients of scholar-
10 ships under this section not later than a date determined
11 by the Mayor in consultation with the Secretary of Edu-
12 cation.

13 (b) *AWARDS AUTHORIZED.*—

14 (1) *AWARDS TO EACH QUALIFIED GRADUATE.*—

15 (A) *IN GENERAL.*—From the amount avail-
16 able from the Fund under section 3(c)(2) for any
17 academic year, the Mayor shall award scholar-
18 ships to each qualified graduate submitting an
19 application that is approved pursuant to sub-
20 section (a).

21 (B) *AWARDS TO STUDENTS AT ELIGIBLE*
22 *PUBLIC INSTITUTIONS BASED ON IN-STATE TUI-*
23 *TION.*—Subject to subparagraph (D) and para-
24 graph (2), such scholarship shall provide, for at-
25 tendance at an eligible public institution located

1 *outside the District of Columbia, an amount*
2 *equal to the difference between—*

3 *(i) the amount of the tuition normally*
4 *charged by that institution to a student who*
5 *is not a resident of the State in which that*
6 *institution is located for the program of in-*
7 *struction in which the qualified graduate is*
8 *enrolled or accepted for enrollment; and*

9 *(ii) the amount of the tuition normally*
10 *charged by that institution to a student who*
11 *is a resident of such State for such program*
12 *of instruction, or the amount of the tuition*
13 *normally charged by that institution to a*
14 *student who is a resident of the county in*
15 *which the institution is located for such*
16 *program of instruction, whichever is less.*

17 (C) *TUITION ASSISTANCE GRANTS TO STU-*
18 *DENTS AT ELIGIBLE PRIVATE INSTITUTIONS.—*
19 *Subject to paragraph (2), such scholarship shall*
20 *provide, for attendance at an eligible private in-*
21 *stitution, a tuition assistance grant in a uni-*
22 *form amount determined by the Mayor, not to*
23 *exceed \$3,000 for the academic year.*

24 (D) *CAP ON AMOUNT PROVIDED.—The*
25 *amount of a scholarship provided to an indi-*

1 *vidual under subparagraph (B) for an academic*
2 *year may not exceed \$10,000.*

3 (2) *RATABLE REDUCTION IF FUNDS INSUFFI-*
4 *CIENT.—If the amount available from the Fund under*
5 *section 3(c)(2) for any academic year is not sufficient*
6 *to pay the scholarship amount determined under*
7 *paragraph (1) for each qualified graduate submitting*
8 *an application that is approved pursuant to sub-*
9 *section (a), the amount of such scholarships shall be*
10 *ratably reduced. If additional sums become available*
11 *for such academic year, such reduced scholarships*
12 *shall be increased on the same basis as they were re-*
13 *duced (until the amount allotted equals the amount*
14 *determined under paragraph (1)).*

15 (3) *DISBURSEMENT.—The scholarships awarded*
16 *under this section shall be disbursed to the eligible in-*
17 *stitution at which the qualified graduate is enrolled*
18 *or accepted for enrollment by check or other means*
19 *that is payable to and requires the endorsement or*
20 *other certification by such graduate.*

21 (4) *REFUNDS.—The Mayor may prescribe such*
22 *regulations as may be necessary to provide for the re-*
23 *fund to the Fund of a portion of the amount awarded*
24 *under this section in the event a recipient of a schol-*
25 *arship under this section withdraws from an institu-*

1 *tion during a period of enrollment in which the re-*
2 *ipient began attendance.*

3 (c) *RULE OF CONSTRUCTION.*—*Nothing in this Act*
4 *shall be construed to require an institution of higher edu-*
5 *cation to alter the institution’s admissions policies or*
6 *standards in any manner in order for a qualified graduate*
7 *to receive a scholarship to attend such institution under this*
8 *Act.*

9 (d) *DEFINITIONS.*—*As used in this section:*

10 (1) *QUALIFIED GRADUATE.*—*The term “qualified*
11 *graduate” means an individual who—*

12 (A) *has been a resident of the District of*
13 *Columbia for not less than the 12 consecutive*
14 *months preceding the academic year for which*
15 *the scholarship is sought;*

16 (B) *begins his or her undergraduate course*
17 *of study within the 3 calendar years (excluding*
18 *any period of service on active duty in the*
19 *Armed Forces of the United States, in the Peace*
20 *Corps or Americorps) of graduating from a sec-*
21 *ondary school, or receiving the recognized equiva-*
22 *lent of a secondary school diploma;*

23 (C) *is enrolled or accepted for enrollment in*
24 *a degree, certificate, or other program (including*
25 *a program of study abroad approved for credit*

1 *by the institution at which such student is en-*
2 *rolled) leading to a recognized educational cre-*
3 *dential at an eligible institution;*

4 *(D) if the student is presently enrolled at*
5 *an institution, is maintaining satisfactory*
6 *progress in the course of study the student is*
7 *pursuing, as determined under section 484(c) of*
8 *the Higher Education Act of 1965 (20 U.S.C.*
9 *1091(c));*

10 *(E) is a citizen or national of the United*
11 *States, a permanent resident of the United*
12 *States, able to provide evidence from the Immi-*
13 *gration and Naturalization Service that he or*
14 *she is in the United States for other than a tem-*
15 *porary purpose with the intention of becoming a*
16 *citizen or permanent resident, or a citizen of the*
17 *Republic of the Marshall Islands, the Federated*
18 *States of Micronesia, or the Republic of Palau;*

19 *(F) does not owe a refund on grants pre-*
20 *viously received under title IV of the Higher*
21 *Education Act of 1965, and is not in default on*
22 *any loan made, insured, or guaranteed under*
23 *such title;*

24 *(G) has not completed his or her first un-*
25 *dergraduate baccalaureate course of study; and*

1 (H) is not incarcerated.

2 (2) *ELIGIBLE INSTITUTION.*—The term “eligible
3 institution” means eligible public institution or an el-
4 igible private institution.

5 (3) *ELIGIBLE PUBLIC INSTITUTION.*—The term
6 “eligible public institution” means an institution of
7 higher education that—

8 (A) is established as a State-supported in-
9 stitution of higher education by the State in
10 which such institution is located;

11 (B) is eligible to participate in student fi-
12 nancial assistance programs under title IV of the
13 Higher Education Act of 1965 (20 U.S.C. 1001
14 et seq.); and

15 (C) has entered into an agreement with the
16 Mayor containing such requirements for the
17 management of funds provided under this Act as
18 the Mayor may specify, including a requirement
19 that the institution use the funds to supplement
20 and not supplant assistance that otherwise would
21 be provided to students from the District of Co-
22 lumbia.

23 (4) *ELIGIBLE PRIVATE INSTITUTION.*—The term
24 “eligible private institution” means an institution of
25 higher education that—

1 (A) is located in the District of Columbia,
2 the State of Maryland, or the Commonwealth of
3 Virginia;

4 (B) is not established as a State-supported
5 institution of higher education by the State in
6 which such institution is located;

7 (C) is eligible to participate in student fi-
8 nancial assistance programs under title IV of the
9 Higher Education Act of 1965 (20 U.S.C. 1001
10 et seq.); and

11 (D) has entered into an agreement with the
12 Mayor containing such requirements for the
13 management of funds provided under this Act as
14 the Mayor may specify, including a requirement
15 that the institution use the funds to supplement
16 and not supplant assistance that otherwise would
17 be provided to students from the District of Co-
18 lumbia.

19 (5) *INSTITUTION OF HIGHER EDUCATION.*—The
20 term “institution of higher education” has the mean-
21 ing given that term under section 101 of the Higher
22 Education Act of 1965 (20 U.S.C. 1001).

23 (6) *SECONDARY SCHOOL.*—The term “secondary
24 school” has the meaning given that term under sec-

1 *tion 14101 of the Elementary and Secondary Edu-*
2 *cation Act of 1965 (20 U.S.C. 8801).*

3 **SEC. 5. ADMINISTRATION OF PROGRAM AND FUND.**

4 *In carrying out the Program and administering the*
5 *Fund, the Mayor of the District of Columbia—*

6 *(1) shall consult with the Secretary of Edu-*
7 *cation; and*

8 *(2) may enter into a contract with a nongovern-*
9 *mental agency to administer the Program and the*
10 *Fund if the Mayor determines that it is cost-effective*
11 *and appropriate to do so.*

12 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

13 *There are authorized to be appropriated for payment*
14 *to the Fund such sums as may be necessary for fiscal year*
15 *2000 and for each of the 5 succeeding fiscal years.*

16 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS FOR UNIVER-**
17 **SITY OF THE DISTRICT OF COLUMBIA.**

18 *There is authorized to be appropriated to the Univer-*
19 *sity of the District of Columbia for fiscal year 2000 and*
20 *each of the 5 succeeding fiscal years such sums as may be*
21 *necessary to enhance educational opportunities for the*
22 *University.*

Union Calendar No. 88

106TH CONGRESS
1ST Session

H. R. 974

[Report No. 106-158, Part I]

A BILL

To establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes.

MAY 24, 1999

Reported from the Committee on Government Reform

MAY 24, 1999

Referral to the Committee on Ways and Means extended for a period ending not later than May 24, 1999

MAY 24, 1999

The Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed